15.216 Exception Zone 216 (By-law 1158-80, as amended by By-law 6124-03, By-law 3878-91 and By-law 5500-99)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations

b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale.

c) “Business Office” shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization and may include a financial institution, a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store.

d) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

e) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged.

f) “Floor Area” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

g) “Gross Floor Area” shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

h) “Laundromat” shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

i) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot.

j) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from, the front lot line.

k) “Neighbourhood Store” shall mean a store in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of, or persons employed in the immediate neighbourhood.

l) “Personal Service Shop” shall mean an establishment where a personal service is performed and may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1970, Chapter 284, or any successor thereto.

m) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given and may include a clinic and the offices of an architect, chartered accountant, engineer, lawyer or physician but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1970, Chapter 284, or any successor thereto.

n) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public.

o) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on or off the premises, or both, but shall not include an adult entertainment parlour as defined herein.

p) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

q) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

r) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

s) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

t) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

u) Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

v) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall o f the nearest main building or structure on the lot.

w) Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

x) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

y) For the purpose of this subsection, the terms:

i. “Public School” shall mean,

A. A school under the jurisdiction of a board of education which board is established pursuant to the Education Act, R.S.O. 1980, or any successor thereto;

B. A college of applied arts and technology established pursuant to the Ministry of College and Universities Act, R.S.O. 1980, or any successor thereto; and

C. A university eligible to receive provincial funding from the Minister of Education, Colleges and Universities, pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto.

ii. “Private Non-Residential School” shall mean a school which is maintained for education al or religious purposes but shall not include any other school defined herein.

iii. “Private Residential School” shall mean a school which is maintained for educational or religious purposes and which includes accessory residential facilities but shall not include any other school defined herein.

iv. “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school, or any other such school operated for gain or profit, but shall not include any other school defined herein.

v. “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children.

2. Provisions

a) Uses Permitted (“C4” Zone)

No person shall within the lands designated “C4” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bakeries;

ii. business offices:

iii. day nurseries

iv. dry cleaning depots;

v. financial institutions

vi. laundromats;

vii. neighbourhood stores;

viii. personal service shops;

ix. private non-residential schools;

x. professional office;

xi. restaurants – type “A”; and

xii. retail stores subject to the provisions of Section 2(b)(ii)(J)(2).

b) Zone Requirements (“C4” Zone)

i. For the purpose of this subsection the lot line flanking Bushmill Street or an abutting reserve shall be deemed to be the front lot line.

ii. No person shall within the lands designated “C4” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

A.	LOT AREA (minimum):	0.4 hectares
B.	LOT FRONTAGE (minimum):	45 metres
C.	FRONT YARD DEPTH (minimum)	12 metres
D.	INTERIOR SIDE YARD WIDTH (minimum):	4.5 metres, except where an interior side lot line abuts a residential zone, the minimum interior side yard width shall be 7.5 metres.
E.	FLANKAGE SIDE YARD WIDTH (minimum):	12 metres
F.	REAR YARD WIDTH (minimum):	7.5 metres
G.	LOT COVERAGE (maximum):	33 percent
H.	BUILDING HEIGHT (maximum)	12 metres

I. PARKING REQUIREMENTS (minimum)

1) There shall be provided and maintained on the lands designated “C4”, a minimum of 45 parking spaces.

2) Despite clause (1) above, if any day nursery, private non-residential school or restaurant type-A use exists on the lands designated “C4”, a minimum of 54 parking spaces shall be provided and maintained.

3) Notwithstanding the provisions of Section 5.21.2, entitled Supplementary Parking Regulation of By-law 3036, as amended, and more specifically paragraph (b) thereof concerning the location of off-street parking spaces within the Local Commercial “C4” Zone applicable to those lands located adjacent the south-west corner of the intersection of Liverpool Road and Bushmill Street, off-street parking shall be permitted within the interior side yard provided that no part of any off-street parking space is located closer than 4.5 metres to the west property line, and 1.5 metres form the east flankage property line.

J. SPECIAL RESTRICTIONS:

1) The gross floor area of all buildings on the lot shall not exceed 929 square metres.

2) The gross floor area of any individual retail store on the lot shall not exceed 325 square metres.

3) The gross floor area of all day nurseries and/or private non-residential schools on the lot shall not exceed 200 square metres.

4) The gross floor area of any restaurant – type A, on the lot shall not exceed 200 square metres.

5) Notwithstanding any other provisions of this By-law to the contrary, a maximum of one restaurant – type A shall be permitted on the lands zoned “C4”.

6) For the purpose of this clause, the term “drive-through facility” shall mean a facility in which goods, products, or services are provided directly to customers in vehicles.

7) No drive-through facility shall be permitted in association with any of the uses permitted on the lands designated “C4”.

15.217 Exception Zone 217 (By-law 1236-81)

1. Definitions

   a) "Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   b) "Dwelling" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a building containing not more than one dwelling and uses accessory thereto.

   d) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings.

   e) "Semi-Detached Dwelling" shall mean one of a pair of single dwellings which are attached horizontally and divided vertically by an above grade common wall.

   f) "Single Attached Dwelling" shall mean one of a group of not less than three and not more than six single dwellings which are attached horizontally and divided vertically by an above grade common wall between adjacent single dwellings.

   g) "Floor Area" shall mean the total area of all storeys contained within the outside walls of a building excluding, in the case of a building containing a dwelling or dwellings, any private garage, porch, verandah, sunroom, balcony, basement recreation room, unfinished attic or unfinished basement.

   h) "Lot" shall mean an area of land fronting on a street, which is used or intended to be used as the site of a single dwelling, together with any accessory buildings or structures, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Frontage" shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S" Zone)

No person shall within the lands designated "S", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential use

b) Zone Requirements ("S" Zone)

No person shall within the lands designated "S", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i.	LOT AREA (minimum):	350 square metres
ii.	LOT FRONTAGE (minimum):	12 metres
iii.	FRONT YARD DEPTH (minimum):	4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES: (minimum): 1 per dwelling attached to the main building and located not less than 6 metres from the front lot line

c) Uses Permitted ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential use

ii. semi-detached dwelling residential use

d) Zone Requirement ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minima):

A. for single detached dwellings: 1.2 metres

B. for semi-detached dwellings: 1.2 metres, except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

2) 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line

e) Uses Permitted ("SD-SA" Zones)

No person shall within the lands designated "SD-SA", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

ii. single attached dwelling residential use

f) Zone Requirements ("SD-SA" Zones)

No person shall within the lands designated "SD-SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minima): 1.2 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling attached to the main building and located not less than 6 metres from the front lot line

15.218 Exception Zone 218 (By-law 1264-81)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above grade common wall.

   f) "Single Attached Dwelling" shall mean one of a group of not less than 3 and not more than 6 single dwellings, adjacent dwellings being attached together horizontally by an above grade common wall.

   g) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   h) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   i) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   j) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   k) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   l) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

m) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard" shill mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

ii. semi-detached dwelling residential uses

iii. single attached dwelling residential uses

b) Zone Requirements ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. for single detached dwellings: 250 square metres

B. for semi-detached dwellings: 225 square metres

C. for single attached dwellings: 200 square metres

ii. LOT FRONTAGE (minimum):

A. for single detached dwellings: 10 metres

B. for semi-detached dwellings 7.5 metres

C. for single attached dwellings: 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for single detached dwellings:

1.2 metres one side, 0.6 metres other side or no interior side yard one side so long as 1.8 metres is provided on the other side.

B. for semi-detached and single attached dwellings:

1.2 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots a minimum of 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum) 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. for single detached dwellings 38 percent

B. for semi-detached and single attached dwellings 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. no less than 66 and no more than 100 dwelling units shall be permitted within the area designated "S-SD-SA"

B. maximum 1 dwelling unit per lot

C. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS:

minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

xi. SPECIAL REGULATIONS:

A. no windows from habitable rooms or doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it;

B. the horizontal distance between buildings on adjacent lots, except if such buildings are attached together in whole or in part, shall be not less than 1.8 metres.

15.219 Exception Zone 219 (By-law 1267-81)

1. Definitions

   a) "Coverage" shall mean the percentage of a lot area covered by all buildings on the lot.

   b) "Dwelling" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a building containing not more than one dwelling and uses accessory thereto.

   d) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure or a portion thereof, as the case may be, other than a private garage, an attic or a cellar.

   g) "Lot" shall mean an area of land fronting on a street, which is used or intended to be used as the site of a single dwelling, together with any accessory buildings or structures, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   h) "Lot Frontage" shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to and 7.5 metres distant from the front lot line.

   i) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

   k) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

   l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

r) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1" and "S1-l" Zones)

No person shall within the lands designated "S1" and "S1-1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

b) Zone Requirements ("S1" and "S1-1" Zones)

No person shall within the lands designated "S1" and "S1-1", use any lot or erect, alter or use any building or structure except in accordance with the following:

i.	LOT AREA (minimum):	500 square metres
ii.	LOT FRONTAGE (minimum):	18 metres
iii.	FRONT YARD DEPTH (minimum):	6 metres
iv.	INTERIOR SIDE YARD WIDTH (minimum):	1.8 metres
v.	FLANKAGE SIDE YARD WIDTH (minimum):	3.0 metres
vi.	REAR YARD DEPTH (minimum):	
A.	within the lands designated "S1":	7.5 metres

B. within the lands designated "S1-1": 15 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 33 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building, and located not less than 6 metres from the front lot line

xii. SPECIAL RESTRICTIONS: within the lands designated "S1-1" no accessory buildings or structures shall be permitted closer than 7.5 metres to the rear lot line

c) Uses Permitted ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

d) Zone Requirements ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building or structure except in accordance with the following:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WI0TH (minimum): 2. 7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGE (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line

e) Uses Permitted ("G" Zone)

No person shall within the lands designated "G" use any lot or erect, alter or use any building or structure for any purpose except:

i. greenbelt-conservation uses in accordance with Section 17 of By law 3036, as amended

15.220 Exception Zone 220 (By-law 1289-81, as amended by By-law 1524-82)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   k) "Neighbourhood Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

s) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

t) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

u) ‘’Interior Side Yard’’ shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

b) Zone Requirements ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum one (1) dwelling unit per lot

B. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS:

minimum one (1) private garage per lot attached to the main building and located not less than six (6) metres from the front lot line.

c) Uses Permitted ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

d) Zone Requirements ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 11 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

1.2 metres one side, 0.6 metres other side or no interior side yard one side so long as 1.8 metres is provided on the other side.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum one (1) dwelling unit per lot

B. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS:

minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

xi. SPECIAL REGULATIONS:

A. no windows from habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it;

B. the horizontal distance between buildings on adjacent lots, shall be not less than 1.8 metres

e) Uses Permitted (“NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Neighbourhood park

15.221 Exception Zone 221 (By-law 1340-81, as amended by By-law 5650-00)

1. Definitions

   a) "Assembly Hall" shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and which may include an auditorium or a banquet hall.

   b) "Bakery" shall mean a building or part of a building in which baked food products are prepared and offered for retail sale, and which may include incidental baking.

   c) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres.

   d) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership.

   e) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreational facilities are provided and operated for gain or profit, and which may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein.

   f) "Commercial School" shall mean a school which is operated for gain or profit and which may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit.

   g) "Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for use as a facility for the daytime care of children.

   h) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

   i) "Financial Institution" shall mean an institution in which money is deposited, kept, lent or exchanged.

j) "Food Store" shall mean a building or part of a building in which food, produce and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public.

k) "Gross Retail and Personal Service Floor Area" shall mean the gross retail and personal service floor space contained in all buildings and structures on the lot; as such space is defined in Section 8.2.2 of the Official Plan of the Regional Municipality of Durham, as amended from time to time, or any successor thereto.

l) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

n) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlor as defined in The Municipal Act, R.S.O. 1970, Chapter 284, as amended from time to time or any successor thereto.

o) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, a pin-ball arcade, or a theatre.

p) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership.

q) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlor as defined in The Municipal Act, R.S,O. 1970, Chapter 284, as amended from time to time, or any successor thereto.

r) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership.

s) "Restaurant-Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises.

t) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public.

u) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

v) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

w) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

x) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there it no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

y) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

z) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

aa) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

bb) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

cc) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("CCA-2")

No person shall within the lands designated "CCA-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. assembly halls

ii. bakeries

iii. business offices

iv. commercial clubs

v. commercial-recreational establishments

vi. commercial schools

vii. day nurseries

viii. dry cleaning depots

ix. financial institutions

x. food stores

xi. laundromats

xii. personal service shops

xiii. places of amusement or entertainment

xiv. private clubs

xv. professional offices

xvi. public clubs

xvii. restaurants - type A

xviii. retail stores

b) Zone Requirements "CCA-2"

No person shall within the lands designated "CCA-2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 15 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 15 metres

iii. FLANKAGE SIDE YARD WIDTH (mini mum): 15 metres

iv. REAR YARD DEPTH (minimum): 15 metres

v. LOT COVERAGE (maximum): 33 percent

vi. BUILDING HEIGHT (maximum): 12 metres

vii. GROSS RETAIL AND PERSONAL SERVICE FLOOR AREA (maximum): 16,725 square metres

viii. GROSS OFFICE FLOOR AREA (maximum): 500 square metres

c) Special Restrictions (“CCA-2”)

i. Despite any provisions in By-law 3036, as amended by this exception, a portion of the parking area within the “CCA-2” zone designation, may be used for a maximum 500 square metres of outdoor storage associated with a garden centre use from April 1 to June 30 of every year.

15.222 Exception Zone 222 (By-law 1493-82, as amended by By-law 2317-86)

1. Definitions

   a) “Community Park” shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

   b) “Coverage” or “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot.

   c) “Dwelling” shall mean a building or part of a building containing one or more dwelling units.

   d) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit contain a separate kitchen and sanitary facilities.

   e) “Single Dwelling” shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   f) “Single Detached Dwelling” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   g) “Semi-Detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above grade common wall.

   h) “Single Attached Dwellings” shall mean one of a group of not less than 2 or not more than 6 single dwellings, adjacent dwellings being attached together horizontally by an above grade common wall.

   i) “Floor Area” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   j) “Gross Floor Area” shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   k) "Dwelling Unit Area" shall mean the aggregate the floor areas of all habitable. rooms of a dwelling unit.

   l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

n) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

o) "Private Garage" shall mean unenclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otl1erwise.

p) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

q) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

r) "Front Yard Depth" shall mean the shortest horizontal di1nension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot,

s) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

t) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

u) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

v) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

w) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

x) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S2" and "S3" Zones)

No person shall within the lands designated "S2", and "S3" any lot or erect, alter or use any building or structure for any purpose except tl1e following:

i. single detached dwelling residential uses

b) Zone Requirements ("S2" and "S3" Zones)

No person shall within the lands designated "S2" and "S3", use lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S2" - 400 square metres

B. on the lands designated "S3" - 350 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S2" - 13.5 metres

B. on the lands designated "S3" - 12 metres

iii. FRONT YARD DEPTH (minimum) 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres, or one side between 0 metres and 0.3 metres inclusive so long as 1.8 metres is provided on the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2. 7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS

maximum one (1) dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS

minimum one (1) private garage per lot attached to the main building and located not less than six (6) metres from the front lot line

xi. SPECIAL REGULATIONS

A. each lot to which this section applies that abuts on its side lot line lands designated "CP" or lands to which this By-law does not apply shall provide a minimum side yard width of 1.2 metres adjacent to such lands.

B. no doors or windows from habitable rooms shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it.

C. the horizontal distance between buildings on adjacent lots to which the secti/on applies shall not be less than 1.8 metres.

c) Uses Permitted (“S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

d) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

1.2 metres one side, 0.6 metres other side

or

between 0 metres and 0.3 metres, inclusive, one side so long as on the other side:

A. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage; and

B. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS maximum one (1) dwelling unit per lot and minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

xi. SPECIAL REGULATIONS

A. each lot to which this section applies that abuts on its side lot line lands designated "CP" or lands to which this By-law does not apply shall provide a minimum side yard width of 1.2 metres adjacent to such lands

B. no windows from habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it

C. the horizontal distance between buildings on adjacent lots shall he not less than 1.2 metres

e) Uses Permitted ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential use

ii. semi-detached dwelling residential use

f) Zone Requirements ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum)

A. for single detached dwellings 1.2 metres one side, 0.6 metres other side

or

between 0 metres and 0.3 metres, inclusive, one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage; and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main building

B. for semi-detached dwellings 1.2 metres, except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every wall on such side which is not part of a co 1mon wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

2) 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum) 40 percent

viii. BUILDING HEIGHT (maximum) 12 metres

ix. DWELLING UNIT REQUIREMENTS maximum one (1) dwelling unit per lot and minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line

xi. SPECIAL REGULATIONS

A. no windows from habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it;

B. the horizontal distance between buildings on adjacent lots, except if such buildings are attached in whole or in part, shall be not less than 1.2 metres

g) Uses Permitted ("SD-SA" Zone)

No person shall within the lands designated "SD-SA", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

ii. single attached dwelling residential use

h) Zone Requirements ("SD-SA" Zones)

No person shall within the lands designated "SD-SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH minimum 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side

which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum) 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS maximum one (1) dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS

minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

i) Use Permitted ("CP" Zone)

No person shall within the lands designated "CP", use any lot or erect, alter or use any building or structure for any purpose except:

i. community park

j) Use Permitted ("G" Zone)

No person shall within the lands designated "G", use any lot or erect, alter or use any building or structure for any purpose except:

i. greenbelt-conservation uses in accordance with section 17 of By-law 3036, as amended.

15.223 Exception Zone 223 (By-law 1494-82, as amended by By-law 6104-03)

1. Definitions

   a) "Assembly Hall" shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and which may include an auditorium or a banquet hall.

   b) "Bakery" shall mean a building or part of a building in which baked food products are prepared and offered for retail sale, and which may include incidental baking.

   c) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres.

   d) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership.

   e) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreational facilities are provided and operated for gain or profit, and which may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein.

   f) "Commercial School" shall mean a school which is operated for gain or profit and which may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit.

   g) "Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for use as a facility for the daytime care of children.

   h) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

   i) "Financial Institution" shall mean an institution 1n which money is deposited, kept, lent or exchanged.

j) "Food Store" shall mean a building or part of a building in which food, produce and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public.

k) "Games Arcade" shall mean any building, room or area in which are offered facilities for the play of:

   i. three or more games of chance;

   ii. three or more games of mixed chance and skill; or

   iii. a combination of three or more games of chance and games of mixed chance and skill,

l) for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the only amusement facilities, offered are pool tables, billiards tables or bowling alleys.

m) "Gross Retail and Personal Service Floor Area" shall mean the gross retai1 and personal service floor space contained in all buildings and structures on the lot, as such space is defined in section 8.2.2 of the Official Plan of the Regional Municipality of Durham, as amended from time to time, or any successor thereto.

n) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

o) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

p) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1970, Chapter 284, as amended from time to time or any successor thereto.

q) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a games arcade.

r) "Private Club" shall mean an atl1letic, recreational or social club not operated for gain or profit and having private membership.

s) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a

chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in The Municipal Act, R.S.O. 1970, Chapter 284, as amended from time to time, or any successor thereto.

t) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership.

u) "Restaurant-Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption or the premises or off the premises, or both on and off the pre1nises.

v) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public.

w) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

x) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

y) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

z) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

aa) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

bb) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

cc) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

dd) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

ee) "Interior Side Yard" shall mean a side yard other than flankage side yard.

2. Provisions

a) Uses Permitted ("LCA-2" Zone)

No person shall with the lands designated "LCA-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. assembly halls

ii. bakeries

iii. business offices

iv. commercial clubs

v. commercial-recreational establishments

vi. commercial schools

vii. day nurseries

viii. dry cleaning depots

ix. financial institutions

x. food stores

xi. laundromats

xii. personal service shops

xiii. places of amusement or entertainment

xiv. private clubs

xv. professional offices

xvi. public clubs

xvii. restaurants - type A

xviii. retail stores

b) Zone Requirements ("LCA-2" Zone)

No person shall within the lands designated "LCA-2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT Y ARD DEPTH (minimum): 15 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 15 metres

iii. FLANKAGE SIDE YARD WIDTH (minimum): 15 metres

iv. REAR YARD DEPTH (minimum): 10 metres

v. LOT COVERAGE (maximum): 33 percent

vi. BUILDING HEIGHT (maximum): 15 metres

vii. GROSS RETAIL AND PERSONAL SERVICE FLOOR AREA (maximum): 5,575 square metres

c) Special Regulations (“LCA-2” Zone)

i. Despite any provision of By-law 3036, as amended by this exception, an outdoor garden centre having a maximum area of 362 square metres in association with a food store is permitted from April 1st to June 30th of very calendar year, while providing a minimum 297 parking spaces on the subject property.

15.224 Exception Zone 224 (By-law 1521-82, as amended by By-law 2495-87, By-law 4655-95, By-law 4766-96)

1. Definitions

   a) “Business Office” shall mean a building or part of a building in which the management of direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   b) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit;

   c) “Drug Store” shall mean a building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public, and where medicine, medical supplies and associated merchandise, confectionery items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessity are stored, displayed and offered for retail sale;

   d) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

   e) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   f) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   g) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   h) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   i) "Semi-Detached Dwelling" shall mean one of a pair of single dwellings, which are attached horizontally in whole or in part above grade, or below grade or both.

j) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged.

k) “"Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

l) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

m) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

n) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

o) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or part of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

p) "Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot.

q) "Lot Frontage” shall mean the width of a lot between the side lines measured along a line parallel to and 7.5 metres distant from the front lot line.

r) “Medical Dispensary” shall mean an area of not more than 150 square metres gross leasable floor area containing facilities where pharmaceutical prescriptions are compounded and dispensed for the public by a pharmacist licensed pursuant to the Health Disciplines Act, RSO 1990, Chapter H4, as amended from time-to-time, or any successor thereto, and where medicine, medical supplies and associated merchandise is stored, displayed and offered for retail sale to the public.

s) "Neighbourhood Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

t) "Neighbourhood Store" shall mean a retail store having a gross floor area of no more than 400 square metres in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of, or persons employed in the immediate neighbourhood.

u) "Personal Service Shop" shall mean an establishment where a personal service is performed and may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.0. 1970, Chapter 284, or any successor thereto.

v) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

w) “Professional Office” shall mean a building or prat of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, RSO 1980 Chapter 302 as amended from time to time, or any successor thereto.

x) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public, but shall not include a drug store or medical dispensary.

y) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

z) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

aa) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

bb) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

cc) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

dd) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

ee) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

ff) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

gg) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S" Zone)

No person shall within the lands designated "S", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

b) Zone Requirements ("S" Zone)

No person shall within the lands designated "S", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i.	LOT AREA (minimum):	300 square metres
ii.	LOT FRONTAGE (minimum):	11 metres
iii.	FRONT YARD DEPTH (minimum):	4.5 metres
iv.	INTERIOR SIDE YARD WIDTH (minimum):	1.2 metres on one side, 0.6 metres on the other side
v.	FLANKAGE SIDE YARD WIDTH (minimum):	2.7 metres
vi.	REAR YARD DEPTH (minimum):	7.5 metres
vii.	DWELLING UNIT AREA (minimum):	100 square metres
viii.	LOT COVERAGE (maximum):	38 percent
ix.	BUILDING HEIGHT (maximum):	12 metres
x.	DWELLING UNITS PER LOT:	1 only
xi.	PARKING REQUIREMENTS PER LOT:	minimum one (1) private garage per dwelling unit attached to the main building and located not less than 6 metres from the front lot line

c) Uses Permitted ("SD" Zone)

No person shall within the lands designated "SD" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential uses

d) Zone Requirements ("SD" Zone)

No person shall within the lands designated "SD", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of the common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots a minimum of 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. DWELLING UNIT AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLING UNITS PER LOT: 1 only

xi. PARKING REQUIREMENTS PER LOT: minimum one (1) private garage per dwelling unit attached to the main building and located not less than 6 metres from the front lot line

e) Uses Permitted ("C6" Zone)

No person shall within the lands designated "C6" on use any lot or erect, alter or use any building for any purpose except the following:

i. business office

ii. commercial school

iii. dry cleaning depots

iv. financial institution

v. laundromats

vi. medical dispensary

vii. neighbourhood stores

viii. personal service shops

ix. professional offices

x. retail store

f) Zone Requirements ("C6" Zone)

i. LOT AREA (minimum): 0.2 hectares

ii. LOT FRONTAGE (minimum): no minimum

iii. FRONT YARD DEPTH (minimum): 12 metres

iv. INTERIER SIDE YARD WIDTH (minimum):

4.5 metres except where an interior side lot line abuts a residential zone, the minimum interior side yard width shall be 7.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 33 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. PARKING REQUIREMENTS (minimum): 4 parking spaces per 93 square metres gross floor area

x. SPECIAL RESTRICTIONS:

A. the gross floor area of all buildings on the lot shall not exceed 500 square metres.

B. the gross floor area of all business offices, commercial schools' financial institutions, professional offices, or any retail stores on the lot shall not exceed 200 square metres.

g) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

15.225 Exception Zone 225 (By-law 1543-82)

1. Definitions

   a) "Church" shall mean a building dedicated to religious worship and may include a Sunday School or parish hall as an accessory use;

   b) "Day Nursery, Type A" shall mean "lands and premises duly licenced pursuant to The Day Nurseries Act, or any successor thereto, for use as a facility for the day- time care of not more than forty (40) children at any one time.

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   e) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   f) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   g) "Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above grade common wall.

   h) "Single Attached Dwelling" shall mean one of a group of not less than 3 and not more than 6 single dwellings, adjacent dwellings being attached together horizontally by an above grade common wall.

   i) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   j) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   k) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

n) "Lot Frontage" shall mean the width of a lot between tile side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

o) "Neighbourhood Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

p) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

q) "Public School" shall mean,

i. a school under the jurisdiction of a board of education which board is established pursuant to The Education Act, 1974, or any successor thereto:

ii. a college of applied arts and technology established pursuant to The Ministry of Colleges and Universities Act, 1971, or any successor thereto;

iii. a university eligible to receive provincial funding from the Minister of Colleges and Universities, pursuant to The Ministry of Colleges and Universities Act, 1971, or any successor thereto.

r) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

s) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

t) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

u) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

v) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

w) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

x) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main building or structure on the lot.

y) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

z) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

b) Zone Requirements ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i.	LOT AREA (minimum):	400 square metres
ii.	LOT FRONTAGE (minimum):	13.5 metres
iii.	FRONT YARD DEPTH (minimum):	4.5 metres
iv.	INTERIOR SIDE YARD WIDTH (minimum):	1.2 metres
v.	FLANKAGE SIDE YARD WIDTH (minimum):	2.7 metres
vi.	REAR YARD DEPTH (minimum):	7.5 metres
vii.	LOT COVERAGE (maximum):	38 percent
viii.	BUILDING HEIGHT (maximum):	12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum one (1) dwelling unit per lot

B. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than six (6) metres from the front lot line.

c) Uses Permitted ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

ii. semi-detached dwelling residential uses

iii. single attached dwelling residential uses

d) Zone Requirements ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. for single detached dwellings: 250 square metres

B. for semi-detached dwellings: 225 square metres

C. for single attached dwellings: 200 square metres

ii. LOT FRONTAGE (minimum):

A. for single detached dwellings: 9 metres

B. for semi-detached dwellings: 7.5 metres

C. for single attached dwellings: 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for single detached dwellings: 1.2 metres one side, 0.6 metres other side or no interior side yard one side so long as 1.8 metres is provided on the other side.

B. for semi-detached and single attached dwellings: 1.2 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots a minimum of 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. for single detached dwellings: 38 percent

B. for semi-detached and single attached dwellings: 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. no less than 175 and not more than 230 dwelling units shall be permitted within the area designated “S-SD-SA"

B. maximum 1 dwelling unit per lot

C. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

xi. SPECIAL REGULATIONS:

A. no windows from habitable rooms or doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it;

B. the horizontal distance between buildings on adjacent lots, except if such buildings are attached together in whole or in part, shall be not less than 1.2 metres.

e) Uses Permitted ("I(C)-DN" Zone)

No person shall within the lands designated "I(C)-DN", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. church

ii. day nursery, Type A subject to the provisions of subclause (v) of clause (g) of this subsection

f) Zone Requirements ("I(C)-DN" Zone)

No person shall within the lands designated "I(C)-DN" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. BUILDING SETBACK REQUIREMENT (minimum): 6 metres from any lot line

ii. LOT COVERAGE (maximum): 33 percent

iii. PARKING REQUIREMENTS PER LOT (minimum): one (1) space per four (4) persons church capacity

iv. SUPPLEMENTARY PARKING REGULATIONS:

A. Notwithstanding Section 2.57 of By-law 3036, as amended, a parking space shall mean a useable and accessible space having a minimum width of 2.7 metres and a minimum depth of 5.5 metres, excluding aisle space and driveways to the parking lot, for the temporary parking of a vehicle.

B. Section 5.21.2 a) and Section 5.21.2 b) of By-law 3036, as amended, shall not apply.

C. All parking areas shall be set back a minimum distance of 3 metres from all lot lines.

D. Notwithstanding Section 5.21.2 g) of By-law 3036, as amended, all parking areas shall be paved.

v. A day nursery-type A shall be permitted only if conducted within the same building as a church

g) Uses Permitted ("S1-ES"Zone)

No person shall within the lands designated "S1-ES", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

ii. public school and uses accessory thereto

iii. neighbourhood park

h) Zone Requirements ("S1-ES" Zone)

No person shall within the lands designated "S1-ES", use any lot or erect, alter or use any building or structure for single detached dwelling residential uses except in accordance with the provisions of Section 2(b).

i) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

15.226 Exception Zone 226 (By-law 1634-83)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Singe Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along line parallel to and 7.5 metres distant from the front lot line.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

b) Zone Requirements ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 11 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres one side, 0 metres other side, provided, however, that the aggregate of actual side yard widths on a lot shall equal or exceed 1.8 metres.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum one (1) dwelling unit per lot

B. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

xi. SPECIAL REGULATIONS

A. no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it;

B. the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

15.227 Exception Zone 227 (By-law 1675-83)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, Independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Uses Permitted ("S2" and "S3" Zones)

No person shall within the lands designated "S2" and "S3", use any lot or erect, alter or use any building or structure for any purpose except the following:

a) single detached dwelling residential uses

3. Zone Requirements ("S2" and "S3" Zones)

No person shall within the lands designated "S2" and "S3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum):

i.	on lands designated "S2":	400 square metres
ii.	on lands designated "S3":	350 square metres

b) LOT FRONTAGE (minimum):

i. on lands designated "S2": 13.5 metres

ii. on lands designated "S3": 12 metres

c) FRONT YARD DEPTH (minimum): 4.5 metres

d) INTERIOR SIDE YARD WIDTH:

i. minimum 1.2 metres each side, or

ii. minimum 1.8 metres one side and no minimum other side

e) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

f) REAR YARD DEPTH (minimum): 7.5 metres

g) LOT COVERAGE (maximum): 38 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLING UNIT REQUIREMENTS: maximum one (1) dwelling unit per lot minimum dwelling unit area 100 square metres

j) PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

k) SPECIAL REGULATIONS:

i. no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it

ii. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres

4. Uses Permitted ("G" Zone)

No person shall within the lands designated "G", use any lot or erect, alter or use any building or structure for any purpose except:

a) greenbelt-conservation uses in accordance with Section 17 of By-law 3036, as amended.

15.228 Exception Zone 228 (By-law 1676-83, as amended by By-law 2866-88)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot.

   j) “Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) “Resource Management” shall mean a recreational, educational or scientific program designed to further the conservation, restoration, development, and management of renewable natural resources such as water, vegetation, fisheries and wildlife;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Uses Permitted ("S1", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S2" and "S3", use any lot or erect, alter or use any building or structure for any purpose except the following:

a) single detached dwelling residential uses

3. Zone Requirements ("S1", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S2" and "S3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum):
   i. on lands designated S1: 500 square metres
   ii. on lands designated S2: 400 square metres
   iii. on lands designated S3: 350 square metres

b) LOT FRONTAGE (minimum):
   i. on lands designated: 15 metres
   ii. on lands designated: 13.5 metres
   iii. on lands designated: 12 metres

c) FRONT YARD DEPTH (minimum): 4.5 metres

d) INTERIOR SIDE YARD WIDTH:
   i. minimum 1.2 metres each side, or
   ii. minimum 1.8 metres one side and no minimum other side

e) FLANKAGE SIDE YARD WIDTH (minimum): 2. 7 metres

f) REAR YARD DEPTH (minimum): 7.5 metres

g) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

h) REAR YARD DEPTH (minimum): 7.5 metres

i) LOT COVERAGE (maximum): 38 percent

j) BUILDING HEIGHT (maximum): 12 metres

k) DWELLING UNIT REQUIREMENTS:
   i. maximum one (1) dwelling unit per lot
   ii. minimum dwelling unit area 100 square metres

l) PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

m) SPECIAL REGULATIONS:
   i. no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it

ii. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres

4. Uses Permitted ('OS-HL-1'' Zone)

No person shall within the lands designated “OS-HL-1” use any lot or erect, alter or use any building or structure for any purpose except for the following:

a) conservation of the natural environment, soil and wildlife

b) resource management

5. Zone Requirements (“OS-HL-1” Zone)

a) No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill the place or removed, except for purposes of flood and erosion control or resource management.

15.229 Exception Zone 229 (By-law 1677-83)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) “Single Detached Dwelling” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) “Floor Area” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) “Gross Floor Area” shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) “Dwelling Unit Area” shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot be ween the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the 1o t.

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Uses Permitted ("S1", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S2" and "S3", use any lot or erect, alter or use any building or structure for any purpose except the following:

a) single detached dwelling residential uses

3. Zone Requirements ("S1", "S2" and "S3" Zones)

No person shall within the lands designated “S1” “S2” and "S3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum):

i. on lands designated S1: 500 square metres

ii. on lands designated S2: 400 square metres

iii. on lands designated S3: 350 square metres

b) LOT FRONTAGE (minimum):

   i. on lands designated S1: 15 metres

   ii. on lands designated S2: 13.5 metres

   iii. on lands designated S3: 12 metres

c) FRONT YARD DEPTH (minimum): 4.5 metres

d) INTERIOR SIDE YARD WIDTH:

   i. minimum 1.2 metres each side, or

   ii. minimum 1.8 metres one side and no minimum other side

e) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

f) REAR YARD DEPTH (minimum): 7.5 metres

g) LOT COVERAGE (maximum): 38 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLING UNIT REQUIREMENTS:

   i. maximum one (1) dwelling unit per lot

   ii. minimum dwelling unit area 100 square metres

j) PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

k) SPECIAL REGULATIONS:

   i. no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it

   ii. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres

15.230 Exception Zone 230 (By-law 1698-83)

1. Definitions

   a) "Coverage" or "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or a trailer.

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   d) “Dwelling Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   e) “Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   f) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above grade common wall.

   g) “Single Attached Dwelling" shall mean one of a group of not less than 3 and not more than 6 single dwellings, adjacent dwellings being attached together horizontally by an above grade common wall.

   h) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   i) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   j) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   k) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

m) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

n) "Neighbourhood Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

o) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

p) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

q) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

r) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

t) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

u) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

v) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

w) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

x) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S4-SD" Zone)

No person shall within the lands designated "S4-SD", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

ii. semi-detached dwelling residential uses

b) Zone Requirements ("S4-SD" Zone)

No person shall within the lands designated "S4-SD", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. for detached dwellings 250 square metres

B. for semi-detached dwellings 225 square metres

ii. LOT FRONTAGE (minimum):

A. for detached dwellings 9 metres

B. for semi-detached dwellings 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for detached dwellings minimum 1.2 metres one side, no minimum the other provided that the aggregate of actual side yard widths on the lot equal or exceed 1.8 metres.

B. for semi-detached dwellings 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every wall on such side which is not part of the common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot or,

2) 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. the lands designated "S4-SD" shall be developed only for 25 detached dwelling units and 16 semi-detached dwelling units'

B. maximum 1 dwelling unit per lot

C. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL RESTRICTIONS:

A. no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it.

B. the horizontal distance between buildings on adjacent lots, except if such buildings are attached in whole or in part, shall not be less than 1.2 metres.

c) Uses Permitted ("NP" Zone)

No person shall within the lands designated, use any lot or erect, alter or use any building or structure for any purpose except:

i. neighbourhood park

15.231 Exception Zone 231 (By-law 1826-84)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together below grade only.

   f) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   g) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys or a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   h) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   j) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot, except that where a one-storey detached dwelling is constructed on a lot, lot coverage shall not include the area of the lot covered by a private garage.

   k) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S2" and "S3" zones)

No person shall within the lands designated "S2" and "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S2" and "S3" zones)

No person shall within the lands designated "S2" and "S3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated S2: 400 square metres

B. on the lands designated S3: 350 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated “S2”: 13.5 metres

B. on the lands designated "S3": 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2. 7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS maximum one (1) dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on section applies shall not adjacent lots to which the be less than 1.8 metres.

c) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S4" zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONTAGE YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other well of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one (1) dwelling unit per lot and minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.2 metres.

e) Uses Permitted ("S-SD" zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

f) Zone Requirements ("S-SD" zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum one (1) private garage per lot to the main building and located not less than 6 metres from the front lot line

x. PARKING REQUIREMENTS: - minimum one (1) private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: - the horizontal distance between buildings on adjacent lots, except if such buildings are attached in whole or in part, shall be not less than 1.2 metres.

g) Uses Permitted ("G" zone)

No person shall within the lands designated "G", use any lot or erect, alter or use any building or structure for any purpose except:

i. greenbelt-conservation uses in accordance with section 17 of By-law 3036 as amended.

15.232 Exception Zone 232 (By-law 1837-84, as amended by By-law 1964-85)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or a trailer.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   d) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be other than a private garage, an attic or a cellar.

   g) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Uses Permitted ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure for any purpose except the following:

a) detached dwelling residential uses

3. Zone Requirements ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum):

i. on lands designated “S1”: 400 square metes

ii. on lands designated “S2”: 300 square metres

b) LOT FRONTAGE (minimum):

   i. on lands designated “S1”: 13.5 metres

   ii. on lands designated “S2”: 11 metres

c) FRONT YARD DEPTH (minimum): 4.5 metres

d) INTERIOR SIDE YARD WIDTH:

   i. on lands designated "S1": 1.2 metres (minimum)

   ii. on lands designated "S2": 1.2 metres one side, 0 metres other side provided however, that the aggregate of actual side yards on a lot equal or exceed 1.8 metres.

e) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

f) REAR YARD DEPTH (minimum): 7.5 metres

g) LOT COVERAGE (maximum): 38 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLING UNIT REQUIREMENTS:

   i. maximum one (1) dwelling unit per lot

   ii. minimum dwelling unit area 100 square metres

j) PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

k) SPECIAL REGULATIONS:

   i. no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it

   ii. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres

15.233 Exception Zone 233 (By-law 1840-84, as amended by By-law 4549-95)

1. Definitions

   a) "Automobile Service Station - Type 'A'" shall mean an establishment where only vehicle fuels, lubricants and accessories are offered for retail sale;

   b) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot;

   c) “Restaurant Drive-through Take Out” shall mean an establishment that provides light refreshment, such as sandwiches, doughnuts, muffins and coffee, to customers from vehicles for consumption elsewhere.

   d) "Structure Height" shall mean the vertical distance between the established grade and the highest point of the structure.

2. Provisions

   a) Uses Permitted ("CA(A)" Zone)

      No person shall, within the lands designated, "CA(A)", use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. automobile service station - type 'A'

      ii. restaurant drive-through/take out

   b) Zone Requirements ("CA(A)" Zone)

      i. For the purpose of this subsection,

         A. the lot line abutting Durham Regional Road No. 1 (Brock Road) and the lot line abutting Sheridan Mall Parkway, or abutting reserves, shall be deemed to be front lot lines;

         B. all other lot lines shall be deemed to be side lot lines;

         C. there shall be no other front lot lines, no other side lot lines, no flankage lot lines and no rear lot lines.

      ii. No person shall, within the lands designated "CA(A)", use any lot or erect, alter or use any building or structure except in compliance with the following provisions:

         A. SETBACK REQUIREMENTS (minimum):

            1) The minimum setback of any building or structure, except a sign, from a front lot line shall be 10.0 metres.

            2) The minimum setback of any building or structure, except a sign, from a side lot line shall be 3.0 metres.

3) All accessory structures that are not part of the main building shall be erected not less than 3.0 metres from any lot line.

B. BUILDING HEIGHT (maximum): 12 metres

C. LOT COVERAGE (maximum): 33 percent

D. STRUCTURE HEIGHT (maximum): 12 metres

E. PARKING REQUIREMENTS (minimum):

1) a minimum of 5 parking spaces shall be provided

2) all parking spaces shall have a minimum of 13.78 square metres

3) all parking spaces shall be set back a minimum of 3.0 metres from all lot lines

15.234 Exception Zone 234 (By-law 1889-84, as amended by By-law 7276-13)

1. Definitions

   a) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include, a data procession establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   b) “Floor Area” shall mean the area of the floor surface contained within the outside walls of a storey;

   c) “Gross Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

   d) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

   e) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such a lot constitutes the whole of a lot or block on a registered plan of subdivision;

   f) “Lot Coverage” shall mean the percentage of a lot area covered by all buildings on the lot;

   g) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   h) “Medical Dispensary” shall mean an area of not more than 150 square metres gross leasable floor area containing facilities where pharmaceutical prescriptions are compounded and dispensed for the public by a pharmacist licensed pursuant to the Health Disciplines Act, R.S.O. 1980, Chapter 196 as amended from time-to-time, or any successor thereto, and where medicine, medical supplies and associated merchandise is stored, displayed and offered for retail sale to the public;

i) “Medical Office Facility” shall mean a building or part of a building in which professional medical services other than veterinary services are performed to human beings, and includes

   i. a medical dispensary,

   ii. facilities for medical, surgical, physiotherapeutic or other human treatment,

   iii. medical testing and diagnostic facilities,

   but shall not include a body-rub parlour as defined in section 368 a(6) of The Municipal Act, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;

j) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;

k) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;

l) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest main building or structure on the lot;

p) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the

junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Uses Permitted (“SC-5” Zone)

No person shall, within the lands zoned “SC-5”, use any lot or erect, alter or use any building or structure for any purpose except the following:

a) business office

b) professional office

c) personal service shop

d) medical office facility

3. Zone Requirements (“SC-5” Zone)

No person shall within the lands designated “SC-5”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a)	LOT AREA (minimum):	0.2 hectares
b)	LOT FRONTAGE (minimum):	40 metres
c)	FRONT YARD DEPTH (minimum):	7.5 metres
d)	INTERIOR SIDE YARD WIDTH (minimum)	4.5 metres
e)	FLANKAGE SIDE YARD WIDTH (minimum)	4.5 metres
f)	REAR YARD DEPTH (minimum):	7.5 metres
g)	BUILDING HEIGHT (maximum):	12.0 metres
h)	OPEN STORAGE:	no open storage shall be permitted in any yard
i)	LOT COVERAGE (maximum)	33 percent

j) PARKING REQUIREMENTS:

i. For the purpose of this clause, “parking space” shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

ii. There shall be provided and maintained a minimum of five (5) parking spaces for each 93 square metres or part thereof of gross leasable floor area.

k) SPECIAL RESTRICTIONS:

i. The gross floor area of a medical office facility on the lands designated “SC-5” shall not exceed 1114 square metres

ii. All medical office and related uses shall not exceed 50% of the gross leasable floor area of the building

iii. All garbage shall be stored entirely in the building

iv. Section 5.21.2 b) of By-law 3036 shall not apply to the area subject to this exception.

15.235 Exception Zone 235 (By-law 1896-84, as amended by By-law 6574-05)

1. Definitions

   a) “Assembly Hall” shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and which may include an auditorium or a banquet hall but does not include a place of religious assembly;

   b) “Bakery” shall mean a building or part of a building which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale, but shall not include a Restaurant – Type A;

   c) “Business Office” shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   d) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

   e) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or a trailer.

   f) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   g) “Dwelling, Single or Single Dwelling” shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   h) “Single Attached Dwelling” shall mean one of a group of not less than three single adjacent dwelling units, attached together horizontally by an above grade common wall.

   i) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof;

   j) “Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators,

and any part of the building below established grade other than that used for retail commercial or office purposes;

k) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

l) “Dwelling Unit Area” shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

m) “Laundromat” shall mean a building or part of a building wherein machines and facilities for wet laundering and drying are available for public use at a charge, and may include a dry cleaning and laundry depot;

n) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

o) “Lot Coverage” shall mean the percentage of a lot area covered by all buildings on the lot;

p) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

q) “Neighbourhood Store” shall mean a retail store having a gross floor area of not more than 400 square metres in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of, or persons employed in the immediate neighbourhood;

r) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

s) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one more vehicles, in which structure no business or service is conducted for profit or otherwise;

t) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not

include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from to time, or any successor thereto;

u) “Restaurant – Type C” shall mean a building or part of a building where food is prepared or offered or kept for retail sale to the public for immediate consumption and is intended to be consumed off the premises, but shall not include a drive-thru;

v) “Vehicle Rental Establishment” shall mean an establishment in which its main use is the rent or lease of vehicles, but shall not include an accessory vehicle repair shop;

w) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures or other uses as are specifically permitted thereon.

x) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

y) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

z) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

aa) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

bb) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

cc) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

dd) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

2. Provisions

a) Uses Permitted (“SA” Zone)

No person shall within the land designated “SA”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.0 metres

iii. YARD REQUIREMENTS (minimum): as illustrated on Figure 1 - except that no side yard shall be provided on the side where dwellings on abutting lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

iv. LOT COVERAGE (maximum): 40 percent

v. BUILDING HEIGHT (maximum): 12 metres

vi. DWELLING UNIT REQUIREMENTS: maximum one (1) dwelling unit per lot and minimum dwelling unit area of 100 square metres

vii. PARKING REQUIREMENTS: minimum one (1) private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

b) Uses Permitted (“C10-R” Zone)

No person shall within the lands designated “C10-R, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. subject to the provisions of paragraph (2)(c)(v) A of this Section, dwelling unit.

ii. subject to the provisions of paragraph (2)(c)(v)B of this Section, the following are permitted uses: assembly hall, bakery, business office, dry cleaning depot, financial institution, laundromat, neighbourhood store, personal service shop, professional office, restaurant - type C and vehicle rental establishment.

c) Zone Requirements (“C10-R” Zone)

No person shall within the lands designated “C10-R”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. YARD REQUIREMENTS (minimum):

A. The zone boundary of the lands designated “C10-R” which abuts a street shall be deemed to be a front lot line and the minimum setback of any building or structure, except a sign, from a front lot line shall be 4.5 metres.

B. All zone boundaries of the lands designated “C10-R” not abutting a street shall be deemed to be side lot lines and the minimum setback of any building or structure except a sign, from a side lot line shall be 1.2 metres.

C. There shall be no other front lot lines, no other side lot lines, no flankage lot lines and no rear lot lines.

ii. LOT COVERAGE (maximum): 33 percent

iii. BUILDING HEIGHT (maximum): 12 metres

iv. PARKING REQUIREMENTS:

A. For the purpose of this clause “parking space” shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. For each establishment having any of the following uses there shall be provided and maintained on the lot generating the requirement a minimum of 4.0 parking spaces for each 93 square metres or part thereof gross leasable floor area of the establishment:

1) assembly hall
2) bakery
3) business office
4) dry cleaning depot
5) financial institution
6) neighbourhood store
7) personal service shop
8) professional office
9) restaurant – type C
10) vehicle rental establishment

C. For each dwelling unit there shall be provided and maintained on the lot generating the requirement a minimum of 1.5 parking spaces.

v. SPECIAL RESTRICTIONS:

A. For Dwelling Unit

1) no dwelling unit shall contain more than two bedrooms.

2) no dwelling unit shall be located elsewhere than on the second storey of a building containing any uses permitted in paragraph 2(b)(ii) of this section.

3) not less than six and not more than seven dwelling units shall be permitted within the area designated “C10-R”.

B. For Other Permitted Uses

1) the aggregate of the gross leasable floor area of the assembly hall, bakery, business office, dry cleaning depot, financial institution, laundromat, neighbourhood store, personal service shop, professional office, restaurant – type C and vehicle rental establishment shall not exceed 500 square metres.

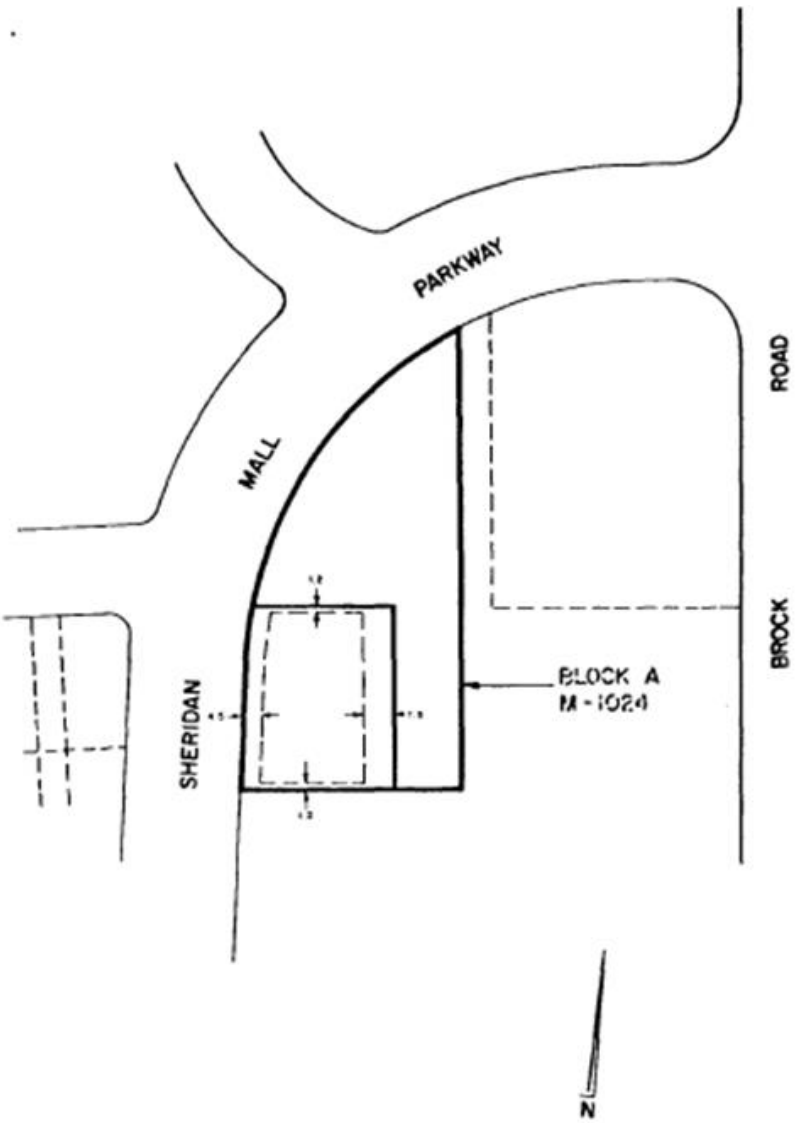
2) no dwelling unit shall be located elsewhere than on the second storey of a building containing any uses permitted in paragraph 2(b)(ii) of this section.

3) only one restaurant – type C shall be permitted and the maximum gross leasable floor area shall not exceed 125 square metres.

4) the aggregate of the gross leasable floor area of all assembly halls shall not exceed 125 square metres.

C. Subsections 2.2.1, 5.21.2 b) and 5.21.2 d) of By-law 3036 shall not apply to the area subject to this exception.

3. Figure 1



SCHEDULE 'II' TO BY-LAW 1896/84
PASSED THIS 17th
DAY OF September 1984

MAYOR

CLERK

15.236 Exception Zone 236 (By-law 1931-84)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or a trailer.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Uses Permitted ("S2" and "S3" Zones)

No person shall within the lands designated "S2" and "S3", use any lot or erect, alter or use any building or structure for any purpose except the following:

a) detached dwelling residential uses

3. Zone Requirements ("S2" and "S3"Zones)

No person shall within the lands designated "S2" and "S3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum):

i. on lands designated “S2”: 400 square metres

ii. on lands designated “S3”: 350 square metres

b) LOT FRONTAGE (minimum):

i. on lands designated “S2”: 13.5 metres

ii. on lands designated “S3”: 12 metres

c) FRONT YARD DEPTH (minimum): 4.5 metres

d) INTERIOR SIDE YARD WIDTH:

i. minimum 1.2 metres each side, or

ii. minimum 1.8 metres one side and no minimum other side

e) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

f) REAR YARD DEPTH (minimum): 7.5 metres

g) LOT COVERAGE (maximum): 38 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLING UNIT REQUIREMENTS:

i. maximum 1 dwelling unit per lot

ii. minimum dwelling unit area 100 square metres

j) PARKING REQUIREMENTS: minimum 1 private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

k) SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres.

4. Uses Permitted ("R5-S" Zone)

No person shall within the lands designated "R5-S", use any lot or erect, alter or use any building or structure for any purpose except the following:

a) detached dwelling residential uses

5. Zone Requirements ("R5-S" Zone)

a) LOT AREA (minimum) 740 square metres

b) LOT FRONTAGE (minimum) 22 metres

c) FRONT YARD DEPTH (minimum) 7.5 metres

d) INTERIOR SIDE YARD WIDTH (minimum) 1.8 metres one side and 3.0 metres the other side

e) FLANKAGE SIDE YARD WIDTH (minimum) 2.7 metres

f) REAR YARD DEPTH (minimum): 7.5 metres

g) LOT COVERAGE (maximum): 33 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLING UNIT REQUIREMENTS:

i. maximum 1 dwelling unit per lot

ii. minimum dwelling unit area 100 square metres.

j) PARKING REQUIREMENTS: minimum 1 private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

15.237 Exception Zone 237 (By-law 1998-85, as amended by By-law 2177-86)

1. Definitions

   a) "Community Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities:

   d) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto:

   e) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   f) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above and/or below grade.

   g) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   h) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   i) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   j) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   k) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot, except tl1at where a one-storey detached dwelling is constructed on a lot, lot coverage shall not include the area of the lot, covered by a private garage.

   l) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

m) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

n) "Public School" shall mean,

   i. a school under the jurisdiction of a board of education which board is established pursuant to the Education Act, R.S.O. 1980, or any successor thereto;

   ii. a college of applied arts and technology established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto; and

   iii. a university eligible to receive provincial funding from the Minister of Education; Colleges and Universities; pursuant to the Ministry of Colleges and Universities Act; R.S.O. 1980, or any successor thereto:

o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest wall of the nearest main building or structure on the lot.

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot.

v) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

w) "Interior Side Yard" shall mean a yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2" use any lot or erect; alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements (“S1" and “S2" Zones)

No person shall within the lands designated "S1" and "S2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S1": 450 square metres

B. on the lands designated "S2": 400 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S1": 15.0 metres

B. on the lands designated "S2": 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1 .8 metres one side and no minimum other side.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum 1 dwelling, unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS: minimum 1 private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than

6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres.

c) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum 1 dwelling unit per lot and minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS: minimum 1 private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6;0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.2 metres.

e) Uses Permitted ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use and building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

f) Zone Requirements (“S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. for single detached dwellings

1) minimum 1.2 metres one side, 0.6 metres other side, or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

B. for semi-detached dwellings attached horizontally in whole or in part above grade: 1.2 metres, except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no abutting side yard of at least 0.6 metres is provided on the abutting lot, or

2) 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

C. for all other semi-detached dwellings:

1) minimum 1 .2 metres one side, 0.6 metres other side, or

2) no minimum one side so long as on the other side

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots, except if such buildings are attached in whole or in part above ground shall be not less than 1.2 metres.

g) Uses Permitted ("G" Zone)

No person shall within the lands designated "G", use any lot or erect alter or use any building or structure for any purpose except:

i. greenbelt-conservation uses in accordance with section 17 of By-law 3036 as amended.

h) Use Permitted ("ES" Zone)

No person shall within the lands designated "ES", use any lot or erect, alter or use any building or structure for any purpose except:

i. public school and uses accessory thereto

i) Use Permitted ("CP" Zone)

No person shall within the lands designated "CP", use any lot or erect, alter or use any building or structure for any purpose except:

i. community park

15.238 Exception Zone 238 (By-law 2015-85, as amended by By-law 2569-87, By-law 3324-89, By-law 3674-91, By-law 3925-92, and By-law 4184-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above grade common wall.

   f) "Single Attached Dwelling" shall mean one of a group of not less than three single adjacent dwelling units, attached together horizontally by an above grade common wall.

   g) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   h) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   i) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   j) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   k) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

l) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

m) "Neighbourhood Park" shall mean a municipal public park.

n) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

o) "Public School" shall mean,

i. a school under the jurisdiction of a board of education which board is established pursuant to the Education Act, R.S.O. 1980, or any successor thereto;

ii. a college of applied arts and technology established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto; and

iii. a university eligible to receive provincial funding from the Minister of Education, colleges and Universities, pursuant to the Ministry of colleges and Universities Act, R.S.O. 1980, or any successor thereto.

p) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

q) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

r) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

t) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

u) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

v) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot.

w) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

x) "Interior Side Yard" shall mean a yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1", "S1-2", S1-3", "S2" and "S3" zone)

No person shall within the lands designated "S1", "S1-2", "S1-3", "S2" and "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S1", "S1-2", "S1-3", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S1-2", "S1-3", "S2" and "S3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated "S1", "S1-2", "S1-3": 450 square metres

B. on lands designated "S2": 400 square metres

C. on lands designated "S3": 350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated "S1", "S1-2", "S1-3": 15 metres

B. on lands designated "S2": 13.5 metres

C. on lands designated "S3": 12.0 metres

iii. FRONT YARD DEPTH (minimum):

A. on lands designated "S1", "S1-2", "S2" and "S3": 4.5 metres

B. on lands designated "S1-3": 4.0 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated "S1", "S2" and "S3": 7.5 metres

B. on lands designated "S1-2" and "S1-3": see Figure 1 attached hereto

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which the section applies shall not be less than 1.8 metres.

c) Uses Permitted (“S1-6” Zone)

No person shall within the lands designated “S1-6” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements (“S1-6” Zone)

No person shall within the lands designated “S1-6”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 450 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. REAR YARD DEPTH (minimum):

A. where a dwelling or any part or extension is constructed before January 1, 1990 3.0 metres

B. where a dwelling or any part or extension is constructed after December 31, 1989 7.5 metres

vi. LOT COVERAGE (maximum): 38 percent

vii. BUILDING HEIGHT (maximum): 12 metres

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres

ix. PARKING REQUIREMENTS: minimum one private garage per lot attached to or detached from the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

x. SPECIAL REGULATIONS: the horizontal distance between buildings, on adjacent lots to which this section applies shall not be less than 1.8 metres.

e) Uses Permitted ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

f) Zone Requirements ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. for single detached dwellings

1) minimum 1.2 metres one side, 0.6 metres other side, or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main building.

B. for semi-detached dwelling attached horizontally above grade:

1) 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

I. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot or,

II. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings, on adjacent lots, except if such buildings are attached in whole or in part, shall be not less than 1.2 metres.

xii. Exemption:

A. This exemption applies only to the following lands:

1) Lot 7, Plan 40M-1511, Pickering;

2) That Part of Lot 10, Plan 40M-1511, Pickering, designated as Parts 13, 14 and 15, Plan 40R-11631;

3) That Part of Lot 11, Plan 40M-1511, Pickering, designated as Part 10, Plan 40R-11631; and

4) That Part of 13, Plan 40M-1511, Pickering, designated as Parts 2 and 16, Plan 40R-11631.

B. Despite Section 2(f)(vi) of this exception and Section 5.7 (b) of By-law 3036, uncovered steps and platforms exceeding 1.0 metres in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot so long as no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

C. Despite Section 2.16 of By-law 3036, for the purpose of calculating maximum lot coverage under Section 2(f)(vii) of this exception, uncovered steps and platforms shall be deemed not to be buildings or structures.

g) Uses Permitted ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

ii. semi-detached dwelling residential uses

iii. single attached dwelling residential uses

h) Zone Requirements ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. for detached dwellings: 250 square metres

B. for semi-detached dwellings: 225 square metres

C. for single attached dwellings: 200 square metres

ii. LOT FRONTAGE (minimum):

A. for detached dwellings: 9 metres

B. for semi-detached dwellings: 7.5 metres

C. for single attached dwellings: 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for detached dwellings: 1.2 metres one side no minimum the other side provided that the aggregate of actual side yard widths on the lot equal or exceed 1.8 metres;

B. for semi-detached and single attached dwellings: 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot or,

2) 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. for detached dwellings: 38 percent

B. for semi-detached and single attached dwellings:40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. not more than 99 residential units be permitted within the areas designated "S-SD-SA";

B. maximum one dwelling unit per lot;

C. minimum dwelling unit area 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building and located not less than six metres from the front lot line.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots, except if such buildings are attached together in whole or in part, shall be not less than 1.2 metres.

j) Uses Permitted ("ES-S1" Zone)

No person shall within the lands designated "ES-S1", use any lot or erect, alter or use any building or structure for any purpose except:

i. public school and uses accessory thereto; or

ii. single detached dwelling residential uses.

k) Zone Requirements ("ES-S1" Zone)

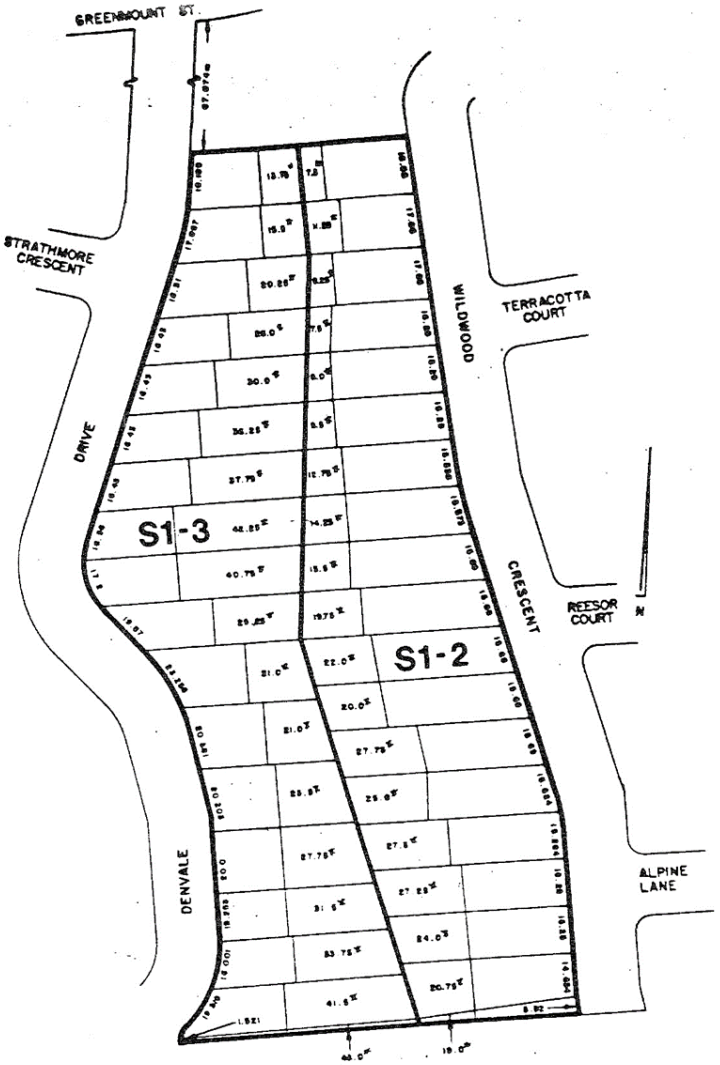
No person shall within the lands designated "ES-S1", use any lot or erect, alter or use any building or structure for single detached dwelling residential uses except in accordance with the provisions of Section 2(b).

l) Use Permitted ("NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except:

i. neighbourhood park

3. Figure 1



*MINIMUM REAR YARD DEPTH – See Section 5(1)(b)(vi)B

SCHEDULE 'II' TO BY-LAW 2015/85
PASSED THIS 6th
DAY OF May 1985

MAYOR

CLERK

15.239 Exception Zone 239 (By-law 2024-85, as amended by By-law 2099-85 and By-law 6116-03)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above and/or below grade.

   f) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   g) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   h) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   j) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   k) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7,5 metres distant from the front lot line.

   l) "Neighbourhood Park" shall mean a municipal public park.

m) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot.

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

v) "Interior Side Yard" shall mean a yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S2" and "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. Despite subclause 2(b)(ix) or any other provision of this By-law, a detached dwelling unit on Part of Lots 102 & 103, Plan 40M-1380, (Part 10, 40R-9291), may include a second dwelling unit in the main dwelling;

b) Zone Requirements ("S1", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S2" and "S3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S1" - 450 square metres

B. on the lands designated "S2" - 400 square metres

C. on the lands designated "S3" - 350 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S1" - 15.0 metres

B. on the lands designated "S2" - 13.5 metres

C. on the lands designated "S3" - 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2,7 metres except that in the case of a lot flanking Brock Road the minimum flankage side yard shall be 7.5 metres.

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

A. where a detached dwelling is permitted to include a second dwelling unit, there shall be provided and maintained a minimum of three parking spaces on that lot.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

c) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots, shall be not less than 1.2 metres.

e) Uses Permitted ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

ii. semi-detached dwelling residential uses

f) Zone Requirements ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH FOR SINGLE DETACHED DWELLINGS:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. INTERIOR SIDE YARD WIDTH FOR SEMI-DETACHED DWELLINGS ATTACHED HORIZONTALLY IN WHOLE OR IN PART ABOVE GRADE: 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard of at least 0.6 metres is provided on the abutting lot.

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

vi. INTERIOR SIDE YARD WIDTH FOR ALL OTHER SEMI-DETACHED DWELLINGS:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

vii. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

viii. REAR YARD DEPTH (minimum): 7.5 metres

ix. LOT COVERAGE (maximum): 40 percent

x. BUILDING HEIGHT (maximum): 12 metres

xi. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

xii. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xiii. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots, except if such buildings are attached in whole or in part, shall be not less than 1.2 metres.

g) Use Permitted ("NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except:

i. neighbourhood park

15.240 Exception Zone 240 (By-law 2025-85)

1. Definitions

   a) "Assembly Hall" shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and which may include an auditorium or a banquet hall;

   b) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   c) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres; but shall not include a retail store;

   d) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;

   e) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreation facilities are provided and operated for gain or profit, and which may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein;

   f) "Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit but shall not include any other school defined herein;

   g) "Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   h) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

   i) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof;

j) "Food Store" shall mean a building or part of a building in which food, produce and other items or merchandise of day-to-day household necessity are stored, offered and kept for retail sale to the public;

k) "Games Arcade" shall mean any building, room or area in which are offered facilities for the play of:

i. three or more games of chance

ii. three or more games of mixed chance and skill, or

iii. a combination of three or more games of chance and games of mixed chance and skill;

for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the only amusement facilities offered are pool tables, billiard tables or bowling alleys;

l) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

m) "Gross Retail and Personal Service Floor Area" shall mean the gross retail and personal service floor area contained in all buildings and structures on the lot, as such space is defined in section 8.2.2 of the Official Plan of the Regional Municipality of Durham, as amended from time to time, or any successor thereto;

n) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

o) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

p) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

q) "Place of Amusement or Entertainment" shall mean a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a games arcade;

r) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership;

s) "Private Non-Residential School" shall mean a school which is maintained for educational or religious purposes but shall not include any other school defined herein.

t) "Private Residential School" shall mean a school which is maintained for educational or religious purposes and which includes accessory residential facilities but shall not include any other school defined herein.

u) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

v) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;

w) "Public School" shall mean,

i. a school under the jurisdiction of a board of education which board is established pursuant to The Education Act, 1974, or any successor thereto;

ii. a college of applied arts and technology established pursuant to The Ministry of Colleges and Universities Act, 1971, or any successor thereto;

iii. a university eligible to receive provincial funding from the Minister of Colleges and Universities, pursuant to The Universities Act, 1971, or any successor thereto;

x) "Restaurant-Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

y) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

z) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure, and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

aa) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

bb) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

cc) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or ' where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

dd) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ee) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

ff) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

gg) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

hh) "Interior Side Yard" shall mean a yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("LCA-2" Zones)

No person shall within the lands designated "LCA-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. assembly hall

ii. bakery

iii. business office

iv. commercial club

v. commercial-recreational establishment

vi. commercial school

vii. day nursery

viii. dry cleaning depot

ix. financial institution

x. food store

xi. laundromat

xii. place of amusement or entertainment

xiii. personal service shop

xiv. private club

xv. professional office

xvi. public club

xvii. restaurant-type A

xviii. retail store

b) Zone Requirements ("LCA-2" Zone)

No person shall within the lands designated "LCA-2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 15 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 15 metres

iii. FLANKAGE SIDE YARD WIDTH (minimum): 15 metres

iv. REAR YARD DEPTH (minimum): 15 metres

v. LOT COVERAGE (maximum): 33 percent

vi. BUILDING HEIGHT (maximum): 12 metres

vii. GROSS RETAIL AND PERSONAL SERVICE FLOOR AREA (maximum): 5,575 square metres

viii. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a useable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway.

B. There shall be provided and maintained on the subject lands a minimum 5 parking spaces for each 93 square metres or part thereof gross leasable floor area.

C. Section 5.21.2b) of By-law 3036, as amended, shall not apply to the lands designated "LCA-2".

D. All parking areas shall be set back a minimum of 3 metres from all lot lines.

E. Notwithstanding Section 5.21.2g) of By-law 3036, as amended, all parking areas shall be paved.

15.241 Exception Zone 241 (By-law 2045-85)

1. Definitions

   a) "Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   e) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   f) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of all buildings or structures, used for residential purposes, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S2-DN" Zone)

No person shall within the lands designated "S2-DN" use any lot or erect, alter or use any building or structure for any purposes except the following:

i. single detached dwelling residential use

ii. day nursery subject to the provisions of paragraph 2(b)(xi)C

b) Zone Requirements ("S2-DN" Zone)

No person shall within the lands designated "S2-DN", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of parking aisle or driveway;

B. There shall be provided and maintained a minimum of two parking spaces for a single dwelling residential use;

C. There shall be provided and maintained a minimum of five parking spaces for each 93 square metres or part thereof of activity room area associated with the day nursery use;

xi. SPECIAL REGULATIONS:

A. The horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres;

B. Subsection 5.21.2 b) of By-law 3036 shall not apply to the area subject to this exception;

C. Not more than ninety children at any one time may be permitted.

15.242 Exception Zone 242 (By-law 2118-85, as amended by By-law 5940-02)

1. Definitions

   a) "Dry Cleaning Establishment" shall mean a building or part of a building used for dry cleaning and related processes but does not include a laundromat.

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   e) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   f) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area Residential" shall mean the aggregate of the floor areas of all storeys of all buildings or structures, used for residential purposes, other than a private garage, an attic or a cellar;

   h) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

   i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   j) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   k) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   l) "Manufacturing Plant" shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article,

and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.

m) "Light Manufacturing Plant" shall mean a manufacturing plant used for:

   i. the production of apparel and finished textile products other than the production of synthetic fibres;

   ii. printing or duplicating;

   iii. the manufacture of finished paper other than the processing of wood pulp;

   iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

   v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware, or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.

n) "Neighbourhood Park" shall mean a municipal public park;

o) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

p) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises.

q) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, foodstuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

r) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

s) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

t) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

u) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

w) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

x) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

y) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

z) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S2" and "S3" Zones)

No person shall within the lands designated "S2" and "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S2" and "S3" Zones)

No person shall within the lands designated "S2" and "S3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum)

A. on the lands designated"S2": 400 square metres

B. on the lands designated"S3": 350 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S2": 13.5 metres

B. on the lands designated "S3": 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres.

c) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (MAXIMUM): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.2 metres.

e) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except:

i. neighbourhood park

f) Uses Permitted ("M1-4" Zone)

No person shall within the lands designated "M1-4, use any lot or erect, alter or use any building or structure except in accordance with the following provision:

i. dry cleaning establishment

ii. food preparation plant

iii. light manufacturing plant

iv. scientific, research or medical laboratory

v. warehouse

g) Zone Requirements (“M1-4” Zone)

No person shall within the lands designated "M1-4", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 0.15 hectares

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres

vi. REAR YARD DEPTH (minimum): 12 metres

vii. LOT COVERAGE (maximum): 50 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. OPEN STORAGE: no open storage shall be permitted in any yard

15.243 Exception Zone 243 (By-law 2244-86, as amended by By-law 6836-08)

1. Definitions

   a) “Dwelling” shall mean a building or part of a building containing one more dwelling units, but does not include a mobile home or trailer;

   b) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) “Dwelling, Single or Single Dwelling” shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) “Dwelling, Detached or Detached Dwelling” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) “Gross Floor Area-Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

   i) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) “Public School” shall mean,

      i. a school under the jurisdiction of a board of education which board is established pursuant to the Education Act, R.S.O. 1980, or any successor thereto;

ii. a college of applied arts and technology established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto; and

iii. a university eligible to receive provincial funding from the Minister of Education, Colleges and Universities, pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto.

l) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Interior Side Yard” shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“S2”, “S2-1”, “S2-3” and “S3” Zone)

No person shall within the lands designated “S2”, “S2-1”, “S2-3” and “S3” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“S2”, “S2-1”, “S2-3” and “S-3” Zone)

No person shall within the lands designated “S2”, “S2-1”, “S2-3” and “S3”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “S2”, “S2-1” and “S2-3”: 400 square metres

B. on lands designated “S3”: 350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “S2”, “S2-1” and “S2-3”: 13.5 metres

B. on lands designated “S3”: 12.0 metres

iii. FRONT YARD DEPTH (minimum): 12 metres

A. on lands designated “S2”, “S2-3” and “S3”: 4.5 metre

B. on lands designated “S2-1” 7.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum)

A. on lands designated “S2” and “S3”: 2.7 metres

B. on lands designated “S2-3”: 5.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

A. on lands designated “S3”: 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres

x. PARKING REQUIREMENTS:

A. on lands designated “S2”, “S2-3” and “S-3”:

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

B. on lands designated “S2-1” and “S2-3”:

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 9.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres

c) Uses Permitted (“ES” Zone)

No person shall within the lands designated “ES”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. public school and uses accessory thereto

15.244 Exception Zone 244 (By-law 2261-86)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer:

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities:

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto:

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures:

   e) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or d part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S3" Zone)

No person shall within the lands designated "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S3" Zone)

No person shall within the lands designated "S3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area- residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from any front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres.

c) Uses Permitted ("SD-A" Zone)

No person shall within the lands designated "SD-A", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

d) Zone Requirements ("SD-A" Zone)

No person shall within the lands designated "SD-A", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH: 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot or,

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREIIENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres

B. despite the definition of "Dwelling, Semi- Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings erected in an "SD-A" zone shall be attached above grade by a common wall which shall be not less than 3 metres in length and not less than 2.4 metres in height.

e) Uses Permitted ("SD" Zone)

No person shall within the lands designated "SD", use any lot or erect, alter or use and building or structure for any purpose except the following:

i. semi-detached dwelling residential uses

f) Zone Requirements ("SD" Zone)

No person shall within the lands designated "SD", use any lot or erect, alter or use building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIHDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots, except if such buildings are attached

15.245 Exception Zone 245 (By-law 3228-89)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest main wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S2" Zone)

No person shall within the lands designated "S2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum):

2.7 metres except that in the case of a lot flanking Brock Road the minimum flankage side yard width shall be 7.5 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres

B. Despite Section 2.46(c)(i) of By-law 3036, the boundary of the lot comprised of that Part of Lot 19, Concession 2, designated as Part 1, Plan 40R-12256 which abuts Regional Road No. 1 (Brock Road) shall be deemed to be the front lot line of that lot;

C. Despite the parking requirements of Section 2(b)(x), the minimum parking requirement for a detached dwelling located on that Part of Lot 19, Concession 2, designated Part 1, Plan 40R-12256 shall be one private garage erected in the rear or side yard no less than 1.0 metre from every lot line;

D. Despite the provision of Section 5.18 of By-law 3036 the minimum north side yard width for an accessory structure (frame shed) located on that Part of Lot 19, Concession 2, designated Part 1, Plan 40R-12256, shall be 0.4 metres;

E. Paragraphs C and D, above, shall not apply where a detached dwelling, private garage or accessory structure or extension thereof is constructed after August 8, 1989.

15.246 Exception Zone 246 (By-law 3306-89, as amended by By-law 3685-91)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Single Attached Dwelling" shall mean one of a group of not less than three single adjacent dwelling units, attached together horizontally by an above grade common wall;

   f) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) “Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) “Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) “Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) “Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) “Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) “Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“S2” Zone)

No person shall within the lands designated “S2” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S2" Zones)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 11.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.2 metres.

c) Uses Permitted ("SA-1" Zone)

No person shall within the lands designated "SA-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single attached dwellings

d) Zone Requirements ("SA-1" Zones)

No person shall within the lands designated "SA-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 0.6 metres except that no interior side yard shall be provided on the side where dwellings are attached together;

v. FLANKAGE SIDE YARD WIDTH (minimum): 4.5 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. for the purpose of this paragraph lot coverage shall not include any uncovered decks or platforms

B. maximum 45 % coverage

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. no more than 75 residential units shall be permitted within the areas designated “SA-1”

B. minimum dwelling unit area 100 square metres

x. PARKING REQUIREMENTS: minimum one parking space per dwelling unit located within a private garage attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

A. Uncovered steps and platforms exceeding 1.0 metres in height may project a maximum depth of 1.8 metres into the required 7.5 metre rear yard so long as no part thereof shall exceed 1.8 metres in depth or 3.0 metres in width

B. The horizontal distance between buildings on adjacent lots unless such buildings are attached together in whole or in part, shall be not less than 1.2 metres.

C. Section 5.7(a) and 5.7(b) of By-law 3036 shall not apply to the subject lands.

15.247 Exception Zone 247 (By-law 3456-90)

1. Definitions

   a) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   b) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   c) “Religious Retreat Facility” shall mean a place maintained and controlled by a religious order, where persons assemble for contemplative, counselling, educational or other purposes of a religious nature and which may include but not necessarily be limited to a chapel, meeting room, administrative office, retreat house and residential accommodation for members, staff or retired members of a religious order;

   d) “Retreat House” shall mean a building or part of a building for the temporary accommodation of persons taking part in a religious retreat and which may include associated dining and assembly facilities.

   e) “Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. Provisions

   a) Uses Permitted ("I(R)" Zone)

      No person shall within the lands designated "I(R)" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. religious retreat facility

   b) Zone Requirements ("I(R)" Zone)

      No person shall within the lands designated "I(R)”, use any lot or erect, alter or use any building except in accordance with the following provisions:

      i. YARD SETBACKS (minimum): as illustrated on Figure 1 attached hereto

      ii. LOT COVERAGE (maximum): 20 percent

      iii. BUILDING HEIGHT (maximum): 12 metres

      iv. FRONT YARD DEPTH (minimum): 4.5 metres

v. PARKING REQUIREMENTS:

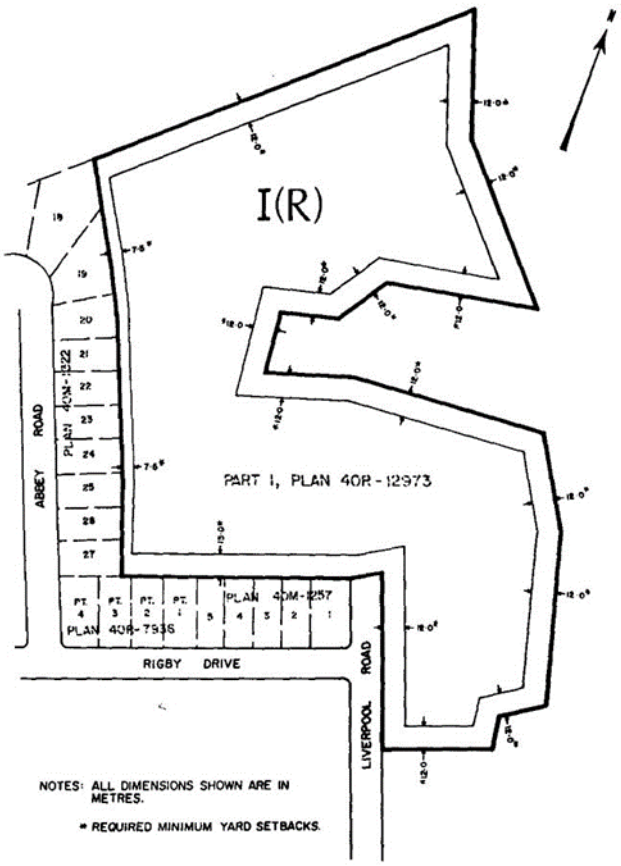
A. For the purpose of this clause “parking space” shall mean a usable and accessible area of not less that 13.78 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained a minimum of one parking space per 80 square metres of Gross Floor Area or a minimum of one space per 2 bedrooms on the site, which ever is greater.

vi. SPECIAL REGULATIONS:

A. Despite the provisions of 2(b)(i) any building or part of a building existing on the date of passage of this By-law on that Part of Lots 22 and 23, Concession 2, designated Part 1, Plan 40R-12973, and located within the minimum yard setback illustrated on Figure 1 attached hereto may remain and be maintained within that minimum yard setback.

3. Figure 1



SCHEDULE I TO BY-LAW 3456/90
PASSED THIS 7th
DAY OF May 1990

MAYOR (Wayne E. Arthurs)

CLERK (Bruce J. Taylor)

15.248 Exception Zone 248 (By-law 3474-90)

1. Definitions

   a) "Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Semi-Detached Dwelling – Attached Below Grade” shall mean one of a pair of single dwellings which are attached together horizontally in whole or in part below grade only and are separated from other main buildings by yards

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or services is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted ("S1" Zone)

No person shall within the lands designated "S1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTRIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line;

c) Uses Permitted ("S2" Zone)

No person shall within the lands designated "S2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S2" Zone)

No person shall within the lands designated "S2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 11.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres one side and 0.6 metres the other side, or

B. 1.8 metres one side and no minimum the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line;

xi. SPECIAL REGULATIONS:

A. no windows from habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it;

B. the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

15.249 Exception Zone 249 (By-law 3477-90)

1. Definitions

   a) "Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) “Neighbourhood Park” shall mean a municipal public park;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or services is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“S1”, “S1-7”, “S2” and “S2-7” Zones)

No person shall within the lands designated “S1”, “S1-7”, “S2” and “S2-7” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements (“S1”, “S1-7”, “S2” and “S2-7” Zones)

No person shall within the lands designated “S1”, “S1-7”, “S2” and “S2-7”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated "S1" and “S1-7”: 450 square metres

B. on lands designated "S2" and “S2-7”: 400 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated "S1" and “S1-7”: 15.0 metres

B. on lands designated "S2" and “S2-7”: 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated "S1" and "S2": 7.5 metres

B. on lands designated “S1-7” and “S2-7”: 18.0 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

c) Uses Permitted ("S4-1" Zone)

No person shall within the lands designated "S4-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S4-1" Zone)

No person shall within the lands designated "S4-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 10.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 18.0 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.2 metres.

e) Uses Permitted ("NP" Zones)

No person shall within the lands designated "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

15.250 Exception Zone 250 (By-law 3640-91)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Dwelling, Semi-Detached or Semi-Detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) “Single Attached Dwelling” shall mean one of a group of not less than three single adjacent dwelling units, attached together horizontally by an above grade common wall;

   g) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   h) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   j) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   k) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“S1”, “S1-2”, “S1-3”, “S2”, “S2-2”, “S3” and “S3-2” Zones)

No person shall within the lands designated “S1”, “S1-2”, “S1-3”, “S2”, “S2-2”, “S3” and “S3-2” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“S1”, “S1-2”, “S1-3”, “S2”, “S2-2”, “S3” and “S3-2” Zones)

No person shall within the lands designated “S1”, “S1-2”, “S1-3”, “S2”, “S2-2”, “S3” and “S3-2”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “S1”, “S1-2”, “S1-3”: 450 square metres

B. on land designated “S2”, “S2-2”: 400 square metres

C. on lands designated “S3” and “S3-2”: 350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “S1”, “S1-2”, “S1-3”: 15.0 metres

B. on land designated “S2”, “S2-2”: 13.5 metres

C. on lands designated “S3” and “S3-2”: 12.0 metres

iii. FRONT YARD DEPTH (minimum):

A. on lands designated “S1”, “S2”, “S3”: 4.5 metres

B. on land designated “S1-2”,

C. “S1-3”, “S2-2”, “S3-2”: 4.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side except that in the case of a lot abutting on a reserve on the opposite side of which is Valley Farm Road, the minimum interior side yard width shall be 7.5 metres;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated “S1”, “S2” and “S3”: 7.5 metres

B. on land designated “S1-2”, “S1-3”, “S2-2”, “S3-2”: 7.5 metres

C. for the purposes of this provision, despite section 2.46 c) ii) of By-law 3036, the term rear lot line, for any lot any part of which is located in the “OS-HL” designation shall be deemed to be the boundary on that lot between the “OSHL” zone designation and the abutting “S1-2”, “S1-3”, “S2-2” or “S3-2” designation;

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres.

c) Uses Permitted (“S4" and “S5” Zones)

No person shall within the lands designated “S4" and “S5” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements (“S4" and “S5” Zones)

No person shall within the lands designated “S4" and “S5”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on land designated “S4”: 300 square metres

B. on lands designated “S5”: 250 square metres

ii. LOT FRONTAGE (minimum):

A. on land designated “S4”: 10.0 metres

B. on lands designated “S5”: 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. on land designated “S4”: 38 percent

B. on lands designated “S5”: 40 percent

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

ix. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

x. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.2 metres

e) Uses Permitted (“SD-A” Zone)

No person shall within the lands designated “SD-A” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

f) Zone Requirements (“SD-A” Zone)

No person shall within the lands designated “SD-A”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the

side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

A. the horizontal distance between building on adjacent lots, except where such buildings are attached in whole or on part, shall be not less than 1.2 metres;

B. despite the definition of " Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(e), Semi–Detached Dwellings erected in an "SD-A" zone shall be attached above grade by a common wall which shall be not less than 3.0 metres in length and not less than 2.4 metres in height.

g) Uses Permitted (“S-SD” Zone)

No person shall within the lands designated “S-SD” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

h) Zone Requirements (“S-SD” Zone)

No person shall within the lands designated “S-SD”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between building on adjacent lots, except where such buildings are attached in whole or on part, shall be not less than 1.2 metres;

i) Uses Permitted (“SA-2” Zone)

No person shall within the lands designated “SA-2” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

j) Zone Requirements (“SA-2” Zone)

No person shall within the lands designated “SA-2”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 180 square metres

ii. LOT FRONTAGE (minimum): 6.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line

k) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

l) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

15.251 Exception Zone 251 (By-law 3624-90)

1. Definitions

   a) "Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) “Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or services is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

r) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S1-5" and "S2" Zones)

No person shall within the lands designated "S1-5" and "S2 use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1-5" and "S2" Zones)

No person shall within the lands designated "S1-5" and "S2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated "S1-5": 450 square metres

B. on lands designated "S2": 400 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated "S1-5": 15.0 metres

B. on lands designated "S2": 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum the other side

v. FLANKAGE SIDE YARD WIDTH (minimum):

minimum 2.7 metres except that in the case of a corner lot flanking on Finch Avenue, the minimum flankage side yard shall be 4.5 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated "S1-5": 10.0 metres

B. on lands designated "S2": 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

B. despite the provisions of subclause (vi) above no main building shall be erected, altered or used in the area diagonally hatched on Figure 1 hereto.

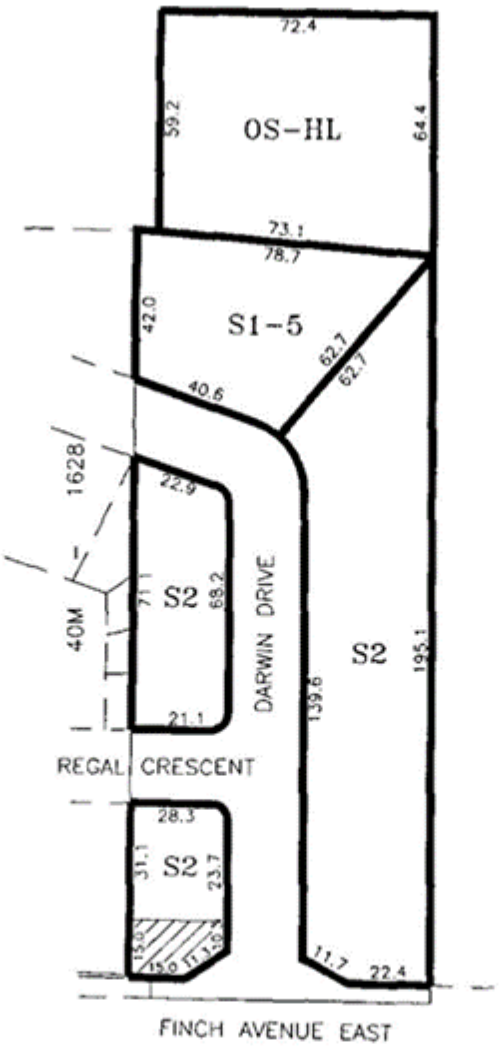
c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

3. Figure 1



NOTE: ALL DIMENSIONS SHOWN ARE IN METRES

15.252 Exception Zone 252 (By-law 3678-91)

1. Definitions

   a) "Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or services is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

r) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("R3-2" and "S1" Zones)

No person shall within the lands designated "R3-2" and "S1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("R3-2" and "S1" Zones)

No person shall within the lands designated "S3-2" and "S1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated "R3-2": 550 square metres

B. on lands designated "S1": 450 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated "R3-2": 18 metres

B. on lands designated "S1": 15 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on lands designated "R3-2": 1.8 metres

B. on lands designated "S1":

1) minimum 1.2 metres each side, or

2) minimum 1.8 metres one side and no minimum the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated "R3-2" 10.0 metres

B. on lands designated "S1": 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

B. despite the provisions of Section 2(a)(i) above, the area diagonally hatched on Figure 1 attached hereto shall only be used for tree preservation and conservation purposes, and no buildings or structures of any kind, including accessory buildings, but excluding fences along the lot lines, shall be erected; and no swimming pools, tennis courts or like recreational facilities shall be permitted;

C. despite the provision of subclause (vi) above, no building or structure shall be located closer than 6.0 metres to the nearest limit of the area diagonally hatched on Figure 1, or to the area designated “OS-HL”.

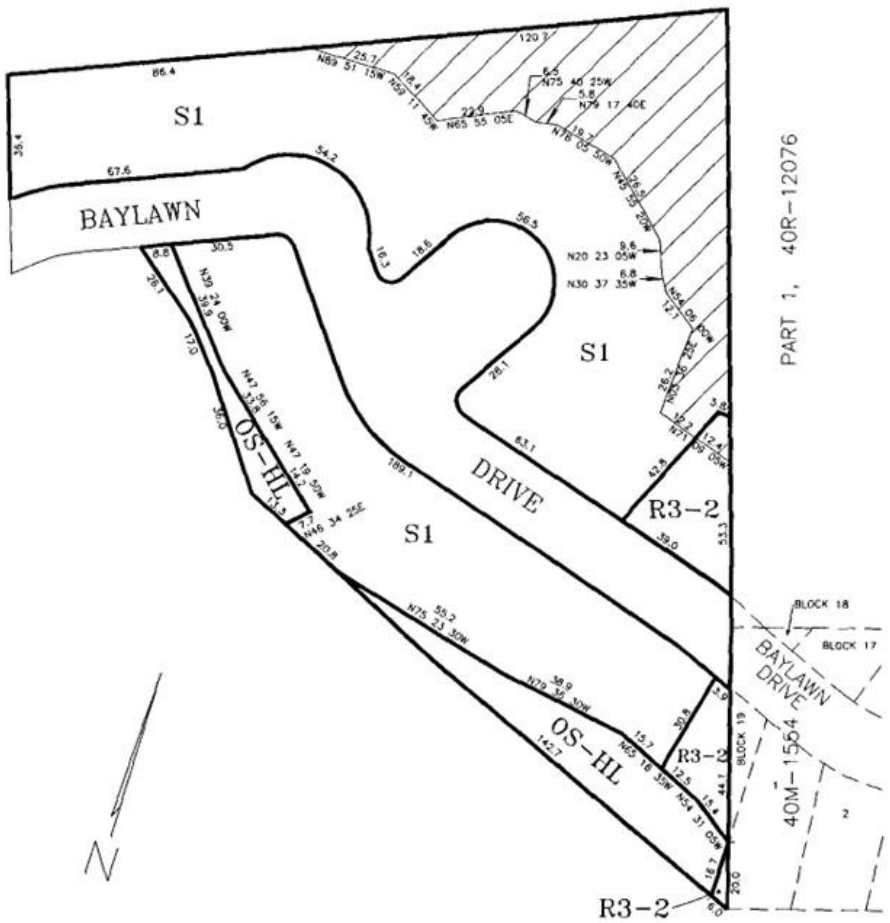
c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

3. Figure 1



Note: All dimensions shown are in metres

SCHEDULE I TO BY-LAW 3678/91
PASSED THIS 18th
DAY OF March 1991

MAYOR

CLERK

15.253 Exception Zone 253 (By-law 3686-91)

1. Definitions

   a) "Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Dwelling, Semi-detached or Semi-detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or services is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted ("S3” and “S3-2" Zones)

No person shall within the lands designated "S3” and “S3-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S3" and "S3-2" Zones)

No person shall within the lands designated "S3" and "S3-2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. A on lands designated "S3" 7.5 metres

B. B on lands designated "S3-2": 11 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

c) Uses Permitted ("S-SD" Zone)

No person shall within the lands designated "S-SD" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

ii. semi-detached dwelling residential uses

d) Zone Requirements ("S-SD" Zone)

No person shall within the lands designated "S-SD", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for single detached dwellings:

1) minimum 1.2 metres one side, 0.6 metres other side, or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

B. for semi-detached dwellings:

minimum 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

2) 0.6 metres measured perpendicular to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except if such buildings are attached together in whole or in part, shall be not less than 1.2 metres shall be not less than 1.8 metres.

B. Despite the definition of "Dwelling, Semi-detached or Semi-detached Dwelling" in Section 1(e) Semi-detached dwellings erected in an "S-SD" zone shall be attached above grade only.

15.254 Exception Zone 254 (By-law 3892-91)

1. Definitions

   a) "Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or services is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

r) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S1” and “S1-8" Zones)

No person shall within the lands designated "S1” and “S1-8" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S1” and “S1-8" Zones)

No person shall within the lands designated "S1” and “S1-8", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on lands designated “S1”: 1.2 metres

B. on lands designated “S1-8”:

1) North side yard: 1.2 metres

2) South side yard: 2.4 metres to the nearest wall of uninhabitable portion of main building and 7.0 metres to nearest wall of habitable portion of main building

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one uninhabitable private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

15.255 Exception Zone 255 (By-law 2864-88)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Dwelling, Semi-detached or Semi-detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) “Neighbourhood Park” shall mean a municipal public park;

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest main wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S" Zone)

No person shall within the lands designated "S" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S" Zone)

No person shall within the lands designated "S", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 11 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres on one side, 0.6 metres on the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

c) Uses Permitted ("S3" Zone)

No person shall within the lands designated "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements ("S3" Zone)

No person shall within the lands designated "S3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres

e) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

f) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres on one side, 0.6 metres on the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be

located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres

g) Uses Permitted ("SD-A" Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

h) Zone Requirements ("SD-A" Zone)

i) No person shall within the lands designated "SD-A", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the side lot line separating such lots, or that is not a direct extension thereof, shall be set back from the side lot line as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot or,

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than

6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

xii. Despite Section 1(e), the pair of single dwellings comprising the semi-detached dwelling permitted within the lands designated “SD-A” shall be attached to each other by an above grade common private garage wall which shall be not less than 3.0 metres in length and not less than 2.4 metres in height.

j) Uses Permitted “NP” Zone

No person shall within the lands designated “NP” use any lot or erect, alter or use any building or structure for any purpose except the following;

i. neighbourhood park

15.256 Exception Zone 256 (By-law 2896-88)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Single, Attached Dwelling" shall mean one of a group of not less than three single adjacent dwelling units, attached together horizontally by an above grade common wall;

   e) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("SD-SA" Zone)

No person shall within the lands designated "SD-SA" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

ii. single attached dwelling residential use

b) Zone Requirements ("SD-SA" Zone)

No person shall within the lands designated "SD-SA", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 170 square metres

ii. LOT FRONTAGE (minimum): 6.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

Minimum 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension there of shall be set back from the side lot lien separating such lots as follows

A. 1.2 metres measured perpendicularly to such side lot lien if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 45 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line

xi. SPECIAL REGULATIONS: no more than 34 dwelling units shall be permitted on the lands designated “SD-SA”

15.257 Exception Zone 257 (By-law 2911-88, as amended by By-law 3506-90)

1. Definitions

   a) “Activity Room Area” shall mean the floor area within a day nursery that is used by children for their day-to-say activities but shall exclude all floor area allocated to corridors, storage areas, washroom and kitchen facilities and offices;

   b) “Day Nursery” shall mean lands and premises duly licenced pursuant to the provisions of the Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   f) “Multiple Dwelling-Vertical” shall mean a building containing three or more dwelling units attached horizontally and vertically by above grade wall or walls or an above grade floor or floors or both;

   g) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   h) “Gross Floor Area-Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, and attic or a cellar;

   i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   j) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   k) “Lot Frontage” shall mean the percentage of lot area covered by all buildings on the lot;

l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) “Senior Citizen Apartment Dwelling” shall mean a dwelling containing three or more dwelling units attached horizontally or vertically for occupation by elderly persons only;

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. Provisions

a) Uses Permitted ("RM1-3/DN(3)" Zone)

No person shall within the lands designated "RM1-3/DN(3)" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. day nurseries

ii. multiple dwellings - horizontal

iii. multiple dwellings - vertical

b) Zone Requirements ("RM1-3/DN(3)" Zone)

No person shall within the lands designated "RM1-3/DN(3)", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. YARD SETBACKS (minimum): as illustrated on Figure 1 attached hereto

ii. BUILDING HEIGHT (maximum):

A. on the lands designated “MD-H” on Figure 1 attached hereto: 2 storeys

B. on the lands designated “MD-V” on Figure 1 attached hereto: 3 storeys

iii. DWELLING UNIT REQUIREMENTS:

A. No more than 141 dwelling units shall be permitted within the area designated “RMI-3/DN(3);

B. Multiple dwellings-horizontal shall only be permitted on those lands designated “MD-H” on Figure 1 attached hereto;

C. Any multiple dwelling-horizontal shall have a minimum dwelling unit floor area of 84.0 square metres;

D. Multiple dwellings-vertical shall only be permitted on those lands designated “MD-V” on Figure 1 attached hereto;

E. Any multiple dwelling-vertical shall have a minimum dwelling unit floor area of 56.0 square metres;

F. minimum of 30 multiple dwelling-vertical shall be provided and maintained for use as senior citizen apartment dwellings.

iv. LOT COVERAGE (maximum): 40 percent

v. PARKING REQUIREMENTS:

A. “Parking Space” shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

B. The minimum perpendicular width of an aisle for two-way traffic, used to gain access to a parking space shall be 5.5 metres;

C. For each dwelling unit within a multiple dwelling-horizontal there shall be provided and maintained on the lot:

1) a minimum 1.2 parking spaces which shall include one parking space located between the front wall of the dwelling unit and the nearest two-way traffic aisle;

2) a minimum of 0.3 visitor parking spaces;

D. For each dwelling unit within a multiple dwelling-vertical there shall be provided and maintained on the lot:

1) a minimum of 0.5 parking spaces;

2) a minimum of 0.15 visitor parking spaces;

E. For any day nursery use, there shall be provided and maintained on the lot a minimum of 5.0 parking spaces for each 100 square metres of activity room floor area associated with the day nursery;

F. Section 5.21.2 and 6.5 (c) of By-law 3036, as amended, shall not apply to lands designated “RM1-3/DN(3)”;

vi. SPECIAL REGULATIONS:

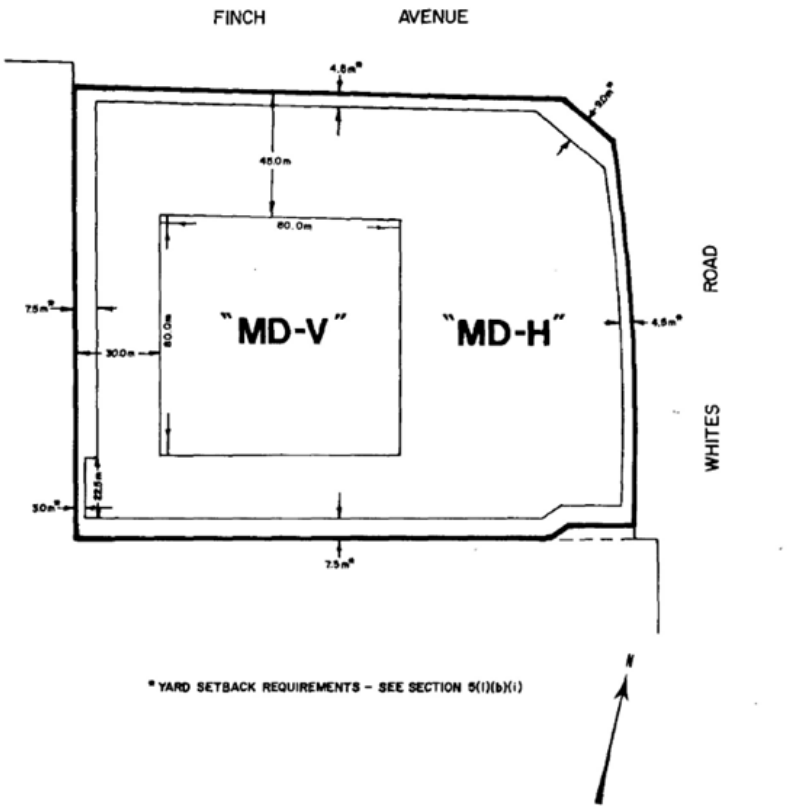
A. the horizontal distance between multiple dwellings-horizontal shall be a minimum of 1.8 metres.

B. Any day nursery use shall be located on the lands designated “MD-V” on Figure 1 attached hereto;

C. The number of children attending at one time all day nurseries on the land designated “MD-V” on Figure 1 attached hereto, shall not exceed 40;

D. One refuse storage building, ancillary to the permitted residential uses, shall be provided and maintained within the lands designated "RM1-3/DN(3)".

3. Figure 1



SCHEDULE II TO BY-LAW 2911/88
PASSED THIS 10th
DAY OF August 1989

MAYOR (Wayne E. Arthurs)

CLERK (Bruce J. Taylor)

15.258 Exception Zone 258 (By-law 2917-88)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“R3-2” and “R3-3” Zones)

No person shall within the lands designated “R3-2” and “R3-3” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“R3-2” and “R3-3” Zones)

No person shall within the lands designated “R3-2” and “R3-3”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 550 square metres

ii. LOT FRONTAGE (minimum): 18.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated “R3-2”: 10 metres

B. on lands designated “R3-3”: 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: where a lot is comprised of lands designate both “R3-3” and “OS-HL”, any main building erected, altered or used on that lot must, in addition to complying with the zone requirements of each of those zones, also be located a minimum of 6.0 metres from the boundary between the “R3-3” and “OS-HL” designations.

c) Uses Permitted (“OS-HL” Zone)

No person shall within the lands designated “OS-HL” use any lot or erect, or alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

d) Zone Requirements (“OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control.

15.259 Exception Zone 259 (By-law 2921-88, as amended by By-law 3475-90 and By-law 5352-98)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Dwelling, Semi-detached or Semi-detached Dwelling” shall mean one of a pair of single dwellings, such dwelling being attached together horizontally in whole or part above grade, below grade, or both above and below grade;

   f) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S1”, S2”, and “S3" Zones)

No person shall within the lands designated "S1”, S2”, and “S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S1”, S2”, and “S3" Zone)

No person shall within the lands designated "S1”, S2”, and “S3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “S1”: 450 square metres

B. on lands designated “S2”: 400 square metres

C. on land designated “S3”: 350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “S1”: 15.0 metres

B. on lands designated “S2”: 13.5 metres

C. on land designated “S3”: 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres.

c) Uses Permitted (“S4" Zone)

No person shall within the lands designated “S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements (“S4" Zone)

No person shall within the lands designated “S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.2 metres.

e) Uses Permitted (“SD” Zone)

f) No person shall within the lands designated “SD” use any lot or erect, or alter or use any building or structure for any purpose except the following:

i. semi-detached residential uses

g) Zone Requirements (“SD” Zone)

No person shall within the lands designated “SD", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

The horizontal distance between buildings on adjacent lots except if such buildings are attached together in whole or in part, shall be not than 1.2 metres.

15.260 Exception Zone 260 (By-law 4997-97)

1. DEFINITIONS

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Neighbourhood Park" shall mean a municipal public park.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R4-9" and “S3-7” Zones)

No person shall within the lands designated "R4-9" and “S3-7” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-9" and “S3-7” Zones)

No person shall within the lands designated "R4-9" and “S3-7” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “R4-9”: 460 square metres

B. on lands designated “S3-7”:350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “R4-9”: 15.0 metres

B. on lands designated “S3-7”:12.0 metres

iii. FRONT YARD DEPTH (minimum):

A. for lots fronting on Fairport Road: 7.5 metres

B. for all other lots: 4.5 metres

C. despite clauses A and B above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on lands designated “R4-9”: 1.2 metres

B. on lands designated “S3-7”:

1.2 metres on one side and 0.6 metres on the other side

C. despite clauses A and B above, where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side.

v. BUILDING SEPARATION (minimum):

A. on lands designated “R4-9”: 3.0 metres

B. on lands designated “S3-7”:1.2 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum):

A. for lots flanking on Fairport Road: 4.5 metres

B. for all other lots: 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot.

B. despite clause A above, where a single storey covered and unenclosed porch or veranda having no habitable space above it is attached to the wall containing the main entrance to the dwelling unit, such porch or veranda shall be excluded from the calculation of lot coverage.

C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached

private garage shall be excluded from the calculation of lot coverage.

D. the total lot coverage of all accessory buildings, excluding detached private garages shall not exceed five percent.

E. despite clauses A and C above, where a detached private garage not exceeding 38 square metres in area is constructed in the rear yard of a lot with an area of 350 square metres or greater, such detached private garage shall be excluded from the calculation of lot coverage.

ix. BUILDING HEIGHT (maximum):

A. for a dwelling with or without an attached private garage: 9.0 metres

B. for all accessory buildings which are not part of the main building: 3.5 metres

x. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot.

B. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard.

C. minimum driveway width of 5.0 metres.

D. despite the minimum driveway width requirement of clause C above, where a private detached garage is located entirely in the rear yard, clause C above shall not apply.

E. despite the front yard depth, interior side yard width and flankage side yard width requirements of this by-law, the vehicular entrance to a private garage shall be located not less than 6 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street, except that for lots fronting on Fairport Road, the vehicular entrance to garages shall be located not less than 7.5 metres from the front lot line.

F. on lands designated “R4-9” and “S3-7”, no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

G. despite the minimum rear yard depth and minimum interior side yard width requirements of this by-law, if a detached garage is located entirely within a rear yard, it may be located a minimum of 1.0 metres from any interior side lot line or rear lot line provided that the provisions of clause E above and the minimum flankage side yard width requirements of this by-law are adhered to.

H. the maximum building height of any detached private garage shall be 3.5 metres.

xii. ACCESSORY BUILDING LOCATION REQUIREMENTS:

A. all accessory buildings which are not part of the main dwelling, with the exception of a detached private garage, shall be located entirely within in the rear yard, and not less than 1.0 metre from any lot line other than a flankage lot line.

B. accessory structures shall adhere to the minimum flankage side yard width requirements of this by-law.

C. despite clauses A and B above, an accessory building not exceeding 1.8 metres in height and/or not exceeding 10.0 square metres in area may be located in the rear yard not less than 0.6 metres from any lot line.

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

e) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

15.261 Exception Zone 261 (By-law 4973-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R4-9" Zone)

No person shall within the lands designated "R4-9" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-9" Zone)

No person shall within the lands designated "R4-9" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum):

A. for lots fronting on Fairport Road: 7.5 metres

B. for all other lots: 4.5 metres

C. despite clauses A and B above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres, except

where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side.

v. BUILDING SEPARATION (minimum): 3.0 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum):

A. for lots flanking on Fairport Road: 4.5 metres

B. for all other lots: 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot.

B. despite clause A above, where a single storey covered and unenclosed porch or veranda having no habitable space above it is attached to the wall containing the main entrance to the dwelling unit, such porch or veranda shall be excluded from the calculation of lot coverage.

C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

D. the total lot coverage of all accessory buildings, excluding detached private garages shall not exceed five percent.

E. despite clauses A and C above, where a detached private garage not exceeding 38 square metres in area is constructed in the rear yard of a lot with an area of 350 square metres or greater, such detached private garage shall be excluded from the calculation of lot coverage.

ix. BUILDING HEIGHT (maximum):

A. for a dwelling with or without an attached private garage: 9.0 metres

B. for all accessory buildings which are not part of the main building: 3.5 metres

x. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot.

B. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard.

C. minimum driveway width of 5.0 metres.

D. despite the minimum driveway width requirement of clause C above, where a private detached garage is located entirely in the rear yard, clause C above shall not apply.

E. despite the front yard depth, interior side yard width and flankage side yard width requirements of this by-law, the vehicular entrance to a private garage shall be located not less than 6 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street, except that for lots fronting on Fairport Road, the vehicular entrance to garages shall be located not less than 7.5 metres from the front lot line.

F. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

G. despite the minimum rear yard depth and minimum interior side yard width requirements of this by-law, if a detached garage is located entirely within a rear yard, it may be located a minimum of 1.0 metres from any interior side lot line or rear lot line provided that the provisions of clause E above and the minimum flankage side yard width requirements of this by-law are adhered to.

H. the maximum building height of any detached private garage shall be 3.5 metres.

xii. ACCESSORY BUILDING LOCATION REQUIREMENTS:

A. all accessory buildings which are not part of the main dwelling, with the exception of a detached private garage, shall be located entirely within in the rear yard, and not less than 1.0 metre from any lot line other than a flankage lot line.

B. accessory structures shall adhere to the minimum flankage side yard width requirements of this by-law.

C. despite clauses A and B above, an accessory building not exceeding 1.8 metres in height and/or not exceeding 10.0 square metres in area may be located in the rear yard not less than 0.6 metres from any lot line.

15.262 Exception Zone 262 (By-law 4963-97, as amended by By-law 5338-98)

1. Definitions

   a) "Build-to-zone" shall mean an area of land in which all or part of a building or buildings is located;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   e) "Multiple Dwelling - Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure providing a parking space for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("RMM-1" Zone)

No person shall within the lands designated "RMM-1" use any lot or erect, alter or use any building or structure for any purpose except the following residential uses:

i. semi-detached dwelling

ii. multiple dwelling - horizontal

b) Zone Requirements ("RMM-1" Zone)

No person shall within the lands designated "RMM-1" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. semi-detached dwelling: 225 square metres

B. multiple dwelling - horizontal: 180 square metres

ii. LOT FRONTAGE (minimum):

A. semi-detached dwelling: 7.5 metres

B. multiple dwelling - horizontal: 6.0 metres

iii. FRONT YARD DEPTH (minimum):

A semi-detached dwelling: 4.5 metres

B multiple dwelling - horizontal: 4.5 metres

iv. REAR YARD DEPTH (minimum):

A. semi-detached dwelling: 7.5 metres

B. multiple dwelling - horizontal: 7.5 metres

v. SIDE YARD WIDTH (minimum):

A. semi-detached dwelling: 1.2 metres

B. multiple dwelling - horizontal: 1.2 metres

vi. INTERIOR SIDE YARD WIDTH (minimum):

A. semi-detached dwelling, multiple dwelling - horizontal, 1.2 metres, except

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

3) where dwellings on abutting lots share a common wall and one of those dwellings has a wall extension, other than a common wall, that is not along the common interior side lot line:

I. a minimum 1.2-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot, or

II. a minimum 0.6-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard not less than 0.6-metre is provided on the other lot;

vii. LOT COVERAGE (maximum):

A. semi-detached dwelling: 38 per cent

B. multiple dwelling - horizontal: 38 per cent

viii. BUILDING HEIGHT (maximum):

A. semi-detached dwelling: 12 metres

B. multiple dwelling - horizontal: 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. semi-detached dwelling, and multiple dwelling - horizontal:

1) minimum gross floor area-residential of 100 square metres;

2) maximum one dwelling unit per lot;

x. PARKING REQUIREMENTS:

A. semi-detached dwelling:

there shall be provided and maintained on the lot a minimum of one private garage attached to the dwelling unit, and having a vehicular entrance which shall be located not less than 6.0 metres from the front lot line.

B. multiple dwelling - horizontal:

there shall be provided and maintained on the lot a minimum of one private garage attached to the dwelling unit, and having a vehicular entrance which shall be located not less than 6.0 metres from the front lot line.

xi. SPECIAL REGULATIONS:

A. despite the provisions of section 2(b)(iv)A above, for lots within the shaded area illustrated on Figure 1 attached hereto, no building or structure shall be located closer than 10.0 metres from the boundary with the "OS-HL" zone designation within the shaded area;

B. despite the provisions of section 2(b)(iv)B above, for lots abutting Brock Road containing a build-to-zone as illustrated on Figure 2 attached hereto, a minimum of 60% of the length of the build-to-zone within the lot shall contain a building or part of a building containing dwellings units;

C. despite the provisions of section 2(b)(iv)B above, for lots abutting Brock Road containing a build-to-line as illustrated on Figure 2 attached hereto, a minimum of 60% of the length of the build-to-line within the lot shall have located on it, a building or part of a building containing dwelling units;

D. no part of any private garage shall extend more than 2.2 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached

private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

E. despite the provisions of section 5.7 of By-law 3036, as amended, decks or balconies, whether covered or uncovered, shall be permitted to project a maximum of 1.5 metres into the required rear yard;

F. despite the provisions of section 5.18 of By-law 3036, as amended, no accessory structure or building shall be permitted on lots containing a build-to-zone or build-to-line, as illustrated on Figure 1 attached hereto;

G. despite the definition of "Dwelling, Semi-Detached or Semi Detached Dwelling" in Section 1(d), semi-detached dwellings erected in an "RMM-1" zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 per cent of the horizontal depth of the building.

3. PROVISIONS

a) Uses Permitted (“RMM-1(A)” Zone)

No person shall within the lands designated “RMM-1(A)” use any lot or erect, alter or use any building or structure for any purpose except the following residential uses:

i. multiple dwelling - horizontal

b) Zone Requirements (“RMM-1(A)” Zone)

No person shall within the lands designated “RMM-1(A)” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the multiple dwelling - horizontal provisions as set out in Section 2(b) of this By-law.

4. PROVISIONS ("OS-HL" Zone)

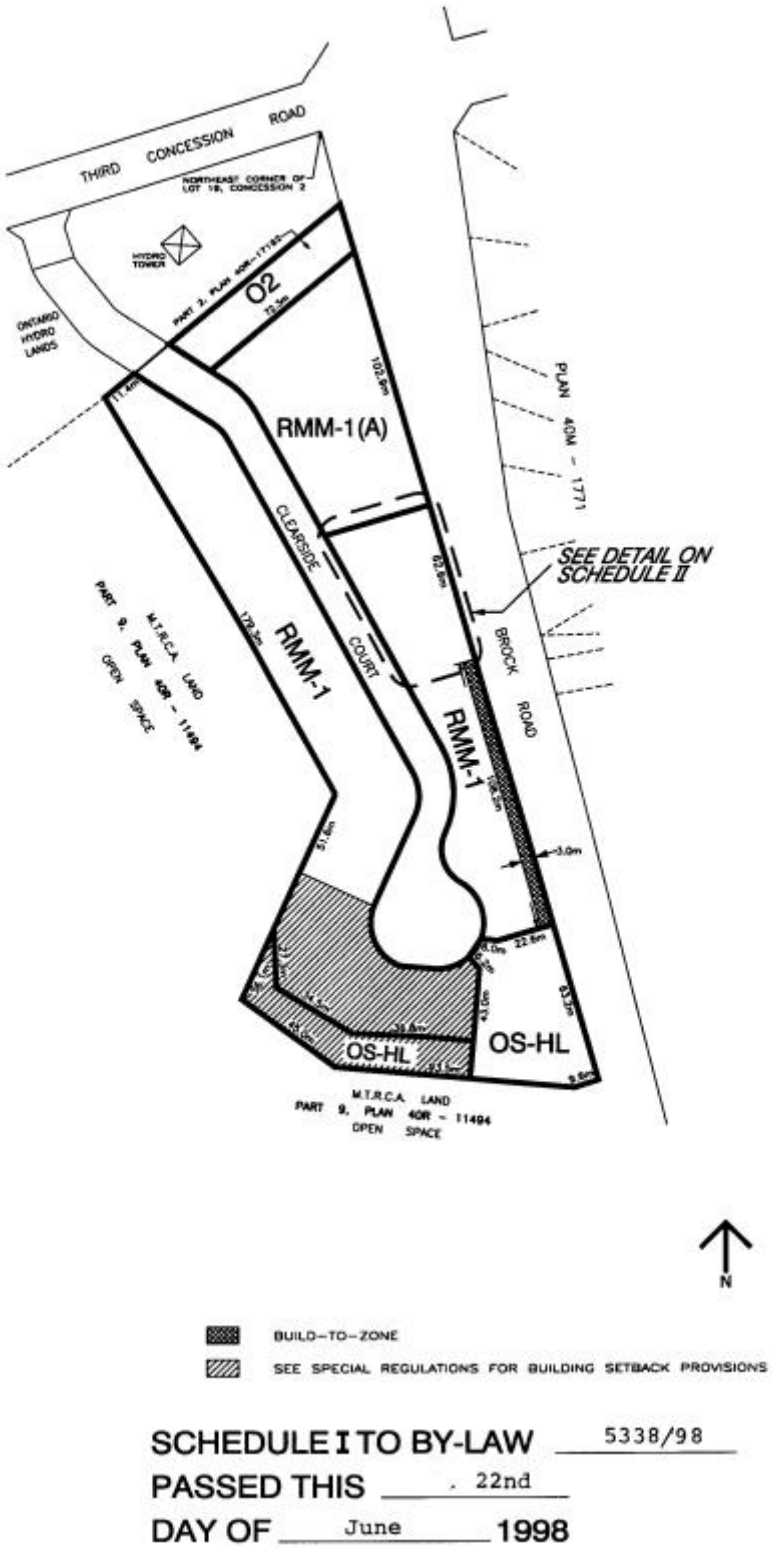
a) Uses Permitted ("OS-HL" Zone)

i. No person shall within the lands designated "OS-HL use any land for any purpose, or erect, alter or use any building or structure for any purpose except for the preservation and conservation of the natural environment, soil and wildlife.

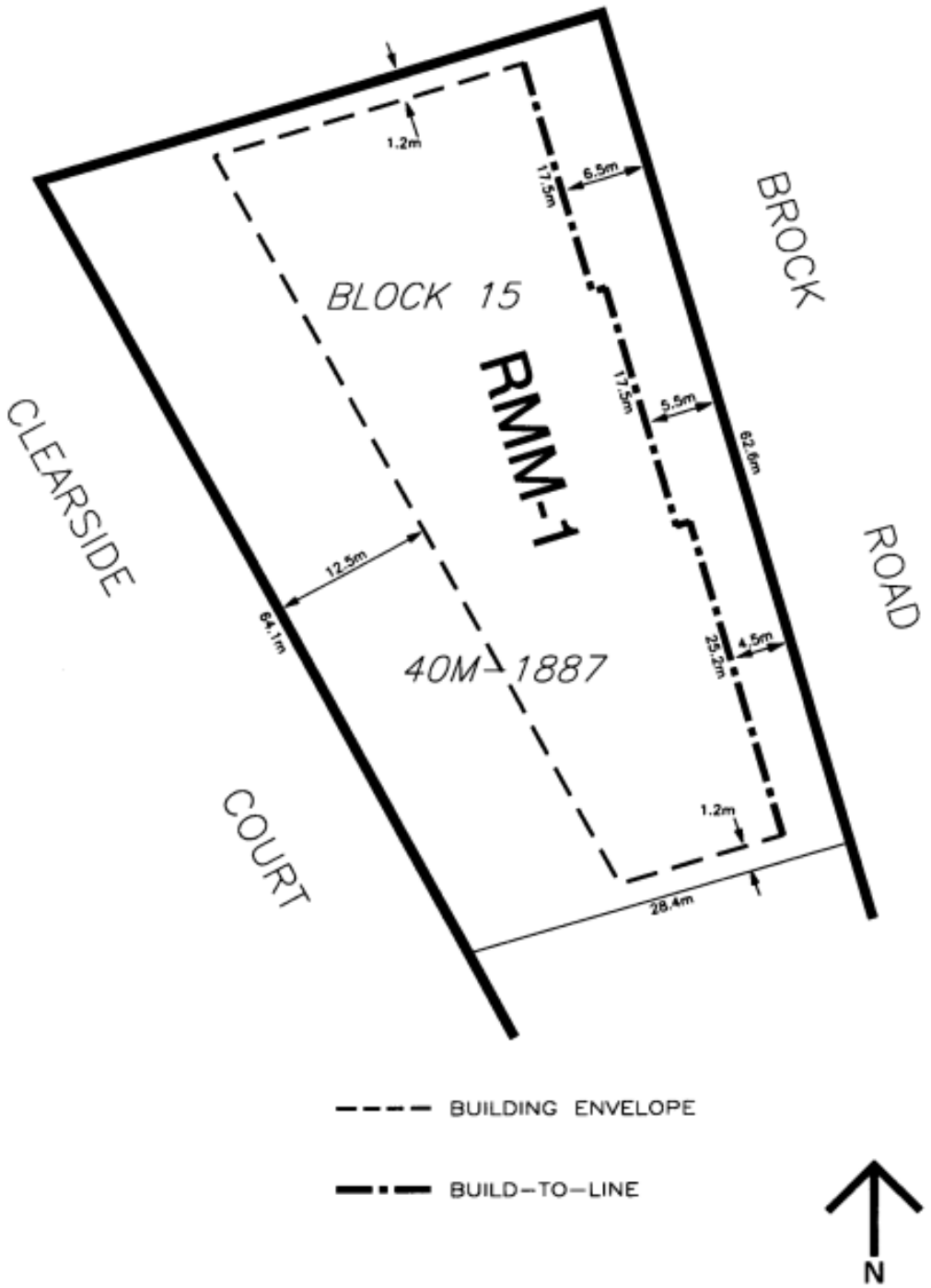
b) Zone Requirements ("OS-HL" Zone)

i. No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for the purposes of flood and erosion control.

5. Figure 1


THIRD CONCESSION ROAD
NORTHEAST CORNER OF LOT 18, CONCESSION 2
HYDRO TOWER
ONTARIO HYDRO LANDS
O2
RMM-1(A)
RMM-1
RMM-1
CLEARSIDE COURT
BROCK ROAD
PLAN 40M - 1771
SEE DETAIL ON SCHEDULE II
M.T.R.C.A. LAND PART 9, PLAN 40R - 11494 OPEN SPACE
OS-HL
OS-HL
M.T.R.C.A. LAND PART 9, PLAN 40R - 11494 OPEN SPACE
N
BUILD-TO-ZONE
SEE SPECIAL REGULATIONS FOR BUILDING SETBACK PROVISIONS
SCHEDULE I TO BY-LAW 5338/98
PASSED THIS 22nd
DAY OF June 1998

6. Figure 2


BLOCK 15
RMM-1
40M-1887
BROCK ROAD
CLEARSIDE COURT
1.2m
17.5m
6.5m
17.5m
5.5m
62.6m
12.5m
64.1m
25.2m
4.5m
1.2m
28.4m
BUILDING ENVELOPE
BUILD-TO-LINE
N

15.263 Exception Zone 263 (By-law 4912-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S2-12", "S3-7" and "S4-5" Zones)

No person shall within the lands designated "S2-12", “S3-7” and “S4-5” hereto use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S2-12", "S3-7" and "S4-5" Zones)

No person shall within the lands designated "S2-12", "S3-7" and "S4-5" hereto use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated "S2-12" 400 square metres

B. on lands designated "S3-7" 350 square metres

C. on lands designated "S4-5" 300 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated "S2-12" 13.5 metres

B. on lands designated "S3-7" 12.0 metres

C. on lands designated "S4-5" 10.0 metres

iii. FRONT YARD DEPTH (minimum):

A. 4.5 metres, except that

B. a single storey covered and unenclosed porch or verandah with no habitable space above, may project a maximum of 1.5 metres into a required front yard;

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres on one side and 0.6 metres on the other side, except that

B. where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side.

v. BUILDING SEPARATION (minimum):

A. on lands designated "S2-12" 1.8 metres

B. on lands designated "S3-7" 1.2 metres

C. on lands designated "S4-5" 1.2 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot;

B. despite clause A above, where a single storey covered and unenclosed porch or verandah having no habitable space above it is attached to the wall containing the main entrance to the dwelling unit, such porch or verandah shall be excluded from the calculation of lot coverage;

C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage;

D. the total lot coverage of all accessory buildings, excluding detached private garages shall not exceed five percent;

E. despite clauses A and C above, where a detached private garage not exceeding 38 square metres in area is constructed in the rear yard of a lot with an area of 350 square metres or greater, such detached private garage shall be excluded from the calculation of lot coverage;

ix. BUILDING HEIGHT (maximum):

A. for a dwelling with or without an attached private garage: 9.0 metres

B. for all accessory buildings, which are not part of the main building: 3.5 metres

x. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot;

B. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard;

C. minimum driveway width of 5.0 metres;

D. despite the minimum driveway width requirement of clause C above, where a private detached garage is located entirely in the rear yard, clause C above shall not apply;

E. despite the front yard depth, interior side yard width and flankage side yard width requirements of this by-law, the vehicular entrance to a private garage shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

F. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

G. despite the minimum rear yard depth and minimum interior side yard width requirements of this by-law, if a detached garage is located entirely within a rear yard, it may be located a minimum of

1.0 metres from any interior side lot line or rear lot line provided that the provisions of clause E above and the minimum flankage side yard width requirements of this by-law are adhered to;

H. the maximum building height of any detached private garage shall be 3.5 metres;

xii. ACCESSORY BUILDING LOCATION REQUIREMENTS:

A. all accessory buildings which are not part of the main dwelling, with the exception of a detached private garage, shall be located entirely within the rear yard, and not less than 1.0 metre from any lot line other than a flankage lot line;

B. accessory structures shall adhere to the minimum flankage side yard width requirements of this by-law;

C. despite clauses A and B above, an accessory building not exceeding 1.8 metres in height and not exceeding 10.0 square metres in area may be located in the rear yard not less than 0.6 metres from any lot line;

15.264 Exception Zone 264 (By-law 4911-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S2-12" and "S3-7" Zones)

No person shall within the lands designated "S2-12" and "S3-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S2-12" and "S3-7" Zones)

No person shall within the lands designated "S2-12" and "S3-7" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

   A. on lands designated "S2-12" 400 square metres

   B. on lands designated "S3-7" 350 square metres

ii. LOT FRONTAGE (minimum):

   A. on lands designated "S2-12" 13.5 metres

   B. on lands designated "S3-7" 12.0 metres

iii. FRONT YARD DEPTH (minimum):

   A. 4.5 metres, except that

   B. a single storey covered and unenclosed porch or verandah with no habitable space above, may project a maximum of 1.5 metres into a required front yard;

iv. INTERIOR SIDE YARD WIDTH (minimum):

   A. 1.2 metres on one side and 0.6 metres on the other side, except that

   B. where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side;

v. BUILDING SEPARATION (minimum):

   A. on lands designated "S2-12" 1.8 metres

   B. on lands designated "S3-7" 1.2 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

   A. 38 percent for all buildings and structures on a lot;

   B. despite clause A above, where a single storey covered and unenclosed porch or verandah having no habitable space above it is attached to the wall containing the main entrance to the dwelling unit, such porch or verandah shall be excluded from the calculation of lot coverage;

   C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage;

   D. the total lot coverage of all accessory buildings, excluding detached private garages shall not exceed five percent;

E. despite clauses A and C above, where a detached private garage not exceeding 38 square metres in area is constructed in the rear yard of a lot with an area of 350 square metres or greater, such detached private garage shall be excluded from the calculation of lot coverage;

ix. BUILDING HEIGHT (maximum):

A. for a dwelling with or without an attached private garage: 9.0 metres

B. for all accessory buildings which are not part of the main building: 3.5 metres

x. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot;

B. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard;

C. minimum driveway width of 5.0 metres;

D. despite the minimum driveway width requirement of clause C above, where a private detached garage is located entirely in the rear yard, clause C above shall not apply;

E. despite the front yard depth, interior side yard width and flankage side yard width requirements of this by-law, the vehicular entrance to a private garage shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

F. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

G. despite the minimum rear yard depth and minimum interior side yard width requirements of this by-law, if a detached garage is located entirely within a rear yard, it may be located a minimum of 1.0 metres from any interior side lot line or rear lot line provided that the provisions of clause E above and the minimum flankage side yard width requirements of this by-law are adhered to;

H. the maximum building height of any detached private garage shall be 3.5 metres;

xii. ACCESSORY BUILDING LOCATION REQUIREMENTS:

A. all accessory buildings which are not part of the main dwelling, with the exception of a detached private garage, shall be located entirely within the rear yard, and not less than 1.0 metre from any lot line other than a flankage lot line;

B. accessory structures shall adhere to the minimum flankage side yard width requirements of this by-law;

C. despite clauses A and B above, an accessory building not exceeding 1.8 metres in height and not exceeding 10.0 square metres in area may be located in the rear yard not less than 0.6 metres from any lot line;

15.265 Exception Zone 265 (By-law 4896-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R4-8" Zone)

No person shall within the lands designated "R4-8" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-8" Zone)

No person shall within the lands designated "R4-8" any lot or erect, alter or use any building or structure for any purpose except in accordance with "R4" - Residential Detached Dwelling - Fourth Density Zone provisions of Section 10 of By-law 3036, except that the minimum side yard and

maximum lot coverage provisions of that Section shall not apply and the following provisions shall apply:

i. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

ii. LOT COVERAGE (maximum): 38 percent

15.266 Exception Zone 266 (By-law 4873-96, as amended by By-law 6618-06)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R4-9", “S3-7” and “S4-5” Zones)

No person shall within the lands designated "R4-9", “S3-7” and “S4-5” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-9", “S3-7” and “S4-5” Zones)

No person shall within the lands designated "R4-9", “S3-7” and “S4-5” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “R4-9”: 460 square metres

B. on lands designated “S3-7”:350 square metres

C. on lands designated “S4-5”:300 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “R4-9”: 15.0 metres

B. on lands designated “S3-7”:12.0 metres

C. on lands designated “S4-5”:10.0 metres

iii. FRONT YARD DEPTH (minimum):

A. for lots fronting on Fairport Road: 7.5 metres

B. for all other lots: 4.5 metres

C. despite clauses A and B above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on lands designated “R4-9”: 1.2 metres

B. on lands designated “S3-7”:1.2 metres on one side and 0.6 metres on the other side

C. on lands designated “S4-5”:1.2 metres on one side and 0.6 metres on the other side

D. despite clauses A, B and C above, where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side.

v. BUILDING SEPARATION (minimum):

A. on lands designated “R4-9”: 3.0 metres

B. on lands designated “S3-7”:1.2 metres

C. despite paragraph B above, for the lots hatched on Figure 1 attached, the minimum building separation distance shall be 1.8 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum):

A. for lots flanking on Fairport Road: 4.5 metres

B. for all other lots: 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot.

B. despite clause A above, where a single storey covered and unenclosed porch or veranda having no habitable space above it is attached to the wall containing the main entrance to the dwelling unit, such porch or veranda shall be excluded from the calculation of lot coverage.

C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

D. the total lot coverage of all accessory buildings, excluding detached private garages shall not exceed five percent.

E. despite clauses A and C above, where a detached private garage not exceeding 38 square metres in area is constructed in the rear yard of a lot with an area of 350 square metres or greater, such detached private garage shall be excluded from the calculation of lot coverage.

ix. BUILDING HEIGHT (maximum):

A. for a dwelling with or without an attached private garage: 9.0 metres

B. for all accessory buildings which are not part of the main building: 3.5 metres

x. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot.

B. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard.

C. minimum driveway width of 5.0 metres.

D. despite the minimum driveway width requirement of clause C above, where a private detached garage is located entirely in the rear yard, clause C above shall not apply.

E. despite the front yard depth, interior side yard width and flankage side yard width requirements of this by-law, the vehicular entrance to a private garage shall be located not less than 6 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street, except that for lots fronting on Fairport Road, the vehicular entrance to garages shall be located not less than 7.5 metres from the front lot line.

F. on lands designated “R4-9” and “S3-7”, no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

G. on lands designated “S4-5”, no part of any attached private garage shall extend more than 4.0 metres beyond the wall containing the main entrance to the dwelling unit.

H. despite the minimum rear yard depth and minimum interior side yard width requirements of this by-law, if a detached garage is located entirely within a rear yard, it may be located a minimum of 1.0 metres from any interior side lot line or rear lot line provided that the provisions of clause E above and the minimum flankage side yard width requirements of this by-law are adhered to.

I. the maximum building height of any detached private garage shall be 3.5 metres.

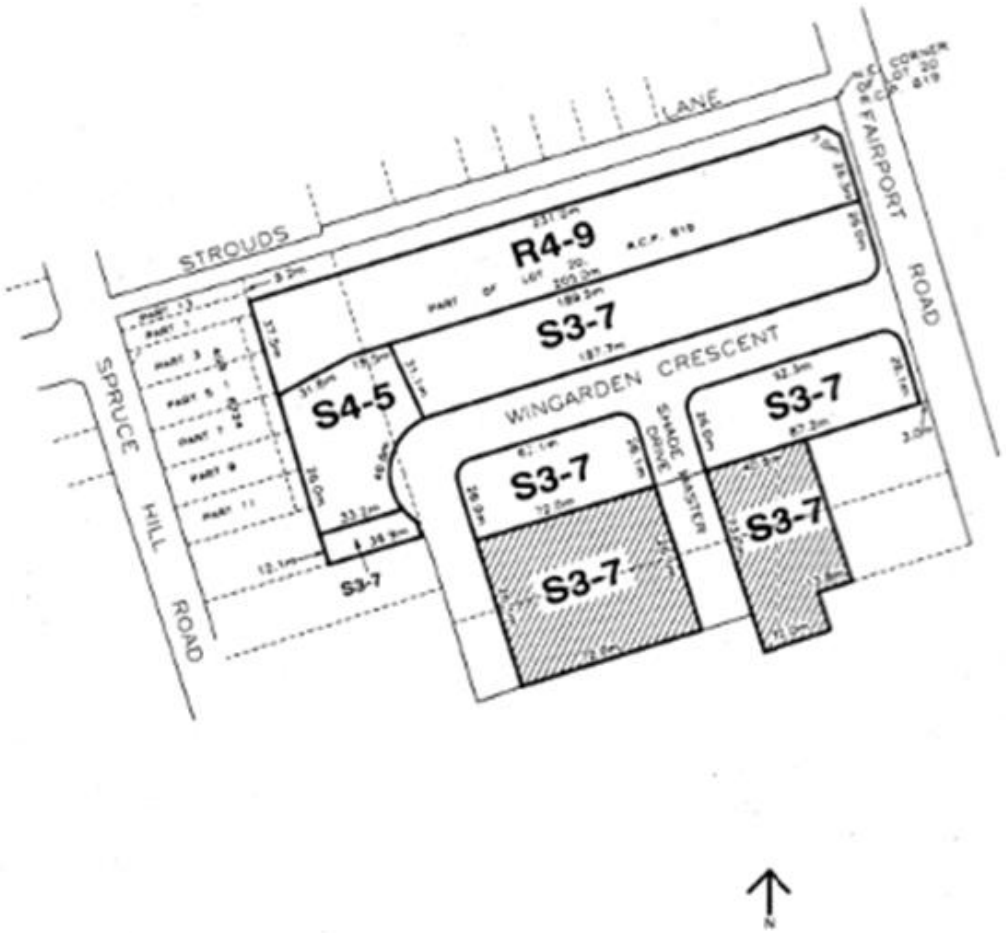
xii. ACCESSORY BUILDING LOCATION REQUIREMENTS:

A. all accessory buildings which are not part of the main dwelling, with the exception of a detached private garage, shall be located entirely within in the rear yard, and not less than 1.0 metre from any lot line other than a flankage lot line.

B. accessory structures shall adhere to the minimum flankage side yard width requirements of this by-law.

C. despite clauses A and B above, an accessory building not exceeding 1.8 metres in height and/or not exceeding 10.0 square metres in area may be located in the rear yard not less than 0.6 metres from any lot line.

3. Figure 1



SCHEDULE I TO BY-LAW 4873/96
AS AMENDED BY BY-LAW 6618/06
PASSED THIS 6th
DAY OF February 2006

DAVID RYAN - MAYOR

DEBI A. BENTLEY - CLERK

15.267 Exception Zone 267 (By-law 4806-96)

1. DEFINITIONS

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) “Dwelling, Semi Detached or Semi-Detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. PROVISIONS ("SD-3" Zone)

a) Uses Permitted ("SD-3" Zone)

No person shall, within the lands designated "SD-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use;

b) Zone Requirements ("SD-3" Zone)

No person shall, within the lands designated "SD-3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 205 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that

is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot.

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 40 percent

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

ix. PARKING REQUIREMENT:

minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

x. SPECIAL REGULATION:

despite the definition of “Dwelling, Semi-Detached” in Section 1(d), semi-detached dwellings erected in the “SD-3” Zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 percent of the horizontal depth of the building.

3. PROVISIONS ("S3" Zone)

a) Uses Permitted ("S3" Zone)

No person shall, within the lands designated "S3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S3" Zone)

No person shall, within the lands designated "S3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum): 1.2 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 38 percent

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres;

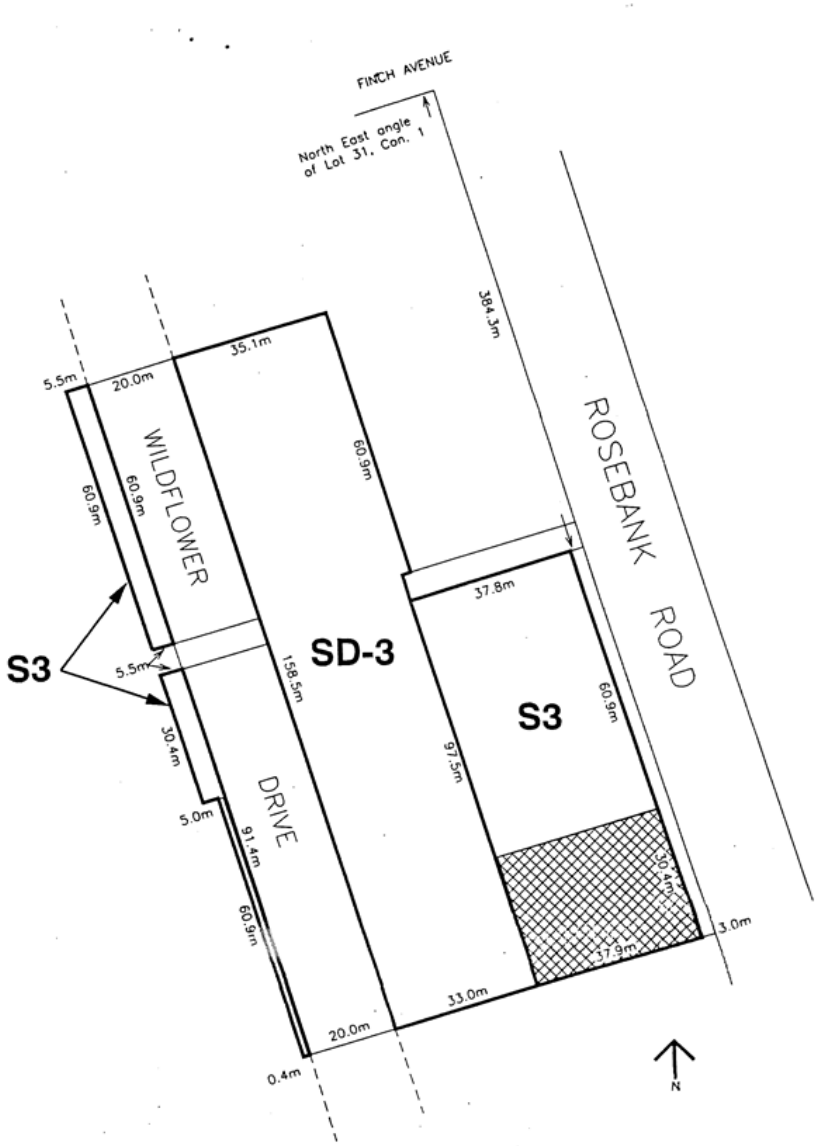
ix. PARKING REQUIREMENT:

minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

x. SPECIAL REGULATION:

not withstanding the provisions of Section 3(b)(v), on the lands cross hatched on Figure 1 attached hereto, a minimum 4.0 metre rear yard depth shall be permitted for the dwelling existing on such lands on the date of the passing of this by-law.

4. Figure 1



SCHEDULE I TO BY-LAW 4806/96
PASSED THIS 24th
DAY OF June 1996

MAYOR

CLERK

15.268 Exception Zone 268 (By-law 4767-96)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) “Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S3-7" Zone)

No person shall within the lands designated "S3-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling use.

b) Zone Requirements ("S3-7" Zone)

No person shall within the lands designated "S3-7" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. where a garage is attached to a dwelling unit, there shall be provided a minimum driveway width of 5.0 metres.

xi. SPECIAL REGULATIONS:

A. all accessory buildings which are not part of the main dwelling shall be erected in the rear yard and shall not be less than 1.0 metre from any lot line , save and except that a private garage detached from the main dwelling may be located in any yard not less than 0.6 metres from any side lot line, not less than 0.6 metre from any rear lot line, and not less than 2.7 metres from any flankage lot line;

B. despite the provisions of Section 2(b)(x) above, where the vehicular entrance of a private garage is perpendicular to the front lot line, the nearest wall of that private garage may be located not less than 4.5 metres from the front lot line and the vehicular entrance shall be located not less than 6.0 metres from the side lot line immediately adjoining a street;

C. despite the provisions of Section 2(b)(viii) above, the maximum building height of any detached garage shall be 4.0 metres.

15.269 Exception Zone 269 (By-law 4723-96)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("R4-7" Zone)

No person shall within the lands designated "R4-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements ("R4-7" Zone)

No person shall within the lands designated "R4-7" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres.

iii. FRONT YARD DEPTH (minimum): 7.5 metres.

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.5 metres on one side and

B. 2.4 metres on the other side

v. REAR YARD DEPTH (minimum): 7.5 metres.

vi. LOT COVERAGE (maximum): 38 per cent.

vii. BUILDING HEIGHT (maximum): 9.0 metres.

viii. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum gross floor area-residential: 100 square metres

ix. SPECIAL REGULATIONS:

A. when a private garage is attached to the main building, the vehicular entrance to the garage shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. no part of any attached garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit.

C. notwithstanding sub-section 2(b)(iv) above, when a private garage is attached to the main building, the minimum interior side yard width shall be 1.5 metres on both sides.

15.270 Exception Zone 270 (By-law 4673-95)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

   d) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   h) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   i) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   k) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

2. PROVISIONS ("SA-6" Zone)

a) Uses Permitted ("SA-6" Zone)

No person shall, within the lands designated "SA-6", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single attached dwelling residential use;

b) Zone Requirements ("SA-6" Zone)

No person shall, within the lands designated "SA-6", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 180 square metres

ii. LOT FRONTAGE (minimum): 5.6 metres

iii. FRONT YARD DEPTH (minimum): 6.0 metres

iv. SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot.

v. REAR YARD DEPTH (minimum): 6.0 metres

vi. LOT COVERAGE (maximum): 40 percent

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres;

ix. PARKING REQUIREMENT: minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

x. SPECIAL REGULATIONS:

A. despite the definition of "Single Attached Dwelling" in Section 1(c), Single Attached Dwellings shall be restricted to no more than 3 adjacent dwellings attached together horizontally by an above grade common wall;

B. Single Attached Dwellings in an “SA-6” zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 percent of the horizontal depth of the building;

C. no more than 6 dwelling units shall be permitted within the area designated “SA-6”;

15.271 Exception Zone 271 (By-law 4657-95, as amended by By-law 4974-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade.

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Neighbourhood Park" shall mean a municipal public park.

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) “Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S2")

No person shall within the lands designated "S2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“S2”)

No person shall within the lands designated "S2" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum) 400 square metres

ii. LOT FRONTAGE (minimum) 13.5 metres

iii. FRONT YARD DEPTH (minimum) 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side; or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum) 2.7 metres

vi. REAR YARD DEPTH (minimum) 7.5 metres

vii. LOT COVERAGE (maximum) 38 percent

viii. BUILDING HEIGHT (maximum) 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS (minimum): one private garage per lot

xi. SPECIAL REGULATIONS:

A. the vehicular entrance to garages shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. notwithstanding clause A above, where the vehicular entrance of a private garage is perpendicular to the front lot line, the nearest wall of that private garage shall be located a minimum of 4.5 metres from the front lot line, and vehicular entrance shall be located not less than 6.0 metres from the side lot line immediately adjoining a street.

C. all accessory buildings which are not part of the main dwelling shall be erected in the rear yard and shall not be less than 1.0 metre from any lot line, save and except that a private detached garage may be located in any yard not less than 0.6 metres from any side lot line and 0.6 metres from any rear lot line.

D. no part of any attached garage, whether or not such garage has a second storey, shall extend more than 1.2 metres beyond the wall containing the main entrance to the dwelling unit.

E. despite the garage extension requirement of clause D above, where a covered and unenclosed porch or veranda is attached to the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than:

1) 1.4 metres beyond the front portion of that covered and unenclosed porch or veranda, and,

2) no more than 2.6 metres beyond the wall containing the main entrance to the dwelling unit.

F. on lands zoned “S2”, the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

G. notwithstanding the provisions of Section 2(b)(viii) above, the maximum building height of any detached garage shall be 3.6 metres.

H. covered porches, stairs and platforms not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required front yard or flankage yard.

c) Uses Permitted ("S4")

No person shall within the lands designated "S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements (“S4”)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum) 300 square metres

ii. LOT FRONTAGE (minimum) 11 metres

iii. FRONT YARD DEPTH (minimum) 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side; or

B. no minimum one side, provided on the other side;

1) a minimum 1.2 metre interior side yard is provided to the nearest wall of a private garage; and

2) a minimum 1.8 metre interior side yard is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum) 2.7 metres

vi. REAR YARD DEPTH (minimum) 7.5 metres

vii. LOT COVERAGE (maximum) 38 percent

viii. BUILDING HEIGHT (maximum) 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS (minimum): one private garage per lot

xi. SPECIAL REGULATIONS:

A. the vehicular entrance to detached garages shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. notwithstanding clause A above, where the vehicular entrance of a private garage is perpendicular to the front lot line, the nearest wall of that private garage shall be located a minimum of 4.5 metres from the front lot line, and vehicular entrance shall be located not less than 6.0 metres from the side lot line immediately adjoining a street.

C. all accessory buildings which are not part of the main dwelling shall be erected in the rear yard and shall not be less than 1.0 metre from any lot line, save and except that a private detached garage may be located in any yard not less than 0.6 metres from any side lot line and 0.6 metres from any rear lot line.

D. no part of any attached garage, whether or not such garage has a second storey, shall extend more than 1.2 metres beyond the wall containing the main entrance to the dwelling unit.

E. notwithstanding the provisions of Section 2(d)(viii) above, the maximum building height of any detached garage shall be 3.6 metres.

F. covered porches, stairs and platforms not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required front yard or flankage yard.

G. on lands zoned “S4”, the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

e) Uses Permitted (“S4-3”)

No person shall within the lands designated “S4-3” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

f) Zone Requirements (“S4-3”)

No person shall within the lands designated “S4-3” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the “S4” detached dwelling residential use provisions set out in Section 2(d) of this By-law, except that the following additional provision shall apply:

i. despite the garage extension requirement of section 2(d)(xi)(D) of this By-law, where a covered and unenclosed porch or veranda is attached to the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than:

A. 1.4 metres beyond the front portion of that covered and unenclosed porch or veranda, and,

B. no more than 2.6 metres beyond the wall containing the main entrance to the dwelling unit.

g) Uses Permitted (“SD-A” Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. semi-detached residential uses

h) Zone Requirements (“SD-A” Zone)

i. LOT AREA (minimum) 225 square metres

ii. LOT FRONTAGE (minimum) 7.5 metres

iii. FRONT YARD DEPTH (minimum) 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no interior side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum) 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. 7.5 metres

B. 16.5 metres when the lot also includes an “OS-HL-1” zone

vii. LOT COVERAGE (maximum) 45 percent

viii. BUILDING HEIGHT (maximum) 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS (minimum): one private garage per lot (attached or detached)

xi. SPECIAL REGULATIONS:

A. the vehicular entrance to a garage shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. notwithstanding Section 5.18 (a) of By-law 3036, a detached garage shall be located not less than 0.6 metres from both the side lot line and rear lot line, except where a mutual garage is erected on the common lot line, no setback is required from such lot line.

C. no part of any attached garage, whether or not such garage has a second storey, shall extend more than 1.2 metres beyond the wall containing the main entrance to the dwelling.

D. despite the garage extension requirement of clause C above, where a covered and unenclosed porch or veranda is attached to the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than:

1) 1.4 metres beyond the front portion of that covered and unenclosed porch or veranda, and,

2) no more than 2.6 metres beyond the wall containing the main entrance to the dwelling unit.

E. notwithstanding the provisions of Section 2(h)(viii) above, the maximum building height of any detached garage shall be 3.6 metres.

F. covered porches, stairs and platforms not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required front yard or flankage yard.

G. notwithstanding the definition of “Dwelling, Semi-Detached or Semi-Detached Dwelling” in Section 1(e) of this by-law, Semi Detached Dwellings erected in an “SD-A” zone shall be attached above grade by a common wall which shall not be less than 3.0 metres in length and not less than 2.4 metres in height.

i) Uses Permitted (“S-SD-A-2” Zone)

No person shall within the lands designated "S-SD-A-2" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. single detached or semi-detached residential uses

j) Zone Requirements (“S-SD-A-2” Zone)

i. LOT AREA (minimum):

A. 225 square metres for semi-detached dwellings

B. 250 square metres for detached dwellings

ii. LOT FRONTAGE (minimum):

A. 9 metres for detached dwellings

B. 7.5 metres for semi-detached dwellings

iii. FRONT YARD DEPTH (minimum) 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. Detached Dwellings:

1) minimum 1.2 metres one side, 0.6 metres other side; or

2) no minimum one side, provided on the other side;

I. a minimum 1.2 metre interior side yard is provided to the nearest wall of a private garage, and

II. a minimum 1.8 metre interior side yard is provided to any other wall of the main dwelling

B. Semi-detached Dwellings:

1) 1.2 metres; and

2) on the side where dwellings on adjacent lots are attached, no interior side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

I. 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

II. 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. 38 percent for detached dwellings

B. 45 percent for semi-detached dwellings

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS (minimum): one private garage per lot

xi. SPECIAL REGULATIONS:

A. the vehicular entrance to a garage shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. notwithstanding Section 5.18 (a) of this By-law, a detached garage shall be located not less than 0.6 metres from both the side lot line and rear lot line, except where a mutual garage is erected on the common lot line, no setback is required from such lot line.

C. no part of any attached garage, whether or not such garage has a second storey, shall extend more than 1.2 metres beyond the wall containing the main entrance to the dwelling unit.

D. despite the garage extension requirement of clause C above, where a covered and unenclosed porch or veranda is attached to the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than:

1) 1.4 metres beyond the front portion of that covered and unenclosed porch or veranda, and,

2) no more than 2.6 metres beyond the wall containing the main entrance to the dwelling unit.

E. notwithstanding the provisions of Section 2(j)(viii) above, the maximum building height of any detached garage shall be 3.6 metres.

F. covered porches, stairs and platforms not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required front yard or flankage yard.

G. notwithstanding the definition of “Dwelling, Semi-Detached or Semi-Detached Dwelling” in Section 1(e) of this by-law, Semi Detached Dwellings erected in an “S-SD-A-2” zone shall be attached above grade by a common wall which shall not be less than 3.0 metres in length and not less than 2.4 metres in height.

k) Uses Permitted ("OS-HL-1" Zone)

No person shall within the lands designated "OS-HL-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil, and wildlife;

ii. resource management.

l) Zone Requirements ("OS-HL-1" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for purposes of flood and erosion control or resource management.

m) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

15.272 Exception Zone 272 (By-law 4596-95)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("SD-A" Zone)

No person shall within the lands designated "SD-A" o use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

b) Zone Requirements ("SD-A" Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicular to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicular to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres;

B. despite the definition of "Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings erected in an "SD-A" Zone shall be attached above grade by a common wall which shall not be less than 3.0 metres in length and not less than 2.4 metres in height;

C. on lands zoned “SD-A” no part of any attached private garage shall extend more than 2.4 metres beyond any part of the front wall of the dwelling to which it is attached.

15.273 Exception Zone 273 (By-law 4583-95)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling. Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S1" Zone)

No person shall within the lands designated "S1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1" Zone)

i. No person shall within the lands designated "S1" use any lot or erect, alter or use any building except in accordance with the following provisions:

ii. LOT AREA (minimum): 450 square metres

iii. LOT FRONTAGE (minimum): 15 metres

iv. FRONT YARD DEPTH (minimum): 4.5 metres

v. SIDE YARD WIDTH (minimum):

A. 1.2 metres each side; or

B. 1.8 metres one side and no minimum other side

vi. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

xi. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xii. SPECIAL REGULATIONS: on lands zoned "S1" the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres.

c) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side; or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REARYARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: on lands zoned "S4" the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

e) Uses Permitted ("SD-A" Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

f) Zone Requirements ("SD-A" Zone)

i. No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building except in accordance with the following provisions:

ii. LOT AREA (minimum): 225 square metres

iii. LOT FRONTAGE (minimum): 7.5 metres

iv. (FRONT YARD DEPTH (minimum): 4.5 metres

v. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

vi. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum): 40 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

xi. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

xii. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres.

B. despite the definition of "Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings erected in an "SD-A" Zone shall be attached above grade by a common wall which shall not be less than 3.0 metres in length and not less than 2.4 metres in height.

C. on lands zoned "SD-A" no part of any attached private garage shall extend more than 2.4 metres beyond any part of the front wall of the dwelling to which it is attached.

15.274 Exception Zone 274 (By-law 4582-95, as amended by By-law 4716-95 and By-law 5124-97)

1. Definitions

   a) "Build-to-Zone" shall mean an area of land in which all or part of a building or buildings is to be located;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Multiple Dwelling " shall mean a building containing three or more dwelling units attached horizontally, or vertically, or both, by an above grade wall or walls;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   i) “Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   j) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

   k) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

   l) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

2. PROVISIONS

a) Uses Permitted ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 450 square metres.

ii. LOT FRONTAGE (minimum): 15.0 metres.

iii. FRONT YARD DEPTH (minimum): 4.5 metres.

iv. SIDE YARD WIDTH (minimum): 1.2 metres on one side and 0.6 metres on the other side.

v. REAR YARD DEPTH (minimum): 7.5 metres.

vi. PARKING (minimum): there shall be provided on each lot one private garage that is attached to the detached dwelling, and having a vehicular entrance which shall be located not less than 6.0 metres from the front lot line.

vii. BUILDING HEIGHT (maximum): 12.0 metres.

viii. LOT COVERAGE (maximum): 38 percent.

ix. DWELLINGS (maximum): no more than one detached dwelling having a minimum gross floor area residential of 100 square metres shall be permitted on a lot.

x. SPECIAL REGULATION: no part of any attached garage shall extend more than 3.0 metres beyond the front wall of the dwelling to which it is attached.

c) Uses Permitted ("MD-H1" Zone)

No person shall within the lands designated "MD-H1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. multiple dwelling

d) Zone Requirements ("MD-H1" Zone)

No person shall within the lands designated "MD-H1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. DWELLING REQUIREMENTS:

No less than 72 and no more than 103 dwelling units shall be permitted within the area designated "MD-H1".

ii. BUILDING RESTRICTIONS:

A. Building Location and Setbacks

1) A minimum of 60% of the length of the build-to-zone illustrated on Figure 1 attached hereto shall contain a building or part of a building or buildings containing dwelling units;

2) A minimum of 50% of the length of the build-to-line illustrated on Figure 1 attached hereto shall have located on it, a building or part of a building or buildings containing dwelling units;

3) Notwithstanding clause (2) above, any structure, or part of a structure required for below-grade parking can be set back a minimum of 0.5 metre from the property line with Southview Drive;

4) Buildings and structures not located along the Kingston Road and Southview Drive frontages shall comply with the minimum setbacks illustrated on Figure 1 attached hereto;

5) Notwithstanding clause (4) above, when the end-wall of a multiple dwelling building is parallel to the property line with the lands that front Notion Road, the multiple dwelling building shall be set back a minimum of 3.0 metres from the property line;

6) Notwithstanding clause (4) above, when the end-wall of a multiple dwelling building is parallel to the property line with the lands that front Southview Drive, the multiple dwelling building shall be set back a minimum of 5.0 metres from the property line;

7) For the purpose of this subsection, a wall is deemed to be “parallel” if it does not exceed a 15 degree angle of divergence. In this clause, the angle of divergence means the acute angle formed by and lying between the wall or its projection and the property line;

8) The horizontal distance between multiple dwelling buildings shall be a minimum of 1.8 metres;

9) Section 5.22 of By-law 3036, as amended, shall not apply to lands designated "MD-H1".

B. Building Height

1) Minimum: 12.0 metres and 3 - storeys of habitable space for buildings located within the Build-to-Zone or along the Build-to-Line illustrated on Figure 1 attached hereto. Buildings located elsewhere on the lands designated "MD-H1" shall have a minimum height of 9.0 metres.

2) Maximum: 18.0 metres and 4 - storeys of habitable space for buildings located within the Build-to-Zone or along the Build-to-Line illustrated on Figure 1 attached hereto. Buildings located elsewhere on the lands designated "MD-H1" shall have a maximum height of 12.0 metres.

3) For the purpose of this subsection, building height shall mean the vertical distance between the established grade and the highest point of the roof surface or parapet. A penthouse tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house mechanical equipment of any building shall be disregarded in calculating building height.

iii. PARKING REQUIREMENTS:

1) For the purpose of this subsection "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

2) Notwithstanding clauses 6.5 b) and 6.5 c) of By-law 3036, as amended, for development that provides resident parking below grade, there shall be provided and maintained on the lands, a minimum of 1.2 parking spaces per dwelling, and 0.3 parking space per dwelling for visitors;

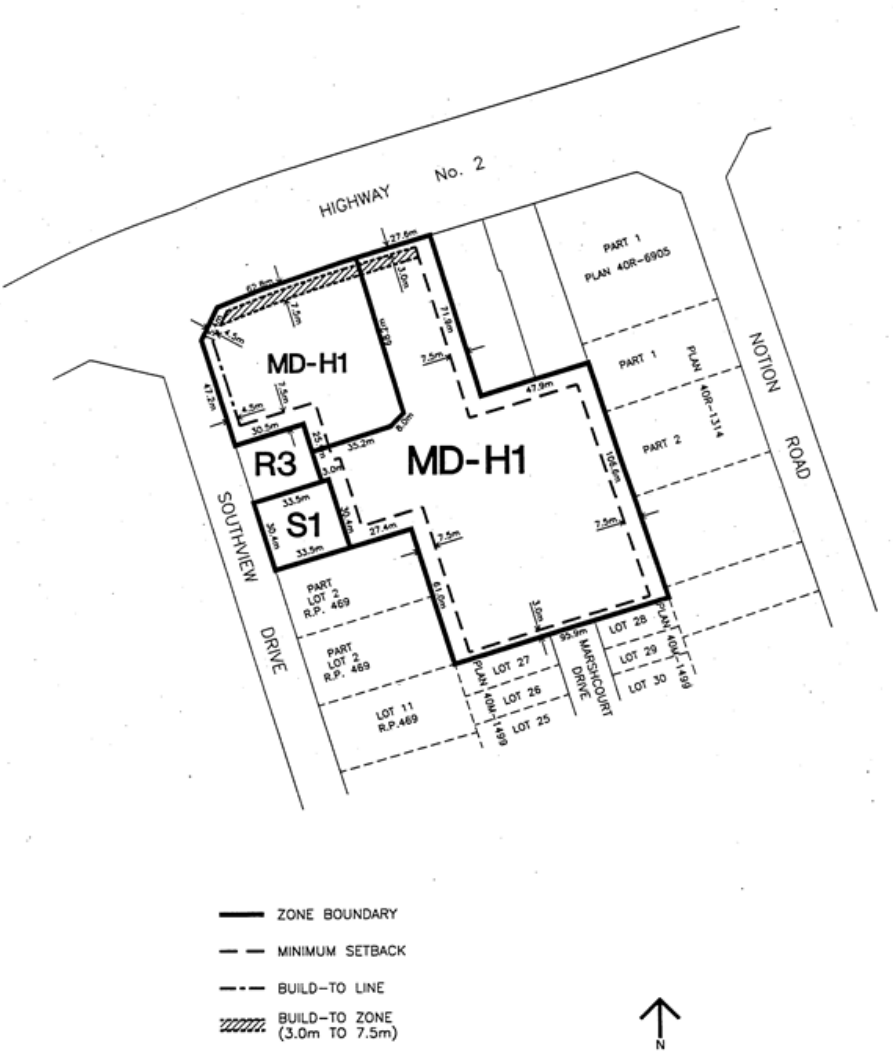
3) Notwithstanding clauses 6.5 b) and 6.5 c) of By-law 3036, as amended, for development that provides resident parking in a private garage, there shall be provided and maintained on the lands one private garage attached to the dwelling, one parking space located between the vehicular entrance of the private

garage and the nearest traffic aisle, and a minimum of 0.3 visitor parking spaces for each dwelling unit;

4) Clauses 5.21.2a), 5.21.2b), 5.21.2c), 5.21.2d), 5.21.2e), and 5.21.2i) of By law 3036, as amended, shall not apply to lands designated "MD-H1";

5) Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

3. Figure 1



SCHEDULE I TO BY-LAW 4582/95
Amended by By-Law 4716/95
Amended by By-Law 5124/97
AS MADE BY
ONTARIO MUNICIPAL BOARD
ORDER DATED February 20, 1995
(O.M.B. FILES: R920388, O930112)

15.275 Exception Zone 275 (By-law 1895-84, as amended by By-law 4468-94)

1. Definitions

   a) "Assembly Hall" shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and which may include an auditorium or a banquet hall;

   b) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   c) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres; but shall not include a retail store.

   d) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;

   e) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreational facilities are provided and operated for gain or profit, and which may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein;

   f) "Commercial School" shall mean a school which is operated for gain or profit and which may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit;

   g) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

   h) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof;

   i) "Food Store" shall mean a building or part of a building in which food, produce and other items or merchandise of day-to-day household necessity are stored, offered and kept for retail sale to the public;

j) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.

k) "Gross Retail and Personal Service Floor Area" shall mean the gross retail and personal service floor area contained in all buildings and structures on the lot, as such space is defined in section 8.2.2 of the Official Plan of the Regional Municipality of Durham, as amended from time to time, or any successor thereto;

l) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

n) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

o) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership;

p) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

q) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;

r) "Restaurant-Type A-1" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises and where, if liquor is to be served therein, it shall be served only pursuant to a dining lounge licence or a dining room licence issued by the Liquor Licence Board of Ontario.

s) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

t) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

u) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

v) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

w) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

x) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

y) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

z) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

aa) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

bb) “Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

No person shall within the lands designated "LCA-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

a) assembly hall

b) bakery

c) business office

d) commercial club

e) commercial-recreational establishment

f) commercial school

g) dry cleaning depot

h) financial institution

i) food store

j) laundromat

k) personal service shop

l) private club

m) professional office

n) public club

o) restaurants-type A-1

p) retail store

3. Zone Requirements (“LCA-1” Zone)

No person shall within the lands designated "LCA-1" any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) FRONT YARD DEPTH (minimum): 15 metres

b) INTERIOR SIDE YARD WIDTH (minimum): 15 metres

c) FLANKAGE SIDE YARD WIDTH (minimum): 15 metres

d) REAR YARD DEPTH (minimum): 15 metres

e) LOT COVERAGE (maximum): 33 percent

f) BUILDING HEIGHT (maximum): 12 metres

g) GROSS RETAIL AND PERSONAL SERVICE FLOOR AREA (maximum): The maximum gross leasable floor area permitted on the site shall not exceed 7,000 square metres.

h) PARKING REQUIREMENTS:

i. For the purpose of this clause "parking space" shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

ii. parking shall be provided on the subject lands at a ratio of a minimum of 5.0 parking spaces for each 93 square metres or part thereof of gross leasable area on the subject lands.

i) By-law 3036

i. Definitions and subject matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law 3036, as amended, except that sub- section 5.21.2 b) shall not apply to the area subject to this exception.

15.276 Exception Zone 276 (By-law 4487-94)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   j) "Neighbourhood Park" shall mean a municipal public park;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S1-E" Zone)

No person shall within the lands designated "S1-E" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1-E "Zone)

No person shall within the lands designated "S1-E" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots to which the section applies shall not be less than 1.2 metres.

B. for lots fronting Rosebank Road the maximum projection of the vehicular entrance to any garage from the main front wall of the dwelling to which it is attached shall be 3.0 metres.

c) Uses Permitted ("S2-E" Zone)

No person shall within the lands designated "S2-E" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements ("S2-E" Zone)

No person shall within the lands designated "S2-E" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 of a metre other side, or

B. no minimum one side so long as on the other side,

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

x. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which the section applies shall not be less than 1.2 metres.

e) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

f) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. for lots abutting Finch Avenue or a reserve on the opposite side of which is Finch Avenue, minimum 4.5 metres

B. for all other lots minimum 1.2 metres one side and 0.6 of a metre other side, or no minimum one side so long as on the other side,

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which the section applies shall not be less than 1.2 metres.

g) EXEMPTION:

Despite Section 2(f)(vi) of this By-law and Section 5.7(b) of By Law 3036, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into a required rear yard on those lands cross hatched on Figure 1 attached hereto as long as no part thereof exceeds 2.5 metres in depth or 6.0 metres in width.

h) Uses Permitted ("SD-A" Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

i) Zone Requirements ("SD-A" Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH: 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the

side lot line separating such lots, or that is not a direct extension thereof, shall be set back from the side lot line as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 of a metre measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

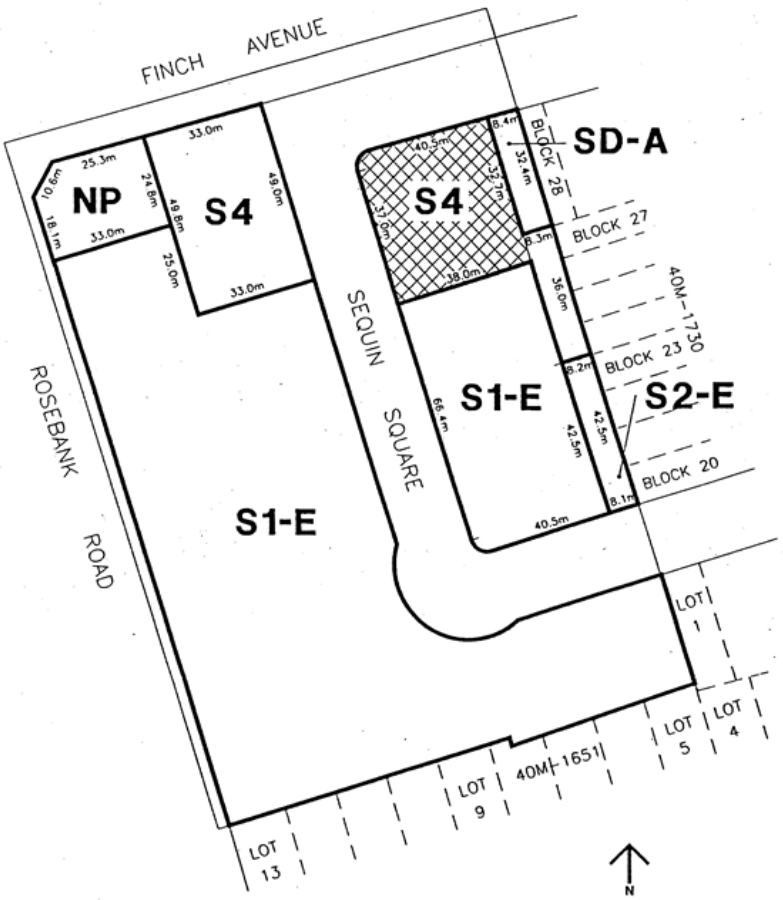
ix. DWELLING UNIT REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

x. SPECIAL REGULATION:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres

B. despite the definition of "Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings erected in an "SD A" zone shall be attached above grade by a private garage common wall which shall be not less than 3 metres in length and not less than 2.4 metres in height.

3. Figure 1



SCHEDULE I TO BY-LAW 4487/94
PASSED THIS 19th
DAY OF SEPTEMBER 1994

MAYOR

CLERK

15.277 Exception Zone 277 (By-law 4508-94, as amended by By-law 5024-97 and By-law 5494-99)

1. Definitions

   a) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, and the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   b) "Neighbourhood Park" shall mean a municipal public park;

   c) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, and for the use of a facility for the day-time care of children;

   d) “Dry Cleaning Establishment - Type B" shall mean a building or part of a building where articles, goods or fabric to be subjected to dry-cleaning and related processes are received or distributed, or where a dry- cleaning plant is operated, or both! where a dry-cleaning plant does not exceed a dry we 9ht capacity of 27 kilograms, does not vent or emit noxious gases, odours or fumes, and is not a source of noise or vibration that cause a nuisance to neighbouring premises, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

   e) "Dwelling" shall mean a building containing one or more dwelling units, but does not include a mobile home or trailer;

   f) "Dwelling unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

   h) "Dwelling, Detached or Detached Dwelling" shall mean a s1ngle dwelling which is freestanding, separate and detached from other main buildings or structures;

   i) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically by an above-grade wall or walls;

j) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above-grade wall or walls, or an above-grade floor or floors, or both;

k) "Dwelling Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above-grade, below-grade or both above- and below-grade;

l) "Single Attached Dwelling" shall mean one of a group of not less than three single adjacent dwelling units, attached together horizontally by an above-grade common wall;

m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

n) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

o) "Gross Floor Area Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, attic or cellar;

p) ("Floor Area Non-Residential" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells or elevators;

q) "Gross Leasable Floor Area - Non-Residential" shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

r) "Laundromat" shall mean a self-serve, clothes-washing establishment containing washing, drying, ironing, finishing or incidental equipment;

s) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision, and where a semi-detached dwelling or single attached dwelling is to be constructed on a lot on a registered plan of subdivision, lot shall mean that portion of the lot on which the semi-detached dwelling or single attached dwelling is to be constructed;

t) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

u) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

v) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which m y include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or photographic studio, but shall, not include a body-rub parlour as defined in the Municipal Act, R.S.S. 1990, Chapter M.45, as amended from time to time or any successor thereto;

w) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

x) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in The Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

y) "Public School" shall mean,

   i. a school under the jurisdiction of a Board of Education which Board is continued or established pursuant to the Education Act, R.S.O. 1990, Chapter E.2, or any successor thereto;

   ii. a college of applied arts and technology continued or established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1990, Chapter M.19, or any successor thereto; and,

   iii. a university eligible to receive Provincial funding pursuant to the Ministry of College and Universities Act, or any successor thereto;

z) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept or offered for retail sale to the public;

aa) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

bb) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

cc) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

dd) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ee) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ff) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

gg) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

hh) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

ii) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

jj) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted (“S2”and “S3" Zones)

No person shall within the lands designated "S2” and "S3” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S2” and “S3” Zones)

No person shall within the lands designated “S2” and “S3" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S2", 400 square metres

B. on the lands designated "S3", 350 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated “S2“: 13.5 metres

B. on the lands designated “S3”: 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres each side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: - maximum one dwelling unit per lot and minimum residential gross floor area per dwelling unit of 100 square metres.

x. PARKING REQUIREMENTS: - minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.O metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

c) Uses Permitted (“S4” and “S5” Zones)

No person shall within the lands designated “S 4” and "S5” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S4" and “S5" Zones)

No person shall within the lands designated “S4” and “S5" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following previsions:

i. LOT AREA (minimum):

A. on the lands designated "S4”: 330 square metres

B. on the lands designated “S5": 250 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated “S4": 11.0 metres

B. on the lands designated “S5": 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH - minimum 1.2 metres one side, 0.6 metres on the other side, or no minimum one side so long as, on the other side:

A. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and,

B. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum) 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum)12 metres

ix. DWELLING UNIT REQUIREMENTS - Maximum one dwelling unit per lot and minimum gross floor area residential per dwelling unit of 100 square metres

x. PARKING REQUIREMENTS minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATION:

The horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres

e) Uses Permitted ("S-SD-SA-2” Zone)

No person shall within the lands designated “S-SD-SA-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

iii. single attached dwelling residential use

f) Zone Requirements ("S-SD-SA-2" Zone)

No person shall within the lands designated “S-SD-SA-2” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

A. for detached dwellings: 250 square metres
B. for semi-detached dwellings: 205 square metres
C. for single attached dwellings: 180 square metres.

ii. LOT FRONTAGE (minimum):

A. for detached dwellings: 9.0 metres
B. for semi-detached dwellings: 6.8 metres
C. for single attached dwellings: 6.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for detached dwellings:
1) 1.2 metres one side, 0.6 metres other side, or,
2) 1.8 metres one side with no minimum other side

B. For semi-detached or single-attached dwellings: minimum 1.2 metres, except that,
1) where dwellings on abutting share lots a common wall, no interior yard side shall be required adjacent that to wall on either lot
2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall upon which that dwelling is located, or,
3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line, the following shall apply:
I. minimum 1.2 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting side yard is not provided on the other lot, or,
II. minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. for detached dwellings, 38 per cent

B. for semi-detached dwellings and single attached dwellings, 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: - minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the other side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall not be less than 1.2 metres

B. despite the definition of "Dwelling, Semi- Detached or Semi-Detached Dwelling" in Section 1(k), Semi-Detached Dwellings erected in an "S-SD-SA-2" Zone shall be attached above grade by a common wall which extends from the base of the foundation to the roofline and for a horizontal distance of not less than 75 per cent of the horizontal depth of the building.

g) Uses Permitted ("S4-C4-3" Zone)

No person shall within the lands designated "S4-C4-3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. business office subject to the provisions of Section 2(h)E

iii. dry cleaning depot

iv. financial institution subject to the provisions of section 2(h)E

v. laundromat

vi. personal service shop

vii. professional office subject to the provisions of Section 2(h)E

viii. retail store subject to the provisions of Section 2(h)E

h) Zone Requirements ("S4-C4-3" Zone)

No person shall within the lands designated "S4-C4-3" use any lot or erect, alter or use any building or structure except in accordance with:

i. For detached dwelling residential uses, the provisions of Section 2(d);

ii. for all other permitted uses:

A. YARD SETBACKS (minimum): 4.5 metres

B. LOT COVERAGE (maximum): 33 per cent

C. BUILDING HEIGHT (maximum): 12 metres

D. PARKING REQUIREMENTS:

1) "Parking Space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway.

2) There shall be provided and maintained on the lands zoned "S4-C4-3" a minimum 4.5 parking spaces for each 93 square metres or part thereof gross leasable floor area - non-residential.

3) Section 5.21.2b) of By-law 3036, as amended, shall not apply to the lands designated "S4-C4-3".

4) All parking areas shall be set back a minimum of 3 metres from all zone lines.

5) Notwithstanding Sections 5.21.2(g) and 5.21.2(k) of By-law 3036, all entrances and exits to parking areas and all parking - areas shall be surfaced with brick, asphalt, concrete or any combination thereof

E. SPECIAL REGULATIONS:

1) The gross leasable floor area non- residential of all buildings on the lot shall not exceed 930 square metres.

2) The gross leasable floor area - non-residential of all professional and business offices on the lot shall not exceed 450 square metres.

3) The gross leasable floor area non- residential of any retail store or financial institution shall not exceed 400 square metres.

i) Uses Permitted ("RM2-1" Zone)

No person shall within the lands designated "RM2-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

iii. single attached dwelling residential use

iv. multiple dwelling-horizontal

v. multiple dwelling-vertical

j) Zone Requirements ("RM2-1" Zone)

No person shall within the lands designated "RM2-1", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. YARD SETBACKS (minimum):

A. for semi-detached dwelling residential and single attached dwelling residential use:

1) in accordance with the building envelopes as set out on Figure 1 attached

B. for detached dwelling residential, multiple dwelling-horizontal or multiple dwelling-vertical uses:

1) 4.5 metres from any lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

2) 7.5 metres from any zone line.

ii. BUILDING HEIGHT (maximum): 12.0 metres

iii. DWELLING UNIT REQUIREMENTS:

A. minimum residential gross floor area of 56 square metres.

B. the density of dwelling units permitted within the lands designated "RM2-1" shall range between a minimum of 22.5 units per hectare and a maximum of 82.5 units per hectare of net site area; for the purposes of this section, "net site area" shall mean the sum of the site areas for residential dwellings only, exclusive of any site area required for dedication of public roads.

iv. LOT COVERAGE (maximum): 40 percent

v. PARKING REQUIREMENTS:

A. "Parking Space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway.

B. The minimum perpendicular width of an aisle for two-way traffic, used to gain access to a parking space, shall be 6.5 metres.

C. For each dwelling unit within a multiple dwelling-horizontal or multiple-dwelling-vertical there shall be provided and maintained on the lot:

1) a minimum of 1.5 resident parking spaces; and,

2) a minimum of 0.3 visitor parking spaces.

vi. SPECIAL REGULATIONS:

A. the horizontal distance between semi-detached dwellings, multiple dwellings-horizontal and/or single attached dwelling shall be a minimum of 1.8 metres, except where such dwellings are attached in whole or in part;

B. the interior side yard between abutting semi-detached dwellings and/or single attached dwellings shall be a minimum of 0.9 metres;

C. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot.

k) Uses Permitted (“NP” Zone)

No person within the lands designated “NP” use any lot or erect, alter or use, any building or structure for any purpose except the following:

i. neighbourhood park

l) Uses Permitted ("OS-HL-1” Zone)

No person shall within the land designated "OS-HL-1" use any land for any purpose except the following:

i. conservation of the natural environment, soil and wildlife; and,

ii. resource management

m) Zone Requirements ("OS-HL-1" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, or resource management.

n) Uses Permitted ("OS-HL-SWM" Zone)

No person shall within the land designated "OS-HL- SWM", use any land for any purpose except for storm water management, and for the preservation and conservation of the natural environment, soil and wildlife uses.

o) Zone Requirements ("OS-HL-SWM" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except for purposes of storm water management and flood and erosion control.

p) Uses Permitted ("ES-DN-NP-S5" Zone)

No person shall within the lands designated "ES-DN- NP-S5", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. public school and uses accessory thereto

ii. day nursery

iii. neighbourhood park

iv. detached dwelling residential use

q) Zone Requirements ("ES-DN-NP-S5" Zone)

No person shall within the lands designated "ES-DN- NP-S5", use any lot or erect, alter or use any building or structure except in accordance with the following:

i. for public school, day nursery and uses accessory thereto:

A. minimum building setbacks as illustrated on Figure 2;

B. parking requirements based upon the greater of:

1) 25 parking spaces or 1.5 parking spaces for each classroom (including special purpose spaces such as kindergarten, music, art, science, and special education rooms, as well as libraries, gymnasiums, and portables),

AND,

2) 5 parking spaces for every 93 square metres, or part thereof, of activity room floor area in the day nursery.

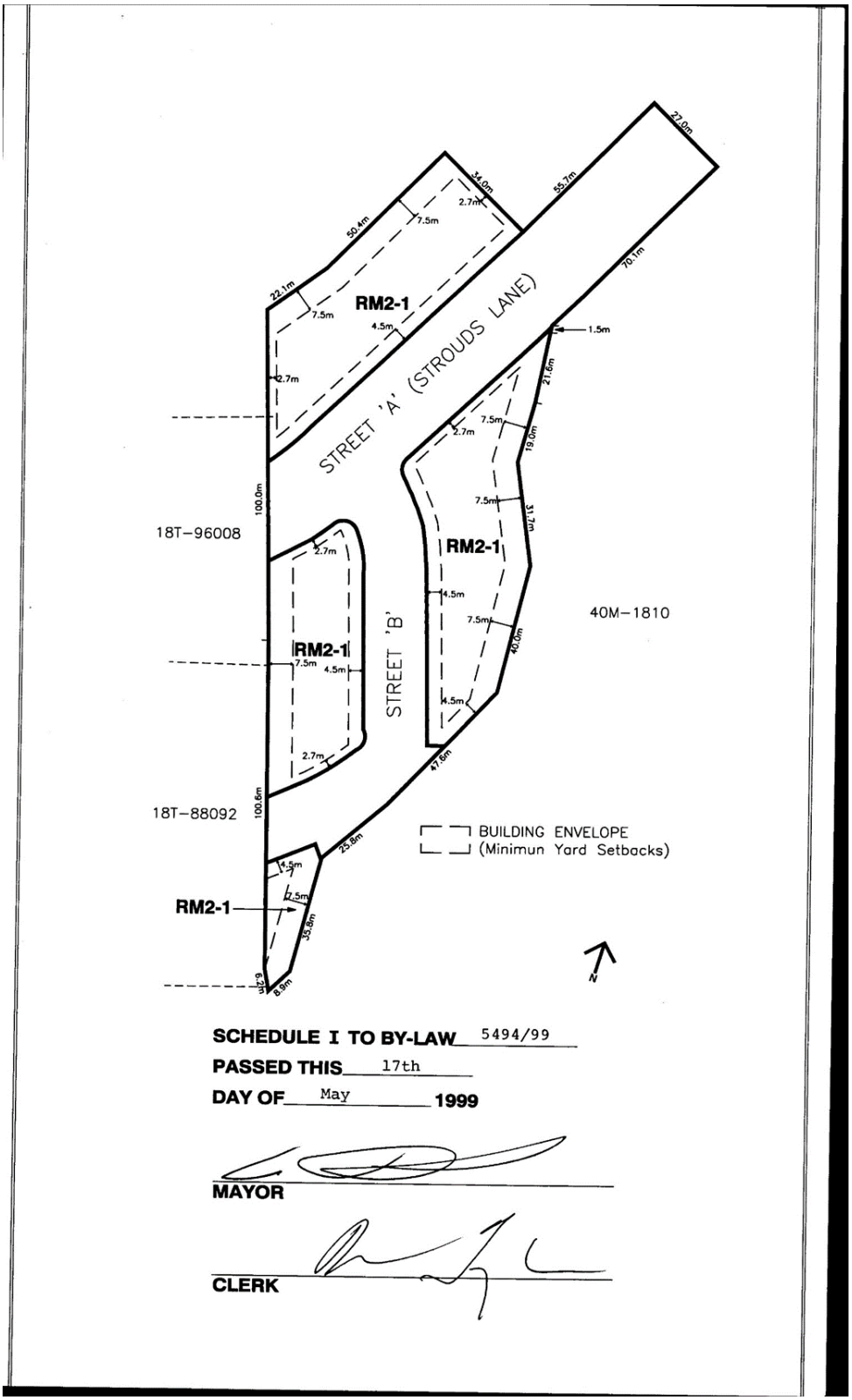
ii. for detached dwelling residential uses, the provisions of Section 2(d).

3. Model Homes

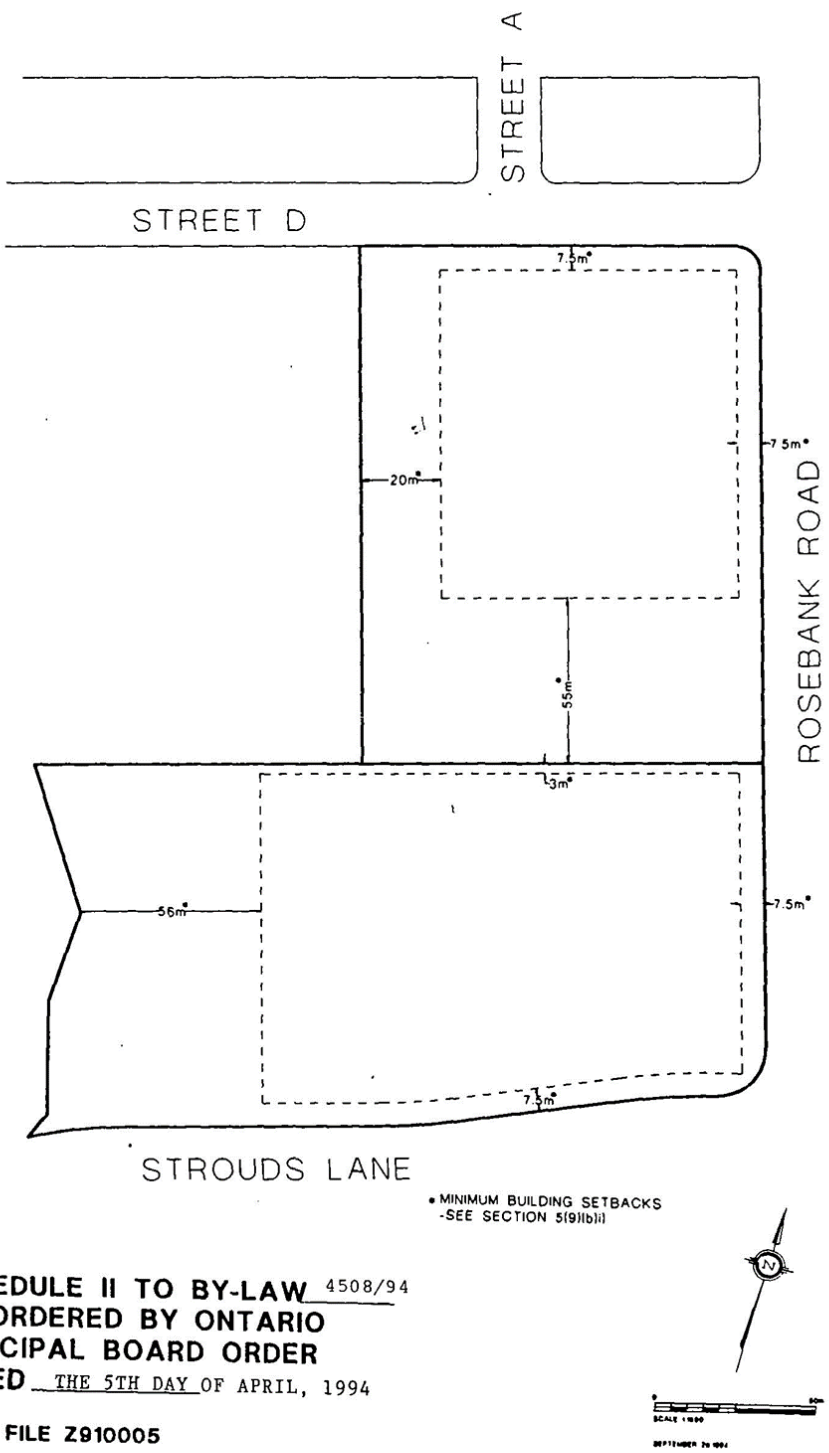
a) Notwithstanding any provision in By-law 3036 to the contrary, one or more Model Homes may be constructed and used on any lot prior to the registration of a plan of subdivision, within any residential zone on the subject lands.

b) For the purposes of this by-law, "Model Home" shall mean a residential dwelling unit, not occupied for residential purposes, constructed prior to the registration of the plan of subdivision creating the lot on which such Model Home is to be situated, pursuant to an agreement with the Town of Pickering. Such Model home is to be used exclusively for sales display and marketing purposes, for a maximum period of 36 months after the date of construction, regardless of whether registration of the plan of subdivision occurs at any time during that period.

4. Figure 1


RM2-1
STREET 'A' (STROUDS LANE)
STREET 'B'
18T-96008
18T-88092
40M-1810
BUILDING ENVELOPE
(Minimun Yard Setbacks)
SCHEDULE I TO BY-LAW 5494/99
PASSED THIS 17th
DAY OF May 1999
MAYOR
CLERK

5. Figure 2


STREET A
STREET D
7.5m
20m
7.5m
ROSEBANK ROAD
55m
3m
56m
7.5m
7.5m
STROUDS LANE
• MINIMUM BUILDING SETBACKS
-SEE SECTION 5(9)(b)(i)
SCHEDULE II TO BY-LAW 4508/94
AS ORDERED BY ONTARIO
MUNICIPAL BOARD ORDER
DATED THE 5TH DAY OF APRIL, 1994
O.M.B. FILE Z910005

15.278 Exception Zone 278 (By-law 2285-86)

1. Definitions

   a) "Church" shall mean a building dedicated to religious worship and may include a Sunday School or Parish hall as an accessory use;

   b) "Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of the Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   c) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   d) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   e) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   f) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   h) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   i) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

   j) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

   k) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

l) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

n) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

o) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

p) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("I(C)-DN" Zone)

No person shall within the lands designated "I(C)-DN" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. church

ii. day nursery

b) Zone Requirements ("I(C)-DN" Zone)

No person shall within the lands designated "I(C)-DN" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.5 hectares

ii. LOT FRONTAGE (minimum): 50 metres

iii. FRONT YARD DEPTH (minimum): as illustrated on Figure 1 attached hereto

iv. OBSTRUCTION OF YARDS: Despite the provisions of Section 5.7 of By-law 3036, where a front yard depth of 4.8 metres or less is required by this By-law one set of uncovered steps and platform of up to 2.0 metres in height above grade and projecting not more than 3.0 metres into that required front yard shall be permitted

v. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 33 percent

viii. PARKING REQUIREMENTS (minimum): there shall be provided and maintained one parking space per four persons church capacity

ix. SUPPLEMENTARY PARKING REGULATIONS:

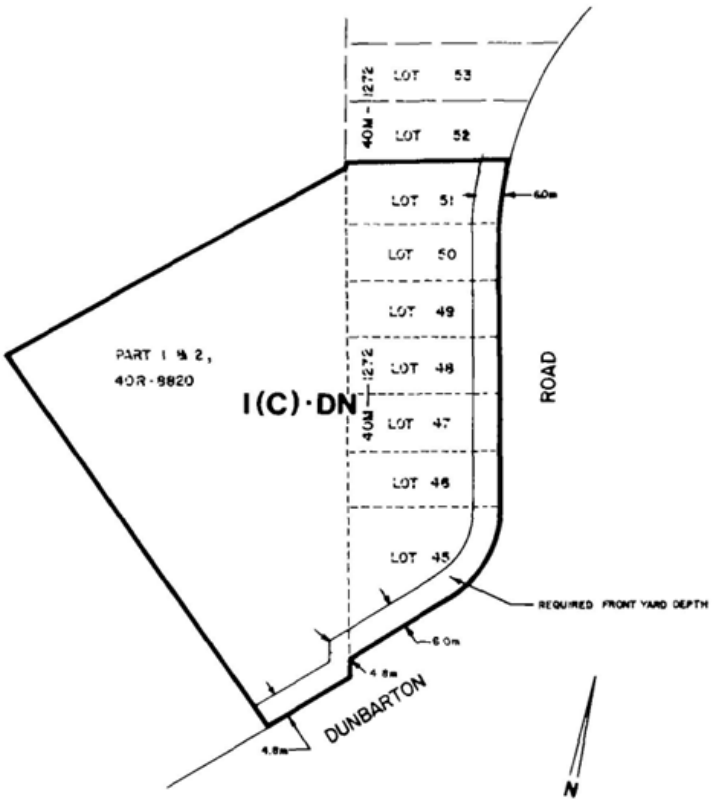
A. Despite Section 2.57 of By-law 3036, as amended, a parking space shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway

B. Section 5.21.2 a) and Section 5.21.l b) of By-law 3036, as amended, shall not apply.

C. Despite Section 5.21,2 g) of By-law 3036, as amended, all parking areas shall be paved.

x. SPECIAL REGULATIONS: the number of children enrolled in all day nurseries on the lands designated "I(C)-DN" shall not exceed sixty at any one time

3. Figure 1



SCHEDULE "I" TO BY-LAW 2285/86
PASSED THIS 5th
DAY OF August 1986

MAYOR (JOHN E. ANDERSON)

CLERK (BRUCE J. TAYLOR)

15.279 Exception Zone 279 (By-law 2287-86)

1. Definitions

   a) “Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot:

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("R1-1", "R1-2" and "R1-3" Zone)

No person shall within the lands designated "R1-1", "R1-2" and "R1-3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("R1-1", "R1-2" and "R1-3" Zone)

No person shall within the lands designated "R1-1", "R1-2" and "R1-3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 740 square metres

ii. LOT FRONTAGE (minimum): 21 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD \/IDTH (minimum):

A. on lands designated "R1-1": 3.0 metres

B. on lands designated "R1-3": 6.0 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 33 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area - residential of 139 square metres

x. PARKING REQUIREMENTS:

A. on lands designated “R1-1” and “R1-3”:

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

B. on lands designated "R1-2":

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 9.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

15.280 Exception Zone 280 (By-law 2311-86, as amended by 5633-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of all buildings or structures, used for residential purposes, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Neighbourhood Park" shall mean a municipal public park;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Public School" shall mean,

      i. a school under the jurisdiction of a board of education which board is established pursuant to the Education Act, R.S.O. 1980, or any successor thereto;

ii. a college of applied arts and technology established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto; and

iii. a university eligible to receive provincial funding from the Minister of Education, Colleges and Universities, pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto.

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest main wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("S1" Zone)

No person shall within the lands designated "S1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres

c) Uses Permitted ("S2" and "S4" Zones)

No person shall within the lands designated "S2" and "S4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements ("S2" and "S4" Zones)

No person shall within the lands designated "S2" and "S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated S2: 300 square metres

B. on the lands designated S4: 250 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated S2: 11 metres

B. on the lands designated S4: 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots, shall be not less than 1.2 metres

e) Uses Permitted ("ES" Zone)

No person shall within the lands designated "ES", use any lot or erect, alter or use and building or structure for any purpose except the following:

i. public school and uses accessory thereto

f) Special Provision (“ES” Zone)

Despite the provision of Section 5.15 of By-law 3036, for the purposes of the area zoned “ES”, two (2) portable classrooms may be located with a minimum front yard depth of 8.0 metres until December 31, 2001.

g) Uses Permitted ("NP" Zone)

No person shall within the lands designated ''NP'', use any lot or erect, alter or use any building or structure for any purpose except:

i. neighbourhood park

15.281 Exception Zone 281 (By-law 2399-87)

1. Definitions

   a) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) “Dwelling, Single or Single Dwelling” shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("R3-2" Zone)

No person shall within the lands designated "R3-2" hereto use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("R3-2" Zone)

No person shall within the lands designated "R3-2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 550 square metres

ii. LOT FRONTAGE (minimum): 18 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 10 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling per lot and minimum gross floor area - residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL", use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing building or structures be modified or changed nor shall the placing or removal of fill be permitted except where buildings or structures are used only for purposes of flood and erosion control.

15.282 Exception Zone 282 (By-law 2454-87, as amended by By-law 2757-88)

1. Definitions

   a) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   d) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above grade wall or walls, or an above grade floor or floors, or both;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. Provisions

a) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. the preservation and conservation of the natural environment soil and wildlife;

ii. parking area

b) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

c) Special Restrictions ("OS-HL" Zone)

i. Any parking area shall be set back a minimum distance of 3 metres from all lot lines.

d) Uses Permitted ("RL2" Zone)

i. No person shall within the lands designated “RL2” use any lot or erect, alter or use any building or structure for any purpose except the following:

A. multiple dwelling – horizontal

B. multiple dwelling - vertical

e) Zone Requirements ("RL2" Zone)

No person shall within the lands designated "RL2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. YARD SETBACKS (minimum): as illustrated on Figure 1 attached hereto

ii. BUILDING HEIGHT (maximum): 12.0 metres

iii. DWELLING UNIT REQUIREMENTS:

A. minimum dwelling unit area 84 square metres

B. no less than 30 and no more than 75 dwelling units shall be permitted within the area designated “OS-HL” and “RL2”

iv. LOT COVERAGE (maximum): 40 percent

v. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a useable and accessible area of not less than 15.95 square metres for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway; a "tandem parking space" shall mean a parking space that does not have direct access to a parking aisle or driveway but that abuts end to end with a parking space having direct access to a parking aisle or driveway;

B. Sections 5.21.2 and 6.5c) of By-law 3036, as amended, shall not apply to lands designated “RL2”;

C. For each dwelling unit having its own private garage on the lot, there shall be provided and maintained on the lot a minimum 0.3 visitor parking spaces;

D. For each dwelling unit not having its own private garage on the lot, there shall be provided and maintained on the lot:

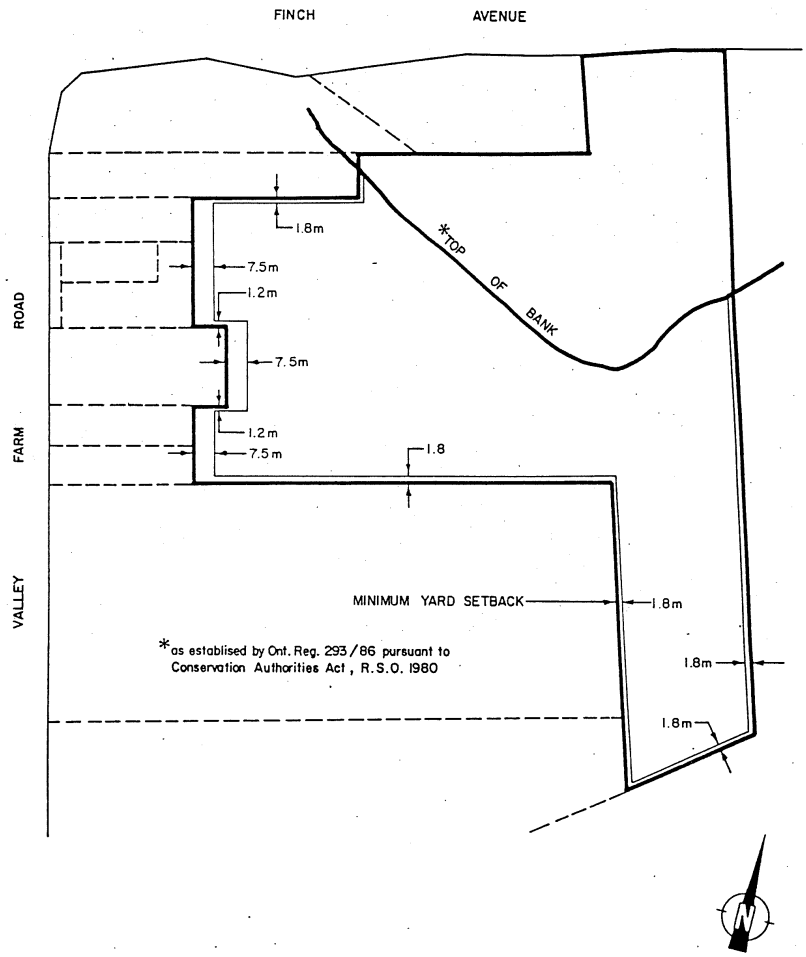
1) where the dwelling unit is within a multiple dwelling-horizontal, 1.5 parking spaces if the dwelling unit contains less than three bedrooms, 1.7 parking spaces if the dwelling unit contains three bedrooms, and 1.9 parking spaces if the dwelling unit contains more than three bedrooms;

2) where the dwelling unit is within a multiple dwelling-vertical, 1.4 parking spaces if the dwelling unit contains less than two bedrooms, 1.5 parking spaces if the dwelling unit contains two bedrooms, and 1.6 parking spaces if the dwelling unit contains more than two bedrooms.

vi. SPECIAL REGULATIONS:

A. The horizontal distance between multiple dwellings shall be not less than 1.8 metres

3. Figure 1



SCHEDULE "II" TO BY-LAW 2454/87
PASSED THIS 19th
DAY OF May 1987

MAYOR (JOHN E. ANDERSON)

CLERK (BRUCE J. TAYLOR)

15.283 Exception Zone 283 (By-law 2780-88)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("R3-2" Zone)

No person shall within the lands designated "R3-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("R3-2" Zone)

No person shall within the lands designated "R3-2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 550 square metres

ii. LOT FRONTAGE (minimum): 18 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 10 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum gross floor area-residential: 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

c) Uses Permitted ("R4-2", "R4-3" and R4-4" Zone)

No person shall within the lands designated "R4-2", "R4-3" and R4-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements ("R4-2", "R4-3" and R4-4" Zone)

No person shall within the lands designated "R4-2", "R4-3" and R4-4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated "R4-2": 7.5 metres

B. on lands designated "R4-3": 10 metres

C. on lands designated "R4-4": 15 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum gross floor area-residential: 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

15.284 Exception Zone 284 (By-law 2922-88)

1. Definitions

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

e) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

i) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“S2” and “S3" Zones)

No person shall within the lands designated “S2” and “S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements (“S2” and “S3" Zone)

No person shall within the lands designated “S2” and “S3" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “S2”: 400 square metres

B. on land designated “S3”: 350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “S2”: 13.5 metres

B. on land designated “S3”: 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres.

B. no building openings shall be permitted below the geodetic elevation of 84.5 metres.

c) Uses Permitted (“S4" Zone)

No person shall within the lands designated “S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

d) Zone Requirements (“S4" Zone)

No person shall within the lands designated “S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

ix. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

x. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.2 metres.

B. no building openings shall be permitted below the geodetic elevation of 84.5 metres.

15.285 Exception Zone 285 (By-law 2781-88)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("R3-2" Zone)

No person shall within the lands designated "R3-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("R3-2" Zone)

No person shall within the lands designated "R3-2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 550 square metres

ii. LOT FRONTAGE (minimum): 18 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 10 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum gross floor area-residential: 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

15.286 Exception Zone 286 (By-law 2787-88, as amended by By-law 2863-88)

1. Definitions

   a) “Day Nursery” shall mean lands and premises duly licenced pursuant to the provision of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   b) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   c) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   d) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   e) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   f) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

   g) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

   h) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   i) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   j) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

k) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

l) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

m) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted ("DN" Zone)

No person shall within the lands designated "DN" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Day nursery

b) Zone Requirements ("DN Zone)

No person shall within the lands designated "DN", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.17 hectares

ii. LOT FRONTAGE (minimum): 27 metres

iii. FRONT YARD DEPTH (minimum): 21 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 2.4 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 33%

vii. BUILDING HEIGHT (maximum): 12 metres

viii. PARKING REQUIREMENTS:

A. for the purpose of this clause “parking space” shall mean a useable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained a minimum of 5 parking spaces for each 93 square metres or part thereof of activity room area associated with the day nursery use;

C. Sections 5.21.2(a) and 5.21.2(b) of By-law 3036 shall not apply to lands designated “DN”;

ix. SPECIAL REGULATIONS:

The number of children attending at any one time, all day nurseries on lands designated “DN”, shall not exceed 45.

15.287 Exception Zone 287 (By-law 2834-88)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   d) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) “Gross Floor Area-Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, and attic or a cellar;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   h) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   i) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. Provisions

   a) Uses Permitted ("RM1-1" Zone)

      No person shall within the lands designated "RM1-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. multiple dwelling-horizontal

b) Zone Requirements ("RM1-1" Zone)

No person shall within the lands designated "RM1-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. YARD SETBACKS (minimum): 7.5 metres from any lot line

ii. BUILDING HEIGHT (maximum): 12.0 metres

iii. DWELLING UNIT REQUIREMENTS:

A. minimum dwelling unit area 84 square metres

B. no less than 35 and no more than 46 dwelling units shall be permitted within the area designated “RM1-1”

iv. LOT COVERAGE (maximum): 40 percent

v. PARKING REQUIREMENTS:

A. “Parking Space” shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

B. For each dwelling unit, there shall be provided and maintained on the lot one private garage attached to the dwelling unit, which shall provide one parking space;

C. For each dwelling unit there shall be provided and maintained on the lot one parking space with a minimum horizontal length of 6.0 metres located between the vehicular entrance of the garage and the nearest traffic aisle;

D. For each dwelling unit there shall be provided and maintained on the lot a minimum of 0.3 visitor parking spaces;

E. Section 5.21.2 and 6.5 (c) of By-law 3036, as amended, shall not apply to lands designated “RM1-1”

vi. SPECIAL REGULATIONS:

A. the horizontal distance between multiple dwellings-horizontal shall be a minimum of 1.8 metres.

15.288 Exception Zone 288 (By-law 2971-88)

1. Definitions

   a) “Activity Room Area” shall mean the floor area within a day nursery that is used by children for their day-to-day activities but shall exclude all floor area allocated to corridors, storage areas, washroom and kitchen facilities, and offices;

   b) “Church” shall mean a building dedicated to religious worship and may include a Sunday School or Parish hall as an accessory use;

   c) “Day Nursery” shall mean lands and premises duly licenced pursuant to the provision of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   d) “Day Nursery Office” shall mean a building or part of a building in which the management or direction of all day nursery and other related day care services operated on or from the premises is carried on;

   e) “Floor Area” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) “Gross Floor Area” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   k) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

r) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("I(C)-DN(2)" Zone)

No person shall within the lands designated "I(C)-DN(2)" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. church

ii. day nursery

iii. day nursery office

b) Zone Requirements ("I(C)-DN(2)" Zone)

No person shall within the lands designated "I(C)-DN(2)", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectares

ii. LOT FRONTAGE (minimum): 45 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 7.5 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 33 percent

vii. BUILDING HEIGHT (maximum): 12 metres

viii. PARKING REQUIREMENTS: there shall be provided and maintained on the lands designated “I(C)-DN(2)" one parking space per four persons church capacity

ix. SUPPLEMENTARY PARKING REGULATIONS: Section 5.21.2(a) and Section 5.21.2(b) of By-law 3036, as amended, shall not apply

x. SPECIAL REGULATIONS:

A. A day nursery and day nursery office may be permitted only in a church building on the site

B. The gross floor area of all day nursery office uses shall not exceed 84.0 square metres

C. A day nursery office shall be permitted only in association with at day nursery operating on the lands

15.289 Exception Zone 289 (By-law 4356-73)

1. Definitions

   a) “Building Height” shall mean the vertical distance measured from the average elevation of the finished grade at the front wall of the building to the base of the eaves of the said building.

   b) “Coverage” shall mean the percentage of the lot area covered by all buildings.

   c) “Dwelling” shall mean one or more rooms, occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   d) “Dwelling Types”

      i. Bungalow shall mean a one-storey dwelling.

      ii. Split level dwelling shall mean a dwelling in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels always being less than a full storey.

      iii. Storey and a half dwelling shall mean a dwelling containing a half storey wholly or in part within the roof having a floor area equal to at least 50% of the area of the first storey.

      iv. Two storey dwelling shall mean a dwelling containing two storeys.

   e) “Dwelling Zones”

      i. Single-detached zone is an area where each dwelling is free standing and separated from other uses by yards.

      ii. Semi-detached zone is an area where two dwellings may be joined horizontally and the two dwellings are separated from other uses by yards.

      iii. Single attached zone is an area where up to 6 dwellings may be joined horizontally and the group of dwellings is separated from other uses by yards.

   f) “Elementary School” is a school including educational, recreational and community uses, buildings and uses accessory thereto.

   g) “Frontage'” shall mean the width of a lot between the side lot lines measured along a line parallel and 20’ from the street line.

   h) “Ground Floor Area” shall mean the area of a building based on the exterior dimensions of the said building or buildings.

i) “Neighbourhood Park” is a public park including recreation uses buildings and uses accessory thereto.

j) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business occupation or service is conducted for profit.

k) “Yards”

i. Front Yard shall mean the space between the main front wall of a building and a street extending the full width of the lot.

ii. Side Yard shall mean the space between a main side wall of a building and a side lot line, extending from the front yard to the rear yard.

iii. Rear Yard shall mean the space between a main rear wall of a building and the rear lot line, and extending the full width of the lot.

iv. Flankage Yard shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from front lot line to rear lot line.

2. PROVISIONS

The performance standards and provisions as set out on Figure 1 hereto shall apply to the area restricted by this by-law.

3. Figure 1

Zone	Symbol	Maximum Density		Minimum Yards			Minimum Floor Area (Sq.	
		Minimum Frontage	Minimum Lot Area/Dwelling	Front	Side and Flankage	Rear	Bung.	Spl or 1 ½
Single Detached Dwelling	S	1 dwelling per Registered Lot 13.4 metres 15 metres corner lot	418 sq.m	4.5 metres	1.2 metres 2.7 metres	7.5 metres	110	74
Semi-detached Dwellings	SD	2 dwellings per Registered Lot 18 metres 21 metres corner lot	275 sq.m					
Single-Attached Dwellings	SA	Up to 6 dwellings/ Registered lot 6.5 metres	200 sq.m		1.0 metres 2.4 metres		95	65

		7.5 metres end lot 9 metres corner lot						
Neighbourhood Park	NP	Public Park, recreation uses, buildings and uses accessory thereto						
Elementary School	ES	School including educational, recreational & community uses, buildings &						

2. Additional Provisions

a) Maximum building height 10.5 metres

b) Maximum building coverage 33%

c) Where semi-detached dwellings are attached in part below grade and separated ab
separation shall be a minimum of 1.2 metres

15.290 Exception Zone 290 (By-law 4362-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   d) “Dwelling, Semi-detached or Semi-detached Dwelling” shall mean one of a pair of single dwellings, such dwelling being attached together horizontally in whole or part above grade, below grade, or both above and below grade;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) “Gross Floor Area-Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, and attic or a cellar;

   g) “Landscaped Open Space” shall mean space on a lot which is open and unoccupied and is suitable for growing grass, flowers, bushes, shrubs or other landscaping plants and includes a waterway, walk, patio or similar space but does not include any portion of a parking aisle, parking space, ramp or driveway;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. Provisions

a) Uses Permitted ("RM1-4" Zone)

No person shall within the lands designated "RM1-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. multiple dwellings – horizontal residential use

ii. semi-detached dwelling residential use

b) Zone Requirements ("RM1-4" Zone)

No person shall within the lands designated "RM1-4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING SETBACKS (minimum): as illustrated on Figure 1 attached hereto

ii. BUILDING HEIGHT (maximum): 12.0 metres

iii. DWELLING UNIT REQUIREMENTS:

A. minimum gross floor area-residential 100 square metres

B. No more than 19 dwelling units shall be permitted within the area designated “RM1-4”;

iv. LOT COVERAGE (maximum): 40 per cent

v. LANDSCAPED OPEN SPACE REQUIREMENTS (minimum): 10 per cent of lot area

vi. PARKING REQUIREMENTS:

A. “Parking Space” shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

B. For each dwelling unit, there shall be provided and maintained:

1) minimum one private garage attached to the dwelling unit, the vehicular entrance of which shall be located not less than 6.0 metres from the nearest traffic aisle

2) a minimum 0.3 visitor parking space

C. Section 5.21.2 and 6.5 (c) of By-law 3036, as amended, shall not apply to lands designated “RM1-4”;

vii. SPECIAL REGULATIONS:

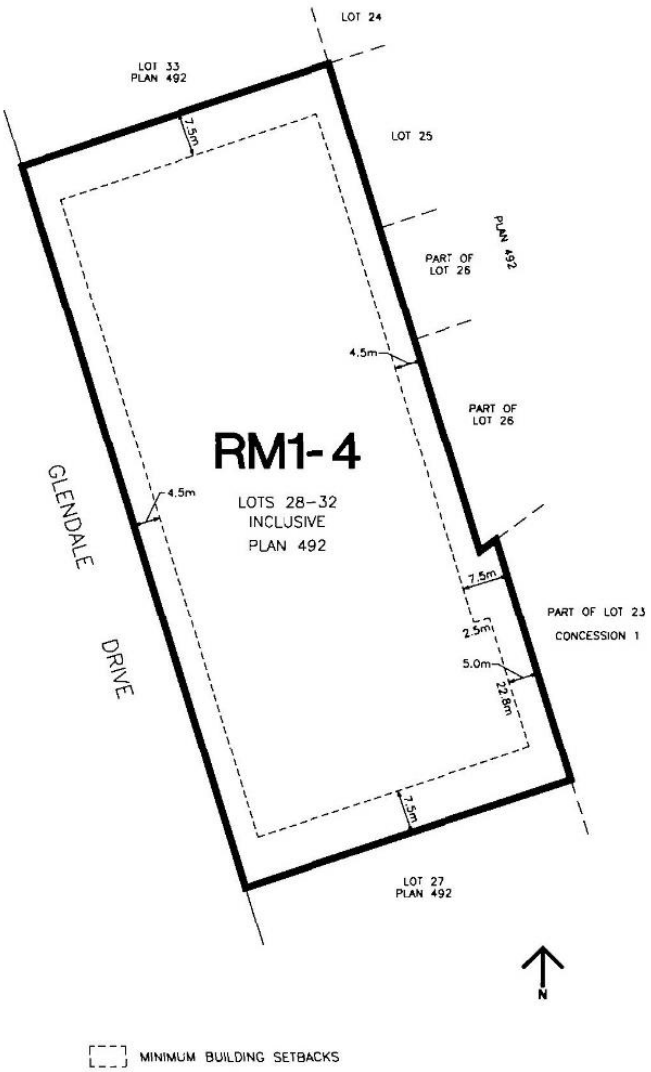
A. the horizontal distance between semi-detached dwelling or between multiple dwellings-horizontal and semi-detached dwellings shall be a minimum of 1.8 metres.

B. A minimum of 6 semi-detached dwellings shall be erected within the lands designated “RM1-4”;

C. Despite Section 2(b)(i), a refuse storage structure, ancillary to a multiple dwelling-horizontal use, with a maximum enclosed area of 50 square metres shall be provided and maintained within the lands designated “RM1-4”;

D. Despite the definition of “Dwelling, Semi-detached or Semi-detached Dwelling” in Section 1(d), Semi-detached Dwellings erected in an “RM1-4” zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 percent of the horizontal depth of the building.

3. Figure 1



SCHEDULE I TO BY-LAW 4362/93
PASSED THIS 6th
DAY OF December **1993**

MAYOR

CLERK

15.291 Exception Zone 291 (By-law 4365-93)

1. Definitions

   a) "Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of the Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   e) "Dwelling Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey

   g) "Gross Floor Area- Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Neighbourhood Park" shall mean a municipal public park;

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   m) "Public School" shall mean,

i. a school under the jurisdiction of a Board of Education which Board is continued or established pursuant to the Education Act, R.S.O. 1990, chapter E.2, or any successor thereto;

ii. a college of applied arts and technology continued or established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1990, chapter M.19, or any successor thereto; and

iii. a university eligible to receive provincial funding pursuant to the Ministry of Colleges and Universities Act, or any successor thereto;

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side Jot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

v) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

w) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("R1-5", "R3-7" and "R7" Zones)

a) Uses Permitted ("R1-5", "R3-7" and "R7" Zones)

No person shall, within the lands designated "R1-5", "R3-7" and "R7", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling use

b) Zone Requirements ("R1-5", "R3-7" and "R7" Zones)

No person shall, within the lands designated "R1-5", "R3-7" and "R7", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "R1-5": 700 square metres

B. on the lands designated "R3-7": 550 square metres

C. on the lands designated "R7": 500 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "R1-5": 20 metres

B. on the lands designated "R3-7": 18 metres

C. on the lands designated "R7": 16.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on the lands designated "R1-5": 1.8 metres each side

B. on the lands designated "R3-7":

1) 1.2 metres provided to the nearest wall of a private garage attached to the main dwelling, and

2) 1.8 metres provided to any other wall of the main dwelling

C. on the lands designated "R7":

1) minimum 1.2 metres each side, or

2) minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENT: maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres

x. PARKING REQUIREMENT: minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street

xi. SPECIAL REGULATION: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres

3. Provisions ("S1" and "S2" Zones)

a) Uses Permitted ("S1" and "S2" Zones)

No person shall, within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling use

b) Zone Requirements ("S1" and "S2" Zones)

c) No person shall, within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S1": 450 square metres

B. on the lands designated "S2": 400 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S1": 15.0 metres

B. on the lands designated "S2": 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. on the lands designated and "S1":

1) minimum 1.2 metres each side, or

2) minimum 1.8 metres one side and no minimum other side

B. on the lands designated "S2":

1) minimum 1.2 metres one side, 0.6 metres other side, or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REARYARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENT: maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres

x. PARKING REQUIREMENT: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres

B. despite the side yard width provisions of Section 6(2)(d) above, the minimum side yard width adjacent to a walkway shall be 1.2 metres.

4. Provisions ("ER-1" Zone)

a) Uses Permitted ("ER-1" Zone)

No person shall, within the lands designated "ER-1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling use

b) Zone Requirements ("ER-1" Zone)

No person shall, within the lands designated "ER-1", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 4,000 square metres

ii. LOT FRONTAGE (minimum): 35 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 7.5 metres

v. REARYARD DEPTH (minimum): 10 metres

vi. LOT COVERAGE (maximum): 20 percent

vii. BUILDING HEIGHT (maximum): 12 metres

viii. DWELLING UNIT REQUIREMENTS:

A. maximum one dwelling unit per lot

B. minimum gross floor area - residential of 140 square metres

ix. PARKING REQUIREMENTS:

A. minimum two parking spaces

B. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street

x. ACCESSORY STRUCTURE REQUIREMENT: all accessory structures, except a detached private garage, which are not part of the main building shall be erected in the rear yard and shall be not less than one metre from any side lot line

5. Provisions ("ES-DN" Zone)

a) Uses Permitted ("ES-DN" Zone)

No person shall, within the lands designated "ES-DN", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. public school and uses accessory thereto

ii. day nursery

b) Zone Requirements ("ES-DN" Zone)

No person shall, within the lands designated "ES-DN", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 20 metres

ii. SIDE YARD WIDTH (minimum): 20 metres

iii. REAR YARD DEPTH (minimum): 15 metres

iv. PARKING REQUIREMENTS: the greater of

A. 25 parking spaces, or

B. 1.33 parking spaces for each classroom (including special purpose spaces such as kindergarten, music, art, science, and special education rooms, as well as libraries, gymnasiums, and portables)

and

5 parking spaces for every 93 square metres, or part thereof, of activity room floor area in the day nursery

v. SPECIAL REGULATION: despite the rear yard depth provisions of Section 5(b)(iii) above, portable classrooms may be located a minimum of 4 metres from the rear lot line

6. Provisions ("OS-HL-SWM" Zone)

a) Uses Permitted ("OS-HL-SWM" Zone)

No person shall, within the lands designated "OS-HL-SWM", use any lot or erect, alter or use any building or structure for any purpose except for the purposes of stormwater management, and for the preservation and conservation of the natural environment, soil and wildlife.

b) Zone Requirements ("OS-HL-SWM" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except for the purposes of stormwater management and flood and erosion control.

7. Provisions ("NP" Zone)

a) Uses Permitted ("NP" Zone)

No person shall, within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park and uses accessory thereto

15.292 Exception Zone 292 (By-law 4366-93, as amended by By-law 5537-99)

1. Definitions

   a) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   b) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   c) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;

   d) "Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit;

   e) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreation facilities are provided and operated for gain or profit, and which may include an arena or stadium but shall not include a place of amusement or entertainment as defined herein;

   f) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   g) "Dry-Cleaning Establishment - Type B" shall mean a building or part of a building where articles, goods or fabric to be subjected to dry-cleaning and related processes are received or distributed, or where a dry-cleaning plant is operated, or both, where a dry-cleaning plant does not exceed a dry weight capacity of 27 kilograms, does not vent or emit noxious gases, odors or fumes, and is not a source of noise or vibration that causes a nuisance to neighbouring premises, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

   h) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

i) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

j) "Multiple Dwelling - Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

k) "Multiple Dwelling - Vertical" shall mean a building containing four or more dwelling units attached horizontally or vertically, each unit having access from an internal corridor system connecting with at least one common entrance from outside the building;

l) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

m) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators;

n) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

o) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

p) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

q) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a games arcade or an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

r) "Place of Assembly" shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment;

s) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership;

t) "Private Non-Residential School" shall mean a school which is maintained for educational or religious purposes but shall not include any other school defined herein;

u) "Private Residential School" shall mean a school which is maintained for educational or religious purposes and which includes accessory residential facilities but shall not include any other school defined herein;

v) "Public School" shall mean,

i. a school under the jurisdiction of a Board of Education which Board is continued or established pursuant to the Education Act, R.S.O. 1990, c. E.2, or any successor thereto;

ii. a college of applied arts and technology continued or established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1990, c. M.19, or any successor thereto; and

iii. a university eligible to receive provincial funding pursuant to the Ministry of Colleges and Universities Act, or any successor thereto;

w) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

x) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;

y) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

z) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.

2. Provisions

a) Uses Permitted ("LCA-6" Zone)

No person shall within the lands designated "LCA-6" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bakery

ii. business office

iii. commercial club

iv. commercial-recreational establishment

v. commercial school

vi. day nursery

vii. dry-cleaning establishment - type B

viii. financial institution

ix. laundromat

x. multiple dwelling - horizontal

xi. multiple dwelling - vertical

xii. personal service shop

xiii. place of amusement or entertainment

xiv. place of assembly

xv. private club

xvi. private non-residential school

xvii. professional office

xviii. public club

xix. restaurant - type A

xx. retail store

b) Zone Requirements ("LCA-6" Zone)

No person shall within the lands designated "LCA-6" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. NUMBER OF DWELLING UNITS:

A. No less than 50 and no more than 138 dwelling units shall be permitted.

ii. BUILDING RESTRICTIONS:

A. No building, part of a building, or structure shall be erected unless it is located wholly within the building envelope illustrated on Figure 1 attached hereto;

B. No building, part of a building, or structure that exceeds a height of 12.0 metres shall be erected except that

1) in the area cross-hatched on Figure 1 attached to this By-law, the minimum building height shall be 12.0 metres, and the maximum building height shall be 18.0 metres; and

2) in the area hatched on Figure 1 attached to this By-law, the minimum building height shall be 9.0 metres, and the maximum building height shall be 18.0 metres;

C. There shall be a minimum horizontal distance of 1.8 metres between blocks of multiple dwellings - horizontal;

D. The aggregate of the gross leasable floor areas of all buildings on the lands, except multiple dwellings - horizontal and multiple dwellings - vertical, shall be a minimum of 940 square metres;

E. Notwithstanding Section 5.7 of By-law 3036, as amended, and clause A above, bay windows, balconies, decks, and porches, whether covered or uncovered, shall be permitted to project a maximum of 1.5 metres beyond the limits of the building envelope illustrated on Figure 1 attached hereto, except for where the building envelope is immediately abutting the Altona Road frontage;

iii. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lands a minimum of 5.0 parking spaces per 100 square metres of gross leasable floor area for all uses listed in Section 2(a) of this By-law, except multiple dwelling - horizontal and multiple dwelling - vertical;

C. For each multiple dwelling - horizontal unit there shall be provided and maintained on the lands one private garage attached to the dwelling unit;

D. For each multiple dwelling - horizontal unit there shall be provided on the lands one parking space located between the vehicular entrance of the private garage and the nearest traffic aisle, or public road;

E. For each multiple dwelling - vertical unit there shall be provided and maintained on the lands 1.2 parking spaces per unit for residents, and 0.3 of a parking space per dwelling unit for visitors. All resident parking shall be provided below grade. Visitor parking shall be provided at grade or below grade, or both;

F. Clauses 5.21.2a), 5.21.2b), 5.21.2c), 5.21.2d), 5.21.2e), and 5.21.2i) of By law 3036, as amended, shall not apply to the lands designated "LCA-6";

G. Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrances and exits to parking areas, and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

iv. SPECIAL REGULATIONS

A. Notwithstanding Section 5.7 of By-law 3036, as amended, and clause 2(b)(ii)(A) of this by-law, buildings, structures, and fences associated with permitted mechanical, recreational, security, parking and other ancillary residential facilities may be permitted outside the limits of the building envelope illustrated on Figure 1 attached hereto;

B. Prior to the issuance of a building permit to allow development to occur within the lands designated "LCA-6", Site Plan Approval must be granted by the Town.

c) Uses Permitted ("OS-A" Zone)

No person shall within the lands designated "OS-A" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil, and wildlife;

ii. resource management;

iii. landscape open space;

iv. outdoor patio;

v. a maximum of 15 parking spaces.

d) Zone Requirements ("OS-A" Zone)

No person shall within the lands designated "OS-A" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

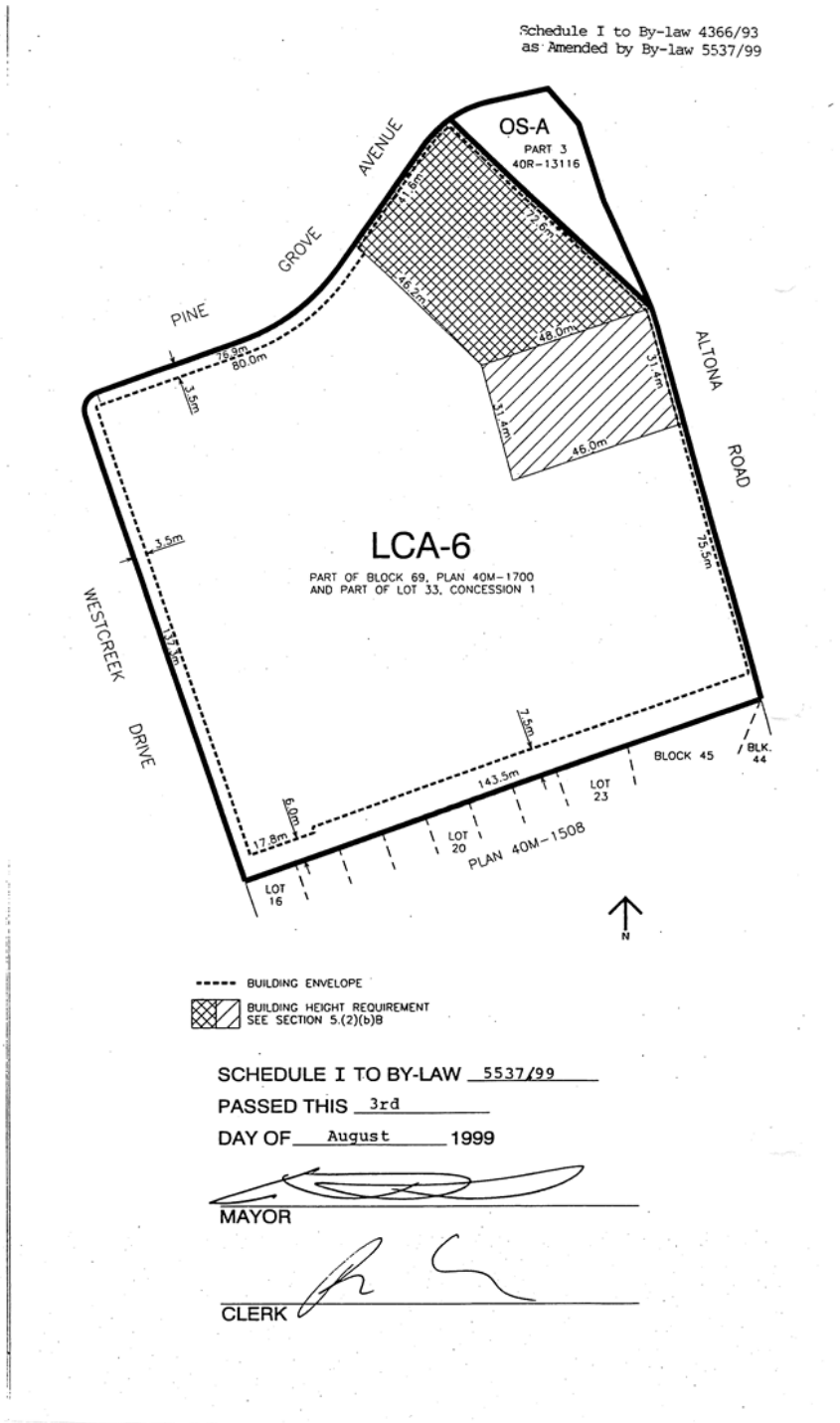
i. SPECIAL REGULATIONS:

A. No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for the purposes of flood and erosion control, resource management, landscape open space, or parking areas;

B. For the purpose of this clause, "landscape open space" shall mean open and unobstructed space on a lot, which is suitable and used for the growth and maintenance of grass, flowers, bushes, shrubs or other landscape plants and may include any surface walk, uncovered patio or similar space but does not include any portion of a parking space, parking aisle, driveway or ramp;

C. For the purpose of this clause, "outdoor patio" shall mean an uncovered outdoor eating area not exceeding 150 square metres in area, which occurs in conjunction with any restaurant use permitted under the "LCA - 6" zone, where seating accommodation is provided, and where meals and refreshments are served.

3. Figure 1



15.293 Exception Zone 293 (By-law 4377-94, as amended by By-law 7205-12)

1. Definitions

   a) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;

   b) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of detached dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres;

   c) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   d) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   e) "Gross Leasable Floor Area - Commercial" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than rooms jointly used by tenants of the building such as garbage storage areas, mechanical and electrical rooms;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   h) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   i) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   j) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

k) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

l) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

q) “Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

r) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S-SD-SA-4" Zone)

No person shall within the lands designated "S-SD-SA-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling;

ii. semi-detached dwelling;

iii. single-attached dwelling;

b) Zone Requirements ("S-SD-SA-4" Zone)

No person shall within the lands designated "S-SD-SA-4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Lot Area (minimum)

A. detached dwellings 400 square metres

B. semi-detached dwellings 320 square metres

C. single-attached dwellings 270 square metres

ii. Lot Frontage (minimum)

A. detached dwellings 9.0 metres

B. semi-detached dwellings 7.0 metres

C. single-attached dwellings 6.0 metres

iii. Front Yard Depth: 4.5 metres (minimum) 7.5 metres (maximum)

iv. Interior Side Yard Width (minimum)

A. detached dwellings:

1) 1.2 metres on one side,

2) 0.6 metres on the other side

B. semi-detached dwellings 1.2 metres except that:

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension, if that common wall extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line, the following shall apply:

4) minimum of 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. single-attached dwellings 1.8 metres except that:

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension, if that common wall extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line, the following shall apply:

I. minimum 1.2 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting side yard is not provided on the other lot or;

II. minimum of 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

v. Flankage Side Yard Width (minimum) 2.4 metres

vi. Rear Yard Depth (minimum) 7.5 metres

vii. Building Height (maximum) 9.0 metres

viii. Driveway Width (maximum)

A. detached dwellings 55 percent of the lot frontage

B. semi-detached dwellings 50 percent of the lot frontage

C. single-attached dwellings 50 percent of the lot frontage

ix. Parking Requirements (minimum)

two parking spaces per dwelling unit, with a minimum of one parking space provided within an attached garage and the other parking space in a driveway;

x. Garage Requirements (minimum)

A. one private garage with a single car garage door per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. no part of any attached garage, whether or not such garage has a second storey, shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit;

C. where the main entrance to the dwelling unit fronts a flankage side yard, no part of any attached garage, whether or not such garage has a second storey, shall extend more than 2.0 metres beyond the wall containing the footprint of the dwelling unit;

xi. Garage Parking Size (minimum)

each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

xii. Special Regulations

A. no more than 4 dwelling units shall be permitted within the area designated as “S-SD-SA-4”;

B. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres;

C. despite Section 5.18(e) of Zoning By-law 3036, the total lot coverage of all accessory buildings shall not exceed 20 square metres;

c) Uses Permitted ("SA-5 " Zone)

No person shall within the lands designated “SA-5” any lot or erect, alter or use any building or structure for any purpose except the following:

i. single attached dwelling residential use

d) Zone Requirements (“SA-5” Zone)

No person shall within the lands designated “SA-5” use any lot or erect, alter or use any building except in accordance with the following provisions:

i.	LOT AREA (minimum):	270 square metres
ii.	LOT FRONTAGE (minimum):	6.0 metres
iii.	FRONT YARD DEPTH (minimum):	6.0 metres
iv.	FRONT YARD DEPTH (maximum):	9.0 metres
v.	INTERIOR SIDE YARD WIDTH (minimum):	1.8 metres except that

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

B. where dwellings on abutting lots share a common wall and one of those dwellings has an extension, if that common wall extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line, the following shall apply;

1) minimum 1.2 metres interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting side yard is not provided on the other lot or;

2) minimum of 0.6 of a metre interior side yard shall be provided adjacent to the extension of that wall on the kit upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. BUILDING HEIGHT (maximum): 9.0 metres

viii. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

ix. SPECIAL REGULATIONS:

A. No more than 7 dwelling units shall be permitted within the area designated “SA-5”;

B. Maximum 1 dwelling unit per lot, and minimum gross floor area – residential of 100 square metres;

C. The maximum projection of the vehicular entrance to any garage from the main front wall of the dwelling to which it is attached shall be 2.0 metres

15.294 Exception Zone 294 (By-law 4391-94)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S3-5" Zone)

No person shall within the lands designated "S3-5" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S3-5" Zone)

No person shall within the lands designated "S3-5" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. 1.2 metres each side, or

B. 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 10 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 170 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres

c) Uses Permitted ("SD-2" Zone)

No person shall within the lands designated "SD-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

d) Zone Requirements ("SD-2" Zone)

No person shall within the lands designated "SD-2" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres, except that,

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

B. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line,

1) minimum 1.2 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot, or

2) minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 10 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street

x. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres

xi. SPECIAL REGULATIONS:

A. The horizontal distance between buildings on adjacent lots, except where such buildings are attached together in whole or in part, shall be not less than 1.2 metres;

B. Despite the definition of "Dwelling, Semi-detached or Semi-detached Dwelling" in section 1(e), Semi-detached dwellings erected in an SD-2 zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75% of the horizontal depth of the building;

C. The maximum projection from the main front wall of the dwelling, of a garage and any storey above a garage, shall be 2.4 metres.

15.295 Exception Zone 295 (By-law 4402-73, as amended by By-law 843-78)

1. Definitions

   a) “Building Height” shall mean the vertical distance measured from the average elevation of the finished grade at the front wall of the building to the base of the eaves of the said building.

   b) “Coverage” shall mean the percentage of the lot area covered by all buildings.

   c) “Dwelling” shall mean one or more rooms, occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   d) “Dwelling Types”

      i. Bungalow shall mean one storey dwelling.

      ii. Split level dwelling shall mean a dwelling in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels always being less than a full storey.

      iii. Storey and a Half dwelling shall mean a dwelling containing a half storey wholly or in part within the roof having a floor area equal to at least 50% of the area of the first storey.

      iv. Two storey dwelling shall mean a dwelling containing two storeys.

   e) “Dwelling Zones”

      i. Single-detached zone is an area where each dwelling is free standing and separated from other uses by yards.

      ii. Semi-detached zone is an area where two dwellings may be joined horizontally in whole in part and above and/or below grade and the two dwellings are separated from other uses by yards.

      iii. Single attached zone is an area where up to 6 dwellings may be joined horizontally and the group of dwellings is separated from other uses by yards.

   f) “Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel and 20 feet from the street line.

   g) “Ground Floor Area” shall mean the area of a building based on the exterior dimensions of the said building or buildings.

h) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business occupation or service is conducted for profit.

i) “Yards'”

i. Front Yard shall mean the space between the main front wall of a building and a street extending the full width of the lot.

ii. Side Yard shall mean the space between a main side wall of a building and a side lot line, extending the full width of the lot.

iii. Rear Yard shall mean the space between a main rear wall of a building and the rear lot line, and extending the full width of the lot.

iv. Flankage Yard shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from front lot line to rear lot line.

2. Provisions

The performance standards and provisions as set out on Figure 1 hereto shall apply to the area restricted by this by-law.

3. Figure 1

Zone	Symbol	Maximum Density		Minimum Yards			Minimum Gro Area/Dwelling	
		Minimum Frontage	Minimum Lot Area/Dwelling	Front	Side and Flankage	Rear	Bung.	Spli or 1
Single Detached Dwelling 1	S1	1 dwelling per registered lot 15 metres 16.5 metres corner lot	510 square metres	4.5 metres	1.2 metres side 2.7 metres flankage	7.5 metres	110	74
Single Detached Dwelling 2	S2	1 dwelling per registered lot 13.4 metres 15 metres corner lot	450 square metres					
Semi-detached Dwellings	SD	2 dwellings per registered lot 18 metres 19.5 metres corner lot	275 square metres					
Single Attached Dwellings	SA	Up to 6 dwellings/ registered lot 9 metres 10.5 metres end lot	275 square metres				95	69

		12 metres corner lot						
Neighbourhood Park	NP	Public Park, recreation uses, buildings and uses accessory thereto						
Elementary School	ES	School including educational, recreational & community uses, buildings &						
Open Space	O1	As defined in Section 15 of By-law 3036						
Greenbelt	G	As defined in Section 17 of By-law 3036						

4. Additional Provisions

   a) Maximum building height 10.5 metres

   b) Maximum building coverage 33 percent

   c) Where semi-detached dwellings are attached part below grade and separated abov
   shall be a minimum of 1.2 metres

15.296 Exception Zone 296 (By-law 4411-94)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) “Dwelling, Semi-Detached or Semi-Detached Dwelling” shall mean one of a pair of dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade or both above and below grade;

   e) "Dwelling, Single, Attached Dwelling or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwelling attached together horizontally by an above grade common wall;

   f) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("SD-SA-3" Zone)

No person shall within the lands designated "SD-SA-3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

ii. single attached dwelling residential use

b) Zone Requirements ("SD-SA-3" Zone)

No person shall within the lands designated "SD-SA-3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 0.8 metres, except that,

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on wither lot;

B. (where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall extending along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line, the following shall apply:

1) minimum 1.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting side yard is not provided on the other lot or;

2) minimum 0.8 of a metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.0 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: despite the definition of “Dwelling, Semi-Detached” or “Semi-Detached Dwelling” in Section 1(d), Semi-Detached Dwellings erected in an “SD-SA-3” zone shall be attached above grade by a common wall which extends from the vase of the foundation to

15.297 Exception Zone 297 (By-law 4448-73)

1. Definitions

   a) “Coverage” shall mean the percentage of the lot area covered by all buildings.

   b) “Dwelling” shall mean one or more rooms, occupied or capable of being occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) “Landscaped Open Space” shall mean that percentage of the lot area not covered by buildings, driveways and parking spaces.

   d) “Residential-Multiple” shall mean a building divided vertically and/or horizontally into 3 or more dwelling units, each having independent external entrances at grade level of the building.

   e) "Private Garage" means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business occupation or service is conducted for profit.

   f) “Storey” shall mean that portion of a building (including a basement which is less than 50% below ground level) between the surface of any floor and the surface of the floor, roof deck or ridge above it. This shall not include a cellar or attic.

2. Provisions

   The performance standards and provisions as set out on Figure 1 hereto shall apply to the area restricted by this by-law.

3. Figure 1

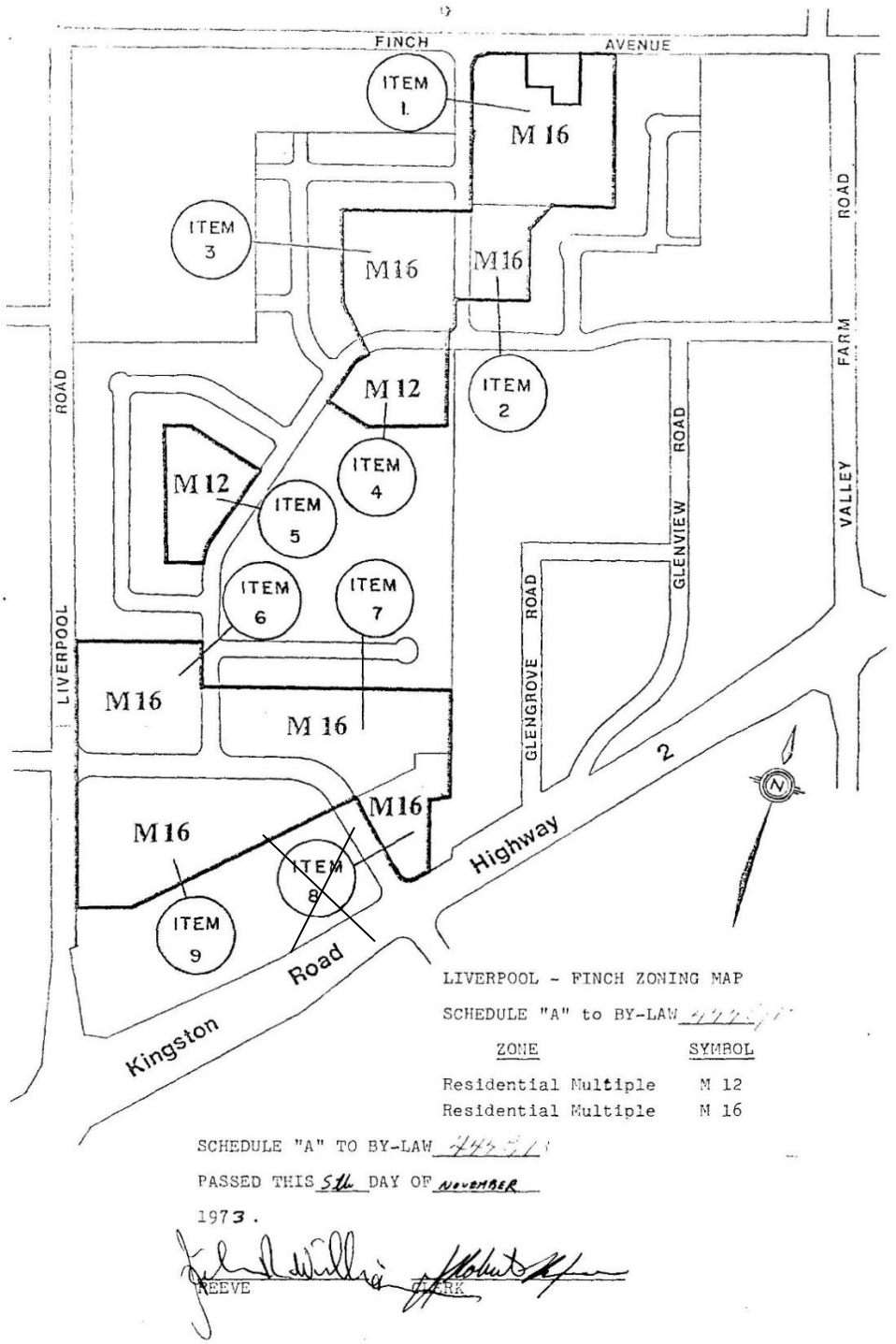
Item # as per Figure 2	Zone	Symbol	Maximum Density	Landscape Open Space	Coverage	Maximum Height	Setbacks	Floor Area
Item 1 2 3 6 7	Residential – Multiple	M16	40 u.p.ha to the nearest full unit	50 percent	33 percent	3 storeys	Setbacks from streets & property boundaries as per Figure 2 - C1-7 inclusive	3 bedroom unit 1,250 square feet minimum 4 bedroom unit 125 square metres minimum
Item ~~8~~ 9	Residential – Multiple	M16	40 u.p.ha to the nearest full unit	60 percent	20 percent	4 storeys		
Item 4 5	Residential – Multiple	M12	40 u.p.ha to the nearest full unit	50 percent	33 percent	3 storeys		

U.P.HA – Units per hectare

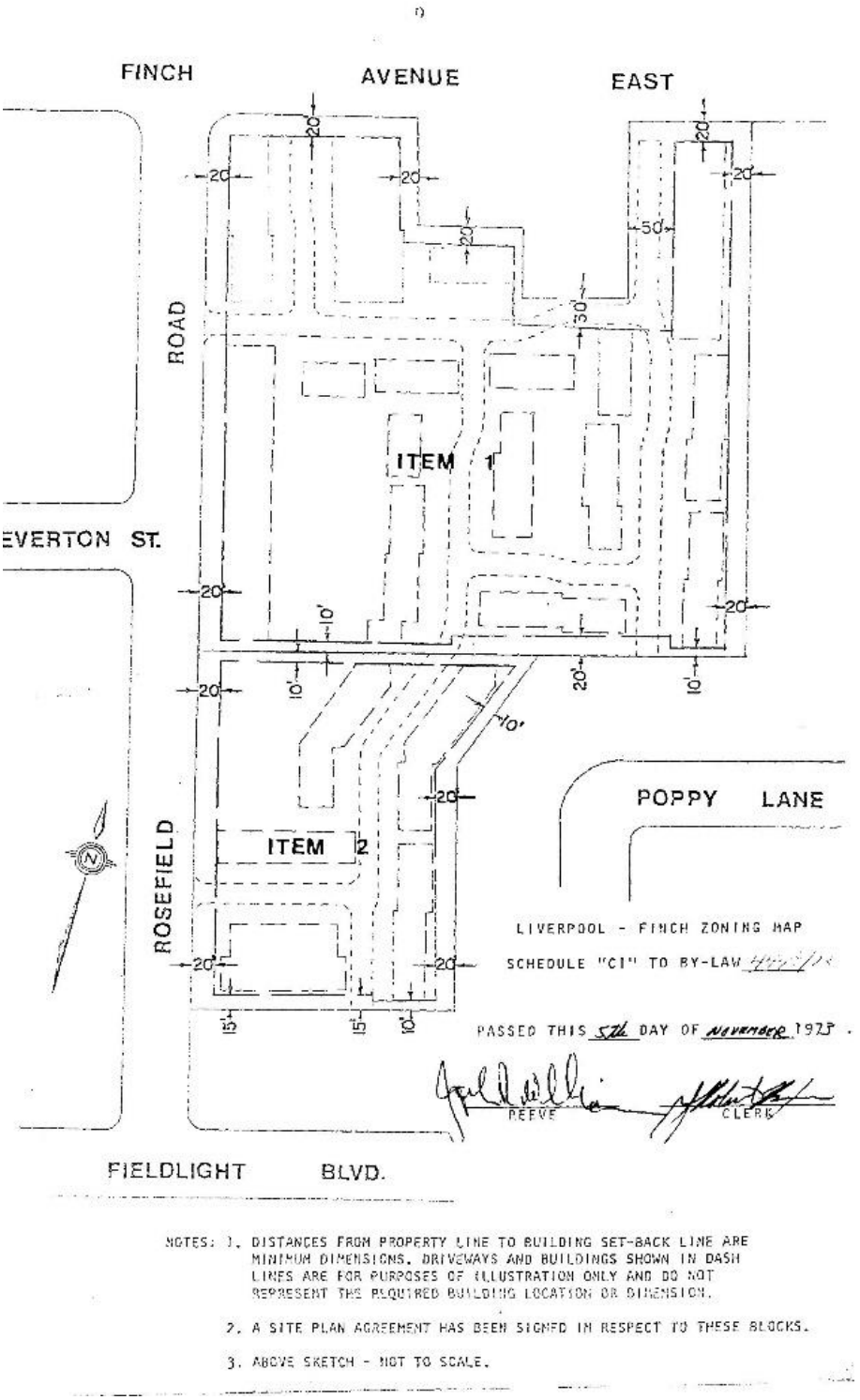
Item 8 Only Repealed and Replaced by The City Centre Parent By-law 7553/17

4. Figure 2

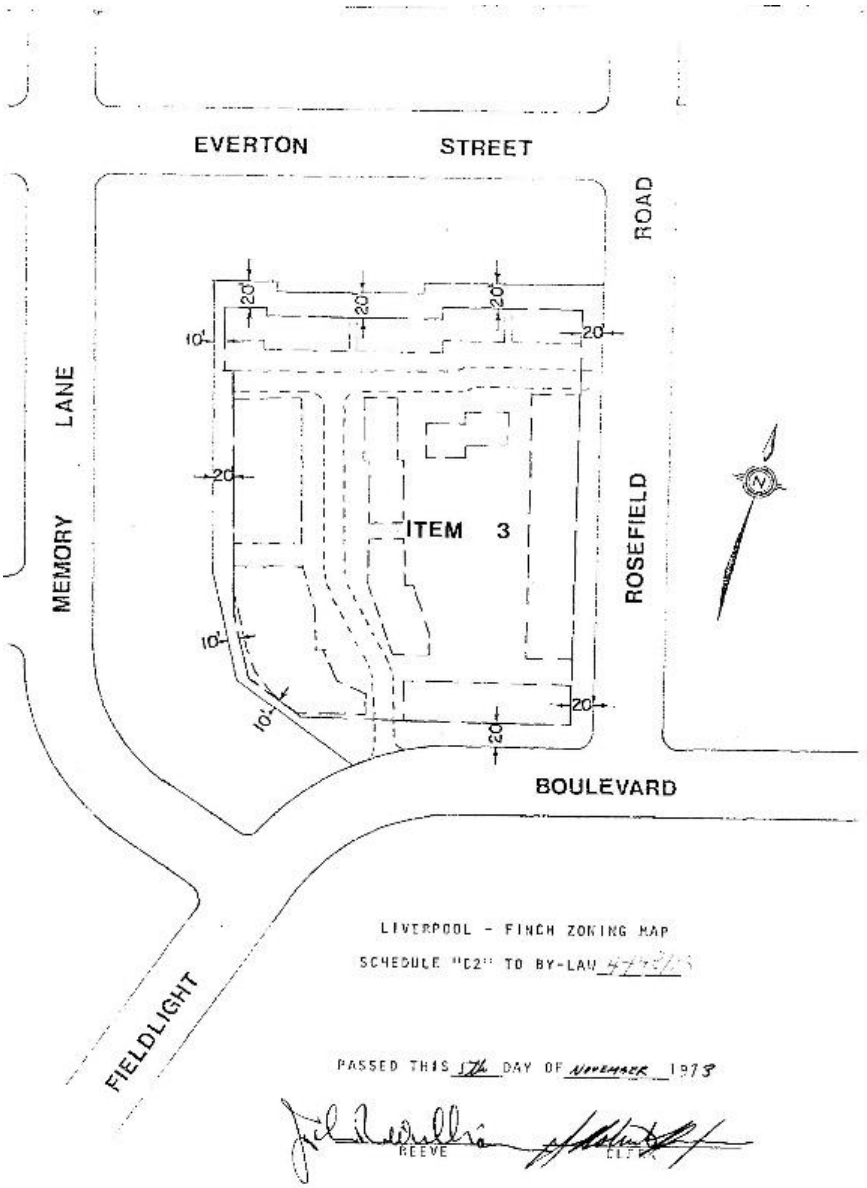
Item 8 Only Repealed and Replaced by The City Centre Parent By-law 7553/17



5. Figure 2 – C1


FINCH AVENUE EAST
ROAD
EVERTON ST.
ITEM 1
ITEM 2
ROSEFIELD
POPPY LANE
FIELDLIGHT BLVD.
LIVERPOOL - FINCH ZONING MAP
SCHEDULE "C1" TO BY-LAW
PASSED THIS 5th DAY OF NOVEMBER 1973.
REEVE
CLERK
NOTES: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.
2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THESE BLOCKS.
3. ABOVE SKETCH - NOT TO SCALE.

6. Figure 2 – C2

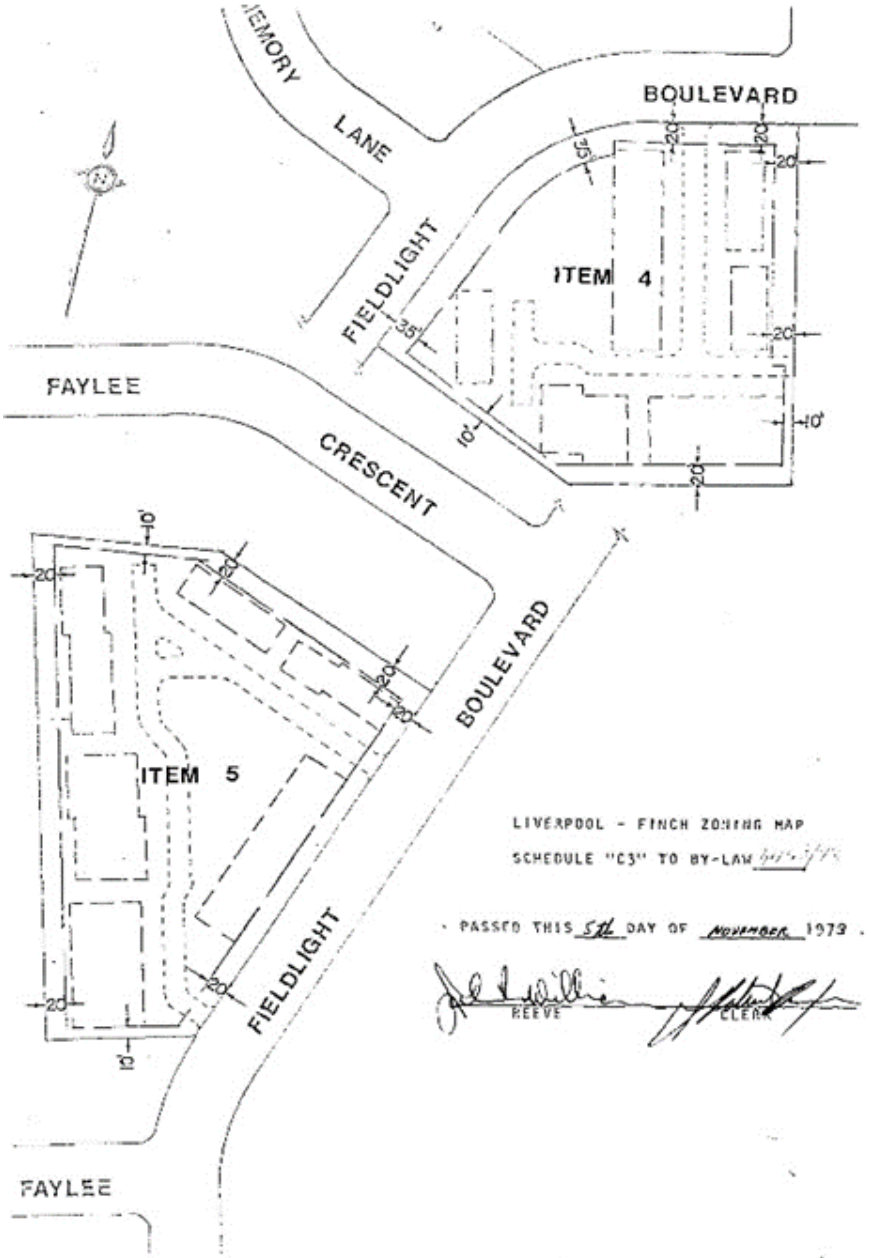


NOTES: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.

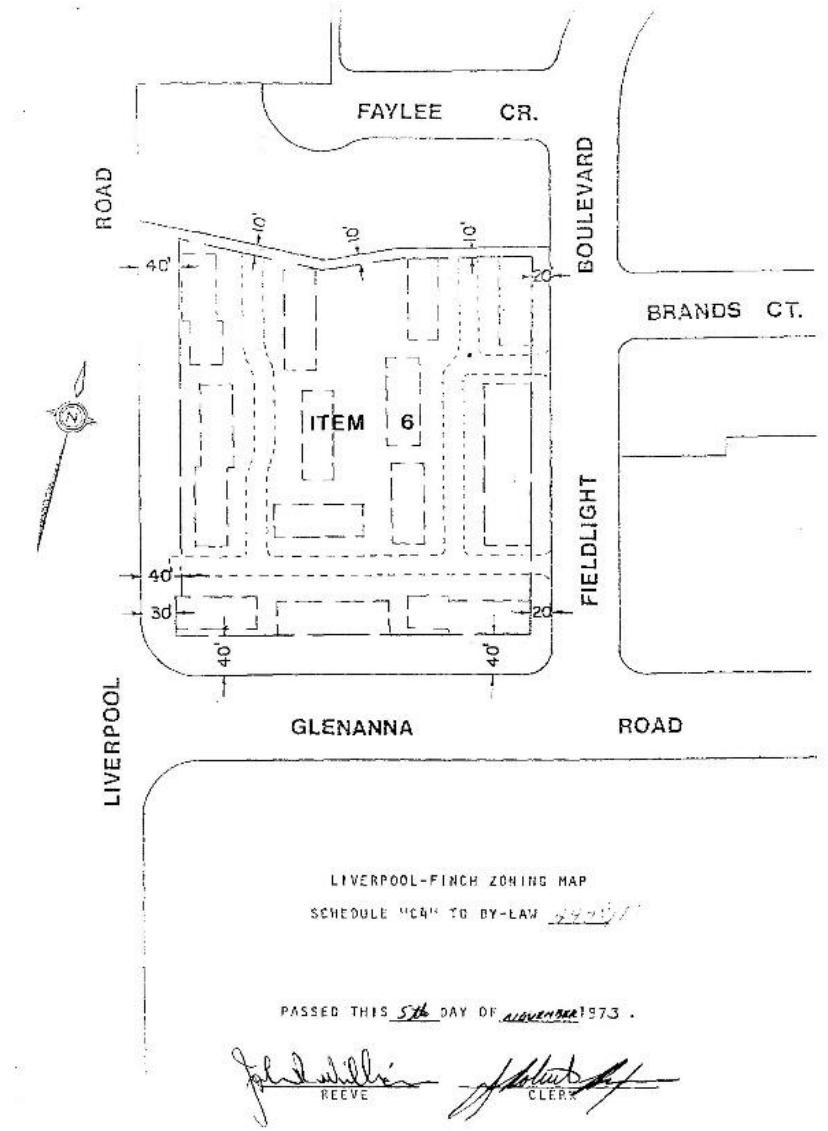
2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THIS BLOCK.

3. ABOVE SKETCH - NOT TO SCALE.

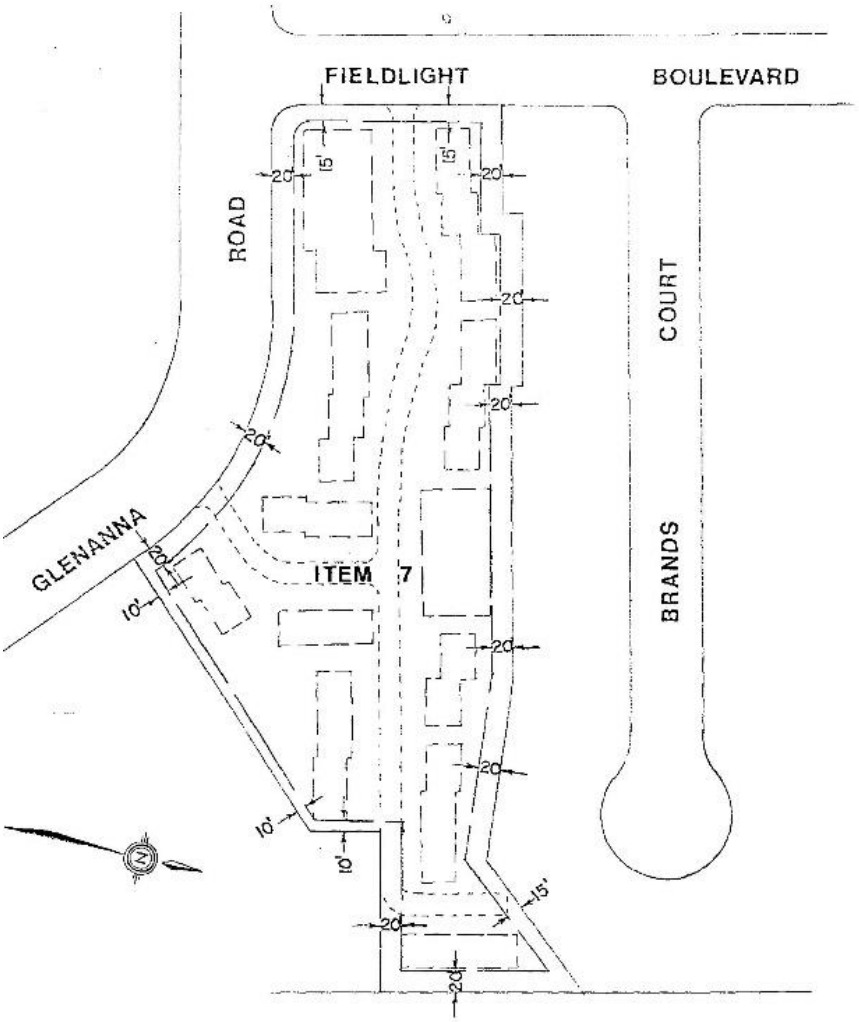
7. Figure 2 – C3


EMORY
LANE
BOULEVARD
FIELDLIGHT
ITEM 4
FAYLEE
CRESCENT
BOULEVARD
ITEM 5
FIELDLIGHT
FAYLEE
LIVERPOOL - FINCH ZONING MAP
SCHEDULE "C3" TO BY-LAW
PASSED THIS 5th DAY OF NOVEMBER 1979
REEVE
CLERK
NOTES: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.
2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THESE BLOCKS.
3. ABOVE SKETCH - NOT TO SCALE.

8. Figure 2 – C4


FAYLEE CR.
ROAD
BOULEVARD
BRANDS CT.
ITEM 6
FIELDLIGHT
LIVERPOOL
GLENANNA
ROAD
LIVERPOOL-FINCH ZONING MAP
SCHEDULE "C4" TO BY-LAW
PASSED THIS 5th DAY OF NOVEMBER 1973 .
REEVE
CLERK
NOTES: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.
2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THIS BLOCK.
3. ABOVE SKETCH - NOT TO SCALE.

9. Figure 2 – C5



LIVERPOOL-FINCH ZONING MAP

SCHEDULE "C5" TO BY-LAW [illegible]

PASSED THIS 5th DAY OF NOVEMBER 1973.

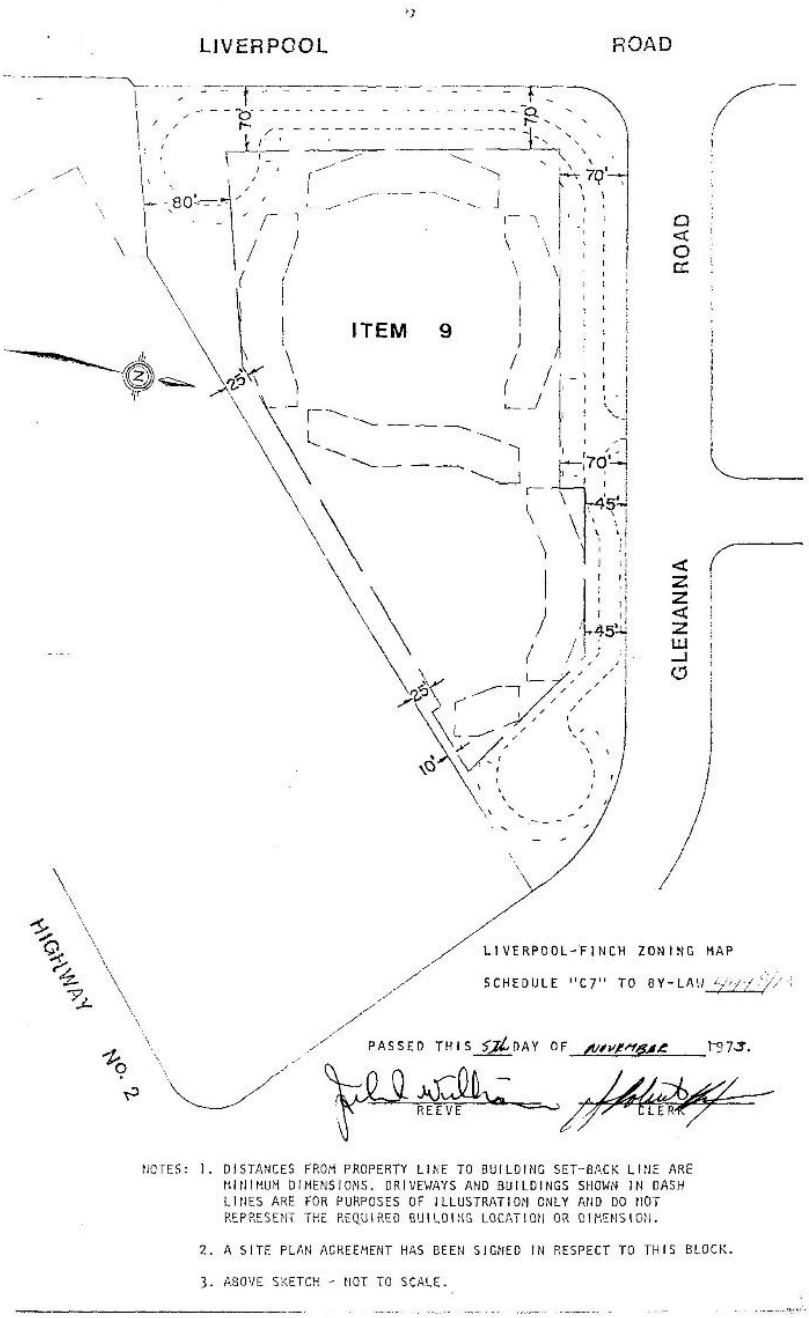
REEVE CLERK

NOTES: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.

2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THIS BLOCK.

3. ABOVE SKETCH - NOT TO SCALE.

10. Figure 2 – C7



15.298 Exception Zone 298 (By-law 4451-94)

1. Definitions

   a) "Build-to-zone" shall mean an area of land in which all or part of a building elevation of one or more buildings is located;

   b) "Cultural Centre" shall mean a building or part of a building where facilities catering to the activities of one or more ethnic groups are provided, which may include facilities for the performing or fine arts, or for activities of a social, recreational, political, religious, or educational nature, or for the preparation and serving of food or drink, but does not include overnight accommodation facilities or a retail store;

   c) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, for the use as a facility for the daytime care of children;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Hotel" shall mean a building, or two or more attached buildings used for the purpose of providing the public with temporary accommodations, having a minimum of 25 accommodation units accessed by internal corridors, and uses accessory thereto, including meeting rooms, conference rooms, recreational facilities, banquet halls, and dining and lounge areas;

   f) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   h) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   i) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above-grade wall or walls;

   j) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above-grade wall or walls, or an above-grade floor or floors, or both;

k) "Museum" shall mean a building or part of a building used for the purpose of exhibiting to the public a collection of artifacts of historical interest, and for the purposes of acquiring, conserving, assembling, interpreting, and studying such artifacts;

l) "Nursing Home" shall mean a building or part of a building where people are lodged, fed, cared and provided for, and may be aided in any or all daily activities, or provided nursing services, medical care or treatment, which is operated by a private, public, religious, cultural or charitable organization, and which is duly licensed pursuant to the laws of the Province of Ontario;

m) "Place of Religious Assembly" shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof;

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. PROVISIONS

a) Uses Permitted ("RH/MU" Zone)

No person shall, within the lands designated "RH/MU", use any lot, or erect, alter, or use any building of structure for any purpose. except the following:

i. cultural centre

ii. day nursery

iii. hotel

iv. multiple dwelling - horizontal

v. multiple dwelling - vertical

vi. museum

vii. nursing home

viii. place of religious assembly

b) Zone Requirements ("RH/MU" Zone)

No person shall, within the lands designated "RH/MU", use any lot, or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 metres

ii. LOT FRONTAGE (minimum): 30 metres

iii. LOT COVERAGE (maximum): 40 percent

iv. BUILDING SETBACKS:

A. Despite section 5.22(7) of By-law 3036, no building, part of a building, or structure shall be erected outside the building envelope shown on Figure 1 attached hereto;

B. No building or structure shall be erected on the lands unless a minimum of 50% of the building elevation of the side of that building or structure adjacent to Pickering Parkway is located within the build-to-zone shown on Figure 1attached hereto;

C. For the purpose of determining the percentage of building elevation to be located within any build-to-zone, the 'building elevation' shall mean the linear distance measured between lines drawn perpendicularly to the build-to-zone at each end of a building elevation of a building or structure;

v. BUILDING HEIGHT:

A. No building, part of a building, or structure that is less than a height of 6 metres, or is more than a height of 35 metres shall be erected on the lands, except that in the area hatched on Figure 1 attached hereto, the maximum building height shall be 25 metres;

B. The minimum building height provision set out in A above does not apply to accessory structures, or to a place of religious assembly;

vi. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of a vehicle. but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained a minimum of 5.0 parking spaces per 100 square metres of gross floor area for all permitted uses listed in Section 2(a) of this By-law, except for multiple dwelling - vertical, multiple dwelling - horizontal, hotel, place of religious assembly, and day nursery uses;

C. For each multiple dwelling - vertical and multiple dwelling - horizontal unit there shall be provided and maintained a minimum of 1.2 parking spaces per unit for residents, and 0.3 of a parking space per dwelling unit for visitors:

D. For hotel uses there shall be provided and maintained a minimum of 1 parking space per accommodation unit, plus 3.6 spaces per 100 square metres gross floor area devoted to ancillary/support uses and public uses including meeting rooms, conference rooms, banquet halls, recreational facilities, dining rooms and lounges, but excluding washrooms and lobbies;

E. For place of religious assembly uses there shall be provided and maintained a minimum of one parking space per four persons design capacity;

F. For day nursery uses there shall be provided and maintained a minimum of 5.0 parking spaces per 100 square metres activity room floor area;

G. Section 5.21.2(b) of By-law 3036, as amended, shall not apply to lands designated "RH/MU";

H. All parking areas shall be set back a minimum of 3 metres from all lot lines;

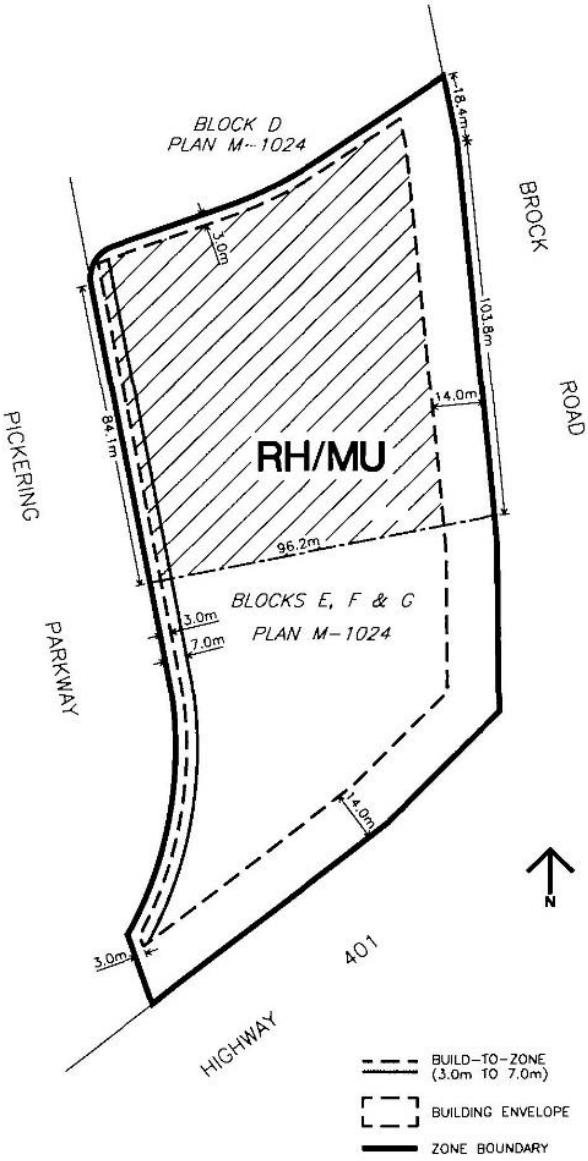
I. (Despite Section 5.21.2(g) of By-law 3036, as amended, all parking areas shall be paved;

vii. SPECIAL PROVISIONS:

A. If the lands designated "RH/MU" are developed for residential uses, no less than 128 dwelling units and no more than 260 dwelling units shall be permitted, however, a minimum of 60 dwelling units and a maximum of 77 dwelling units may be located within the area hatched on Figure 1;

B. Notwithstanding Section 2.46(c)(i) of By-law 3036, the boundary of the lands designated "RH/MU" which abuts Pickering Parkway shall be deemed to be the front lot line.

3. Figure 1



SCHEDULE " I " TO BY-LAW 4451/94
PASSED THIS 27th
DAY OF JUNE 1994

Wayne Arthurs
MAYOR

CLERK

15.299 Exception Zone 299 (By-law 4474-73)

1. Definitions

   a) “Coverage” shall mean the percentage of the lot area covered by all buildings.

   b) "Dwelling" shall mean one or more rooms, occupied or capable of being occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) “Landscaped Open Space” shall mean that percentage of the lot area not covered by buildings, driveways and parking spaces.

   d) “Residential-Multiple” shall mean a building divided vertically into 3 or more dwelling units, each having independent external entrances at grade level of the building.

   e) "Private Garage" means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business occupation or service is conducted for profit.

   f) “Storey” shall mean that portion of a building (including a basement which is less than 50% below ground level) between the surface of any floor and the surface of the floor, roof deck or ridge above it. This shall not include a cellar or attic.

   g) “Neighbourhood Park” is a public park including recreation uses, buildings and uses accessory thereto.

2. Provisions

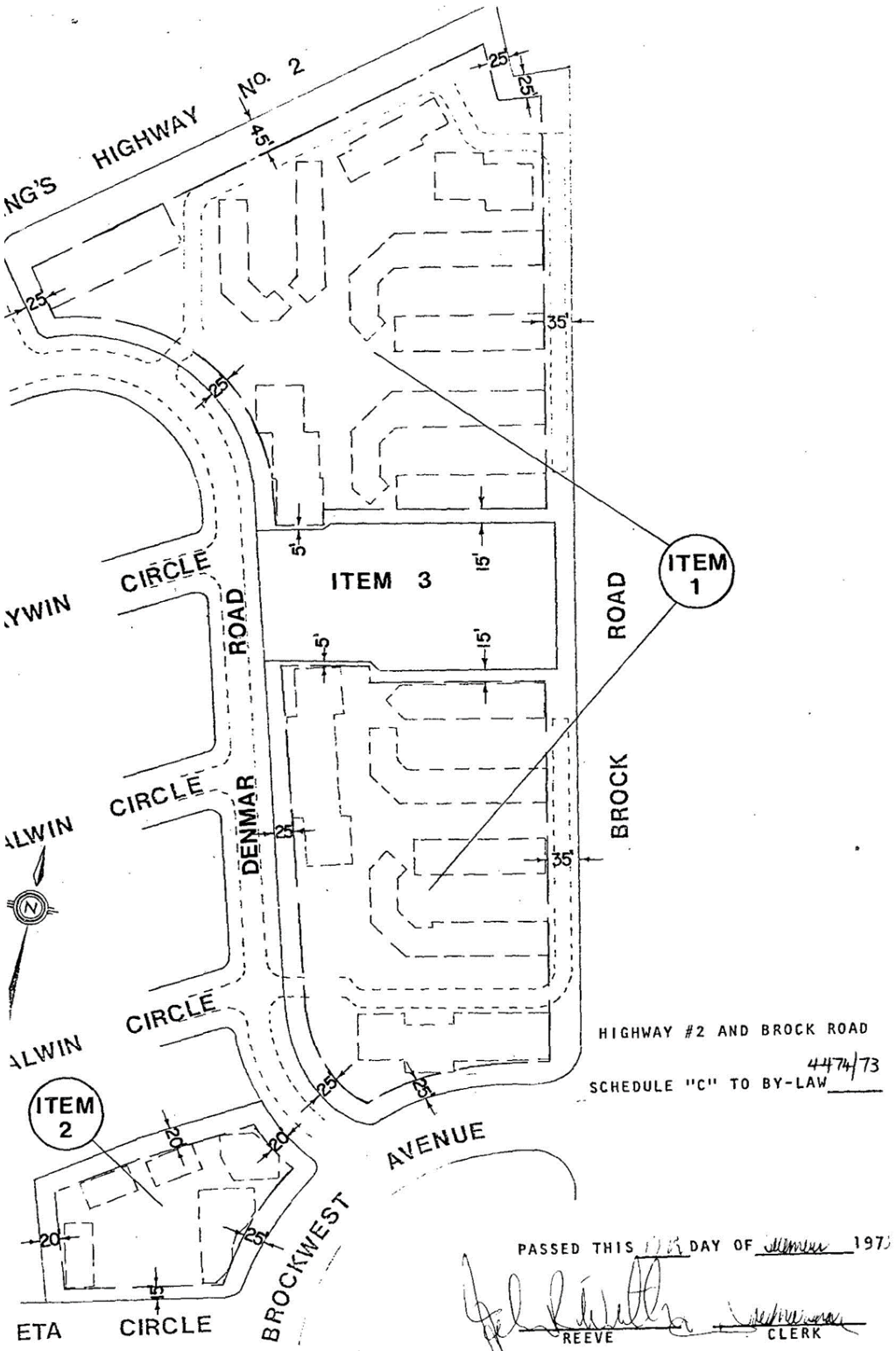
   The performance standards and provisions as set out on Figure 1 hereto shall apply to the area restricted by this by-law.

3. Figure 1

Item # as per Figure 2	Zone	Symbol	Maximum Density	Landscape Open Space	Coverage	Maximum Height	Setbacks	Floor Area
Item 1	Residential – Multiple	M16	40 U.P.HA to the nearest full unit	50 percent	30 percent including Private	3 storeys	Setbacks from streets & property boundaries as per Figure 2	3 bedroom unit 1,300 square feet minimum
Item 2	Residential – Multiple	M16	40 U.P.HA to the nearest full unit	55 percent		3 storeys		4 bedroom unit 1,400 square feet minimum
Item 3	Neighbourhood Park	NP	Public parks, recreation uses, buildings and uses accessory thereto.					

U.P.HA – units per hectare

4. Figure 2


NG'S HIGHWAY No. 2
45'
25
25
25
35'
5'
15'
ITEM 3
ITEM 1
ROAD
BROCK
CIRCLE
DENMAR
ROAD
CIRCLE
CIRCLE
ITEM 2
AVENUE
BROCKWEST
CIRCLE
ETA
HIGHWAY #2 AND BROCK ROAD
4474/73
SCHEDULE "C" TO BY-LAW
PASSED THIS DAY OF 197
REEVE
CLERK
NOTES: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.
2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THESE BLOCKS.
3 ARRAS SKETCH NOT TO SCALE

15.300 Exception Zone 300 (By-law 4476-73)

1. Definitions

   a) “Building Height” shall mean the vertical distance measured in feet or storeys from the established grade to the highest point of the roof surface.

   b) "Coverage" shall mean the percentage of the lot area covered by all buildings.

   c) "Dwelling" shall mean one or more rooms, occupied or capable of being occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   d) “Landscaped Open Space” shall mean that percentage of the lot area not covered by buildings, driveways and parking spaces.

   e) “Parking Structure” shall mean a building for the temporary storage of one or more vehicles accessory or incidental to the use provided for in a particular zone.

   f) “Residential-Apartment” shall mean a building containing 5 or more dwelling units each having access from an internal corridor system.

   g) “Storey” shall mean that portion of a building (including a basement which is less than 50% below ground level) between the surface of any floor and the surface of the floor, roof deck or ridge above it. This shall not include a cellar or attic.

2. Provisions

   The performance standards and provisions as set out on Figure 1 hereto shall apply to the area restricted by this by-law.

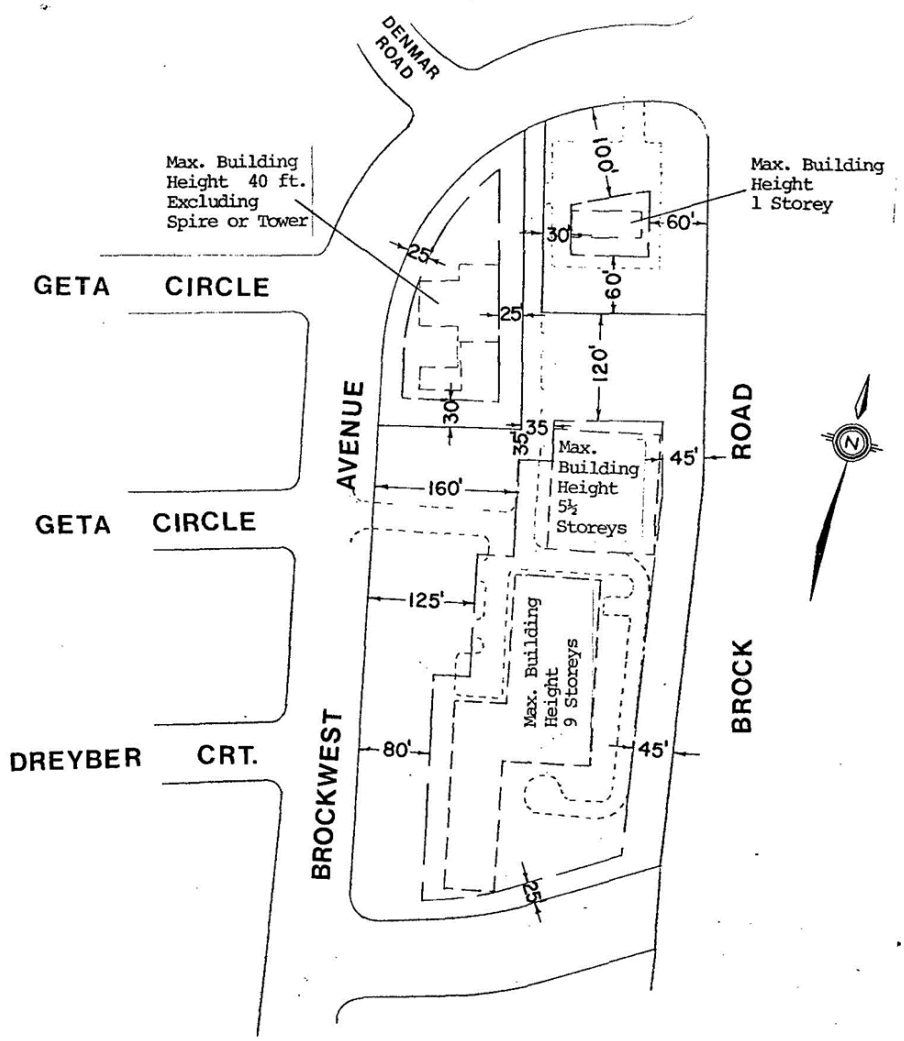
3. Figure 1

Zone	Symbol	Uses Permitted	Maximum Density	Landscape Open Space	Coverage	Maximum Height	Setbacks	Maxim m Gross Floor Area
Residential -Apartment	A50	Residential Apartment Parking Structure	125 u.p.ha. to the nearest full unit (1.7 residential hectares) Zone Area 1.7 Residential Apartment Hectares	60 percent including recreation roof area above parking & commercial structure	Maximum 30 percent	As per Figure 2	Setbacks from streets & property boundaries as per Figure 2	
Local Commercial	LC	Grocery Store not exceeding 230 square metres, bank, barber shop, beauty salon, tobacco shop, cleaning &	Zone area 0.4 Local Commercial Hectares			As per Figure 2	Setbacks from streets & property boundaries as per Figure 2	1,020 squar metre

Zone	Symbol	Uses Permitted	Maximum Density	Landscape Open Space	Coverage	Maximum Height	Setbacks	Maxim m Gross Floor Area
		laundry collecting agency						

U.P.HA – units per hectare

4. Figure 2



HIGHWAY #401 AND BROCK ROAD

SCHEDULE "C" TO BY-LAW_____

PASSED THIS 11th DAY OF December 197[illegible].

REEVE CLERK

NOTES: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.

2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THIS BLOCK.

3. ABOVE SKETCH - NOT TO SCALE

15.301 Exception Zone 301 (By-law 1699-83, as amended by By-law 2104-85 and By-law 6383-04)

1. Definitions

   a) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or a trailer.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a kitchen and sanitary facilities.

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Dwelling, Semi-Detached or Semi-Detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade.

   f) "Single Attached Dwelling" shall mean one of a group of not less than 3 and not more than 6 single dwellings, adjacent dwellings being attached together horizontally by an above grade common wall.

   g) "Floor Area" shall mean the area of the floor surface contained within the out-side walls of a storey or part of a storey.

   h) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   i) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   j) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory building or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   k) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

l) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

m) "Neighbourhood Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

n) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specific- ally permitted thereon.

p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

v) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

w) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1", "S2", and "S3" Zones)

No person shall within the lands designated "S1", "S2", and "S3", use any lot or erect, alter or use any building or structure for any purpose except the following use:

i. detached dwelling residential uses

b) Zone Requirements ("S1", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S2" and "S3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum)

A. on the lands designated S1 450 square metres

B. on the lands designated S2 400 square metres

C. on the lands designated S3 350 square metres

ii. LOT FRONTAGE (minimum)

A. on the lands designated S1 15 metres

B. on the lands designated S2 13.5 metres

C. on the lands designated S3 12 metres

iii. FRONT YARD DEPTH (minimum) 4.5 metres

iv. INTERIOR SIDE YARD WIDTH

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres, except that in the case of a corner lot flanking Finch Avenue the minimum flankage side yard width shall be 7.5 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum) 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS

A. maximum one (1) dwelling unit per lot

B. minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS minimum one (1) private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street

or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS

A. no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it.

B. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres.

C. Despite the provisions of Section 2(b), the one store detached dwelling existing on the lands zone S2, on the date of passing of this By-law, knowns as 2050 Dixie Road (South Part of lot 25, Concession 2), shall be deemed to comply with the provisions of By-law 3036, as amended by this exception. Any alterations, additions, or new development on the lands shall comply with the provisions set out herein.

c) Uses Permitted (“SD-SA” Zones)

No person shall within the lands designated “SD-SA”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

ii. single attached dwelling residential use

d) Zone Requirements ("SD-SA" Zones)

No person shall within the lands designated "SD-SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum) 1.2 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot

v. FLANKAGE SIDE YARD WIDTH (minimum) 2.7 metres

vi. REAR YARD DEPTH (minimum) 7.5 met res

vii. LOT COVERAGE (maximum) 40 percent

viii. BUILDING HEIGHT (maximum)12 metres

ix. DWELLING UNIT REQUIREMENTS

A. no less than 30 and not more than 40 dwelling units shall be permitted within the area designated "SD-SA"

B. maximum one (1) dwelling unit per lot

C. minimum dwelling unit area of 100 square metres

x. PARKING REQUIREMENTS minimum one (1) private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS no windows in habitable rooms and no doors shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it.

e) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except:

i. neighbourhood park

f) Uses Permitted ("G" Zone)

No person shall within the lands designated "G" o, use any lot or erect, alter or use any building or structure for any purpose except:

i. greenbelt-conservation uses in accordance with section 17 of By-law 3036, as amended.

15.302 Exception Zone 302 (By-law 8041-23)

1. Definitions

   a) “Balcony” shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   b) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

   c) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc that joins the front lot line to the exterior side lot line or the rear lot line to the exterior side lot line.

   d) “Daylight Triangle” shall mean an area free of buildings, structures, fences and hedges up to 0.9 of a metre in height and which area is to be determined by measuring, from the point of intersection of street lines to a corner lot, the distance along each such street line and joining such points with a straight line. The triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the daylight triangle.

   e) “Deck” shall mean a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

   f) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

   g) “Dwelling, detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   h) “Dwelling Depth” shall mean a horizontal distance measured from the front wall of a dwelling to the rear wall of a dwelling, excluding any allowable projection.

   i) “Front Entrance” shall mean the principal entrance oriented towards the front lot line providing access to the interior of a dwelling from the exterior and does not include an access provided through an attached private garage. In the case of a

corner lot, the principal entrance providing access to the interior of a dwelling from the exterior may be oriented towards the side lot line that is adjacent to the street, or abutting on a reserve on the opposite side of which is a street.

j) “Grade” or “Established Grade” shall mean, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front wall of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.

k) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

l) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

m) “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area.

n) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

o) “Model Home” shall mean a dwelling unit used exclusively for sales display and for marketing purposes pursuant to an agreement with the City of Pickering, and not used for residential purposes.

p) “Neighbourhood Park” shall mean a municipal public park.

q) “Porch” shall mean a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.

r) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

s) “Storey” shall mean the portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

t) “Temporary Sales Office” shall mean a temporary building or structure used for the sale of lots or units in a plan of subdivision.

u) “Wall, Front” shall mean a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

v) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

w) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

x) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

y) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

z) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

aa) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

bb) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

cc) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

dd) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of

which is a street, and the nearest wall of the nearest main building or structure on the lot.

ee) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Permitted Uses and Zone Regulations (“S5-3”, “S5-3-HL” and “S5-2” Zones)

a) Permitted Uses (“S5-3”, “S5-3-HL” and “S5-2” Zones)

No person shall, within the lands zoned “S5-3”, “S5-3-HL” or “S5-2”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Detached dwelling

b) Zone Requirements (“S5-3” and “S5-3-HL” Zones)

No person shall, within the lands zoned “S5-3” or “S5-3-HL”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	“S5-3” Zone	“S5-3-HL” Zone
(i) Lot Area (minimum)	300 square metres	800 square metres
(ii) Lot Frontage (minimum)	11.0 metres	20.0 metres
(iii) Front Yard Depth (minimum)	4.5 metres	20.0 metres
(iv) Side Yard Width (minimum)	1.2 metres on one side, 0.6 metres on the other side	3.0 metres on one side, 4.5 metres on the other side
(v) Flankage Side Yard Width (minimum)	2.5 metres	-
(vi) Rear Yard Depth (minimum)	7.5 metres	2.0 metres
(vii) Building Height (maximum)	A. 10.0 metres or B. 10.5 metres for the lands in the diagonal hatched area on Figure 1	8.0 metres

	“S5-3” Zone	“S5-3-HL” Zone
(viii) Lot Coverage (maximum)	48 percent	30 percent
(ix) Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit	
(x) Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of a private garage.	
(xi) Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located no less than 6.0 metres from the front lot line.	-
(xi) Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum deoth of 6.0 metres. However, the width may include one interior step and the depth may include two interior steps.	

c) Special Provisions (“S5-3” Zone)

i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of 2.5 metres into the required front and flankage side yard;

ii. uncovered and covered decks and associated stairs not exceeding 2.0 metres in height above established grade may encroach a maximum of 3.0 metres into the required rear yard, provided they are setback a minimum of 0.6 of a metre from the interior side lot line;

iii. balconies located above the first floor projecting or recessed in the rear are prohibited;

iv. stairs to an entrance may encroach to within a minimum of 0.6 of a metre from the interior and flankage side lot line;

v. stairs to a below grade access may encroach a maximum of 2.0 metres into the required rear yard;

vi. a bay, box or bow window, with or without foundation, having a width of up to 4.0 metres may encroach a maximum of 0.6 metres into any required yard;

vii. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features may encroach a maximum of 0.6 of a metre into any required yard and are required to be setback a minimum of 0.6 of a metre from the interior side lot line;

viii. where a lot abuts a daylight triangle, the setback provisions shall be measured as if the daylight triangle did not exist;

ix. despite any front yard depth or flankage side yard width requirement, on a corner lot, the setback to a corner rounding shall be 2.0 metres;

d) Special Provisions (“S5-3-HL” Zone)

i. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features may encroach a maximum of 0.6 of a metre into any required yard;

e) Zone Requirements (“S5-2” Zone)

No person shall, within the lands zoned “S5-2”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

	“S5-2” Zone
(i) Lot Area (minimum)	250 square metres
(ii) Lot Frontage (minimum)	9.0 metres
(iii) Front Yard Depth (minimum)	4.5 metres
(iv) Side Yard Width (minimum)	1.2 metres on one side and 0.6 metres on the other side
(v) Flankage Side Yard Width (minimum)	2.7 metres

	“S5-2” Zone
(vi) Rear Yard Depth (minimum)	7.5 metres
(vii) Building Height (maximum)	12.0 metres
(viii) Lot Coverage (maximum)	48 percent
(ix) Dwelling Unit Requirements (maximum)	Maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.
(x) Parking Requirements (minimum)	A. Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located no less than 6.0 metres from the front lot line. B. No part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except: I. where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or II. where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 6.0 metres beyond the wall containing the main entrance to the dwelling unit.

f) Special Provisions (“S5-2” Zone)

i. despite Section 5.7 of By-law 3036, uncovered steps and platforms not exceeding 2.0 metres in height shall be permitted to project a maximum of 1.5 metres into a required rear yard;

ii. a bay window shall be permitted to project a maximum of 0.6 metres into any required flankage side yard

3. Permitted Uses and Zone Regulations (“(H)S5-3-HL” Zone)

a) Permitted Use (“(H)S5-3-HL” Zone)

Until such time as the (H) Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day this By-law was passed.

b) Zone Requirements (“(H)S5-3-HL” Zone)

The (H) Holding Provision shall, upon application by the Owner, be removed from the “S5-3-HL” Zone by City Council passing a By-law under Section 34 of the *Planning Act*. The following condition shall first be completed to the satisfaction of the City of Pickering:

i. That the Owner obtain Site Plan Approval for the proposed relocation, restoration and addition to the Dixon Farmhouse, known municipally as 450 Finch Avenue.

4. Permitted Uses and Zone Regulations (“NP” Zone)

a) Permitted Uses (“NP” Zone)

No person shall, within the lands zoned “NP”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Neighbourhood park

5. Permitted Uses and Zone Regulations (“(H)NP” Zone)

a) Permitted Use (“(H)NP” Zone)

Until such time as the (H) Holding Provision is lifted, no person shall, within the lands zoned “(H)NP”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Detached dwelling, subject to the provisions of Section 2(e) of this By-law

b) Zone Requirements (“(H)NP” Zone)

The (H) Holding Provision shall, upon application by the Owner, be removed from the “NP” Zone by City Council passing a By-law under Section 34 of the *Planning Act*. The following condition shall first be completed to the satisfaction of the City of Pickering:

i. That the Owner acquire Part Block 59 and Part Block 61 on Plan 40M2254 to be formed with Block 32 within Draft Plan of Subdivision SP2020-02, for the purposes of creating a single park block.

6. Permitted Uses and Zone Regulations (“OS-HL” Zone)

a) Permitted Uses (“OS-HL” Zone)

No person shall, within the lands zoned “OS-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Preservation and conservation of the natural environment, soil and wildlife;

ii. Resource management;

iii. Pedestrian trails and walkways;

b) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of preservation and conservation of the natural environment, soil and wildlife, resource management, or pedestrian trail and walkway purposes.

7. Model Homes and Temporary Sales Office

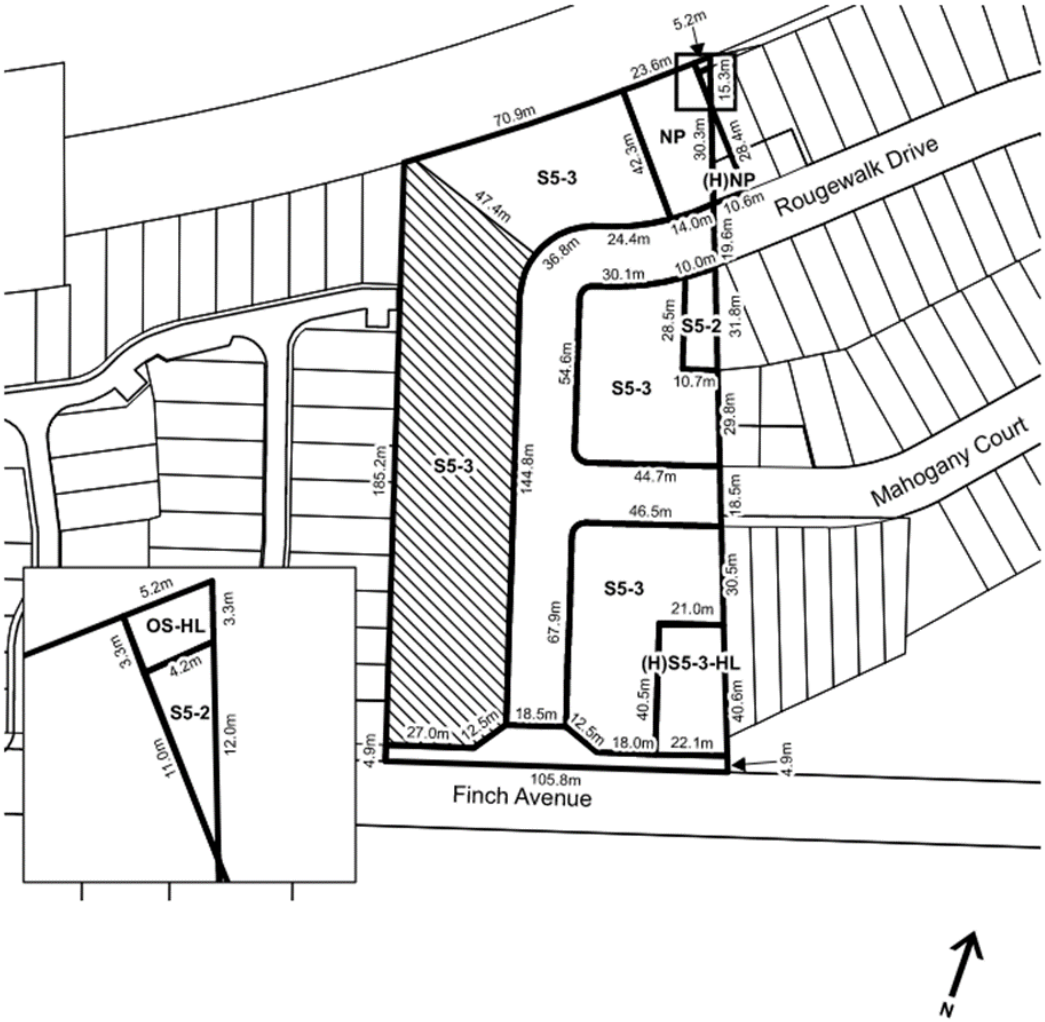
a) Despite the provisions of Section 6.1 of By-law 3036, a maximum of three model homes, together with not fewer than three parking spaces per model home, may be constructed on the lands zoned by this By-law, prior to the division of these lands by registration of a plan of subdivision.

b) A temporary sales office may be constructed on the lands zoned by this By-law, prior to the division of these lands by registration of a plan of subdivision, subject to the following:

i. That the temporary sales office not be permitted until the plan of subdivision has received draft plan approval.

ii. That the temporary sales office comply with the minimum setback provisions of the applicable zone.

8. Figure 1


5.2m
23.6m
15.3m
70.9m
NP
30.3m
28.4m
42.3m
S5-3
(H)NP
Rougewalk Drive
47.4m
14.0m
10.6m
36.8m
24.4m
19.6m
10.0m
30.1m
28.5m
S5-2
31.8m
54.6m
S5-3
10.7m
29.8m
185.2m
S5-3
144.8m
44.7m
Mahogany Court
18.5m
46.5m
30.5m
S5-3
21.0m
67.9m
(H)S5-3-HL
40.5m
40.6m
18.5m
12.5m
18.0m
22.1m
27.0m
12.5m
4.9m
4.9m
105.8m
Finch Avenue
5.2m
OS-HL
3.3m
3.3m
4.2m
S5-2
12.0m
11.0m
N

15.303 Exception Zone 303 (By-law 1927-84)

1. Definitions

   a) "BUILDING" shall mean a structure occupying an area greater than 9.5 square metres consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto;

   b) "CEMETERY" shall mean land that is set apart or used for the interment of the dead or in which human bodies have been buried;

   c) "CEMETERY ADMINISTRATIVE OFFICE" shall mean a building or part of a building in which the management or direction of a cemetery is carried on;

   d) "CEMETERY EQUIPMENT BUILDING" shall mean a building or part of a building used for the sheltering, storage, care, repair or equipping of vehicles, machinery, equipment and property with respect to any of the affairs of purposes of the operation of a cemetery;

   e) "CEMETERY GREENHOUSE" shall mean a building or part of a building located in a cemetery and used for the shelter, care and growing of plants and plant materials for use within that cemetery or other cemeteries operated by the owners of that cemetery;

   f) "COLUMBARIUM" shall mean a structure designed for the purpose of storing the ashes of human remains that have been cremated;

   g) "CREMATORIUM" shall mean a building used for the purposes of the cremation of human remains, and includes everything incidental or ancillary thereto;

   h) "MAUSOLEUM" shall mean a building or other structure used as a place for the interment of human remains in sealed crypts or compartments;

   i) "STRUCTURE" shall mean anything installed, constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground and, without limiting the generality of the foregoing, includes a vehicle as defined in the *Highway Traffic Act*, but does not include an inground swimming pool;

   j) "YARD" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied, above ground except for such accessory buildings, structures or other uses as are specifically permitted thereon;

k) "FRONT YARD" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) "FRONT YARD DEPTH" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

m) "REAR YARD" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "REAR YARD DEPTH" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "SIDE YARD" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) "SIDE YARD WIDTH" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted ("CEM-1" Zone)

No person shall within the lands zoned "CEM-1" use any lot or erect, alter or use and building or structure for any purpose except the following:

i. cemetery
ii. cemetery administrative office
iii. cemetery equipment building
iv. cemetery greenhouse
v. columbarium
vi. crematorium
vii. funeral home
viii. mausoleum
ix. dwelling unit for a caretaker or watchman subject to the provisions of Section 2(b)(iv)(4)
x. agricultural uses not having a building or structure.

b) Requirements ("CEM-1" Zone)

No person shall within the lands zoned "CEM-1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 33 hectares

ii. LOT FRONTAGE (minimum): 417 metres

iii. BUILDING HEIGHT (maximum): 18 metres

iv. SPECIAL RESTRICTIONS:

A. No building or structure shall be erected, altered or used on the lands unless it is wholly located within the building envelope shown on Figure 1.

B. Notwithstanding the provisions of Section 2(b)(iv)(A) a memorial stone or monument which is less than 3.0 metres in height, at least 3.0 metres from the front lot line and at least 1.0 metre from any side lot line may be erected, altered or used outside the building envelope.

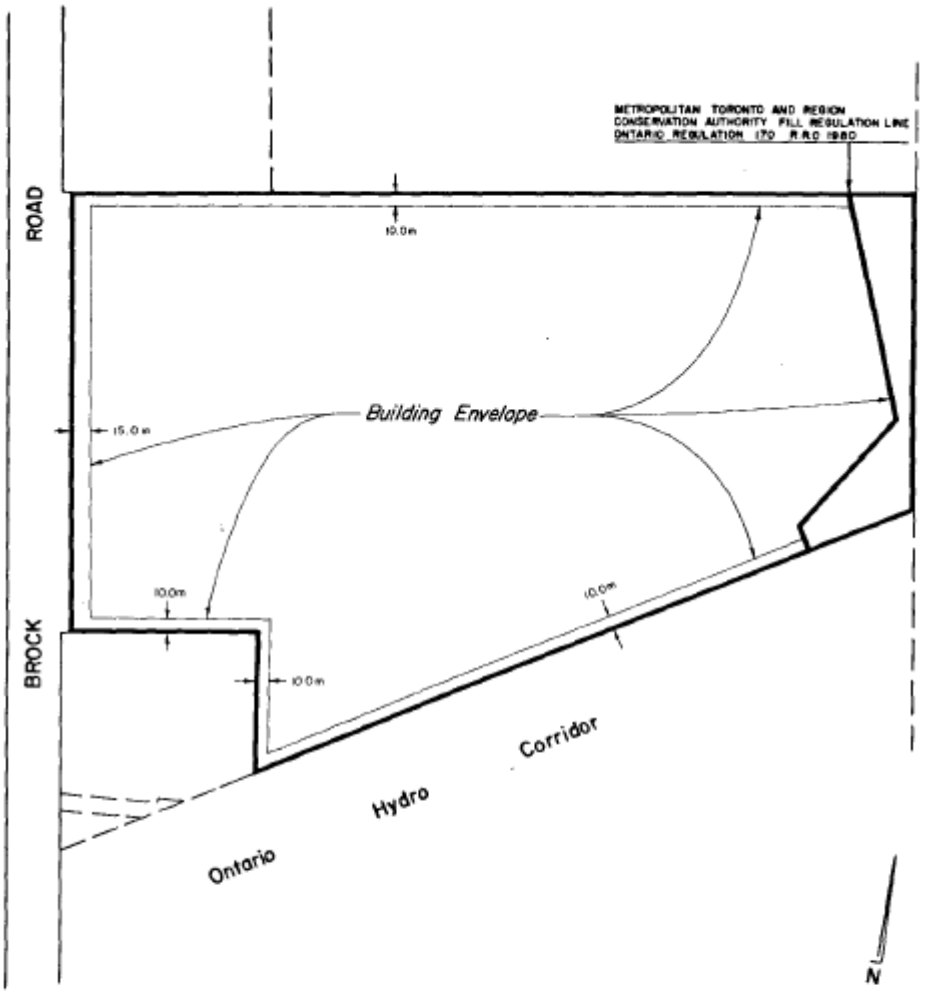
C. For the purpose of this By-law a mausoleum or columbarium which does not exceed 2 metres in height and has exterior dimensions such that the volume enclosed thereby does not exceed 15 cubic metres shall be considered to be a memorial stone or monument.

D. No more than one dwelling unit shall be permitted and only where the caretaker or watchman is employed by the owner of the lands.

c) Uses Permitted ("OS-C" Zone)

No buildings or structures shall be permitted to be erected within the lands zoned "OS-C".

3. Figure 1



SCHEDULE 'II' TO BY-LAW 1927/84
PASSED THIS 19th
DAY OF November 1984

MAYOR

CLERK

15.304 Exception Zone 304 (By-law 2623-87, as amended by By-law 6696-07, By-law 6787-07, By-law 7116-11, and By-law 7382-14)

1. Definitions

   a) "Body Shop" shall mean an establishment engaged in repairing or painting vehicle bodies;

   b) “Dog Daycare and Boarding Facility” – shall mean a facility in which the daytime care of dogs is provided and shall include the overnight boarding of dogs in a group environment, but shall not include the breeding or sale of dogs, or a veterinary clinic;

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   f) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   g) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   h) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes.

   i) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   j) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   k) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

l) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

m) "Vehicle Repair Shop" shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels;

n) "Vehicle Sales or Rental Establishment" shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory thereto the outdoor display of vehicles for sale, rent or lease and a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

v) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

w) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("CLR5", "CLR6", "CLR7", "CLR8" Zones)

No person shall within the lands zoned "CLR5", "CLR6", "CLR7", and "CLR8" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("CLR5", "CLR6", "CLR7", and "CLR8" Zones)

No person shall within the lands zoned "CLR5", "CLR6", "CLR7", and "CLR8" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

1) on lands zoned "CLR5": 1,390 square metres
2) on lands zoned "CLR6": 2,000 square metres
3) on lands zoned "CLR7": 3,000 square metres
4) on lands zoned "CLR8": 6,000 square metres

ii. LOT FRONTAGE (minimum):

1) on lands zoned "CLR5": 22 metres
2) on lands zoned "CLR6" or "CLR7": 30 metres
3) on lands zoned "CLR8": 75 metres

iii. FRONT YARD DEPTH (minimum):

12 metres except where such yard abuts Highway No. 7, the minimum front yard depth shall be 14 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 3.0 metres

v. FLANKAGE SIDE YARD WIDTH (minimum):

3.0 metres except where such yard abuts Highway No. 7, the minimum flankage yard depth shall be 14 metres

vi. REAR YARD DEPTH (minimum): 12 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

1) maximum number of dwelling units per lot: one
2) minimum gross floor area-residential: 95 square metres

c) Exception ("CLR6" Zone)

i. Despite the provisions of section 2(b)(iii), the minimum front yard depth for a detached dwelling located on that part of Lot 3, Concession 6, zoned as Part 3, Plan 40R-5558 shall be 4.2 metres.

ii. Subsection (i), above, shall not apply where the detached dwelling or any part or extension thereof is constructed after January 1, 1988.

d) Exception (“CLR8-DD” Zone)

(i) Despite any provisions in this By-law to the contrary, in addition to any other uses permitted under the “CLR8” zone, a dog daycare and boarding facility shall be permitted on the lands zoned "CLR8-DD" (North Part of Lot 2, Concession 5, save and except Part 2, Plan 40R-25676) in accordance with the following provisions:

1) maximum number of dogs permitted within a dog daycare and boarding facility at any one time shall be 30;

2) a dog daycare and boarding facility shall be permitted to operate within a building, with a maximum height of 5.5 metres;

3) an outdoor exercise area shall be provided in the rear yard and shall be set back a minimum of 10.0 metres from all property lines and shall not extend beyond the “CLR8-DD” Zone;

4) a maximum of one retail store not exceeding 50.0 square metres of gross floor area shall be permitted for the sale of products ancillary to a dog daycare and boarding facility;

5) an ancillary retail store shall only be permitted within a building used for the purposes of accommodating a dog daycare and boarding facility; and

6) in addition to the parking requirements for a detached dwelling, a minimum of 5.0 parking spaces shall be provided and maintained on-site.

e) Uses Permitted ("CL-CA" Zone)

No person shall within the lands zoned "CL-CA" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. vehicle sales or rental establishment

f) Zone Requirements ("CL-CA" Zone)

No person shall within the lands zoned "CL-CA" attached hereto use any lot or erect, alter or use any building except in accordance with the following provisions:

1)	LOT AREA (minimum):	1.0 hectare
2)	LOT FRONTAGE (minimum):	135 metres

3) FRONT YARD DEPTH (minimum): 14 metres

4) INTERIOR SIDE YARD WIDTH (minimum): 7.5 metres

5) REAR YARD DEPTH (minimum): 7.5 metres

6) LOT COVERAGE (maximum): 33 percent

7) BUILDING HEIGHT (maximum): 12 metres

8) OPEN STORAGE: no open storage shall be permitted in any yard

ii. PARKING REQUIREMENTS:

1) For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

2) There shall be provided and maintained on the subject lands a minimum of 5.0 parking spaces for each 0.4 hectare of part thereof lot area plus 2.0 parking spaces for each 93 square metres or part thereof gross floor area;

3) No parking space required to be provided and maintained pursuant to subclause B above shall be used for the display of any vehicle;

4) Sections 5.19.2a) and 5.19.2b) of By-law 3037, as amended, shall not apply to the lands zoned "CL-CA";

5) All parking areas shall be set back a minimum of 3.0 metres from all road allowances;

6) Notwithstanding Section 5.19.2g) of By-law 3037, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

g) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

h) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control or a culvert for access.

i) Uses Permitted ("EP(ND)" Zone)

No person shall within lands zoned "EP (ND)" use any land for any purpose except for the following:

i. conservation of the natural environment, soil and wildlife, resource management; and

ii. nitrate dilution

j) Zone Requirements ("EP(ND)" Zone)

No buildings or structures shall be permitted, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for resource management.

k) Uses Permitted ("OS-HL-EP (ND)" Zone)

No person shall within lands zoned "OS-HL-EP (ND)" use any land for any purpose except for the following:

i. preservation or conservation of the natural environment, soil and wildlife, resource management; and

ii. nitrate dilution

l) Zone Requirements ("OS-HL-EP (ND)" Zone)

No buildings or structures shall be permitted, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for flood and erosion control, or resource management.

15.305 Exception Zone 305 (By-law 2870-88)

1. Definitions

   a) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   b) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   c) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   d) "Truck Haulage Business" shall mean a business where trucks are kept and used for the hauling of mineral aggregates, nursery products and other similar materials;

   e) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions

   a) Uses Permitted ("A(THB)" Zone)

      No person shall within the lands zoned "A(THB)" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. truck haulage business

      ii. uses permitted in accordance with section 6.1 of By-law 3037

   b) Zone Requirements ("A(THB)" Zone)

      No person shall within the lands zoned "A(THB)" use any lot or erect, alter or use any building except in accordance with the following provisions:

      i. SETBACK REQUIREMENTS (minimum): as illustrated on Figure 1

      ii. BUILDING HEIGHT (maximum): 12 metres

      iii. PARKING REQUIREMENTS:

         A. Automobile Parking Space

            1) For the purpose of this clause “parking space” shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length, for the temporary

parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

2) For a truck haulage business, there shall be provided and maintained on the lot a minimum of 15 automobile parking spaces.

B. Truck Parking Space

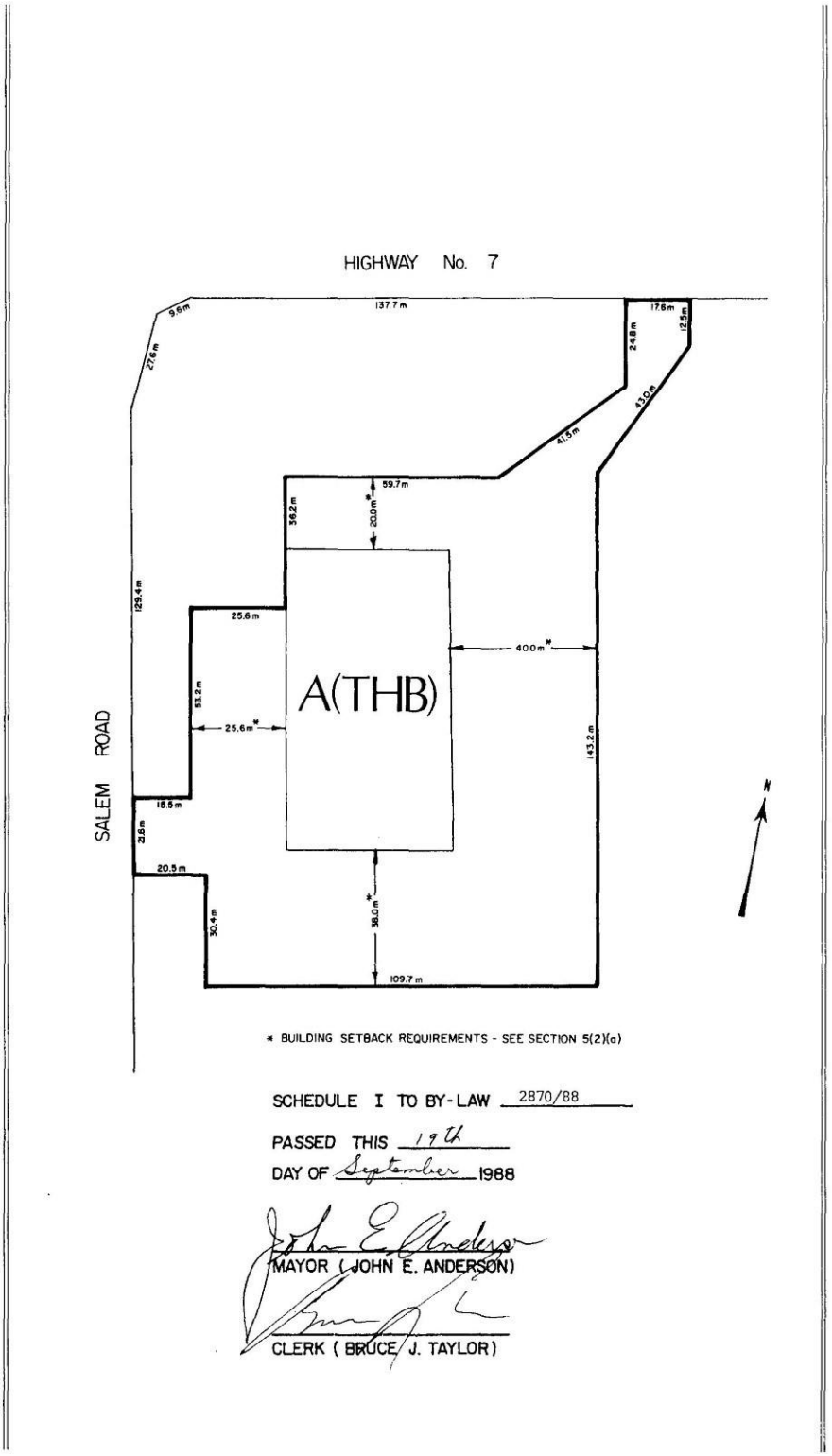
1) For the purpose of this clause “parking space” shall mean a usable and accessible area of not less than 43 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

2) For a truck haulage business there shall be provided and maintained on the lot a minimum of 40 truck parking spaces.

iv. SPECIAL REGULATIONS:

A. For a truck haulage business, no more than 40 trucks shall be stored on the lot at any one time.

3. Figure 1


HIGHWAY No. 7
SALEM ROAD
A(THB)
137.7 m
9.6m
27.6m
17.6m
12.5m
24.8m
43.0m
41.5m
59.7m
36.2m
20.0m*
129.4m
25.6m
40.0m*
53.2m
25.6m*
143.2m
18.5m
2.6m
20.5m
30.4m
38.0m*
109.7m
N
* BUILDING SETBACK REQUIREMENTS - SEE SECTION 5(2)(a)
SCHEDULE I TO BY-LAW 2870/88
PASSED THIS 19th
DAY OF September 1988
MAYOR (JOHN E. ANDERSON)
CLERK (BRUCE J. TAYLOR)

15.306 Exception Zone 306 (By-law 4209-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("R6-2" Zone)

No person shall within the lands zoned "R6-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("R6-2" Zone)

No person shall within the lands zoned "R6-2" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 2400 square metres

ii. LOT FRONTAGE (minimum): 22.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum 1 unit per lot;

B. minimum gross floor area residential 95 square metres.

x. SPECIAL REGULATIONS:

A. notwithstanding Section 5.18 (a) of By-law 3037, as amended, a detached private garage may be erected in a side yard;

B. notwithstanding Section 2.39(c)(i) of By-law 3037, as amended, for the lands identified, the westerly lot line shall be deemed to be the front lot line.

15.307 Exception Zone 307 (By-law 4804-96, as amended by 4993-07)

1. Definitions

   a) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.

2. Provisions ("A/GC" Zone)

   a) Uses Permitted ("A/GC" Zone)

      No person shall, within the lands zoned "A/GC", use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. any use permitted by section 6.1 of By-law 3037;

      ii. a golf course.

   b) Zone Requirements ("A/GC" Zone)

      No person shall, within the lands zoned "A/GC", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

      i. for those uses permitted by section 2(a)(i), above, the provisions of section 6.2 of By-law 3037;

      ii. for golf courses, the provisions of section 6.2.4 of By-law 3037.

   c) Special Regulations ("A/GC" Zone)

      i. notwithstanding section 2(a)(i) and 2(b)(i), a maximum of one dwelling with a minimum front yard of 10 metres shall be permitted within the lands zoned “A/GC”; and

      ii. notwithstanding section 2(b)(ii), a temporary clubhouse may be permitted with a minimum front yard of 2.0 metres until June 30, 1999.

3. PROVISIONS ("OS/HL" Zone)

   a) Uses Permitted ("OS/HL" Zone)

      No person shall, within the lands zoned "OS/HL", use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. conservation of the natural environment, soil, and wildlife; and

      ii. resource management.

b) Zone Requirements ("OS/HL" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

c) Special Regulation (“OS/HL” Zone)

Notwithstanding section 3(b), one pedestrian bridge over the existing watercourse shall be permitted within the lands zoned "OS/HL".

15.308 Exception Zone 308 (By-law 7710-19)

1. Definitions

a) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscaped area, but which may also include areas of decking decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

c) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

d) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

e) “Build-to-Zone” means an area of land in which all or part of a building elevation of one or more buildings is to be located.

f) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

g) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

h) “Dwelling Unit” means a residential unit that:

i. consists of a self-contained set of rooms located in a building or structure;

ii. is used or intended for use as a residential premises;

iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

iv. is not mobile home or any vehicle.

i) “Dwelling, Block Townhouse” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle.

j) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior unit.

k) “Front Wall” means a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

l) “Grade” or “Established grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.

m) “Height, Building” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge.

n) “Landscaped Area” means an outdoor area comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles, private streets, driveways, porches, decks, and areas for loading, parking or storing of vehicles.

o) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.

p) “Neighbourhood Park” means a municipal public park.

q) “Parapet Wall” means the portion of an exterior wall extending above the roof.

r) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building; a basement may be located under the porch.

s) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.

t) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

u) “Storey” means that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.

v) “Street” mean a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle; however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

w) “Street, Private” means:

i. a right-of-way or roadway, that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

x) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quantity of water delivered to a property.

2. Provisions (“MU-MD-2” Zone)

a) Uses Permitted (“MU-MD-2” Zone)

No person shall within the lands zoned “MU-MD-2”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Block Townhouse Dwelling

ii. Stacked Dwelling

b) Zone Requirements (“MU-MD-2” Zone)

No person shall within the lands zoned “MU-MD-2” use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Number of Dwelling Units:

A. Minimum number of dwelling units: 264 units

B. Maximum number of dwelling units: 704 units

C. Minimum number of Block Townhouse Dwelling units: 62 units

ii. Building Location and Setbacks:

A. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1.

B. No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone along the frontages of Street 'A', Palmer's Sawmill Road, Four Season's Lane and Tillings Road, as illustrated on Figure 1, contains a building or part of a building.

C. The separation distance between the front wall of a building or a dwelling where it faces the front wall of another building or a dwelling shall be a minimum of 11.0 metres.

D. The minimum separation distance between the exterior walls of buildings or dwellings, except for the front wall, shall be a minimum of 3.0 metres.

E. Despite Section 2(b)(ii)D above, where a sidewalk is located between buildings or dwellings, the minimum separation distance between the exterior walls of buildings or dwellings, except for the front wall, shall be a minimum of 4.5 metres.

1) Maximum length of a block of Townhouse Dwellings or a block of Stacked Dwellings shall be 51 metres.

iii. Building Height (maximum):

1) Block Townhouse – 12.0 metres

2) Stacked Townhouse – 14.0 metres

iv. Parking Requirements ("MU-MD-2" Zone):

The minimum parking rates for the uses permitted in a "MU-MD-2" Zone shall be provided in accordance with the following provisions:

	Unit Type	Residential Rate	Visitor Parking Rate
(1)	Block Townhouse	A minimum of 2.0 parking spaces per dwelling unit	a minimum of 0.2 of a parking space per dwelling unit
(2)	Stacked Townhouse	a minimum of 1.50 parking spaces per dwelling unit	

v. Special Parking Provisions ("MU-MD-2" Zone):

A. Any vehicular entrance for an enclosed private garage shall be located a minimum of 6.0 metres from the private street that provides vehicle access to the private garage.

B. Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided;

however, the width may include one interior step and the depth may include two interior steps.

C. Each surface parking space, not within a private garage or on a driveway shall have a minimum width of 2.6 metres and a minimum depth of 5.3 metres.

D. No parking lot or parking space shall be permitted within 4.5 metres of a street.

E. The minimum right-of-way width for a private street shall be 6.5 metres.

vi. Landscape Area and Private Residential Amenity Area

A. Minimum landscape area requirements – 20 percent

B. Minimum Private Residential Amenity Area – 4.5 square metres per dwelling unit

C. Minimum Balcony depth – 1.5 metres

vii. Air Conditioners

A. Air conditioner units shall not be located between the front wall of a building or a dwelling and a street.

c) Projections (“MU-MD-2” Zone)

i. Despite Section 2(b)(ii)A, stairs, covered and uncovered porches and platforms, uncovered decks, bay, box and bow windows, balconies, eaves, canopies, window sills and other similar features are permitted to project beyond the building envelope as illustrated on Figure 2, but not closer than 1.5 metres to any lot line;

ii. Despite Sections 2(a) and 2(b) of this By-law, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MU-MD-2” zone use provisions and zone requirements;

iii. Section 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned “MU-MD-2”.

3. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Resource Management, including a Stormwater Management Facility

4. Provisions (“NP” Zone)

a) Uses Permitted (“NP” Zone)

No person shall within the lands zoned “NP”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Neighbourhood Park

5. Restrictions on the Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;

ii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

c) Location of Vehicles:

i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.

d) Inoperative Vehicles:

i. The parking or storage of an inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

ii. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 5(b), is permitted to park temporarily for the sole purpose of delivering to, servicing or constructing the premises

6. Section 37 Provisions

a) An indexed cash contribution of $260,300.00 to be paid to the City prior to the issuance of site plan approval for the first phase, to be allocated towards a new Village Green within the Draft Plan of Subdivision and/or soccer pitches within the abutting hydro corridor;

b) The cash contribution identified in Section 6(a) of this By-law shall be indexed in accordance with the most current Statistics Canada Non Residential Construction Price Index reported quarterly by Statistics Canada, calculated from the date of passing of this by-law to the date of payment by the owner;

c) In the event the cash contribution referred to in Section 6(a) of this By-law has not been used for the intended purposes within 3 years of the By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Director, City Development, in consultation with the Ward Councillor(s), provided that the purposes will benefit the community in the vicinity of the lands;

d) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the subject lands in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Section 6(a) of this By-law and which are secured by one or more agreements pursuant to Subsection 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

e) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions and obligations in this By-law are met; and

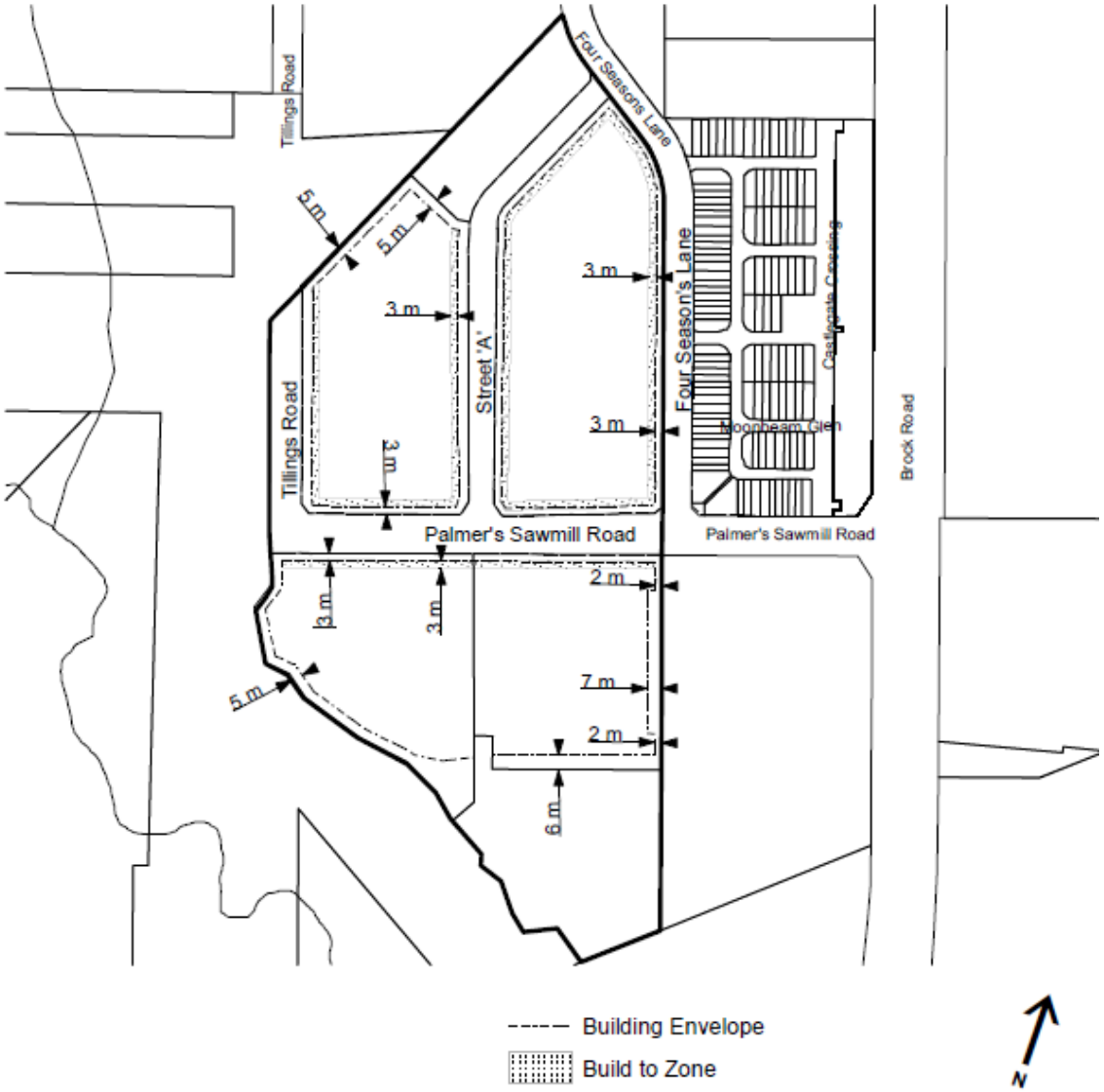
f) Despite Section 2(b)(i) of this By-law, an additional 22 dwelling units are permitted upon execution and registration on title of a Section 37 agreement pursuant to Section 6(d) of this By-law.

7. Model Homes

a) For the purposes of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

b) A maximum of 2 Block, together with not fewer than 4 parking spaces per Model Home, may be constructed on the lands zoned MU-MD-2 prior to the division of these lands by registration of a plan of subdivision.

8. Figure 1



Schedule II to By-Law 7710/19
Approval by the Local Planning Appeal Tribunal
Oral Decision delivered June 12, 2019
Written Decision Issued July 31, 2019

15.309 Exception Zone 309 (By-law 7191-12, as amended by By-law 7768-20)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

b) “Banquet Facility” shall mean a building or part of a building used for the purposes of catering to banquets, weddings, receptions, or similar functions for which food and beverages are prepared and served on the premises but shall not include a restaurant;

c) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

d) "Build-to-zone" shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located;

e) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

f) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour;

g) “Commercial Music School” shall mean a school which is operated for gain or profit and contains the studio of a music teacher;

h) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

i) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for

retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

j) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

k) “Drug Store” shall mean a building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public, and where medicine, medical supplies and associated merchandise, confectionary items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessity are stored, displayed and offered for retail sale;

l) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

n) “Food Store” shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public;

o) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

p) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

q) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

r) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the *Municipal Act*, 2001, as amended from time-to-time, or any successor thereto;

s) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a

chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, 2001, as amended from time to-time, or any successor thereto;

t) “Restaurant - Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

u) “Retail Store” shall mean a building or part of a building in which goods; wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

v) "Storey" shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

w) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions (“MU-23” Zone)

a) Uses Permitted ("MU-23" Zone)

No person shall within the lands zoned "MU-23", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. banquet facility;
ii. business office;
iii. convenience store;
iv. commercial club;
v. commercial music school;
vi. commercial school;
vii. day nursery;
viii. drug store;
ix. dry cleaning depot;
x. financial institution;
xi. food store;
xii. laundromat;
xiii. personal service shop;
xiv. professional office;

xv. restaurant - type A;

xvi. retail store;

b) Zone Requirements ("MU-23" Zone)

No person shall within the lands zoned "MU-23", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

1) Buildings and structures shall be located entirely within the building envelope shown on Figure 1 attached hereto;

2) No building, part of a building, or structure shall be erected unless a minimum of 90 percent of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60 percent of the length of the build-to-zone along Dersan Street as illustrated on Figure 1, contains a building or part of a building;

3) Notwithstanding Section 2(b)(i)(1) above, below grade parking structures shall be permitted beyond the limits of the building envelope identified on Figure 1, but no closer than 0.5 metres from the limits of the lands;

ii. Building Height and Functional Floors:

1) Minimum 3 Storeys and 14.0 metres

2) Maximum 6 Storeys and 20.0 metres

iii. Floor Space Areas:

1) The maximum gross leasable floor area for all uses shall be 10,000 square metres;

2) The maximum gross leasable floor area for any individual convenience store, food store, drug store, or retail store shall be 500 square metres;

3) The aggregate of the gross leasable floor area of medical professional offices shall not exceed 50 percent of the maximum permitted gross leasable floor area; and

4) A maximum of one banquet facility is permitted with a maximum of 1,100 square metres of gross leasable floor area.

iv. Parking Requirements:

1) There shall be provided and maintained a minimum of 4.0 parking spaces per 100 square metres of gross leasable floor area for all permitted uses listed in Section 2(a) of this By-law;

2) Notwithstanding Section 2(b)(iv)(1) above, there shall be provided and maintained a minimum of 10 parking spaces per 100 square metres of gross leasable floor area for any restaurant or banquet facility floor area that exceeds a total aggregate gross leasable area of 500 square metres in the building;

3) Parking shall be provided at grade, in a below grade structure, in an above grade structure or any combination thereof;

4) All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

5) At grade parking lots and driving aisles shall be permitted no closer than 1.5 metres from the north and west limits of the property, and 3.0 metres from any road;

6) Buildings are permitted only within Building Envelope ‘A’ identified on Figure 1, with the exception of parking structures which are also permitted within Building Envelope ‘B’;

7) Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By law 3037, as amended, shall not apply to lands zoned "MU-23".

v. Special Regulations

1) Drive-through facilities are not permitted on lands zoned "MU-23";

2) Despite Section 2(b)(i)(1) of this By-law, outdoor patios associated with a restaurant - type A are permitted to encroach beyond the building envelope identified on Figure 1;

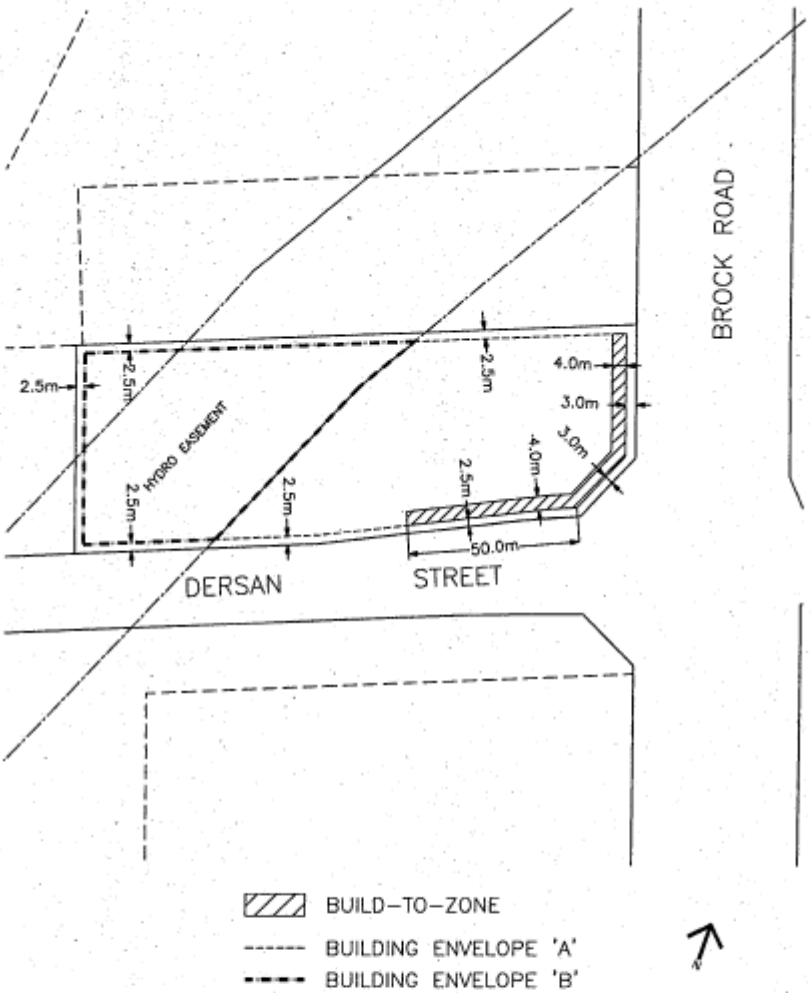
3) Despite Section 2(b)(i)(1) of this By-law, covered walkways with supporting structures, are permitted to encroach beyond the building envelope as identified on Figure 1;

4) Despite Section 2(b)(iii)(1) outdoor patios associated with a restaurant - type A are not considered to be gross leasable floor area;

5) Despite Section 2(b)(iii)(2) gross leasable floor area excludes parking structures;

6) Despite Section 2(b)(ii), the minimum building height requirement does not apply to parking structures.

3. Figure 1



SCHEDULE II TO BY-LAW 7191/12
PASSED THIS 21st
DAY OF February 2012

MAYOR

CLERK

15.310 Exception Zone 310 (By-law 7706-19)

1. Definitions

a) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

c) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

d) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

e) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.

f) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

g) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

h) “Dwelling Unit” means a residential unit that:

i. consists of a self-contained set of rooms located in a building or structure;

ii. is used or intended for use as a residential premises;

iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

iv. is not mobile home or any vehicle.

i) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the unit.

j) “Front Wall” means a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

k) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

l) “Height, Building” shall mean the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouse.

m) “Neighbourhood Park” means a municipal public park.

n) “Parapet Wall” shall mean the portion of an exterior wall extending above the roof.

o) “Park, Private” shall mean a park which is maintained by a condominium corporation.

p) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.

q) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.

r) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.

s) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle; however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

t) “Street, Private” means:

   i. a right-of-way or roadway, that is used by vehicles and is maintained by a condominium corporation;

   ii. a private road condominium, which provides access to individual freehold lots;

   iii. a private right-of-way over private property, that affords access to lots abutting the private street; but is not maintained by a public body and is not a lane.

u) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

v) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

w) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

x) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

y) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

z) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

aa) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

bb) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

cc) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

dd) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions (“MD-HD-1” Zone)

a) Uses Permitted (“MD-HD-1” Zone)

i. No person shall within the lands zoned “MD-HD-1”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

1) Dwelling, Stacked

b) Zone Requirements (“MD-HD-1” Zone)

No person shall within the lands zoned “MD-HD-1” use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1;

B. No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone along the frontages of William Jackson Drive and Earl Grey Avenue, as illustrated on Figure 1, contains a building or part of a building;

C. Despite Section 2(b)(i)A, retaining walls are permitted outside of the building envelope for lands abutting the “OS-HL” Zone;

D. The minimum separation distance between the exterior walls of a building shall be a minimum of 3.0 metres;

E. Despite Section 2(b)(i)D, the minimum separation distance between the front wall of building, where it faces the front wall of another building shall be a minimum of 14.0 metres;

F. Despite Sections 2(b)(i)D and 2(b)(i)E, the minimum separation distance between the front wall of a building where it faces the side wall of another building shall be a minimum of 8.5 metres;

G. The maximum length of a block of Stacked Dwellings shall be 45 metres;

H. Despite Sections 2(a) and 2(b), a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MD-HD-1” zone use provisions and zone requirements;

I. In addition to Section 2(a)(i), Uses Permitted (“MD-HD-1” Zone) an indoor amenity building located adjacent to a private park is permitted.

ii. Number of Dwelling Units:

A. Minimum number of dwelling units: 133

B. Maximum number of dwelling units: 264

iii. Building Height:

A. Maximum Building Height of 15.0 metres (4 storeys)

iv. Private Residential Amenity Area:

A. Minimum 4.5 square metres per dwelling unit

v. Private Park Area:

A. Minimum 230 square metres

vi. Special Parking Requirements:

A. Minimum 1.25 parking space per dwelling unit plus 0.25 of a parking space per dwelling unit for visitors;

B. No parking lot or parking space shall be permitted within 4.5 metres of a street;

C. The minimum right-of-way width for a private street shall be 6.5 metres.

vii. Air Conditioners:

A. Air conditioner units shall not be located between the front wall of a building or a dwelling and a street.

c) Special Provisions (“MD-HD-1” Zone)

i. Obstruction of Yards:

A. Despite Section 2(b)(i)A, stairs, covered and uncovered porches and platforms, parking garage structure, bay, box and bow windows, balconies, eaves, canopies, window sills and other similar features are permitted to project beyond the building envelope as illustrated on Figure 1, but not closer than 0.6 of a metre to any lot line;

B. Sections 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned “MD-HD-1”.

3. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Preservation and conservation of the natural environment, soil and wildlife;

ii. Resource Management;

iii. Stormwater Management Facilities.

4. Provisions (“NP” Zone)

a) Uses Permitted (“NP” Zone)

No person shall within the lands zoned “NP”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Neighbourhood Park

5. Restrictions on Parking and Storage of Vehicles

   No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

   a) Number of Vehicles:

      i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

   b) Size of Vehicles:

      i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;

      ii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

   c) Location of Vehicles:

      i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.

   d) Inoperative Vehicles:

      i. The parking or storage of any inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

   e) Construction Vehicles:

      i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

   f) Oversize Vehicles:

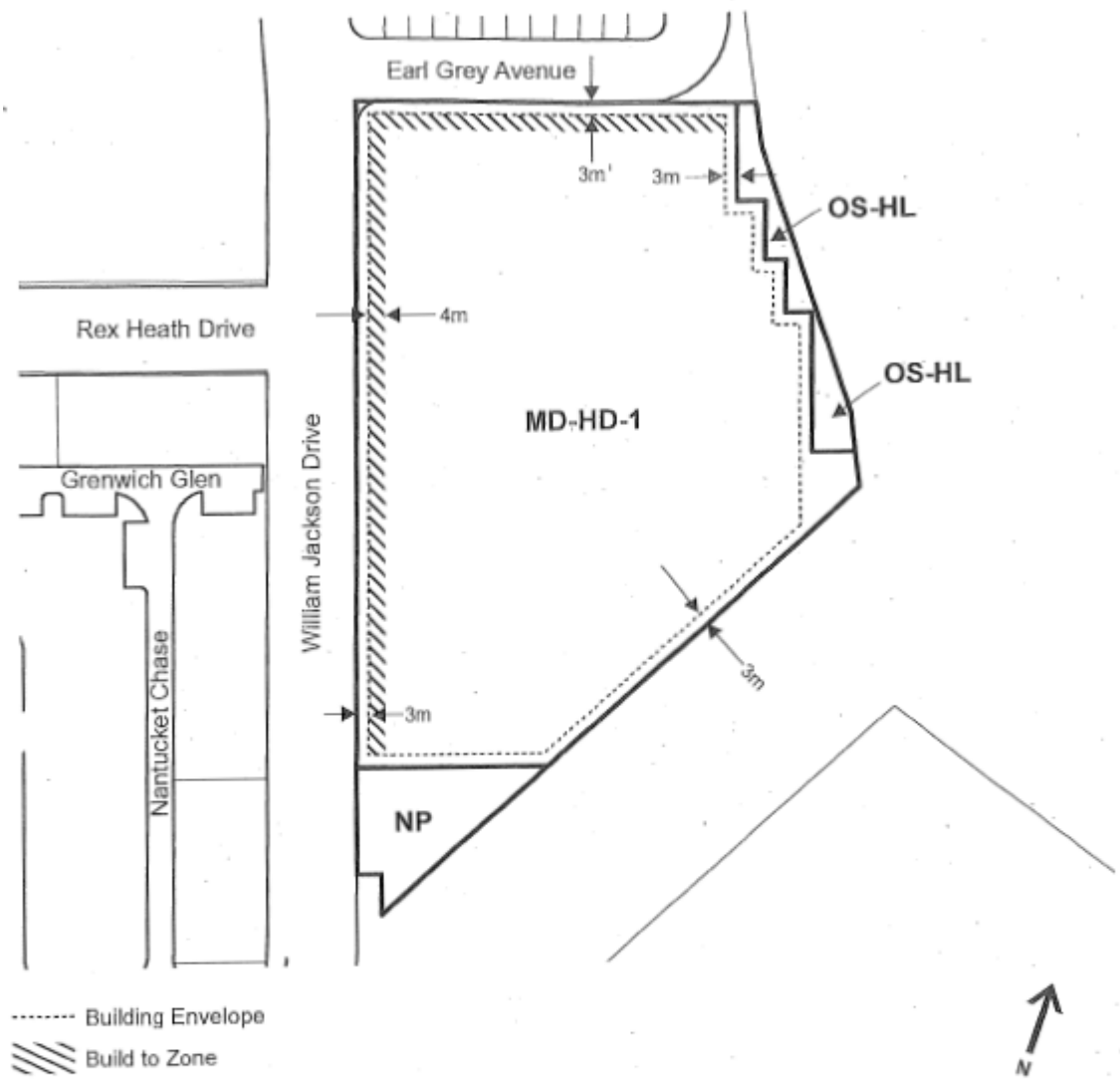
      i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 5(b) is permitted to park temporality for the sole purpose of delivering, to servicing or constructing the premises.

6. Model Homes

   a) For the purposes of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

   b) A maximum of 2 Blocks, together with not fewer than 4 parking spaces per Model Home, may be constructed on the lands zoned "MD-HD-1".

7. Figure 1



Schedule II to By-Law 7706/19
Passed This 24th
Day of June 2019

Mayor

Clerk

15.311 Exception Zone 311 (By-law 6708-06)

1. Definitions

   a) “Conservation” shall mean the wise use, protection and rehabilitation of natural resources according to principles that assure their highest economic, social and environmental benefits;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   e) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) “Resource Management” shall mean the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society’s use, both in the present and the future, and shall

also mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("ER-3" Zone)

No person shall within the lands zoned "ER-3", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. single detached dwelling.

b) Zone Requirements ("ER-3" Zone

No person shall within the lands zoned "ER-3", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 of a hectare

ii. LOT FRONTAGE (minimum): 30 metres

A. Notwithstanding Clause (ii) above, on the lands cross-hatched on Figure 1, the minimum lot frontage shall be 28 metres;

iii. FRONT YARD DEPTH (minimum): 15 metres

iv. SIDE YARD WIDTH (minimum): 7.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 7.5 metres

vi. REAR YARD DEPTH (minimum): 15 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum gross floor area residential of 140 square metres.

x. PARKING REQUIREMENTS:

1) minimum two parking spaces

2) a private detached garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from any side lot line and not less than 15 metres from any front lot line.

xi. ACCESSORY STRUCTURE REQUIREMENTS: all accessory structures, except a detached private garage, which is not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any side or rear lot line.

c) Special Regulations (“ER-3” Zone):

i. Despite Subsection 5.18 (c) of By-law 3037, as amended, accessory buildings may be permitted to have a maximum height of 5.0 metres.

ii. Despite Subsection 2(b)(iv) of this By-law, where vehicular entrances to garages face a side yard, the minimum side yard on the opposite side shall be a minimum of 3.0 metres, provided that the distance between dwelling units shall be a minimum of 15.0 metres.

d) Uses Permitted ("OS-HL-EP" Zone)

No person shall within the lands zoned "OS-HL-EP", use any lot or block, or erect, alter, or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil and wildlife; and

ii. resource management

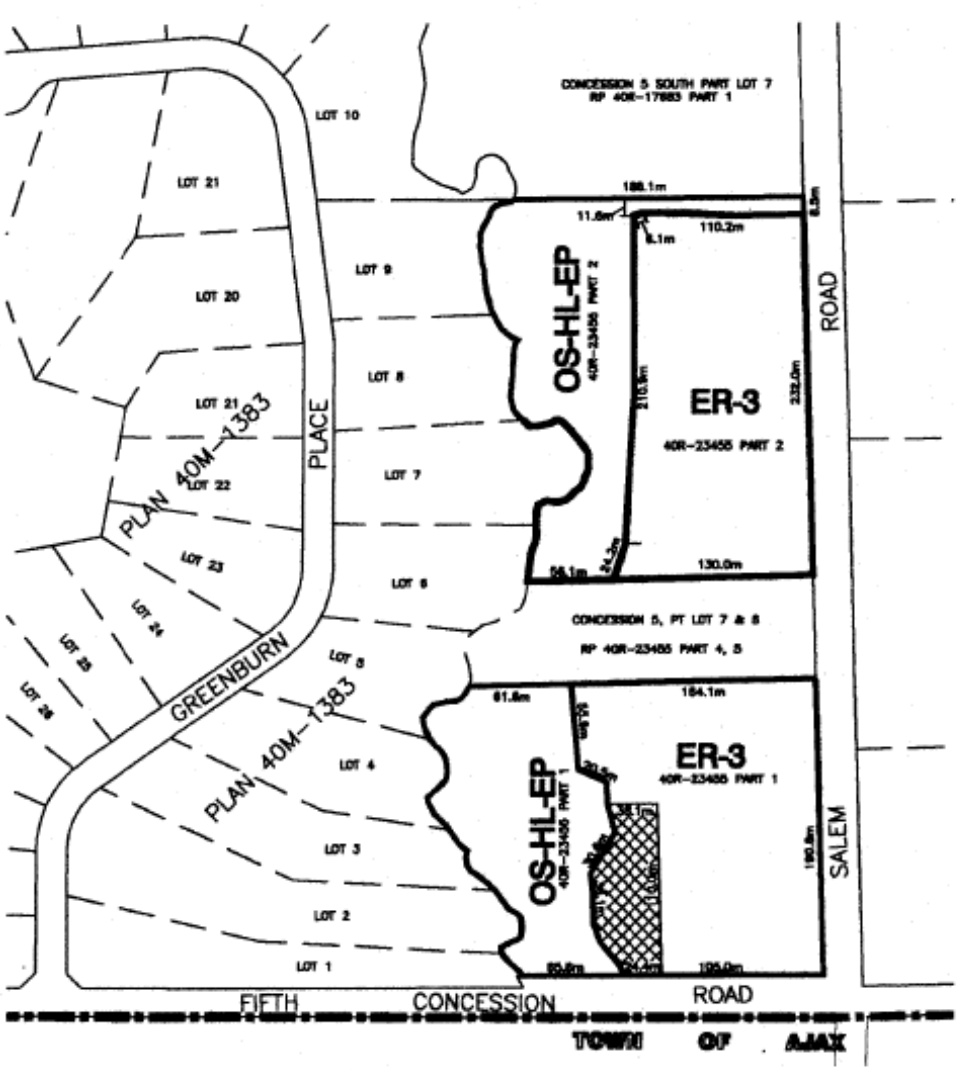
e) Zone Requirements ("OS-HL-EP" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

3. Model homes

Despite the provisions of Section 5.22 of By-law 3037, a maximum of two Model Homes, having a minimum of three parking spaces per Model Home, may be constructed on the lands zoned “ER-3” prior to division of those lands by registration of a plan of subdivision. For the purposes of this By-law, “Model Home” shall mean a dwelling unit used exclusively for sales display and for marketing purposes pursuant to an agreement with the City of Pickering, and not used for residential purposes.

4. Figure 1



SCHEDULE I TO BY-LAW 6708/06
PASSED THIS 3rd
DAY OF October 2006

MAYOR - DAVID RYAN

CITY CLERK - DEBI A. BENTLEY

15.312 Exception Zone 312 (By-law 3044-85)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area Residential" shall mean the aggregate of the floor areas of all storeys of all buildings or structures used for residential purposes, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses a are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point oft side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the let;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("ER" Zone)

No person shall within the lands zoned "ER" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential use

b) Zone Requirements ("ER" Zone)

No person shall within the lands zoned "ER" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.6 hectares

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 15 metres

iv. INTERIOR YARD WIDTH (minimum): 7.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 7.5 metres

vi. REAR YARD DEPTH (minimum): 15 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum one dwelling unit per lot

B. minimum gross floor area residential 140 square metres

x. PARKING REQUIREMENTS:

A. minimum two parking spaces

B. a detached private garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metre from the side lot line and not less than 15 metres from the front lot line

xi. ACCESSORY STRUCTURE REQUIREMENTS:

A. all accessory structures, except a detached private garage, which are not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any lot line

B. The total lot coverage for all accessory structures shall not exceed the lesser of 5% of the lot area, or 50% of the total gross floor area of the dwelling on the lot

C. Notwithstanding the provisions above, the minimum setback of any accessory building to any lot line shall be at least one-half the height of the accessory building

c) Uses Permitted ("OS-P" Zone)

No person shall within the lands zoned "OS-P", use any lot or erect, alter or use any building or structure for any purpose except passive and active recreational uses, which may include parks, play areas, skating rinks, tennis courts, badminton courts, bathing stations, boating facilities and picnic areas.

d) Zone Requirements ("OS-P" Zone)

No person shall within the lands zoned "OS-P", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. YARD REQUIREMENTS (minimum):

the minimum setback of any building or structure from every lot line shall be 7.5 metres.

ii. LOT COVERAGE (maximum): 20 percent

iii. BUILDING HEIGHT (maximum): 12 metres

iv. PARKING REQUIREMENTS:

all parking spaces and aisles shall be set back a minimum of 3 metres from any lot line

e) Uses Permitted ("OS-H" Zone)

No person shall within the lands zoned "OS-H" use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

f) Zone Requirements ("OS-H" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood or erosion control.

15.313 Exception Zone 313 (By-law 5464-99, as amended by By-law 5513-99, By-law 5565-99, By-law 5921-01, and By-law 6640-06)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing kitchen, and sanitary facilities;

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) “Garden Suite - Type 1” shall mean a dwelling unit which is detached from, but accessory to and sharing the same water and sanitary services as, a main detached dwelling located on the same lot;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above-ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions ("R6-3" Zone)

a) Uses Permitted ("R6-3" Zone)

No person shall, within the lands designated "R6-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

ii. garden suite - type 1

b) Zone Requirements ("R6-3" Zone)

No person shall, within the lands designated "R6-3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 0.3 of a hectare

ii. LOT FRONTAGE (minimum): 22.0 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres, except where an "OS-HL" - Open Space Hazard Land Zone exists in a rear yard of a lot, the minimum rear yard depth shall be 15.0 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DETACHED DWELLING UNIT REQUIREMENTS: maximum one detached dwelling unit per lot and minimum gross floor area residential of 100 square metres.

x. SPECIAL REGULATIONS - GARDEN SUITES:

A. Despite Section 2(b)(ix) above, where a detached dwelling exists on a lot, a garden suite - type 1 may be established on the same lot in accordance with Section 2(b)(x)(B) below.

B. Despite the accessory building and use provisions of Section 5.18 of By-law 3037, a maximum of one Garden Suite per lot may be permitted in the rear yard of any lot on the lands Zoned "R6-3" in accordance with the rear yard depth, side yard width, flankage side yard width and lot coverage provisions of this section, and subject to the following provisions:

1) Floor Area (maximum): 65 square metres

2) Ground Floor Area (maximum) 65 square metres for any structure containing a garden suite

3) Height (maximum): 5.0 metres, except where a garden suite is constructed as a second floor of a detached garage, in which case the maximum height of the entire structure shall be 6.0 metres

4) Separation between Garden Suite and Main Dwelling (minimum) 6.0 metres

xi. VEHICLE PARKING: shall be governed by the provisions of Section 8.4 of By-law 3037

15.314 Exception Zone 314 (By-law 5719-00, as amended by By-law 7399-14)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

i. "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ii. "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

iii. "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

iv. "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v. "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

vi. "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

vii. "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

viii. "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

ix. "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("ER" Zone)

No person shall within the lands zoned "ER", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. single detached dwelling residential use

b) Zone Requirements ("ER" Zone)

No person shall within the lands zoned "ER", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.6 of a hectare

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 15 metres

iv. SIDE YARD WIDTH (minimum): 7.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 7.5 metres

vi. REAR YARD DEPTH (minimum): 15 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 140 square metres.

x. PARKING REQUIREMENTS:

A. A minimum two parking spaces

B. B a private detached garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from any side lot line and not less than 15 metres from any front lot line.

xi. ACCESSORY STRUCTURE REQUIREMENTS: all accessory structures, except a detached private garage, which is not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any side or rear lot line.

c) Uses Permitted ("OS-HL-EP" Zone)

No person shall within the lands zoned "OS-HL-EP", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil and wildlife; and

ii. resource management

d) Zone Requirements ("OS-HL-EP" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

e) Special Regulation ("OS-HL-EP" Zone)

i. Despite subsections 2(c) and 2(d) above, one detached dwelling, and associated accessory buildings and structures thereto, shall be permitted only on those lands contained within the cross-hatched area on Figure 1.

ii. Despite subsections 2(c) and 2(d) above, the driveway serving the detached dwelling located within the cross-hatched area on Figure 1, and existing on the subject lands at the time of passing of this By-law, is permitted in its existing location.

f) Uses Permitted ("(ND)" Zone)

No person shall within the lands zoned and containing the abbreviation "(ND)" within the established zone categories outlined, use any lot or erect, alter, or use any building or structure for any purpose except the following:

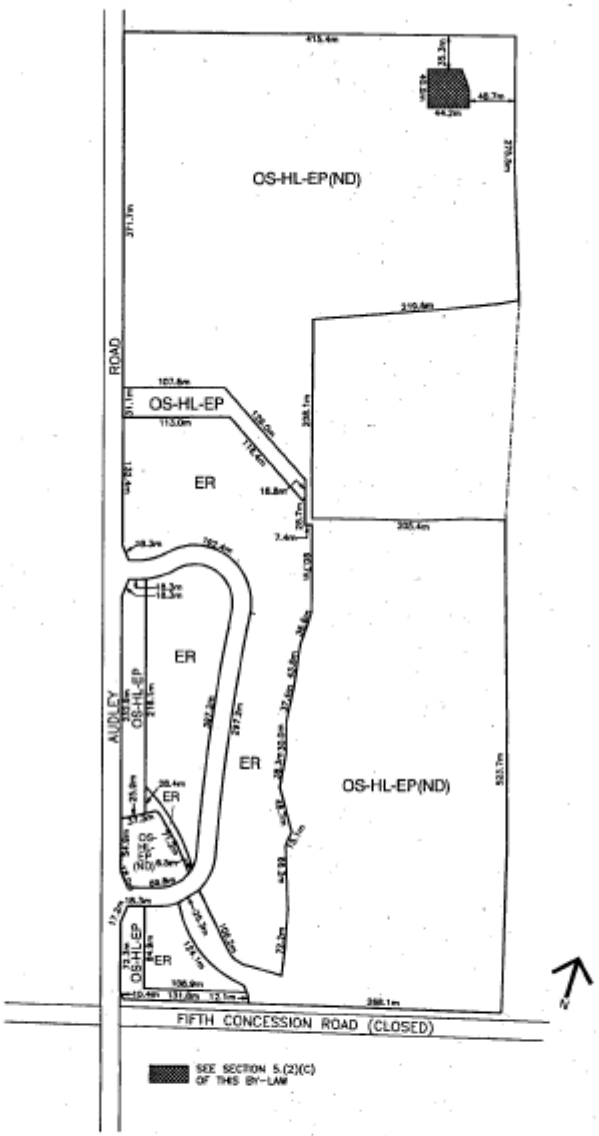
i. those uses permitted within the corresponding zone category together with this designation; and

ii. nitrate dilution

g) Zone Requirements ("ND" Zone)

No land shall be used except for the purpose of nitrate dilution from sewage effluent originating from private sewage systems serving residential development on abutting lands zoned "ER".

3. Figure 1


OS-HL-EP(ND)
ROAD
OS-HL-EP
ER
ER
ER
ER
AUDLEY
OS-HL-EP
OS-HL-EP(ND)
FIFTH CONCESSION ROAD (CLOSED)
SEE SECTION 5.(2)(c) OF THIS BY-LAW
SCHEDULE I TO BY-LAW 5719/00
AMENDED BY BY-LAW 7399/14
PASSED THIS 15th
DAY OF December 2014
MAYOR
CLERK

15.315 Exception Zone 315 (By-law 6175-03)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   f) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above-ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions ("ER-2" Zone)

a) Uses Permitted ("ER-2" Zone)

No person shall, within the lands zoned "ER-2", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("ER-2" Zone)

No person shall, within the lands zoned "ER-2", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 4,000 square metres

ii. LOT FRONTAGE (minimum): 30.0 metres

iii. FRONT YARD DEPTH (minimum): 15.0 metres

iv. SIDE YARD WIDTH (minimum): 7.5 metres

A. despite section 2(b)(iv) above, on the lands cross-hatched on Figure 1, the minimum north side yard width shall be 15 metres;

v. REAR YARD DEPTH (minimum): 15.0 metres

vi. LOT COVERAGE (maximum): 20 percent

vii. BUILDING HEIGHT (maximum): 9.0 metres

viii. DWELLING UNIT REQUIREMENTS:

A. maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.

ix. PARKING REQUIREMENTS:

A. minimum of two parking spaces.

x. SPECIAL PROVISIONS:

A. a detached private garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from the side lot line and not less than 15 metres from the front lot line.

3. Provisions ("OS/HL" Zone)

a) Uses Permitted ("OS/HL" Zone)

No person shall, within the lands zoned "OS/HL", use any lot or erect, alter or use any building or structure for any purpose except the following:

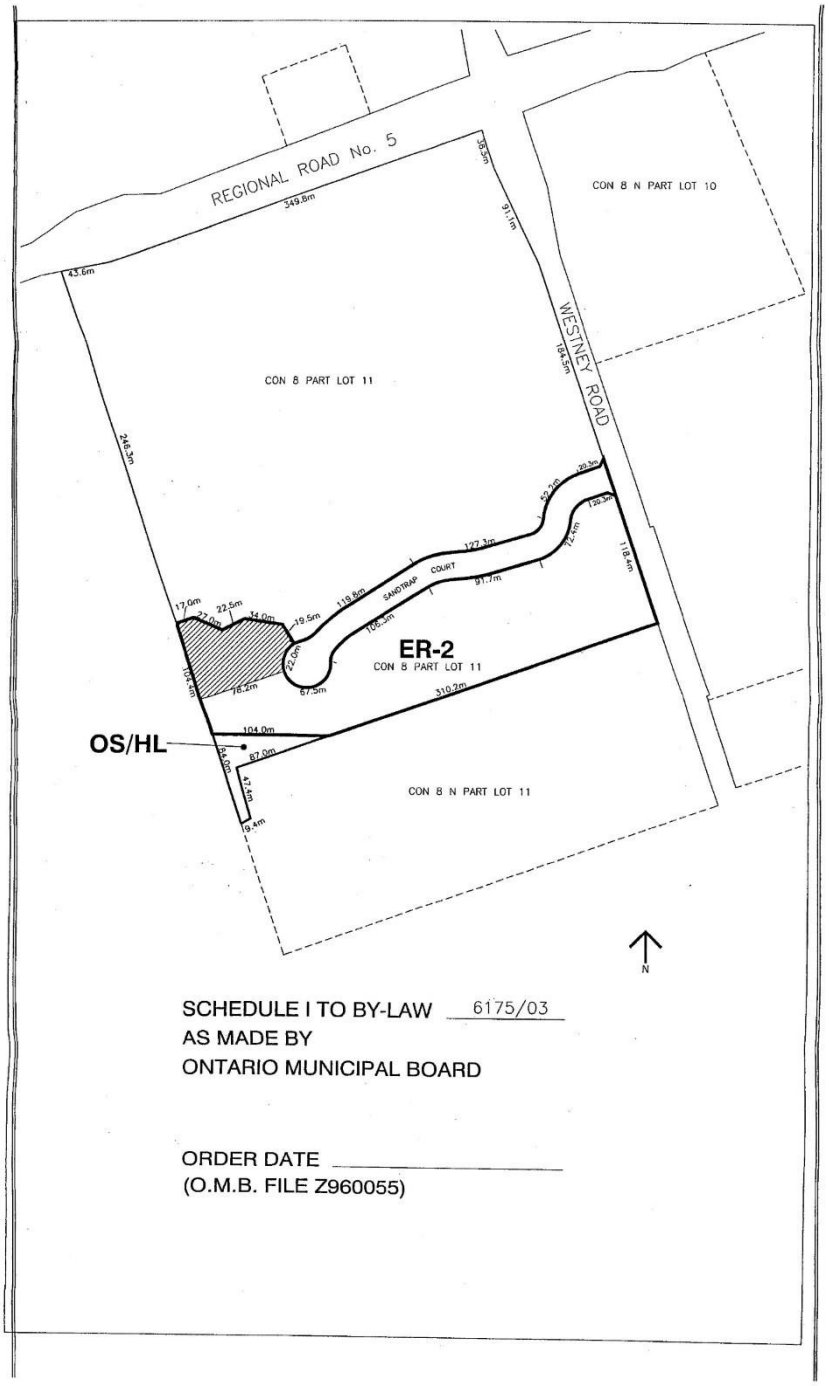
i. conservation of the natural environment, soil, and wildlife; and

ii. resource management.

b) Zone Requirements ("OS/HL" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

4. Figure 1


REGIONAL ROAD No. 5
CON 8 N PART LOT 10
WESTNEY ROAD
CON 8 PART LOT 11
SANDTRAP COURT
ER-2
CON 8 PART LOT 11
OS/HL
CON 8 N PART LOT 11
N
SCHEDULE I TO BY-LAW 6175/03
AS MADE BY
ONTARIO MUNICIPAL BOARD
ORDER DATE
(O.M.B. FILE Z960055)

15.316 Exception Zone 316 (By-law 7859-21)

1. Definitions

   a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

   b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

   c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   d) “Basement” means a portion of a building below the first storey.

   e) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

   f) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

   g) “Dwelling Unit” means a residential unit that:

      i. consists of a self-contained set of rooms located in a building or structure;

      ii. is used or intended for use as a residential premises;

      iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

      iv. is not a mobile home or any vehicle.

   h) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.

   i) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

j) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.

k) “Lands, Subject” means the lands subject of this by-law.

l) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.

m) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

n) “Lot, Corner” means a lot situated at the intersection of two or more streets or upon two parts of the same street having an angle of intersection not exceeding 135 degrees;

o) “Lot, Through” means a lot bounded on opposite sides by a street.

p) “Parapet Wall” means the portion of an exterior wall extending above the roof.

q) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

r) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.

s) “Primary Entrance Door” means the principal entrance by which the resident enters or exits a dwelling unit.

t) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

u) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

v) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include

the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

w) "Street, Private" means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.

x) "Water Meter Building" means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

2. Provisions ("MU-30" Zone)

a) Uses Permitted ("MU-30" Zone)

No person shall within the lands zoned "MU-30" use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Dwelling, Stacked

b) Zone Requirements ("MU-30" Zone)

No person shall within the lands zoned "MU-30" use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1;

B. No building or portion of a building or structure shall be erected unless a minimum of 60 percent of the length of the build-to-zone along the Brock Road frontage contains a building or part of a building;

C. Minimum separation between buildings: 3.0 metres

c) Building Height (maximum): 13.0 metres

d) Parking Requirements (minimum):

i. Stacked Dwelling: 2.0 parking spaces per dwelling unit plus 0.2 of a parking space per dwelling unit for visitors

e) Garage Requirements:

i. Stacked Dwelling: Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.

f) Interior Garage Size (minimum):

i. Stacked Dwelling: Each parking space within a private garage for stacked dwelling units shall have a minimum width of 2.7 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.

g) Special Provisions (“MU-30” Zone)

i. Despite Section 2(b)(i)A of this By-law, architectural projections including balconies, covered porches, platforms and awnings, retaining walls, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may project outside the building envelope identified on Figure 1, to a maximum of 2.5 metres from the main wall of the building, and uncovered steps may project outside the required building envelope to the lot line.

ii. The minimum pavement width for a private street shall be 6.5 metres.

iii. Air conditioners shall not be located any closer than 0.6 metres to the building envelope and shall not be located on any easement in favour of the City.

iv. Amenity Area (minimum) - 14.0 square metres per dwelling unit

v. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.

vi. Despite provisions 2(a) and 2(b) of this By-law, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MU-30” zone use provisions and zone requirements.

vii. Clauses 5.19.2(a), 5.19.2(b), 5.19.2(d), 5.19.2(e), 5.19.2(f), 5.19.2(g), and 5.19.2(k) of By-law 3037, as amended, shall not apply.

3. Restrictions on the Parking and Storage of Vehicles

   No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

   a) Number of Vehicles:

      A maximum of 4 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

   b) Size of Vehicles:

      i. for those vehicles parked on any lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.7 metres;

      ii. notwithstanding Section (a) above, 1 vehicle parked on a driveway in a side yard or rear yard can be of a size up to a maximum permissible height of 3.5 metres, and a maximum permissible length of 8.0 metres; and

      iii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

   c) Location of Vehicles:

      No part of any front yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any road allowance.

   d) Inoperative Vehicles:

      The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

   e) Construction Vehicles:

      The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

   f) Oversize Vehicles:

      A vehicle that exceeds the maximum permissible vehicle size provisions of Section 3(b), is permitted to park temporarily on a lot for the sole purpose of delivering to, servicing or constructing the premises on that lot.

4. Provisions ("OS-HL" Zone)

   a) Uses Permitted ("OS-HL" Zone)

      No person shall within the lands zoned "OS-HL" use any lot or erect, alter, or use any building or structure for any purpose except the following:

      i. preservation and conservation of the natural environment, soil and wildlife;

      ii. resource management;

iii. pedestrian and walkways.

b) Zone Requirements (“OS-HL” Zone)

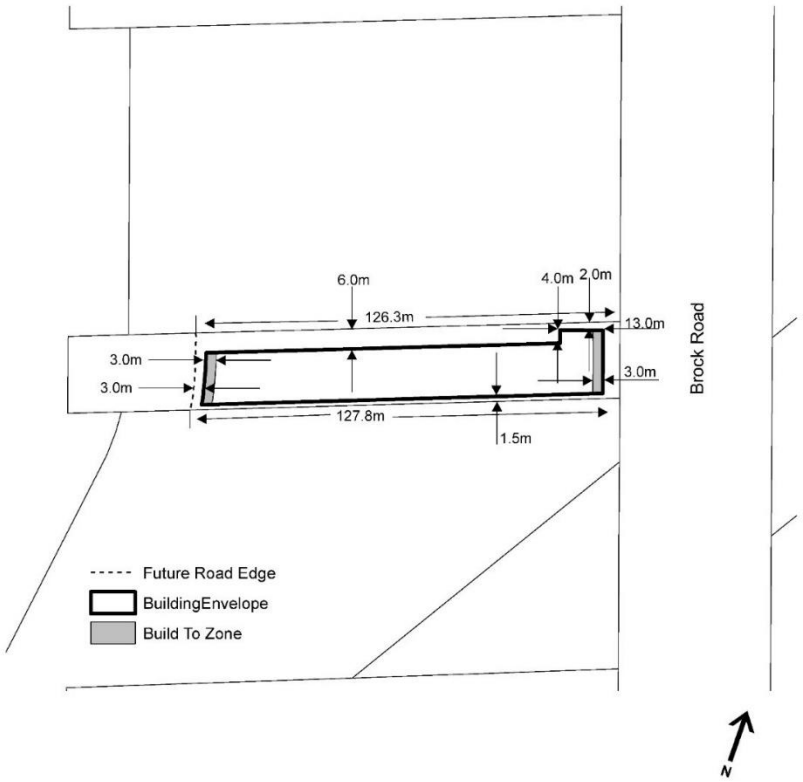
No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, expect where buildings or structures are used only for the purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

5. Model Homes

a) Notwithstanding any provisions in By-law 3037 to the contrary, a maximum 1 block, together with not fewer than two parking spaces per Model Home, may be constructed prior to the division of these lands by registration of a plan of subdivision;

b) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

6. Figure 1



Schedule II to By-Law 7859/21
Passed This 28th
Day of June 2021

Mayor

Clerk

15.317 Exception Zone 317 (By-law 8001-23)

1. Definitions

   a) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

   b) “Day Care Centre” means indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act.

   c) “Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

   d) “Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.

   e) “Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.

   f) “Neighbourhood Park” means a municipal public park.

   g) “School, Elementary” means a place of instruction maintained and operated under the jurisdiction of a public authority, and may also include a day care centre as an accessory use.

   h) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or in ground swimming pools.

2. Provisions (“ES” Zone)

   a) Permitted Uses (“ES” Zone)

      No person shall, within the lands zoned “ES” use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. Elementary School

ii. Day Care Centre

b) Zone Regulations (“ES” Zone)

No person shall, within the lands zoned “ES” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Lot Frontage	minimum – 30.0 metres
ii. Front Yard Setback	minimum – 3.0 metres
iii. Interior Side Yard Setback	minimum – 1.5 metres
iv. Rear Yard Setback	minimum – 7.5 metres
v. Flankage Side Yard Setback	minimum – 3.0 metres
vi. Building Height	1) maximum – 12.5 metres for an elementary school 2) maximum – 10.5 metres for a day care centre

c) Vehicular Parking Regulations (“ES” Zone)

Minimum Parking Requirements

Elementary School	1.5 spaces per classroom
Day Care Centre	3.5 spaces per 100 square metres of gross leasable floor area

3. Provisions (“NP” Zone)

a) Permitted Uses (“NP” Zone)

No person shall, within the lands zoned “NP” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Neighbourhood park

4. Provisions (“OS” Zone)

a) Permitted Uses (“OS” Zone)

No person shall, within the lands zoned “OS” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Perseveration and conservation of the natural environment

ii. Stormwater management

b) Zone Regulations (“OS” Zone)

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of perseveration and conservation of the natural environment and/or stormwater management.

15.318 Exception Zone 318 (By-law 7982-23)

1. Definitions

a) “Amenity Space” means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.

b) “Art Gallery/Studio” means a premises used for the creation, exhibition, collection and/or preservation of works of art for public viewing and sale and may include educational classes.

c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

d) “Block” means all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing said street.

e) “Build-to-Zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.

f) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

g) “Building, Main” means a building in which is carried on the principal purpose for which the lot is used.

h) “Building, Mixed Use” means a building containing residential uses and at least one non-residential use permitted by this By-law.

i) “Commercial Use” means any permitted use the primary purpose of which is to sell, lease or rent a product of service directly to the public, including but not limited to retail sales, entertainment services and personal or professional services, but shall exclude residential uses.

j) “Commercial Fitness/Recreational Centre” means a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit.

k) “Community Centre” means a multi-purpose facility that offers a variety of programs or a recreational, cultural, day care, social, community service, informational or instructional in nature.

l) “Day Care Centre” means:

i. indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or

ii. indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

m) “Development Agreement” means an executed contract between a developer/property owner and the City of Pickering that is required in order to implement development and may include a subdivision agreement, site plan agreement, or other similar agreements for development.

n) “Dwelling” includes:

i. “Apartment Dwelling” means a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.

ii. “Dwelling Unit” means a residential unit that:

A. consists of a self-contained set of rooms located in a building or structure;

B. is used or intended for use as a residential premises;

C. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

D. is not a mobile home or any vehicle.

o) “Existing” means existing as of the date of the enactment of the provision that contains that word.

p) “Financial Institution” means a building or portions of a building used for the purposes of administering or providing financial services to the public, other than exclusively through an automated banking machine.

q) “Floor Area” means the total area of all floors of a building within the outside walls.

r) “Floor Area, Net” means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:

i. Motor vehicle parking and bicycle parking below established grade;

ii. Motor vehicle parking and bicycle parking at or above established grade;

iii. Loading spaces and related corridors used for loading purposes;

iv. Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;

v. Indoor amenity space required by this By-law;

vi. Elevator, garbage and ventilating shafts;

vii. Mechanical penthouse; and

viii. Stairwells in the building.

s) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.

t) “Food Store” means a premises that sells food and other non-food items, primarily on a self-service basis.

u) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

v) “Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

w) “Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.

x) “Ground Floor” means the floor of a building at or first above grade.

y) “Ground Floor Area” means the gross floor area only on the ground floor.

z) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.

aa) “Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.

bb) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private

open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.

cc) “Loading Space” means an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.

dd) “Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.

ee) “Lot Area” means the total horizontal area of a lot.

ff) “Lot Line” means a line delineating any boundary of a lot.

gg) “Main Wall” means a primary exterior front, rear or side wall of a building, not including permitted projections.

hh) “Office” means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a medical office.

ii) “Office, Medical” means a premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.

jj) “Park, Private” means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.

kk) “Park, Public” means an area of land under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and other uses authorized through an agreement with the City.

ll) “Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.

mm) “Parking Garage” means a building, or part thereof, used for the parking of vehicles and may include any permitted use in the first storey, but shall not include any area where vehicles for sale or repair are kept or stored. A parking garage includes underground parking and a parking structure.

nn) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.

oo) “Parking Space” means an unobstructed area of land that is accessible by an aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one motor vehicle.

pp) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.

qq) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.

rr) “Patio” means an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.

ss) “Personal Service Shop” means a premises used to provide personal grooming services or for the cleaning or care of apparel.

tt) “Place of Amusement” means a premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public such as a billiard or pool rooms, bowling alleys, electronic games, indoor playground, miniature golf courses or roller skating rinks.

uu) “Podium” means the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.

vv) “Porch” means a roofed deck or portico structure with direct access to the ground that is attached to the exterior wall of a building.

ww) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.

xx) “Primary Entrance Door” means the principal entrance by which the public enters or exits a building or individual retail/commercial unit or the resident enters or exits a dwelling unit.

yy) “Restaurant” means a building or part of a building where the principal business is the preparation of food and drinks for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.

zz) “Retail Store” means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.

aaa) “School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a commercial fitness/recreational centre or a post-secondary school.

bbb) "Setback" means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.

ccc) "Storey" means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

ddd) "Storey, First" means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

eee) "Street" means a public highway but does not include a lane or a King's Highway (Highway 401). Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

fff) "Street Line" means the dividing line between a lot and a street.

ggg) "Street, Private" means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.

hhh) "Structure" means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or in ground swimming pools.

iii) "Temporary Sales Office" means a building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the lot.

jjj) "Tower" means the storeys within that portion of a building or structure or part thereof located above the podium.

kkk) "Tower Floor Plate" means the average floor area of all storeys within that portion of a building or structure or part thereof located above the

podium, measured to the exterior faces of exterior walls of each storey of a building or structure.

lll) "Uncovered Platform" means an attached or freestanding structure not covered by a roof, which is located on the same level as or lower than the first storey of the building associated with the platform.

mmm) "Veterinary Clinic" means a building or part of a building providing the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

2. Provisions ("MU-34" Zone)

a) Permitted Uses ("MU-34" Zone)

No person shall within the lands zoned "MU-34", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Apartment Dwelling
ii. Commercial Fitness/Recreation Centre
iii. Day Care Centre
iv. Financial Institution
v. Food Store
vi. Office
vii. Office, Medical
viii. Park, Private
ix. Personal Service Shop
x. Retail Store
xi. Restaurant
xii. School, Commercial
xiii. Veterinary Clinic

b) Zone Regulations ("MU-34" Zone)

No person shall, within the lands zoned "MU-34", use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

i. Floor Space Index (FSI)	maximum – 2.5 FSI
ii. Number of Dwelling Units	1) minimum – 81 units 2) maximum – 376 units
iii. Building Height	maximum building height – 60.0 metres

iv. Podium Requirements	minimum height of podium – 10.5 metres maximum height of podium – 22.0 metres
v. Building Setbacks	1) no building or part of a building or structure above or below grade shall be erected outside of the building envelope, as shown on Figure 2 2) no building or part of a building or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone, as shown on Figure 2, contains a building or part of a building above grade 3) notwithstanding 2(b)(v)(1)above, a building or part of a building or structure located at or above grade, excluding a parking structure, shall be setback a minimum of 21.0 metres from the north lot line
vi. Tower Floor Plate	maximum tower floor plate for a residential building – 850 square metres, which shall be measured to the exterior faces of exterior walls of each storey of a building or structure, but shall exclude indoor amenity space located on the rooftop of a podium
vii. Building Separation	minimum – 25.0 metres, which shall be measured from the main wall of each tower, but shall exclude balconies and indoor amenity space located on the rooftop of a podium
viii. Main Wall Stepback	minimum main wall stepback – 1.8 metres from the main wall of a point tower and the main wall of a podium on any building face abutting a street line
ix. Balcony Requirements	minimum depth – 1.5 metres

x. Amenity Space Requirements for Apartment Dwellings	1) minimum – 2.0 square metres of indoor amenity space is required per apartment dwelling unit 2) minimum – 2.0 square metres of outdoor amenity space is required per apartment dwelling unit (a minimum contiguous area of 40.0 square metres must be provided in a common location)
xi. Landscaped Area	1) minimum – 20 percent of the land area 2) minimum 3.5 metre wide landscaped area shall be required and permanently maintained along the entire length of the north lot line 3) all parking spaces, drive aisles and private roads shall be setback a minimum of 6.0 metres from the north lot line
xii. Non-Residential Uses	minimum 735 square metres of gross leasable floor area (GLFA) shall be located on the first floor of a building within the lands zoned as “MU-34”

c) Permitted Encroachments

No part of the building envelope shall be obstructed except as follows:

A. Projections such as awnings, canopies, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, piers, eave troughs, and other similar architectural features may be permitted to project a maximum of 2.5 metres beyond the required Building Setbacks, as outlined in Section 2(b)v. of this By-law.

B. Any stairs, including to a porch or any associated landing, uncovered platform, covered platform, and any unenclosed ramp for wheelchair access may encroach beyond the required Building Setbacks, as outlined in Section 2(b)v. of this By-law, no closer than 0.3 of a metre from a lot line.

C. A balcony, porch, uncovered platform or covered platform may encroach beyond the required Building Setbacks, as outlined in Section 2(b)v. of this By-law, to a maximum of 2.0 metres or half the distance, whichever is less.

d) Vehicular Parking Regulations:

i. Minimum Parking Requirements:

Residential Uses	
Apartment Dwelling	1.25 spaces per dwelling unit and an additional 0.25 of a space per dwelling unit for visitors
Non-Residential Uses	
Day Care Centre	3.5 spaces per 100 square metres of GLFA
Office	3.5 spaces per 100 square metres of GLFA
Financial Institution, Food Store, Retail Store, Commercial School, Personal Service Shop, Medical Office, Veterinary Clinic and Restaurant less than 465 square metres of GLFA	4.5 spaces per 100 square metres of GLFA
Commercial Fitness/ Recreation Centre	5.0 spaces per 100 square metres of GLFA
Restaurant	5.0 spaces per 100 square metres of GLFA

ii. Accessible Parking Requirements

To be provided on-site in accordance with the requirements of the Traffic and Parking By-law 6604/05, as amended, or any successor thereto.

iii. Parking for Multiple Uses on One Lot:

A shared parking formula may be used for the calculation of required parking for multiple uses on a lot.

Shared parking is to be calculated in compliance with Figure 1 – Shared Parking Formula.

All required parking spaces must be accessible to all uses participating in the shared parking arrangement and may not be reserved for specific users.

The initial step in determining required parking for multiple uses on a lot is to calculate the parking requirement for each use in the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period (i.e. noon), contained in Figure 1 – Shared Parking Formula. Each column is totaled for weekday and weekend. The highest figure obtained from all time periods shall become the required parking for the development.

Figure 1 – Shared Parking Formula

Type of Use	Percentage of Peak Period (Weekday)			
	Morning	Noon	Afternoon	Evening
Financial Institution, Office, Medical Office, Day Care Centre	100	90	95	10
Food Store, Personal Service Shop, Retail Store, Commercial School, Veterinary Clinic, Commercial Fitness/ Recreation Centre	65	90	90	90
Restaurant	20	100	30	100
Residential – Visitor	20	20	60	100

Type of Use	Percentage of Peak Period (Weekend)			
	Morning	Noon	Afternoon	Evening
Financial Institution, Office, Medical Office, Day Care Centre	10	10	10	0
Food Store, Personal Service Shop, Retail Store, Commercial School, Veterinary Clinic, Commercial Fitness/ Recreation Centre	80	100	100	70
Restaurant	20	100	50	100
Residential – Visitor	20	20	60	100

iv. Parking Off-Site:

Required parking spaces for any non-resident use may be located on another lot provided that the parking spaces are no further than 500 metres from the northerly and easterly limits of the subject lands as identified on Figure 2, and where a legal easement or an agreement exists.

v. Surface Parking Spaces

A. All surface parking shall be located in the rear or interior side yards of a building.

vi. Parking Structures

A. Stairs associated with a parking structure are not permitted between a street line and the main wall of a building.

B. Air vents constructed in association with an underground parking structure are permitted to project to a maximum of 1.2 metres above established grade no closer than 1.2 metres to a street line.

vii. Bicycle Parking Space Requirements:

A. Bicycle parking spaces must be located on the same lot as the use or building for which it is required.

B. Minimum number of bicycle parking spaces:

1) for apartment dwelling: 1.0 bicycle parking space per dwelling unit;

2) for non-residential uses: the greater of 2.0 or 1.0 bicycle parking space for each 1,000 square metres of gross leasable floor area or portion thereof.

C. A minimum of 75 percent of the total required bicycle parking spaces must be located within:

1) a building or structure;

2) a secure area such as a supervised parking lot or enclosure; or

3) bicycle lockers.

D. Where bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.

E. Dimensions:

1) if located in a horizontal position (on the ground): a minimum length of 1.6 metres and a minimum width of 0.6 metres;

2) if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres;

3) if stacked: a minimum length of 1.5 metres and a minimum width of 0.45 metres.

viii. Loading Standards

Where a loading space is provided, the following regulations apply:

A. the minimum dimensions of a loading space are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres;

B. a loading space shall abut the building for which the loading space is provided;

C. an unenclosed loading space located above established grade shall be set back a minimum of 10.0 metres from a street line;

D. an enclosed loading space located above established grade shall not be located beyond the building envelope, as shown on Figure 2.

ix. Noise Attenuation

Notwithstanding Section 2(b)(iv) related to Podium Requirements, structures for noise attenuation purposes may exceed the maximum podium height of 22.0 metres.

x. Inoperative Vehicles

The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

3. Provisions ("(H)MU-34" Zone)

a) Permitted Uses ("(H)MU-34" Zone)

Until such time as the (H) Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day this By-law was passed.

b) Zone Regulations ("(H)MU-34" Zone)

The (H) Holding Provision shall, upon application by the landowner, be removed from the "MU-34" Zone by City Council passing a By-law under Section 34 of the *Planning Act*. The following condition shall first be completed to the satisfaction of the City of Pickering:

i. That the Owner has made appropriate arrangements to become a party to the Duffin Heights cost-sharing agreement or pay their proportionate share of the development costs.

ii. That the owner has satisfied all the requirements of the Regional Municipality of Durham with respect to the provision of sewer and water services, Regional roads, and entered into any necessary agreements in this regard.

4. Provisions ("NHS" Zone)

a) Permitted Uses ("NHS" Zone)

No person shall, within the lands zoned "NHS", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Conservation projects and floor erosion control projects

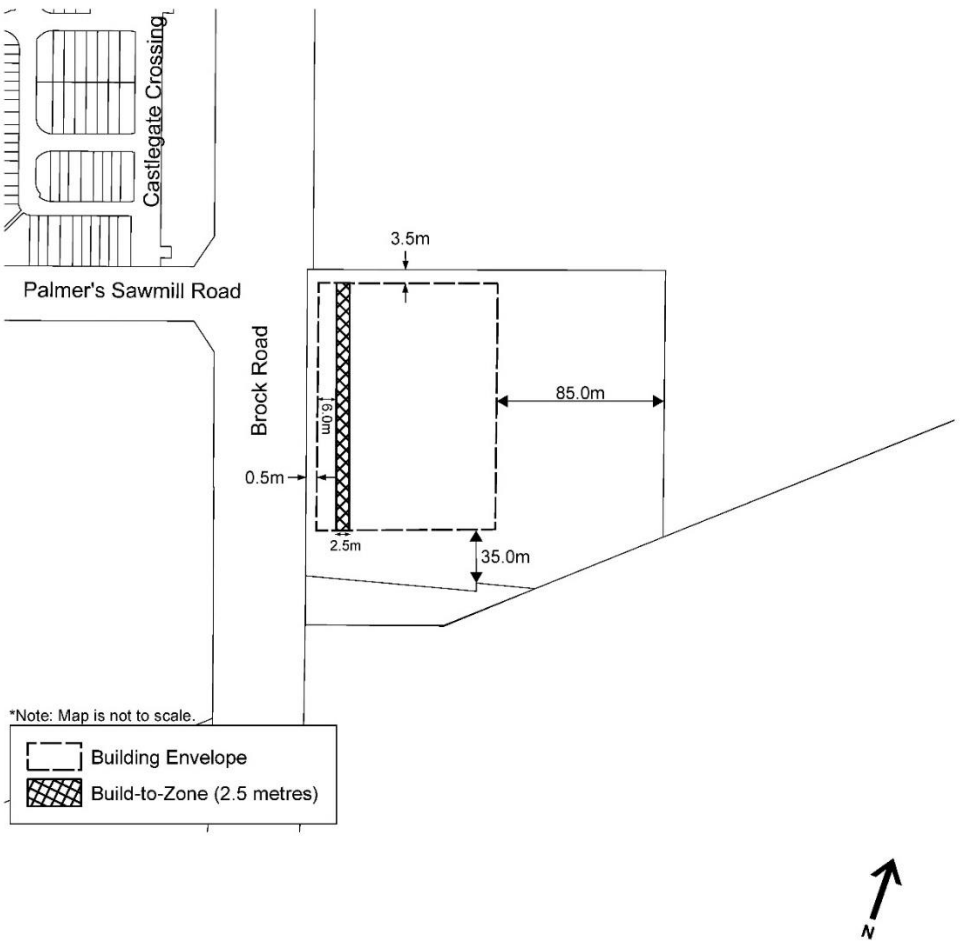
ii. Resource management

b) Zone Regulations ("NHS" Zone)

Notwithstanding any other provision of this By-law, any building, structure, parking space, loading space or aisle located above or below established

grade shall be setback a minimum of 10.0 metres from a Natural Heritage System (“NHS”) Zone boundary.

5. Figure 2



Schedule II to By-Law 7982/23
Passed This 23rd
Day of January, 2023

Mayor

Clerk

15.319 Exception Zone 319 (By-law 124-74, as amended by By-law 2801-88)

1. Provisions

   a) That notwithstanding the provisions of Restricted Area By-law 3036 and Restricted Area By-law 3037, as amended, enacted by the former Township of Pickering to which the Town of Pickering is successor, the lands forming part of this By-law may be used as municipally owned and operated areas for the purposes of receiving, dumping and disposing of waste.

   b) Despite the provisions of subsections 12.1, 12.2, 12.3, 12.4 and 12.5 of By-law 3037, in addition to any other uses permitted by this by-law or any amendment to it, the lands comprising that part of Lot 22, Concession 3 designated as Part 1, 40R-10979, and any buildings or structures thereon, may be used for the purpose of:

      i. electrical power generating plant, in accordance with the following provisions:

         A. building structure height (maximum):

1)	transformer	8.0 metres
2)	cooling tower	8.0 metres
3)	stack	20.0 metres
4)	all other buildings and structures	15.0 metres

         B. Parking Spaces (minimum):

            there shall be provided and maintained on the lands one parking space for every 80 square metres of gross floor area of building and structures, except transformer and substation, cooling tower, and stack, associated with an electrical power generating plant use.

         C. Ground Floor Area (maximum):

            The ground floor area of all buildings and structures, except transformer and substation, cooling tower, and stack associated with an electrical power generating plant use shall not exceed 600 square metres.

   c) For the purposes of Section 1(b) of this By-law:

      i. "electrical power generating plant" means a facility comprised of various buildings and structures designated and used to generate electricity through the combustion of gases originating on site.

15.320 Exception Zone 320 (By-law 7586-17)

1. Definitions

   a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

   b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

   c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   d) “Basement” means a portion of a building below the first storey.

   e) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

   f) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

   g) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   h) “Dwelling, Block Townhouse” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle;

   i) “Dwelling Unit” means a residential unit that:

      i. consists of a self-contained set of rooms located in a building or structure;

      ii. is used or intended for use as a residential premises;

      iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

      iv. is not a mobile home or any vehicle.

j) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.

k) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

l) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.

m) “Lands, Subject” means the lands subject of this by-law.

   i. “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   ii. “Lot, Corner” means a lot situated at the intersection of two or more streets or upon two parts of the same street having an angle of intersection not exceeding 135 degrees.

   iii. “Lot, Through” means a lot bounded on opposite sides by a street.

n) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.

o) “Mobile Home” means a prefabricated building that is designed to be made mobile and is intended to provide permanent residence but does not include any trailer otherwise defined in this By-law.

p) “Parapet Wall” means the portion of an exterior wall extending above the roof.

q) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.

r) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

s) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.

t) “Primary Entrance Door” means the principal entrance by which the resident enters or exits a dwelling unit.

u) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

v) “Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

w) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

x) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

y) “Street Line” means the dividing line between a lot and a street.

z) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.

aa) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or inground swimming pools.

bb) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

2. Provisions

a) Uses Permitted (“MU-29” and “MU-30” Zones)

i. No person shall within the lands zoned “MU-29” use any lot or erect, alter, or use any building or structure for any purpose except the following:

1) Dwelling, Stacked

2) Dwelling, Block Townhouse

ii. No person shall within the lands zoned “MU-30” use any lot or erect, alter, or use any building or structure for any purpose except the following:

1) Dwelling, Stacked

b) Zone Requirements (“MU-29” and “MU-30” Zones)

No person shall within the lands zoned “MU-29” and “MU-30” use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

1) No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1 attached hereto;

2) No building or portion of a building or structure shall be erected unless a minimum of 60 percent of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60 percent of the length of the build-to-zone along the Street ‘A’ frontage, as illustrated on Figure 1 attached hereto, contains a building or part of a building;

ii. Minimum separation between buildings: 3.0 metres;

c) Minimum and Maximum Number of Dwelling Units for Parcels A, B and C identified on Figure 1 of this By-law:

i. Parcel A

A. Minimum Number of Dwelling Units 31

B. Maximum Number of Dwelling Units 142

ii. Parcels B

A. Minimum Number of Dwelling Units 35

B. Maximum Number of Dwelling Units 161

iii. Parcel C

A. Minimum Number of Dwelling Units 28

B. Maximum Number of Dwelling Units 131

d) Building Height (maximum): 13.0 metres

e) Parking Requirements (minimum):

i. Block Townhouse Dwelling: 2.0 parking spaces per dwelling unit plus 0.2 of a parking space per dwelling unit for visitors

ii. Stacked Dwelling: 2.0 parking spaces per dwelling unit plus 0.2 of a parking space per dwelling unit for visitors

f) Driveway Width (maximum):

i. Block Townhouse Dwelling: 3.7 metres

g) Garage Requirements:

i. Block Townhouse Dwelling: Minimum 1 private garage per unit attached to the main building, the vehicular entrance of which shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.

ii. Stacked Dwelling: Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.

iii. Interior Garage Size (minimum):

A. Block Townhouse Dwelling: A private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.

B. Stacked Dwelling: Each parking space within a private garage for stacked dwelling units shall have a minimum width of 2.7 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.

h) Special Provisions (“MU-29” and “MU-30” Zones)

i. Despite Section 2(b)(i)(1) of this By-law, architectural projections including balconies, covered porches, platforms and awnings, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may project outside the building envelope identified on Figure 1 of this By-law, to a maximum of 2.5 metres from the main wall of the building, and uncovered steps may project outside the required building envelope to the lot line.

ii. The minimum pavement width for a private street shall be 6.5 metres.

iii. Air conditioners shall not be located any closer than 0.6 metres to the building envelope and shall not be located on any easement in favour of the City.

iv. Amenity Area (minimum) - 5.0 square metres per dwelling unit

v. Private Parks:

A. Parcel A – minimum total area shall be 100 square metres

B. Parcel B – minimum total area shall be 1,000 square metres

C. Parcel C – not applicable

vi. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.

vii. Despite provision 2(a)(i) and 2(b) of this By-law, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the "MU-29" and "MU-30" zone use provisions and zone requirements.

viii. Clauses 5.19.2(a), 5.19.2(b), 5.19.2(e), 5.19.2(f), 5.19.2(g), and 5.19.2(k) of By-law 3037, as amended, shall not apply.

3. Restrictions on the Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

A maximum of 4 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

i. for those vehicles parked on any lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.7 metres;

ii. notwithstanding Section (i) above, 1 vehicle parked on a driveway in a side yard or rear yard can be of a size up to a maximum permissible height of 3.5 metres, and a maximum permissible length of 8.0 metres; and

iii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

c) Location of Vehicles:

No part of any front yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any road allowance.

d) Inoperative Vehicles:

The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

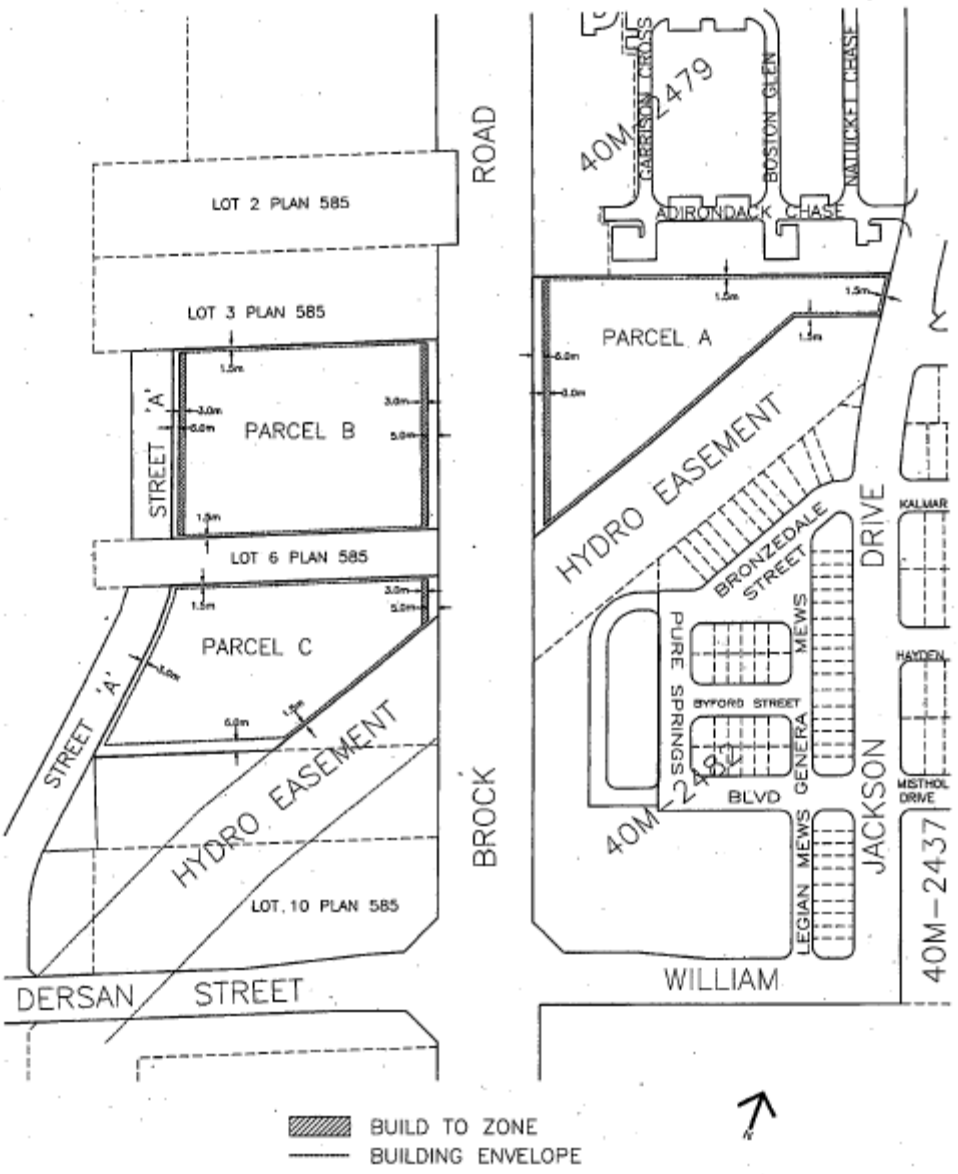
f) Oversize Vehicles:

A vehicle that exceeds the maximum permissible vehicle size provisions of Section 4(b), is permitted to park temporarily on a lot for the sole purpose of delivering to, servicing or constructing the premises on that lot.

4. Model Homes

a) A maximum of 2 blocks, together with not fewer than 2 parking spaces per Model Home, may be constructed on the lands zoned “MU-29” and “MU-30”. For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

5. Figure 1



SCHEDULE II TO BY-LAW 7586/17

**APPROVED BY THE
ONTARIO MUNICIPAL BOARD
FINAL DECISION ISSUED
AUGUST 3, 2017**

15.321 Exception Zone 321 (By-law 7633-18)

1. Definitions

a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

d) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

e) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

f) “Build-to-Zone” means an area of land in which all or part of a building elevation of one or more buildings is to be located.

g) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways and parking and amenity areas.

h) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines including private street lines in the form of an arc, which joins the front lot line to the flankage or side lot line and joins the rear lot line to the flankage or side lot line.

i) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

j) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

k) “Dwelling Unit” means a residential unit that:

i. consists of a self-contained set of rooms located in a building or structure;

ii. is used or intended for use as a residential premises;

iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

iv. is not a mobile home or any vehicle.

l) “Dwelling, Multiple – Horizontal” means a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.

m) “Dwelling, Stacked” means a residential use building for four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically and in which each dwelling unit has an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have shared exit facilities above the first floor.

n) “Grade” or “Established Grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.

o) “Height, Building” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge.

p) “Landscaped Area” means an outdoor area comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles, private streets, driveways, porches, decks, and areas for loading, parking or storing of vehicles.

q) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

r) “Lot Area” means the total horizontal area within the lot lines of a lot;

s) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

t) “Lot, Through” means a lot bounded on opposite sides by a street.

u) “Parapet Wall” means the portion of an exterior wall extending above the roof.

v) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.

w) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.

x) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

y) “Storey” means that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.

z) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

aa) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

bb) “Wall, Front” a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

cc) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quantity of water delivered to a property.

dd) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

ee) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ff) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

gg) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

hh) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ii) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

jj) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

kk) “Flankage Side Yard” means a side yard immediately adjoining a street not including a private street or abutting on a reserve on the opposite side of which is a street;

ll) Flankage Side Yard Width” means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions (“MU-MD-3” Zone)

a) Uses Permitted (“MU-MD-3” Zone)

No person shall within the lands zoned “MU-MD-3” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Multiple Dwelling – Horizontal

ii. Private Park

b) Zone Requirements (“MU-MD-3” Zone)

No person shall within the lands zoned “MU-MD-3”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

		Integrated garage at the rear of the dwelling	Integrated garage at the front of the dwelling
(a)	Lot Frontage (minimum)	4.5 metres	5.5 metres
(b)	Lot Area (minimum)	110 square metres	130 square metres
(c)	Front Yard Depth (minimum)	3.0 metres	4.5 metres
(d)	Side Yard Depth (minimum)	1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	
(e)	Rear Yard Depth (minimum)	6.0 metres	7.0 metres
(f)	Flankage Yard Depth (minimum)	2.4 metres	
(g)	Building Height (maximum)	12.0 metres	
(h)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	
(i)	Visitor Parking Requirements (minimum)	0.2 of a parking space per dwelling unit which may be provided on a separate lot.	
(j)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street	
(k)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 2.8 metres and a minimum depth of 6.0 metres provided, however, the width may include one	

		Integrated garage at the rear of the dwelling	Integrated garage at the front of the dwelling
		interior step and the depth may include two interior steps	
(l)	Driveway Width (maximum)	i) 3.7 metres ii) For lots with an integrated garage at the rear of the dwelling and with a lot frontage of 6.0 metres or greater, the maximum driveway width shall be 5.5 metres	

c) Special Provisions (“MU-MD-3” Zone)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs, walls or screens to screen utilities and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;

ii. A porch, uncovered deck or balcony may encroach into any required front yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;

iii. A porch, uncovered deck or balcony may encroach into any required flankage yard to a maximum of 2.0 metres and into any required side yard to a maximum of 1.2 metres;

iv. A porch or uncovered deck or balcony may encroach into any required rear yard to a maximum of 3.0 metres for dwellings with an integrated garage at the rear of the dwelling and 2.0 metres for dwellings with an integrated garage at the front of the dwelling;

v. Stairs may encroach to within 0.3 of a metre of the front lot line or flankage lot line; to within 1.0 metre of a rear lot line; and to within 0.3 of a metre of a side lot line;

vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less;

vii. Despite any minimum front yard depth, rear yard depth, side yard depth or flankage yard depth, on a corner lot, the minimum setback to a corner rounding at the front of a lot shall be 1.0 metre, the minimum setback to a corner rounding at the rear of a lot shall be 0.4 of a metre, and the minimum setback to a corner rounding at the side yard or flankage of a lot shall be 0.4 of a metre;

viii. Air Conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units with the exception of units located in the amenity area provided on the balcony above the garage or driveway shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City.

d) Special Regulations (“MU-MD-3” Zone)

i. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the subject lands;

ii. Despite Section 2(d)(i) above, the lot lines that abut Four Seasons Lane and Palmer’s Sawmill Road shall be deemed to be the Front Lot Lines for the lots zoned “MU-MD-3”;

iii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MU MD-3” zone use provisions and zone requirements;

iv. Minimum Private Amenity Area for units with an integrated garage at the rear:

A. 10 square metres of amenity area shall be provided on the balcony above the garage or driveway and located at the rear of the dwelling unit;

B. accessory structures such as pergolas, shed or other similar structures shall not be permitted on the balcony above the garage at the rear of the dwelling unit;

C. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

3. Provisions (“MU-MD-4” Zone)

a) Uses Permitted (“MU-MD-4” Zone)

No person shall within the lands zoned “MU-MD-4” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Stacked Dwelling

b) Zone Requirements (“MU-MD-4” Zone)

No person shall within the lands zoned “MU-MD-4” use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1.

B. No building or part of a building or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone along the frontage of Brock Road as illustrated on Figure 1 attached hereto, contains a building or part of a building.

C. The minimum separation distance between the exterior walls of buildings, except for the front wall, shall be 5.0 metres.

ii. Building Height (maximum): 12.5 metres

c) Parking Requirements (“MU-MD-4” Zone)

i. 1.0 parking spaces per dwelling unit shall be provided either in a private garage or in a parking area plus 0.2 of a parking space per dwelling unit for visitors. Resident and visitor parking spaces may be provided on a separate lot and secured by an easement.

ii. Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.

iii. Each parking space within a private garage shall have a minimum width of 2.8 metres and a minimum depth of 6.0 metres; however, the width of a private garage may include 1 interior step and the depth may include 2 interior steps.

iv. Air Conditioners are permitted on a lot provided such units shall not be located any closer than 0.6 of a metre to any lot line and shall not be located on any easement in favour of the City.

v. Minimum Private Amenity Area for lands zoned “MU-MD-4”: 5.0 square metres.

d) Projections (“MU-MD-4” Zone)

i. Despite Section 3(b)(i)A. of this By-law, stairs, covered and uncovered porches and platforms, uncovered decks, bay, box and bow windows, balconies, eaves, canopies, window sills, supporting structures and footings and other similar features are permitted to project beyond the building envelope as illustrated on Figure 1, but not closer than 1.5 metres to any lot line.

e) Special Provisions (“MU-MD-3” and “MU-MD-4” Zones)

i. Number of dwelling units permitted on lands zoned MU-MD-3 and MU MD-4:

A. Minimum number of dwelling units – 190

ii. One private park having a minimum lot area of 670 square metres shall be provided on lands zoned “MU-MD-3” or “MU-MD-4”;

iii. Sections 5.10, 5.19.2, 5.20, 5.21, and 5.22 of By-law 3037, as amended, shall not apply to the lands zoned “MU-MD-3” and “MU-MD-4”;

4. Restrictions on the Parking and Storage of Vehicles (“MU-MD-3” and “MU MD-4” Zones)

   No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

   a) Number of Vehicles:

      i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

   b) Size of Vehicles:

      i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;

      ii. height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.

   c) Location of Vehicles:

      i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.

   d) Inoperative Vehicles:

      i. The parking or storage of an inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

   e) Construction Vehicles:

      i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

   f) Oversize Vehicles:

      i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 4(b) of this By-law, is permitted to park temporarily for the sole purpose of delivering to, servicing or constructing the premises.

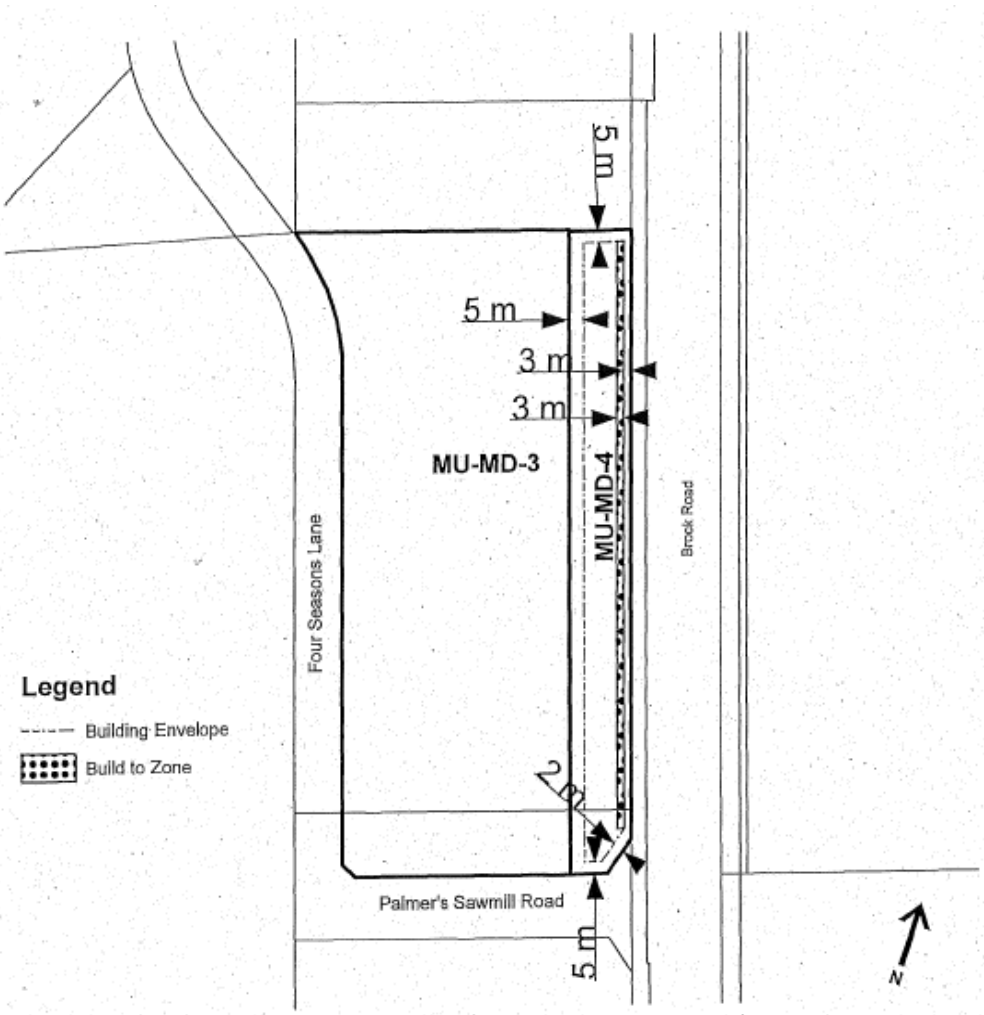
5. Model Homes

   a) A maximum of 2 blocks, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned “MU-MD-3” prior to the division of those lands by lifting of part lot control.

   b) A maximum of 1 block, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned “MU-MD-4”.

c) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

6. Figure 1



Schedule II to By-Law 7633/18
Passed This 25th
Day of June, 2018

Mayor

D. Shields
Clerk

15.322 Exception Zone 322 (By-law 7858-21)

1. Definitions

   a) “Amenity Space” means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.

   b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   c) “Building, Apartment” shall mean a building containing more than four dwelling units where the units are connected by an interior corridor.

   d) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.

   e) “Dwelling Unit” means a residential unit that:

      i. consists of a self-contained set of rooms located in a building or structure;

      ii. is used or intended for use as a residential premises;

      iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

      iv. is not a mobile home or any vehicle.

   f) “Floor Space Index” means the total gross floor area of all buildings on a lot divided by the total area of the lot on which the building is located, excluding any portion of the building located below grade, such as parking structures.

   g) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

   h) “Parapet Wall” means the portion of an exterior wall extending above the roof.

   i) “Park, Private” means a park which is maintained by a condominium corporation.

   j) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.

   k) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.

l) “Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.

2. Provisions

a) Uses Permitted (“RMII-4” Zone)

No person shall within the lands zoned “RMII-4” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Apartment Building

b) Zone Requirements (“RMII-4” Zone)

No person shall within the lands zoned “RMII-4” use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Number of Dwelling Units:

A. Minimum number of dwelling units: 10 units

B. Maximum number of dwelling units: 44 units

ii. Building Height:

A. Minimum building height: 8.0 metres (4-storeys)

B. Maximum building height: 22.0 metres (6-storeys)

c) Building Location and Setbacks:

i. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1.

ii. No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 80 percent of the length of the build-to-zone, as illustrated on Figure 1, contains a building or part of a building.

iii. A below grade parking structure shall be permitted beyond the limits of the building envelope as identified on Figure 1, but no closer than 0.3 of a metre from all lot lines.

iv. Architectural projections including roof overhang, eaves, canopies, balconies, awnings and other similar features shall be permitted to extend a maximum of 2.0 metres beyond the building envelope as identified on Figure 1.

v. Despite Section 2(c)(iv) above, outdoor amenity area for the dwelling units on the first floor shall be permitted to extend to a maximum of 5.0 metres beyond the building envelope as identified on Figure 1.

d) Vehicular Parking Requirements:

i. Parking Requirements for Apartment Building:

1) Minimum 1.0 parking space per dwelling unit

2) Minimum 1.75 parking space per 2-storey dwelling unit

3) Minimum 0.20 of a parking space per dwelling unit for visitors

ii. All resident parking spaces shall be provided within a below grade parking structure.

iii. A parking lot shall not be permitted between a building and a street line abutting Brock Road.

e) Bicycle Parking Requirements:

i. Minimum number of bicycle parking spaces: 0.5 of a space per dwelling unit.

ii. A maximum of 50 percent of the required bicycle parking spaces may be vertical spaces; the rest of the required spaces must be horizontal spaces.

iii. Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.

iv. Dimensions:

A. if located in a horizontal position (on the ground): a minimum length of 1.8 metres and a minimum width of 0.6 metres

B. if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres

f) Balcony Requirements:

i. Minimum Balcony Area: 6.0 square metres

ii. Minimum Balcony Depth: 1.5 metres

iii. Despite (2)(f)(i) above, minimum private outdoor amenity area for dwelling units on the first floor: 20 square metres

g) Indoor Amenity Area and Private Park:

i. Minimum indoor amenity area per dwelling unit: 2.0 square metres

ii. Minimum area of a Private Park: 200 square metres

h) Rooftop Mechanical Equipment and Mechanical Penthouses:

i. Rooftop mechanical equipment, including any appurtenances thereto, that exceed a maximum height of 2.0 metres shall be fully enclosed within a mechanical penthouse.

ii. Rooftop mechanical equipment shall be setback a minimum of 5.0 metres from all edges of a roof.

iii. Notwithstanding 2(h)(ii) above, no setback is required if rooftop mechanical equipment is fully enclosed within a mechanical penthouse or screened by an architectural feature.

i) Special Provisions:

i. Air conditioner units shall not be located between the front wall of a building or a dwelling and Brock Road.

ii. Waste shall be stored within a fully enclosed building, structure or partially in-ground structure and shall not be located between a building and a street line.

iii. Sections 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned “RMII-4”.

3. Restrictions on Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Size of Vehicles:

i. For those vehicles parked on any parking lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres.

ii. Height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.

b) Location of Vehicles:

i. The parking of any vehicle outdoors is only permitted within a parking lot, no vehicle is to encroach onto any Street or Private Street.

c) Inoperative Vehicles:

i. The parking or storage of any inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

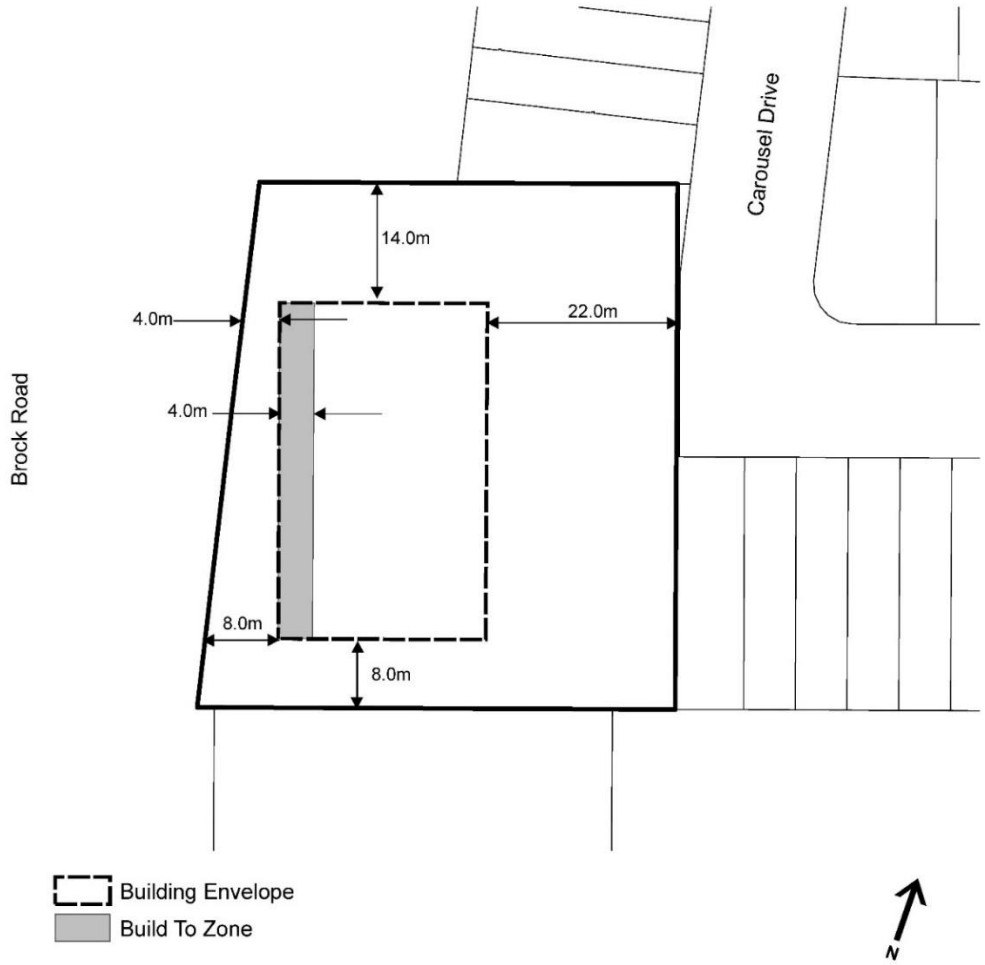
d) Construction Vehicles:

i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

e) Oversize Vehicles:

i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 3(a) is permitted to park temporality for the sole purpose of delivering, to servicing or constructing the premises.

4. Figure 1



Schedule II to By-Law 7858/21
Passed This 28th
Day of June 2021

Mayor

Clerk

15.323 Exception Zone 323 (By-law 2675-88, as amended by By-law 4354-93 and By-law 5311-98)

1. Definitions

   a) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;

   b) "Neighbourhood Store" shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale to residents of, or persons employed in the immediate neighbourhood and may include a postal station;

   c) "Place of Religious Assembly" shall mean a building or part of a building where persons assemble for contemplative, counselling, educational or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof.

   d) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   e) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

   f) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

   g) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   h) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   i) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

   j) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

k) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

l) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 3,000 square metres

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 2.4 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.4 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum floor area per dwelling unit: 95 square metres

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. For each detached dwelling, there shall be provided and maintained on the lot a minimum l parking space;

C. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR2".

c) Exceptions

i. Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), a detached dwelling and uses

accessory thereto may be erected, altered or used on a lot which existed on the date of the passing of this by-law providing:

A. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres; or

B. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.

ii. Despite the minimum lot area and front yard depth provisions of subsections 2(b)(i) and 2(b)(iii), in the area cross-hatched on Figure 1, a detached dwelling use may be established with a minimum lot area of 1200 square metres and a minimum front yard depth of 0.8 of a metre if the building existed on the date of the passing of this by-law.

d) Special Regulations ("(HMC4)" Symbol)

On lands where the "HMR2" zone is followed by the symbol "(HMC4)" the following regulations shall apply:

i. In addition to the uses specified in subsection 2(a) and providing a dwelling unit exists on the lot, the following use shall be permitted on the lot:

1) neighbourhood store

ii. All zone requirements of subsection 2(b) shall apply, except that if one or more neighbourhood stores are established:

1) despite subsection 2(b)(x)(B), there shall be provided and maintained on the lot, in addition to a minimum 1 parking space for the dwelling unit, a minimum of 4.0 parking spaces per 100 square metres gross floor area neighbourhood store

iii. The gross floor area of all neighbourhood stores on the lot shall not exceed 250 square metres.

e) Uses Permitted ("I(C)" Zone)

No person shall within the lands zoned "I(C)", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Church

f) Zone Requirements ("I(C)" Zone)

No person shall within the lands zoned "I(C)" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 3.0 metres

iii. REAR YARD DEPTH (minimum): 9.0 metres

iv. LOT COVERAGE (maximum): 25 percent

v. BUILDING HEIGHT (maximum): 12 metres

vi. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lot a minimum of 1 parking space per 4 persons capacity;

C. Subsections 5.19.2a), 5.19.2b), 5.19.2d) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "I(C)";

g) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

h) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control or a culvert for access.

Uses Permitted ("A" Zone)

No person shall within the lands zoned "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

i) Uses Permitted ("(I)PRA" Zone)

No person shall within the lands zoned "(I)PRA" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Place of Religious Assembly

j) Zone Requirements ("(I)PRA" Zone)

No person shall within the lands zoned "(I)PRA" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.8 of a hectare

ii. LOT FRONTAGE (minimum): 60 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. SIDE YARD WIDTH (minimum): 3.0 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 9.0 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 25 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. GROSS FLOOR AREA (maximum): 500 square metres

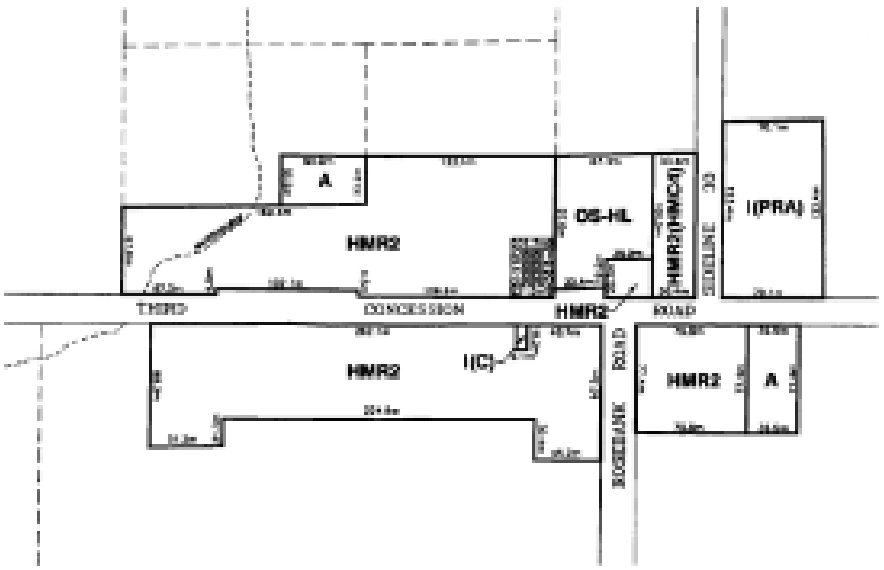
x. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a useable and accessible area not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, and shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lot a minimum of one parking space per four persons capacity;

C. The provisions of Section 5.19.2a) of By-law 3037 shall not apply to the lands zoned "(I)PRA".

3. Figure 1



SCHEDULE I TO BY-LAW 5311/98
PASSED THIS 18th
DAY OF May 1998

MAYOR

CLERK

15.324 Exception Zone 324 (By-law 2677-88, as amended by By-law 2804-88, By-law 5629-00, By-law 5939-02, and By-law 6828-08)

1. Definitions

   a) "Antique Store" shall mean a store in which antique articles, merchandise or similar items are stored, offered or kept for retail sale to the public;

   b) "Arts and Craft Shop" shall mean an establishment in which articles, merchandise or similar items used in the production of arts, crafts and domestic hobbies are stored, offered or kept for retail sale to the public, and where lessons or instructions related to the production of arts, crafts and domestic hobbies may be given;

   c) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   d) "Bed & Breakfast Establishment" shall mean an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a building or part of a building that is the principal residence of the proprietor of the establishment;

   e) "Book Store" shall mean a store in which books, magazines, periodicals and similar items are stored, offered or kept for retail sale to the public;

   f) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   g) "Clothing Boutique" shall mean an establishment in which clothes and clothing accessories are stored, offered or kept for retail sale to the public;

   h) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;

   i) "Custom Workshop" shall mean a building or part of a building in which is carried on the custom production of made-to-order articles including furniture, pottery, glassware, jewellery, artwork, clothing, toys and musical instruments.

j) "Day Spa" shall mean a building or part of a building in which beauty and aesthetic treatments are provided, such as hair removal, make-up application, cosmetic tattooing, massage therapy, and weight loss treatments, but shall not include a body rub parlour, and shall not provide over night accommodations;

k) "Domestic Business - Type A" shall mean an antique store, an arts and craft shop, a bookstore, a business office, a clothing boutique, a custom workshop, a professional office, or a specialty home furnishing shop, which is:

   i. operated from a detached dwelling on the lot, or a building or structure accessory to the detached dwelling on the lot; and

   ii. managed, directed or conducted by one or more of the occupants of the detached dwelling on the lot.

l) "Domestic Business - Type B" shall mean a bakery or a tea room, which is:

   i. operated from a detached dwelling on the lot, or a building or structure accessory to the detached dwelling on the lot; and

   ii. managed, directed or conducted by one or more of the occupants of the detached dwelling on the lot.

m) "Mill, Granary and Fertilizer Establishment" shall mean an establishment in which grain is milled and in which agricultural fertilizers may be produced, and wherein such products or by-products are stored, offered or kept for wholesale or retail sale;

n) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, and engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. l980, Chapter 302, as amended from time to time, or any successor thereto;

o) "Restaurant – Type A" shall mean a building or part of a building where food is prepared or offered or kept for retail sale to the public for immediate consumption on or off the premises;

p) “Retail Store” shall mean a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public;

q) “Small Implement Repair Shop” shall mean a building where small implement equipment, such as domestic pumps and rotor tillers, are serviced, repaired or stored and may include the sale of used implements only;

r) "Specialty Home Furnishings Shop" shall mean an establishment in which household furniture, utensils, draperies, linen, glassware, artwork and similar domestic items are stored, offered and kept for retail sale to the public;

s) "Tea Room" shall mean an establishment in which non-alcoholic beverages, pastries, sandwiches and desserts may be kept and sold for immediate consumption on the premises only;

t) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

u) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

v) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

w) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

x) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

y) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

z) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

aa) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

bb) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("HMR3" Zone)

No person shall within the lands zoned "HMR3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

ii. domestic business - type A

iii. domestic business - type B

b) Zone Requirements ("HMR3" Zone)

No person shall within the lands zoned "HMR3" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 3,000 square metres

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 2.4 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.4 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum floor area per dwelling unit: 95 square metres

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. For each detached dwelling there shall be provided and maintained on the lot a minimum 1 parking space;

C. For each detached dwelling containing one or more domestic business - type A, or one or more domestic business - type B, there shall be provided and maintained on the lot, in addition to the minimum 1 parking space for the detached dwelling, a minimum of 3 parking spaces per 100 square metres gross floor area domestic business - type A, and a minimum of 5 parking spaces per 100 square metres gross floor area domestic business - type B;

D. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR3";

E. Subsection 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned "HMR3".

xi. SPECIAL PROVISIONS:

A. The aggregate of the gross floor areas of all domestic business - type A, and domestic business - type B, on a lot shall not exceed 25 percent of the gross floor area of the detached dwelling on the lot.

c) Exceptions

Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), detached dwelling and uses accessory thereto, a domestic business - type A, and a domestic business - type B, may be erected, altered or used on a lot which existed on the date of the passing of this by-law, providing:

i. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres, or

ii. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for the lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.

d) Uses Permitted ("HMC8" Zone)

No person shall within the lands zoned "HMC8", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. arts and craft shop

e) Zone Requirements ("HMC8" Zone)

No person shall within the lands zoned "HMC8" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 1.8 metres

iii. REAR YARD DEPTH (minimum): 9.0 metres

iv. LOT COVERAGE (maximum): 25 percent

v. BUILDING HEIGHT (maximum): 12 metres

vi. OPEN STORAGE: no open storage shall be permitted in any yard

vii. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

1) There shall be provided and maintained on the lot a minimum of 4.0 parking spaces per 100 square metres gross floor area arts and craft shop;

2) Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "HMC8".

f) Uses Permitted ("I(C)" Zone)

No person shall within the lands zoned "I(C)", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Church

g) Zone Requirements ("I(C)" Zone)

No person shall within the lands zoned "I(C)" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 3.0 metres

iii. FLANKAGE SIDE YARD WIDTH (minimum): 3.0 metres

iv. REAR YARD DEPTH (minimum): 9.0 metres

v. LOT COVERAGE (maximum): 25 percent

vi. BUILDING HEIGHT (maximum): 12 metres

vii. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lot a minimum of 1 parking space per 4 persons capacity;

C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "I(C)".

h) Uses Permitted ("CU" Zone)

No person shall within the lands zoned "CU", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. community use

i) Uses Permitted ("A" Zone)

No person shall within the lands zoned "A", use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

j) Uses Permitted ("G" Zone)

No person shall within the lands zoned "G", use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 14 of By-law 3037, as amended.

k) Uses Permitted (“HMC9” Zone)

No person shall within the lands zoned “HMC9”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bed & breakfast establishment;

ii. day spa;

iii. dwelling unit;

iv. professional office;

v. restaurant – type A

vi. retail store;

vii. small implement repair shop

l) Zone Requirements (“HMC9” Zone)

No person shall within the lands zoned “HMC9” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 1.8 metres

iii. FLANKAGE SIDE YARD WIDTH (minimum): 1.8 metres

iv. REAR YARD DEPTH (minimum): 9.0 metres

v. LOT COVERAGE (maximum): 33 percent

vi. BUILDING HEIGHT (maximum)18 metres

vii. OPEN STORAGE:

no open storage shall be permitted in any yard

viii. PARKING REQUIREMENTS:

A. For the purpose of this clause, “parking space” shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lot a minimum of 3.0 parking spaces per 100 square metres of gross leasable floor area for any retail store and small implement repair shop;

C. There shall be provided and maintained on the lot a minimum of two parking spaces for any dwelling unit;

D. Subsections 5.19.2 a), 5.19.2 b) and 5.19.2 d) and 5.19.2 k) of By-law 3037, as amended, shall not apply to the lands zoned “HMC9”.

E. Where a parking space abuts the Whitevale Road allowance a minimum 2.0 metre landscaping buffer shall be provided;

F. Despite clause 2.2.1 of By-law 3037, the minimum two-way traffic aisle width shall be 6.0 metres;

G. There shall be provided and maintained on the lot a minimum of 5.0 parking spaces per 100 square metres of gross leasable floor area for any day spa and restaurant – type A;

H. There shall be provided and maintained on the lot a minimum of one parking space for each guest room associated with a bed & breakfast establishment.

ix. SPECIAL PROVISIONS:

A. The gross floor area of all retail uses shall be limited to a maximum of 400 square metres on the ground floor only;

B. A maximum of one dwelling unit is permitted on the property;

C. Small engine repairs are to be conducted from an accessory structure only;

D. The maximum gross floor area of all buildings on the lot shall not exceed 1700 square metres;

E. Despite the provisions of Section 5.18 (a) (Accessory Buildings and Uses), By-law 3037, an accessory building may be located in any yard provided it has a minimum front yard depth of 7.5 metres and complies with all other yard requirements of Section 2(l) above;

F. Despite the provisions of Section 5.18 (a) and (b) (provisions for accessory structure location) of By-law 3037 and Section 2(l)(ix)(E) above, an accessory, detached garage may be located in the rear yard a minimum of 0.0 metres from the rear and side lot lines;

G. The gross leasable floor area of all restaurant – type A uses shall be limited to a maximum of 200 square metres on the ground floor only;

H. A maximum of one day spa use shall be permitted with a maximum gross leasable floor area of 300 square metres;

I. Despite Section 2(l)(i) above, a professional office shall only be permitted as a component of a day spa use, and shall be included in the gross leasable floor area calculation for the day spa use;

15.325 Exception Zone 325 (By-law 7969-22)

1. Definitions

   In this By-law,

   a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

   b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch, private patio or deck and which has direct access from the interior of the dwelling unit.

   c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   d) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

   e) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

   f) “Build-to-Zone” means an area of land in which all or part of a building elevation of one or more buildings is to be located.

   g) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways and parking and amenity areas.

   h) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines including private street lines in the form of an arc, which joins the front lot line to the flankage or side lot line and joins the rear lot line to the flankage or side lot line.

   i) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

j) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

k) “Dwelling Unit” means a residential unit that:

i. consists of a self-contained set of rooms located in a building or structure;

ii. is used or intended for use as a residential premises;

iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

iv. is not a mobile home or any vehicle.

l) “Dwelling, Multiple – Horizontal” means a building containing three or more dwelling units attached horizontally by an above-grade wall or walls;

m) “Dwelling, Stacked” means a residential use building for four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically and in which each dwelling unit has an attached private garage and an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have shared exit facilities above the first floor;

n) “Dwelling, Stacked Back-to-Back” means a residential use building for four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically and in which each dwelling unit has an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have shared exit facilities above the first floor

o) “Grade” or “Established Grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.

p) “Height, Building” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. The height requirements of this By-law shall not apply to a roof top mechanical penthouse.

q) “Landscaped Area” means an outdoor area comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles, private streets, driveways, porches, decks, and areas for loading, parking or storing of vehicles.

r) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

s) “Lot Area” means the total horizontal area within the lot lines of a lot;

t) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

u) “Lot, Through” means a lot bounded on opposite sides by a street.

v) “Parapet Wall” means the portion of an exterior wall extending above the roof.

w) “Private Park” means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and may be comprised of trees, plants, decorative stonework, public art, retaining walls, walkways, stairs, steps or other landscape or architectural elements.

x) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.

y) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.

z) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

aa) “Storey” means that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.

bb) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

cc) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

dd) “Tandem Parking Space” means two or more parking spaces abutting each other end to end with only one having access to a private street.

ee) “Wall, Front” a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

ff) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quantity of water delivered to a property.

gg) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

hh) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ii) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

jj) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

kk) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ll) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

mm) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

nn) “Flankage Side Yard” means a side yard immediately adjoining a street not including a private street or abutting on a reserve on the opposite side of which is a street;

oo) Flankage Side Yard Width" means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions ("MU-MD-5" & "MU-MD-6" Zone)

a) Uses Permitted ("MU-MD-5" & "MU-MD-6" Zone)

No person shall within the lands zoned "MU-MD-5" & "MU-MD-6" use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. "MU-MD-5"

A. Dwelling, Multiple – Horizontal

ii. "MU-MD-6"

A. Dwelling, Multiple – Horizontal

b) Zone Requirements ("MU-MD-5" & "MU-MD-6" Zone)

No person shall within the lands zoned "MU-MD-5" & "MU-MD-6" use any lot or erect, alter, or use any building except in accordance with the following provisions:

		MU-MD-5	MU-MD-6
i.	Building Location	No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1.	
ii.	Lot Frontage (minimum)	3.7 metres	5.5 metres
iii.	Front Yard Depth (minimum)	Nil	6.0 metres
iv.	Side Yard Setback (minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot
v.	Rear Yard Depth (minimum)	Nil	6.5 metres
vi.	Building Height (maximum)	12.0 metres	

		MU-MD-5	MU-MD-6
vii.	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	
viii.	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit, which may be provided on a separate lot.	
ix.	Garage Requirements	Minimum one private garage per dwelling unit, the vehicular entrance of which shall be located not less than 1.6 metres from a private street.	Minimum one private garage per dwelling unit, the vehicular entrance of which shall be located not less than 6.0 metres from a private street.
x.	Interior Garage Dimensions (minimum)	A. A private garage shall have a minimum width of 5.6 metres and a minimum depth of 5.7 metres provided, however, the width may include one interior step and the depth may include two interior steps; or B. A private garage may permit tandem parking and shall have a minimum width of 3.0 metres and a minimum depth of 11.4 metres provided, however the width may include two interior steps and depth may include one interior step	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include two interior steps and the depth may include two interior steps.
xi.	Driveway Width (maximum)	A driveway shall not exceed the width of the building or structure to	3.7 metres

		MU-MD-5	MU-MD-6
		which it provides access.	

3. Provisions (“MU-MD-7” & “MU-MD-8” Zone)

a) Uses Permitted (“MU-MD-7” & “MU-MD-8” Zone)

No person shall within the lands zoned “MU-MD-7” & “MU-MD-8” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. “MU-MD-7” Zone

A. Dwelling, Stacked

ii. “MU-MD-8” Zone

A. Dwelling, Stacked Back-to-Back

b) Zone Requirements (“MU-MD-7” & “MU-MD-8” Zone)

No person shall within the lands zoned “MU-MD-7” & “MU-MD-8” use any lot or erect, alter, or use any building except in accordance with the following provisions:

		MU-MD-7	MU-MD-8
i.	Building Location	No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1.	
ii.	Setback between building blocks (minimum)	10.5 metres between Front Walls	3.0 metres between Side Walls
iii.	Building Height (maximum)	12.0 metres	17.5 metres
iv.	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	1.0 parking space per dwelling unit
v.	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit, which may be provided on a separate lot.	
vi.	Garage Requirements	Minimum one private garage per dwelling, the vehicular entrance of	Nil

		MU-MD-7	MU-MD-8
		which shall be located not less than 6.0 metres from a private street.	
vii.	Interior Garage Dimensions (minimum)	(i) A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps.	Nil
viii.	Driveway Width (maximum)	A driveway shall not exceed the width of the building or structure to which it provides access.	Nil

4. Provisions (“OS-PP” Zone)

   a) Uses Permitted (“OS-PP”)

      No person shall within the lands zoned “OS-PP” use any lot or erect, alter, or use any building or structure for any purpose except the following:

      i. Private Park

5. Special Provisions (“MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” Zones)

   a) Number of Dwelling Units:

      i. Minimum: 76

      ii. Maximum: 197

   b) No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 60 percent of the entire length of the build-to-zone, as illustrated on Figure 1, contains a building or part of a building.

   c) Sections 5.10, 5.19.1, 5.19.2, 5.20, 5.21, and 5.22 of By-law 3037, as amended, shall not apply to the subject lands.

   d) A private street shall have a minimum width of 6.5 metres.

   e) Despite any minimum front yard depth, rear yard depth, side yard depth or flankage yard depth, on a corner lot, the minimum setback to a corner rounding at the front of a lot shall be 1.0 metre, the minimum setback to a

corner rounding at the rear of a lot shall be 1.0 metre, and the minimum setback to a corner rounding at the side yard or flankage of a lot shall be 1.0 metre.

f) Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs, and other similar architectural features may be permitted to be located beyond the building envelope as identified on Figure 1 and in any required yard, provided that no such feature projects beyond the building envelope or required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less.

g) Walls or screens to screen utilities may be permitted to be located beyond the building envelope as identified on Figure 1 and in any required yard to a maximum of 1.2 metres, but shall not extend beyond the property line.

h) Despite Section 2(b)(i) and Section 3(b)(i), a porch, uncovered deck, private patio or balcony may encroach beyond the building envelope as illustrated on Figure 1 and any required front yard to a maximum of 2.5 metres, but shall be located a minimum of 1.2 metres from a lot line.

i) A porch, uncovered deck or balcony may encroach into any required flankage yard and side yard to a maximum of 2.0 metres, but shall not extend beyond the property line.

j) Despite Section 2(b)(i) and Section 3(b)(i), an uncovered porch or uncovered deck not exceeding 2.0 metres in height above grade, may encroach a maximum of 2.0 metres beyond the building envelope as illustrated on Figure 1, into any required rear yard.

k) Despite Section 2(b)(i) and Section 3(b)(i), stairs to a porch, uncovered deck or entrance may encroach to within 0.45 of a metre of the front or flankage lot line; to within 1.0 metre of a rear lot line and to within 0.6 of a metre of a side lot line.

l) A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach beyond the building envelope as identified on Figure 1 and any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less.

m) Despite Section 2(b)(i) and Section 3(b)(i), waste shall be stored within a fully enclosed building, structure or partially underground structure, which shall be permitted to be located beyond the limits of the building envelop as identified on Figure 1, but no closer than 1.0 metre to any lot line.

n) Air Conditioners are to be located in the rear yard or side yard or on or below a balcony or roof or on a private patio at or below grade. In addition, such units shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City.

o) Visitor parking spaces shall be setback a minimum of 3.0 metres from all streets.

p) Despite Section 4(a), below grade parking structures shall be permitted to be located within lands zoned “OS-PP”.

6. Special Regulations (“MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” Zones)

a) Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street for the lands on Figure 1.

b) Despite Section 6(a), the lot line abutting Dersan Street and Four Seasons Lane shall be deemed the front lot line for lands zoned “MU-MD-5”.

c) Despite Section 6(b), where a lot is bounded on opposite sides by a private street, the lot line closest to the primary entrance door is deemed to be the front lot line for lands zoned “MU-MD-5”.

d) A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” zone use provisions and zone requirements.

e) Minimum Private Amenity Area for lands zoned “MU-MD-5”, “MU-MD-7” and “MU-MD-8”:

i. 4.5 square metres of private amenity area shall be provided for each unit;

ii. accessory structures such as pergolas, shed or other similar structures shall not be permitted on the balcony above the garage of the dwelling unit;

iii. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

7. Restrictions on the Parking and Storage of Vehicles (“MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” Zones)

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;

ii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

c) Location of Vehicles:

i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.

d) Inoperative Vehicles:

i. The parking or storage of an inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

f) Oversize Vehicles:

i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 5(b) of this By-law, is permitted to park temporarily for the sole purpose of delivering to, servicing or constructing the premises.

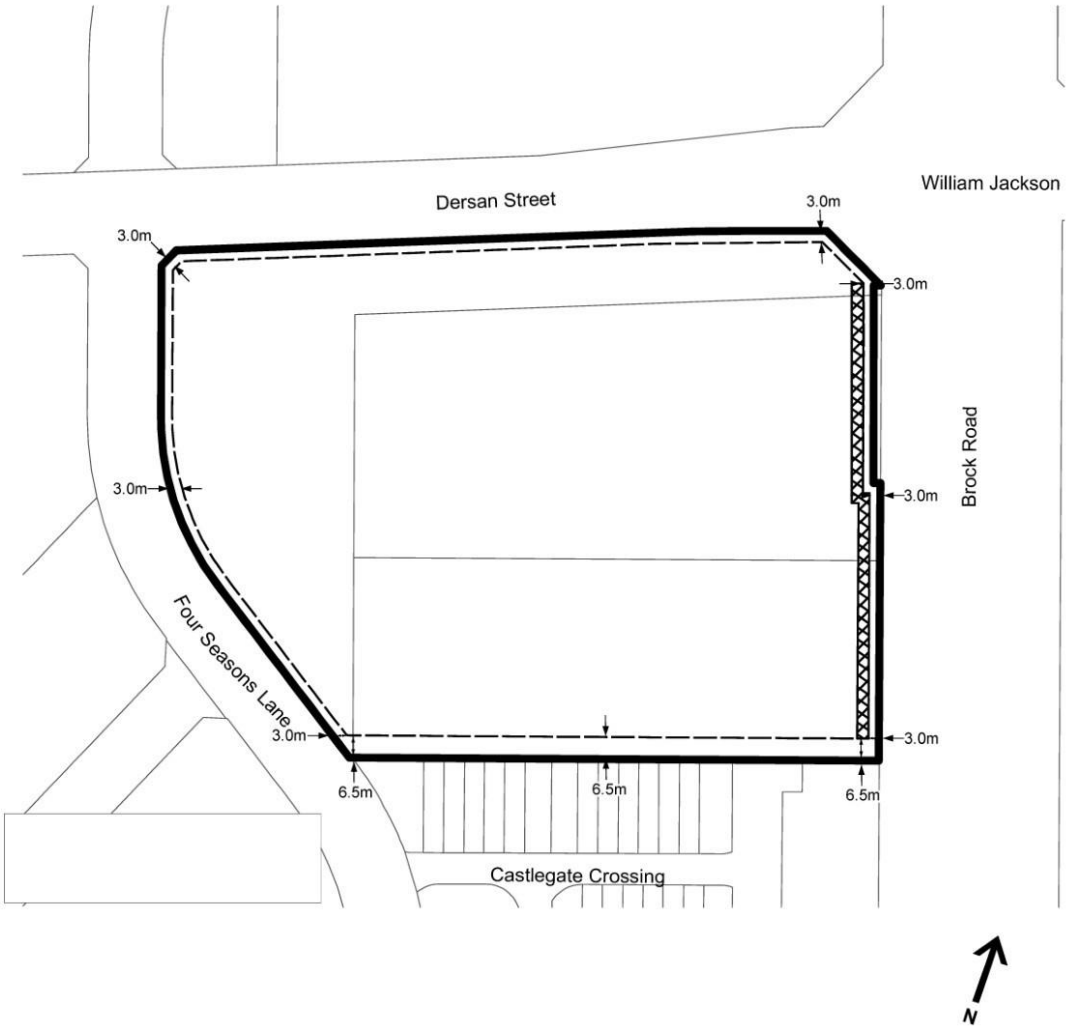
8. Model Homes

a) A maximum of 2 blocks, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned "MU-MD-5" and "MU-MD-6" prior to the division of those lands by lifting of part lot control, provided each zone does not exceed 1 block.

b) A maximum of 2 blocks, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned "MU-MD-7" and "MU-MD-8", provided each zone does not exceed more than 1 block.

c) For the purpose of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

9. Figure 1



Schedule II to By-Law 7969/22
Passed This 20th
Day of September 2022

Original Signed By

Mayor

Original Signed By

Clerk

15.326 Exception Zone 326 (By-law 6962-09)

1. Definitions

   a) "Accessory Use" shall mean a use of land, buildings or structures that is normally incidental or subordinate to the principal use, building or structure located on the same lot.

   b) "Agricultural Use" shall mean the growing of crops, including nursery and horticultural crops, raising of livestock and other animals, including poultry and fish, for food and fur, aquaculture, and agro forestry and maple syrup production.

   c) "Agriculture-Related Uses" shall mean commercial and industrial uses that are small-scale, directly related to a farm operation, and required in close proximity to the farm operation.

   d) "Animal Agriculture" shall mean the growing, producing and raising farm animals including, without limitation, livestock, including equines, poultry and ratites, fur-bearing animals, bees, cultured fish, deer and elk, and game animals and birds.

   e) "Bed and Breakfast Establishment" shall mean an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public within a detached dwelling that is the principal residence of the proprietor of the establishment.

   f) "Conservation" shall mean the wise use, protection and rehabilitation of natural resources according to principles that will assure their highest economic, social and environmental benefits.

   g) "Exterior Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

   h) "Farm Vacation Home" shall mean an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment.

   i) "Home Industry" shall mean a business that,

      i. is carried on as a small-scale use that is accessory to a detached dwelling or agricultural operation;

      ii. provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;

iii. may be carried on in whole or in part in an accessory building, and

iv. does not include uses such as an auto repair or paint shop or furniture stripping.

j) "Low Intensity Recreational Uses" shall mean recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:

i. non-motorized trail uses;

ii. natural heritage appreciation;

iii. unserviced camping on public and institutional land;

iv. accessory uses.

k) "Resource Management" shall mean the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society's use, both in the present and the future, and shall also mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for the preservation of fish and wildlife habitat, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

l) "Small-scale Environmental Education Facilities" shall mean classrooms and support facilities used in association with low intensity recreation uses.

m) "Temporary Detached Dwelling" shall mean a dwelling constructed in accordance with the requirements of the Building Code, excluding a permanent foundation that is designed and constructed so as to enable complete removal of the building within 48 hours of being required to do so.

2. Provisions

a) Permitted Uses OAK RIDGES MORAINE AGRICULTURAL ("ORM-A-2" ZONE)

No person shall within an Oak Ridges Moraine Agricultural ("ORM-A-2" Zone), use any land or erect, alter or use any building or structure except in accordance with the following:

i. agricultural use

ii. bed and breakfast establishment

iii. conservation projects and flood and erosion control projects

iv. detached dwelling

v. farm vacation home

vi. home-based business
vii. home industry
viii. low intensity recreational use
ix. publicly initiated transportation, infrastructure and utilities
x. resource management
xi. small-scale environmental education facilities
xii. temporary detached dwelling accessory to an agricultural use

b) Zone Requirements ("ORM-A-2" ZONE)

i.	Minimum Lot Area	4 hectares
i.	Minimum Lot Frontage	150 metres
ii.	Minimum Yard Requirements	
	A. Front Yard	15.0 metres
	B. Interior Side Yard	6.0 metres
	C. Exterior Side Yard	7.5 metres
	D. Rear Yard	15.0 metres
iii.	Maximum Lot Coverage	20%
iv.	Maximum Height	12.0 metres
v.	Minimum Dwelling Unit Gross Floor Area	139 square metres
vi.	Maximum Building Ground Floor Area	500 metres

c) Special Regulations ("ORM-A-2" ZONE)

i. The maximum floor area for all buildings used for accessory small-scale environmental education facilities shall not exceed 350 square metres;

i. A farm vacation home and a bed and breakfast establishment shall provide a maximum of three guest rooms;

ii. Temporary Detached Dwelling Requirements:

A A temporary detached dwelling shall be permitted on a lot with a minimum lot area of 40 hectares;
B Maximum of one temporary detached dwelling shall be permitted per lot; provided it is used by persons employed on the farm;
C Where a detached dwelling exists, the maximum distance between the detached dwelling and a temporary detached dwelling shall be 50.0 metres, and the temporary detached dwelling shall not be located in the front yard.

iii. Where a home industry is permitted as an accessory use to a detached dwelling or agricultural operation, the following provisions shall apply:

A. In addition to persons living on the premises not more than two (2) employees shall be engaged in the home industry;

B. A home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 140 square metres;

C. There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0 square metre;

D. There shall be no outside storage of goods, materials or articles;

E. Only motor vehicles associated with the home industry may be parked or stored on the lot in an interior side or rear yard;

F. A boarding kennel shall not be permitted as a home industry;

G. Home Industry uses shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 to Ontario Regulation 347 RSO, 1990.

iv. Despite any provision of this By-law, with the exception of those uses legally existing on November 15, 2001, which may continue until the use(s) ceases, the following uses are prohibited within an Area of High Aquifer Vulnerability:

A. Generation and storage of hazardous waste or liquid industrial waste;

B. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;

C. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device;

D. Storage of contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the revised Regulations of Ontario, 1990.

v. Despite any other yard or setback provisions of this By-law to the contrary, all farm and non-farm development for livestock facilities will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development. All non-farm development on lots of record existing as of the date of this By-law shall be exempt from Minimum Distance Separation Formulae 1 requirements.

vi. publicly initiated transportation, infrastructure and utilities may be permitted to cross an Oak Ridges Moraine Protection (“ORM-EP”) Zone.

d) Permitted Uses OAK RIDGES MORAINE ENVIRONMENTAL PROTECTION (“ORM-EP ZONE”)

The Oak Ridges Moraine Environmental Protection (“ORM-EP”) Zone represents lands on the Oak Ridges Moraine that are located in a Key Natural Heritage Feature, or a Hydrologically Sensitive Feature and/or the feature’s associated minimum vegetation protection zone. No person shall, within any Oak Ridges Moraine Environmental Protection (“ORM-EP”) Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions:

i. conservation projects and flood and erosion control projects;

ii. publicly initiated transportation, infrastructure and utilities with the exception of stormwater management ponds;

iii. resource management.

e) Zone Requirements (“ORM-EP” ZONE)

i. No accessory buildings and structures shall exceed 10 square metres in area.

15.327 Exception Zone 327 (By-law 7020-10)

1. Definitions

   a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which mayor may not include a foundation, mayor may not include a window seat; and may include a door;

   b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;

   f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;

   g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7,5 metres distant from the front lot line;

   j) "Neighbourhood Park" shall mean a municipal public park;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) “Street” shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single dwelling;

ii. semi-detached dwelling;

iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent

		adjacent lots;	adjacent lots;	adjacent lots;	to that wall on either lot;	to that wall on either lot	to that wall on either lot
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	50 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

The following special provisions shall be applicable to all lands zoned ("S-SD-SA-3")

c) Corner Rounding Setback (minimum): despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres

d) Parking Requirement (minimum): two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit;

e) Garage Requirements (minimum): one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

f) Garage Parking Size (minimum): each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

g) Yard Encroachments

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

i. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:

A. to front lot line: 1.0 metres;

B. to flankage lot line: 1.0 metres;

C. to interior side lot line: 0.6 metres;

D. to rear lot line: 5.0 metres;

E. to a corner rounding: 1.0 metres;

F. Eaves above these features: May project a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;

ii. uncovered steps minimum setback to a streetline: - 0.4 metres

iii. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:

A. to interior side lot line: 0.6 metres;

B. to flankage lot line: 1.0 metres

C. to rear lot line: 3.0 metres;

D. steps from a deck: may encroach an additional 1.2 metres onto the rear yard

iv. bay, bow or box windows may encroach a maximum into required yards as follows:

A. front yard: 0.6 metres

B. flankage yard: 0.6 metres;

C. rear yard: 1.0 metres

D. Eaves above these features: may project to a further 0.6 metres into the required front, flankage or rear yard;

h) Lane based Units that abut a Park or Village Green: Despite anything other provision in this By-law where a lot line for lane based single attached dwelling in a “S-SD-SA-3" zone abuts a Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line.

i) Detached Garages for Lane Based Dwelling Units: A detached garage in not considered an accessory building for the purpose of lot coverage

j) Detached Garage Requirements: Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

i. minimum side yard width of 0.0 m

ii. minimum flanking side yard width of 2.4 m

iii. minimum rear yard depth of 0.6 m

iv. a detached garage is not considered a main building for the purpose of the by-law

3. Provisions ("OS-HL" Zone)

a) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure except the following:

i. resource management, including a stormwater management facility;

ii. pedestrian and bicycle trails;

b) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

4. Provisions ("NP" Zone")

a) Uses Permitted ("NP" Zone)

No person shall within the lands zoned "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park.

15.328 Exception Zone 328 (By-law 7021-10)

1. Definitions

   a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;

   b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;

   f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;

   g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7,5 metres distant from the front lot line;

   j) "Neighbourhood Park" shall mean a municipal public park;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) “Street” shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provides vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single dwelling;

ii. semi-detached dwelling;

iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot

					wall on either lot;	wall on either lot	
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	100 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

c) Special Provisions (“S-SD-SA-3” Zone)

The following special provisions shall be applicable to all lands zoned (“S-SD-SA-3”):

i. Corner Rounding Setback (minimum):

despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres;

ii. Parking Requirement (minimum):

two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit or for single attached dwelling that has its vehicular access from a lane or abut a village green the required parking may be provided in a garage, either attached or detached and/or one parking space in a garage and one parking space on a parking pad located beside a garage;

iii. Garage Requirements (minimum):

one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

iv. Garage Parking Size (minimum):

each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

v. Yard Encroachments:

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:

1) to front lot line: 1.0 metres;

2) to flankage lot line: 1.0 metres;

3) to interior side lot line: 0.6 metres;

4) to rear lot line: 5.0 metres;

5) to a corner rounding: 1.0 metres;

6) Eaves above these features may project:

a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;

B. uncovered steps minimum setback to a streetline: 0.4 metres

C. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:

1) to interior side lot line: 0.6 metres;

2) to flankage lot line: 1.0 metres;

3) to rear lot line: 3.0 metres;

4) steps from a deck:

5) may encroach an additional 1.2 metres onto the rear yard

D. bay, bow or box windows may encroach a maximum into required yards as follows:

1) front yard: 0.6 metres;

2) flankage yard: 0.6 metres;

3) rear yard: 1.0 metres;

4) Eaves above these features:

may project to a further 0.6 metres into the required front, flankage or rear yard;

vi. Street or Lane based Units that abut and face a Park or Village Green:

vii. Despite any other provision in this By-law where a lot line for lane based single attached dwelling in a “S-SD-SA-3" zone abuts a Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line;

viii. Detached Garages for Lane Based Dwelling Units:

A detached garage is not considered an accessory building for the purpose of lot coverage;

ix. Detached Garage Requirements:

Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

A. minimum side yard width of 0.0 metres;

B. minimum flanking side yard width of 2.4 metres;

C. minimum rear yard depth of 0.6 metres;

D. a detached garage is not considered a main building for the purpose of the by-law.

x. Lane Single Attached Dwelling Lot Depth and Lot area:

For lane based single attached dwelling in the cross hatched portion of Figure 1 the minimum lot depth shall be 27.0 metres and the minimum lot area shall be 160 square metres.

3. Provisions ("OS-HL" Zone)

a) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure except the following:

i. resource management, including a stormwater management facility;

ii. pedestrian and bicycle trails;

b) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

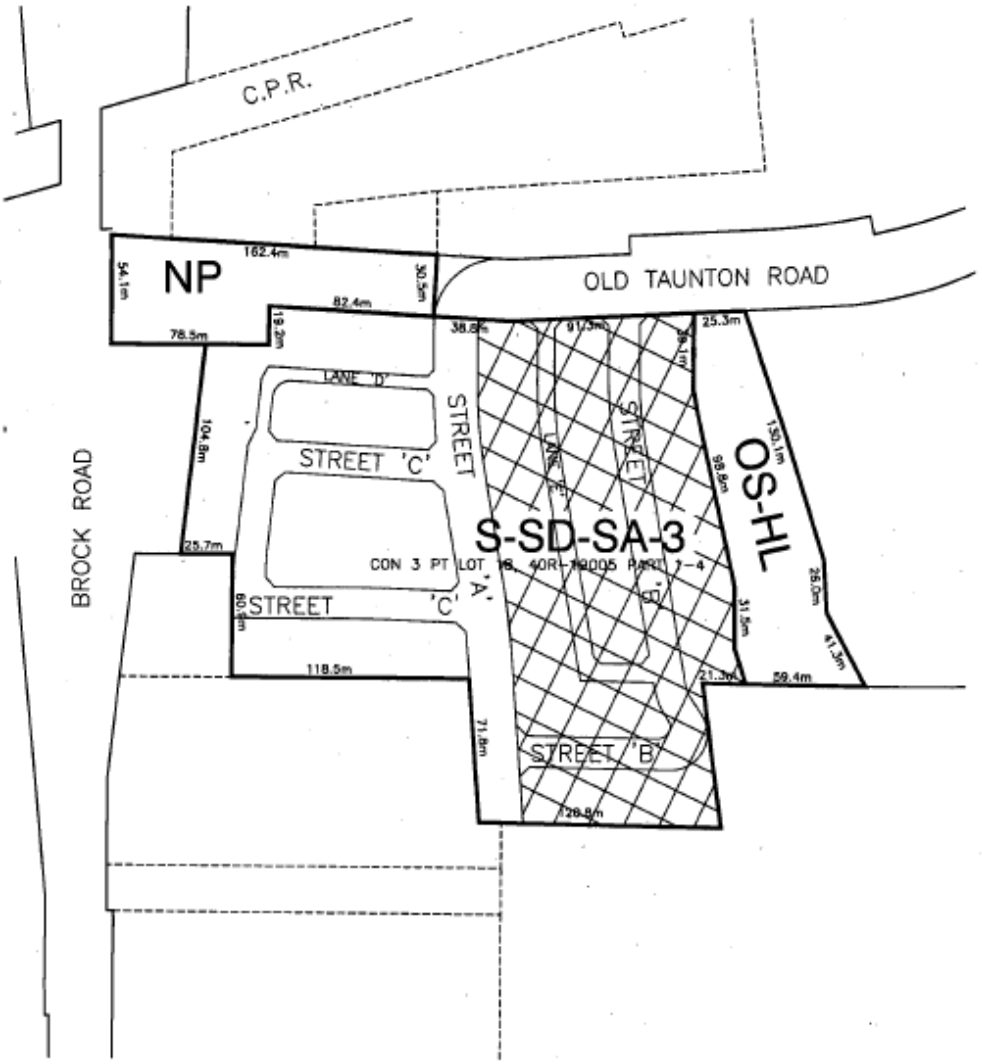
4. Provisions ("NP" Zone")

a) Uses Permitted ("NP" Zone)

No person shall within the lands zoned "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

5. Figure 1


C.P.R.
NP
OLD TAUNTON ROAD
BROCK ROAD
LANE 'D'
STREET 'C'
STREET
LANE 'E'
STREET
S-SD-SA-3
CON 3 PT LOT 16 40R-19005 PART 1-4
OS-HL
STREET 'C'
'A'
'E'
STREET 'B'
162.4m
82.4m
30.5m
54.1m
78.5m
104.8m
25.7m
118.5m
71.8m
126.8m
25.3m
59.4m
SCHEDULE I TO BY-LAW 7021/10
Approved by the Ontario Municipal Board
Oral Decision delivered January 22, 2010
Written Decision issued February 4, 2010

15.329 Exception Zone 329 (By-law 2674-88)

1. Definitions

a) "Art Gallery" shall mean a building or part of a building used for the public or private exhibition of collections of paintings and other works of art devoted primarily to the recreation or education of the public, whether or not the same are for sale;

b) "Automobile Service Station - Type C" shall mean an establishment where vehicle fuels, lubricants and accessories are offered for retail sale and where facilities for the repair and maintenance of vehicles may be provided on the premises and may include a car wash but shall not include a body shop, as defined herein;

c) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

d) "Body Shop" shall mean an establishment engaged in repairing or painting vehicle bodies;

e) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

f) "Cemetery" shall mean land that is set apart or used for the interment of the dead or in which human bodies have been buried;

g) "Cemetery Administrative Office" shall mean a building or part of a building in which the management or direction of a cemetery is carried on;

h) "Cemetery Equipment Building" shall mean a building or part of a building used for the sheltering, storage, care, repair or equipping of vehicles, machinery, equipment and property with respect to any of the affairs of purposes of the operation of a cemetery;

i) "Commercial Club" shall mean an athletic, recreational or social club operated for gain of profit and having public or private membership;

j) "Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit but shall not include any other school defined herein;

k) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;

l) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof;

n) "Forestry Service Establishment" shall mean an establishment in which the management or direction of a forestry service business is carried out, and in which chain saws may be sharpened and repaired;

o) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

p) "Manufacturing Plant" shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

q) "Light Manufacturing Plant" shall mean a manufacturing plant use for:

   i. the production of apparel and finished textile products other than the production of synthetic fibres;

   ii. printing or duplicating;

   iii. the manufacture of finished paper other than the processing of wood pulp;

   iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

   v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware, or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.

r) "Neighbourhood Store" shall mean a retail store having a gross floor area of not more than 400 square metres in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale to residents of, or persons employed in the immediate neighbourhood;

s) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio,

but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

t) "Private Non-residential School" shall mean a school which is maintained for educational or religious purposes but shall not include any other school defined herein;

u) "Private Residential School" shall mean a school which is maintained for educational or religious purposes and which includes accessory residential facilities but shall not include any other school defined herein;

v) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, and engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

w) "Public School" shall mean,

i. a school under the jurisdiction of a board of education which board is established pursuant to The Education Act, 1974, or any successor thereto;

ii. a college of applied arts and technology established pursuant to The Ministry of Colleges and Universities Act, 1971, or any successor thereto;

iii. a university eligible to receive provincial funding from the Minister of Colleges and Universities, pursuant to The Universities Act, 1971, or any successor thereto;

x) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

y) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

z) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

aa) "Warehouse" shall mean a building or part of a building which is used for the housing, storage, adapting for sale, packaging, or wholesale distribution

of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

bb) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

cc) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

dd) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

ee) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ff) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

gg) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

hh) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ii) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

jj) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 3,000 square metres

ii. LOT FRONT AGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 2.4 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.4 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum floor area per dwelling unit: 95 square metres

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. For each detached dwelling there shall be provided and maintained on the lot a minimum of 1 parking space;

C. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR2".

c) Exceptions

i. Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), a detached dwelling and uses accessory thereto may be erected, altered or used on a lot which existed on the date of the passing of this by-law providing:

A. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres; or

B. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.

d) Special Regulations ("(HMC3)" Symbol)

On lands where the "HMR2" zone is followed by the symbol "(HMC3)" the following regulations shall apply:

i. In addition to the uses specified in subsection 5.1(a) and providing a dwelling unit exists on the lot, the following use shall be permitted on the lot:

A. forestry service establishment

ii. All zone requirements of subsection 2(b) shall apply, except that if one or more forestry service establishments are established:

A. despite subsection 2(b)(x)(B), there shall be provided and maintained on the lot, in addition to a minimum 1 parking space for the dwelling unit, a minimum of 3,0 parking spaces per 100 square metres gross floor area forestry service establishment;

iii. The gross floor area of all forestry service establishments on the lot shall not exceed 25 percent of the gross floor area of the dwelling unit.

e) Uses Permitted ("HMC1" Zone)

No person shall within the lands zoned "HMC1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bakery
ii. business office
iii. church
iv. commercial club
v. commercial school
vi. community use
vii. dry cleaning depot
viii. financial institution
ix. laundromat
x. neighbourhood store
xi. personal service shop
xii. professional office
xiii. restaurant - type A
xiv. retail store

f) Zone Requirements ("HMC1" Zone)

No person shall within the lands zoned "HMC1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 1,390 square metres

ii. LOT FRONT AGE (minimum): 22 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.8 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 1.8 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 25 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. OPEN STORAGE: no open storage shall be permitted in any yard

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. For churches, there shall be provided and maintained on the lot a minimum 1 parking space per 4persons capacity;

C. For all other uses permitted by subsection 2(b)(i), other than community uses, there shall be provided and maintained on the lot a minimum 4.0 spaces per 100 square metres gross floor area used or intended to be used by such uses;

D. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "HMC1".

g) Uses Permitted ("HMC2" Zone)

No person shall within the lands zoned "HMC2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. art gallery

h) Zone Requirements ("HMC2" Zone)

No person shall within the lands zoned "HMC2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 1.8 metres

iii. REAR YARD DEPTH (minimum): 9.0 metres

iv. LOT COVERAGE (maximum): 25 percent

v. BUILDING HEIGHT (maximum): 12 metres

vi. OPEN STORAGE: no open storage shall be permitted in any yard

vii. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lot a minimum of 4.0 parking spaces per 100 square metres gross floor area art gallery;

C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "HMC2".

i) Uses Permitted ("HM1" Zone)

No person shall within the lands zoned "HM1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. business office

ii. light manufacturing plant

iii. professional office

iv. scientific, research or medical laboratories

v. warehouse

j) Zone Requirements ("HM1" Zone)

No person shall within the lands zoned "HM1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 4,000 square metres

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 3.0 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 3.0 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 33 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. OPEN STORAGE: no open storage shall be permitted in any yard

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and

5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. For business offices and professional offices, there shall be provided and maintained on the lot a minimum 4.0 parking spaces per 100 square metres gross floor area business office and professional office;

C. For all other uses permitted by subsection 2(i) there shall be provided an maintained on the lot a minimum l parking space per 56 square metres gross floor area used or intended to be used by such uses;

D. Subsections 5.19,2a), 5.19.2b) and 5.19,2k) of By-law 3037, as amended, shall not apply to the lands zoned "HM1".

k) Uses Permitted ("GS3" Zone)

No person shall within the lands zoned "GS3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. automobile service station - type C

l) Zone Requirements ("GS3" Zone)

No person shall within the lands zoned "GS3" use any lot or erect, alter or use any building or structure except in accordance with the provisions of section 5.17 of By-law 3037, as amended, and the following provisions:

i. OPEN STORAGE: no open storage shall be permitted in any yard

ii. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lot minimum of 4.0 parking spaces per 100 square metres gross floor area automobile service station - type C;

C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "GS3".

m) Uses Permitted ("CEM-2" and "CEM-2/HMR2" Zones)

No person shall within the lands zoned "CEM-2" and "CEM-2/HMR2", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. on the lands zoned "CEM-2"

A. cemetery

B. cemetery administrative office

C. cemetery equipment building

ii. on the lands zoned "CEM-2/HMR2"

A. all uses permitted in subsection 2(m)(i)

B. detached dwelling residential uses

n) Zone Requirements ("CEM-2/HMR2" Zone)

No person shall within the lands zoned "CEM-2/HMR2" use any lot or erect, alter or use any building or structure for detached dwelling residential uses except in accordance with the provisions of subsection 2(b).

o) Uses Permitted ("CU" Zone)

No person shall within the lands zoned "CU" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. community use

p) Uses Permitted ("A" Zone)

No person shall within the lands zoned "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

15.330 Exception Zone 330 (By-law 2676-88)

1. Definitions

   a) "Book Store" shall mean a store in which books, magazines, periodicals and similar items are stored, offered or kept for retail sale to the public;

   b) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;

   c) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;·

   d) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

   e) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

   f) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   g) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   h) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

   i) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot bet ween the side lot line and the nearest wall of the nearest main building or structure on the lot;

   j) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

   k) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("HMR1" Zone)

No person shall within the lands zoned "HMR1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("HMR1" Zone)

No person shall within the lands zoned "HMRI" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 4,000 square metres

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 9.0 metres

iv. INTERIOR SIDE. YARD WIDTH (minimum): 2.4 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.4 metres

vi. REAR YARD DEPTH (minimum): 9.0 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum number of dwelling units per lot: one

B. minimum floor area per dwelling unit: 95 square metres

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. For each detached dwelling, there shall be provided and maintained on the lot a minimum 1 parking space;

C. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR1".

c) Exceptions

i. Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), a detached dwelling and uses accessory thereto may be erected, altered or used on a lot which existed on the date of the passing of this By-law, or on a parcel of land for which the consent of the Land Division Committee has been given to create a. lot on or before. the date of the passing of this By-law, providing:

A. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres; or

B. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.

ii. Despite the minimum front yard depth and interior side yard width provisions of subsections 2(b)(iii) and 2(b)(iv), a detached dwelling and uses accessory thereto may be erected altered or used on that part of Lot 34, Concession 5, zoned as Part 1, Plan 40R-8549, providing:

A. the lot has a minimum front yard depth of 1.64 metres and a minimum southerly interior side yard width of 2.26 metres;

B. any detached dwelling or extension to any detached dwelling constructed after January 9th, 1985, shall have a minimum front yard depth and interior side yard width in accordance with the provisions of subsections 2(b)(iii) and 2(b)(iv).

d) Special Regulations ("(HMC5)" Symbol)

On lands where the "HMR1" zone is followed by the symbol "(HMC5)" the following regulations shall apply:

i. In addition to the uses specified in subsection 2(a), providing a dwelling unit exists on the lot, the following use shall be permitted on the lot:

A. book store

ii. All zone requirements of subsection 2(b) shall apply, except that if one or more book stores are established:

A. despite subsection 2(b)(x)(B), there shall be provided and maintained on the lot, in addition to a minimum 1 parking space for the dwelling unit, a minimum of 4.0 parking spaces per 100 square metres gross floor area book store;

iii. The gross floor area of all book stores on the lot shall not exceed 700 square metres.

e) Special Regulations ("(HMC6)" symbol)

On lands where the "HMR1" zone is followed by the symbol "(HMC6)" the following regulations shall apply:

i. For the purpose of this clause, "general contracting" shall mean the carrying on and operation of a contractor's yard, including the servicing and repairing of vehicles and equipment, the storage of new and used material, vehicles and equipment but not including a cement batching plant, asphalt plant, pit or quarry or uses ancillary thereto;

ii. In addition to the provisions of subsections 2(a) and 2(b) of this By-law, the subject lands may be used,

A. for the purpose of general contracting, provided that, with the exception of otherwise permitted outside storage associated therewith, such use shall be permitted only when carried on within enclosed buildings; and

B. for the purpose of outside storage in association with general contracting, provided that,

1) such storage is limited to the side and rear yards only, and

2) such storage is limited to the storage of building material, sand, gravel and top soil only.

f) Uses Permitted ("I(C)/CU" Zone)

No person shall within the lands zoned "I(C)/CU" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. church

ii. community use

g) Zone Requirements (“I(C)/CU)”

No person shall within the lands zoned "I(C)/CU" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DE.PTH (minimum): 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 3.0 metres

iii. REAR YARD DEPTH (minimum): 9.0 metres

iv. LOT COVERAGE (maximum): 2.5 percent

v. BUILDING HEIGHT (maximum): 12 metres

vi. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or d rive way;

B. There shall be provided and maintained on the lot a minimum 1 parking space per 4 persons capacity;

C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "I(C)/CU”.

h) Uses Permitted ("HMA" Zone)

No person shall within the lands zoned "HMA” use any lot except in accordance with Section 6 of By-law 3037, as amended, providing no buildings or structures are established.

i) Uses Permitted ("A" Zone)

No person shall within the lands zoned "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

j) Uses Permitted ("G" Zone)

No person shall within the lands zoned "G" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 14 of By-law 3037, as amended.

15.331 Exception Zone 331 (By-law 6336-04)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("ER-2" Zone)

No person shall within the lands zoned "ER-2", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. single detached dwelling residential use

b) Zone Requirements ("ER-2" Zone)

No person shall within the lands zoned "ER-2", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.6 of a hectare

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 15 metres

iv. SIDE YARD WIDTH (minimum): 7.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 7.5 metres

vi. REAR YARD DEPTH (minimum): 15 metres

vii. LOT COVERAGE (maximum): 20 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum gross floor area residential of 140 square metres.

x. PARKING REQUIREMENTS:

A. minimum two parking spaces

B. a private detached garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from any side lot line and not less than 15 metres from any front lot line.

xi. ACCESSORY STRUCTURE REQUIREMENTS: all accessory structures, except a detached private garage, which is not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any side or rear lot line.

c) Special Regulations (“ER-2” Zone):

A. Despite Subsection 5.18 (c) of By-law 3037, as amended, accessory buildings shall be permitted on lands zoned “ER-2”, at a height not to exceed 5.0 metres.

B. Despite Subsection 2(b)(iv) of this By-law, where vehicular entrances to garages face a side yard, the minimum side yard on the opposite side shall be a minimum of 3.0 metres, provided that the distance between dwelling units shall be a minimum of 15.0 metres.

d) Uses Permitted ("OS-HL-EP" Zone)

No person shall within the lands zoned "OS-HL-EP", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil and wildlife; and

ii. resource management

e) Zone Requirements ("OS-HL-EP" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

f) Uses Permitted (“OS-P1” Zone)

No person shall within the lands zoned “OS-P1”, use any lot or erect, alter, or use any building or structure for any purpose except passive and active recreational uses, which may include parks, play areas, tennis courts, an open air pavilion, and picnic areas.

g) Zone Requirements (“OS-P1” Zone)

No person shall within the lands zoned “OS-P1”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. YARD REQUIREMENTS (minimum): the minimum setback of any building or structure from every lot line shall be 7.5 metres.

ii. BUILDING GROSS FLOOR AREA (maximum): 10 square metres.

h) Uses Permitted: (“(H)” Holding Symbol)

Despite the Provisions of Section 2(g) of this By-law, while the “(H)“ Holding Symbol is in place preceding the “OS-P1” Zone, no person shall use any lands for any purpose other than those uses permitted in the “OS-HL-EP” Zone as set out in Section 2(b) of this By-law.

i) Removal of the “(H)” Holding Symbol

Prior to an amendment to remove the “(H)” Holding Symbol preceding the “OS-HL-EP” Zone, on all or part of the area so zoned, the owner shall satisfy the Director, Planning & Development, in consultation with the Toronto and Region Conservation Authority, that the works proposed for channel redesign and relocation for Carruthers Creek and its tributaries on the subject lands have been approved to the satisfaction of the Toronto and Region Conservation Authority.

15.332 Exception Zone 332 (By-law 7022-10)

1. Definitions

   In this By-law,

   a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which mayor may not include a foundation, mayor may not include a window seat; and may include a door;

   b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;

   f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;

   g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7,5 metres distant from the front lot line;

   j) "Neighbourhood Park" shall mean a municipal public park;

k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) “Street” shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single dwelling;

ii. semi-detached dwelling;

iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot

					wall on either lot;	wall on either lot	
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	100 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

The following special provisions shall be applicable to all lands zoned ("S-SD-SA-3")

xi. Corner Rounding Setback (minimum):

despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres;

xii. Parking Requirement (minimum):

two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit or for single attached dwelling that has its vehicular access from a lane or abut a village green the required parking may be provided in a garage, either attached or detached and/or one parking space in a garage and one parking space on a parking pad located beside a garage;

xiii. Garage Requirements (minimum):

one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xiv. Garage Parking Size (minimum):

each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however,

that the width may include one interior step and the depth may include two interior steps;

xv. Yard Encroachments:

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:

1) to front lot line: 1.0 metres;

2) to flankage lot line: 1.0 metres;

3) to interior side lot line: 0.6 metres;

4) to rear lot line: 5.0 metres;

5) to a corner rounding: 1.0 metres;

6) Eaves above these features may project:

a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;

B. uncovered steps minimum setback to a streetline: 0.4 metres

C. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:

1) to interior side lot line: 0.6 metres;

2) to flankage lot line: 1.0 metres;

3) to rear lot line: 3.0 metres;

4) steps from a deck:

may encroach an additional 1.2 metres onto the rear yard

D. bay, bow or box windows may encroach a maximum into required yards as follows:

1) front yard: 0.6 metres;

2) flankage yard: 0.6 metres;

3) rear yard: 1.0 metres;

4) Eaves above these features:

may project to a further 0.6 metres into the required front, flankage or rear yard;

xvi. Lane based Units that abut a Park or Village Green:

Despite anything other provision in this By-law where a lot line for lane based single attached dwelling in a “S-SD-SA-3" zone abuts a Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line;

xvii. Detached Garages for Lane Based Dwelling Units:

A detached garage is not considered an accessory building for the purpose of lot coverage;

xviii. Detached Garage Requirements:

Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

A. minimum side yard width of 0.0 metres;

B. minimum flanking side yard width of 2.4 metres;

C. minimum rear yard depth of 0.6 metres;

D. a detached garage is not considered a main building for the purpose of the by-law.

3. Provisions ("OS-HL" Zone)

a) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure except the following:

i. resource management, including a stormwater management facility;

ii. pedestrian and bicycle trails;

b) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

4. Provisions ("NP" Zone")

a) Uses Permitted ("NP" Zone)

No person shall within the lands zoned "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park.

15.333 Exception Zone 333 (By-law 7023-10)

1. Definitions

   a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;

   b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;

   f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres;

   g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Neighbourhood Park" shall mean a municipal public park;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) “Street” shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single dwelling;

ii. semi-detached dwelling;

iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
		adjacent lots;	adjacent lots;	adjacent lots;	to that wall on either lot;	to that wall on either lot;	to that wall on either lot;
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	50 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

The following special provisions shall be applicable to all lands zoned ("S-SD-SA-3")

xi. Corner Rounding Setback (minimum):

despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres;

xii. Parking Requirement (minimum):

two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit;

xiii. Garage Requirements (minimum):

one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xiv. Garage Parking Size (minimum):

each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

xv. Yard Encroachments:

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:

1) to front lot line: 1.0 metres;

2) to flankage lot line: 1.0 metres;

3) to interior side lot line: 0.6 metres;

4) to rear lot line: 5.0 metres;

5) to a corner rounding: 1.0 metres;

6) Eaves above these features may project:

a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;

B. uncovered steps minimum setback to a streetline: 0.4 metres

C. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:

1) to interior side lot line: 0.6 metres;

2) to flankage lot line: 1.0 metres;

3) to rear lot line: 3.0 metres;

4) steps from a deck:

may encroach an additional 1.2 metres onto the rear yard

D. bay, bow or box windows may encroach a maximum into required yards as follows:

1) front yard: 0.6 metres;

2) flankage yard: 0.6 metres;

3) rear yard: 1.0 metres;

4) Eaves above these features:

may project to a further 0.6 metres into the required front, flankage or rear yard;

xvi. Lane based Units that abut a Park or Village Green:

Despite anything other provision in this By-law where a lot line for lane based single attached dwelling in a “S-SD-SA-3" zone abuts a

Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line;

xvii. Detached Garages for Lane Based Dwelling Units:

A detached garage is not considered an accessory building for the purpose of lot coverage;

xviii. Detached Garage Requirements:

Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

A. minimum side yard width of 0.0 metres;

B. minimum flanking side yard width of 2.4 metres;

C. minimum rear yard depth of 0.6 metres;

D. a detached garage is not considered a main building for the purpose of the by-law.

3. Provisions ("OS-HL" Zone)

a) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure except the following:

i. resource management, including a stormwater management facility;

ii. pedestrian and bicycle trails;

b) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

4. Provisions ("NP" Zone")

a) Uses Permitted ("NP" Zone)

No person shall within the lands zoned "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park.

15.334 Exception Zone 334 (By-law 7444-15)

1. Definitions

a) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

c) “Bay, Bow or Box Window” means a window that protrudes from the wall of a dwelling usually bowed, canted, polygonal, segmental, semicircular or square sided with a window on the front face in plan; one or more storeys in height, which may or may not include a foundation and may or may not include a widow seat.

d) “Building, Apartment” means a building containing more than four dwelling units where the units are connected by an interior corridor.

e) “Building, Back-to-Back Townhouse” means a building containing a minimum of 4 units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.

f) “Building, Back-to-Back Stacked Townhouse” means a building containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit.

g) “Building, Stacked Townhouse” means a building containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance to the unit.

h) “Commercial Fitness/Recreational Centre” means a commercial establishment in which indoor fitness and recreational facilities are provided and operated for gain or profit, but does not include a place of amusement.

i) “Day Care Centre” means:

   i. indoor and outdoor premises where more than 5 children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or,

   ii. indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

j) “Dry-Cleaner's Distributing Station” means premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a dry cleaning establishment.

k) “Dry Cleaning Establishment” means premises in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods is conducted.

l) “Front Wall” means the closest point, measured at grade level, of the wall of a building facing or most nearly facing the street from which the building has its primary entrance door.

m) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a governmental authority.

n) “Park, Private” means a park which is maintained by a condominium corporation.

o) “Patio” means an outdoor amenity area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.

p) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

q) “Primary Entrance Door” means the principal entrance by which the public enters or exits a building or individual retail/commercial unit or the resident enters or exits a dwelling unit.

r) “Restaurant” means a building or part of a building where the principal business is the preparation of food for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.

s) “School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized

instruction but does not include a commercial fitness/recreation centre a college or university.

t) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

u) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street;

but is not maintained by a public body and is not a lane.

2. Provisions

a) Uses Permitted (“MU-28”)

No person shall within the lands zoned “MU-28”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. apartment building

ii. back-to-back stacked townhouse

iii. commercial fitness/recreational centre

iv. commercial school

v. day care centre

vi. dry-cleaner's distributing station

vii. financial institution

viii. office, business

ix. office, professional

x. personal service shop

xi. restaurant

xii. retail store

xiii. stacked townhouse

b) Zone Requirements (“MU-28”)

No person shall within the lands zoned “MU-28” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Building Location and Setbacks:

   A. No building, part of a building, or structure shall be erected outside of the building envelope illustrated on Figure 1.

   B. No building or portion of a building or structure shall be erected unless a minimum of 60 percent of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60 percent of the length of the build-to-zone along the Street 'A' frontage, as illustrated on Figure 1, contains a building or part of a building.

   C. 60 percent of the non-residential floor façade of the first storey of an apartment building along any street line shall consist of openings and transparent glazing along any street line.

   D. The primary entrance door open to the public shall be incorporated into the wall of any building facing a street line.

   E. For any portion of an apartment building located within the MU-28 Zone, and facing Brock Road, a minimum 3.0 metre stepback shall be required between the 3rd and 8th storey.

   F. Despite Section 2(b)(i)(A) above, below grade parking structures shall be permitted beyond the limits of the building enveloped identified on Figure 1, but no closer than 0.5 metres from the limits of the lands.

   G. The minimum setback between buildings shall be 4.0 metres.

ii. Number of Dwelling Units

   A. Minimum number of apartment dwelling units – 220 units

iii. Building Height (minimum):

   A. Apartment Building – 20.0 metres (6 storeys)

   B. Stacked Townhouses – 11.0 metres (3 storeys)

   C. Back-to-Back Stacked Townhouses – 11.0 metres (3 storeys)

iv. Building Height (maximum):

   A. Apartment Building – 26.0 metres (8 storeys)

   B. Stacked Townhouses – 13.0 metres (4 storeys)

   C. Back-to-Back Stacked Townhouses – 13.0 metres (4 storeys)

v. Minimum balcony depth – 1.5 metres

vi. Private Residential Amenity Area – minimum 4.5 square metres per dwelling unit

vii. Minimum ground floor height within an apartment building – 4.5 metres

viii. Minimum gross leasable floor area of 1,000 square metres for all non-residential uses in an apartment building.

ix. Parking Requirements

A. For residential uses, there shall be provided and maintained a minimum of 1.0 parking space per dwelling unit for residents, plus an additional 0.2 of a parking space per dwelling unit for visitors.

B. For non-residential uses, there shall be provided and maintained a minimum of 4.0 parking spaces per 100 square metres of gross leasable floor area.

C. Despite Section 2(b)(ix)(B) above, there shall be provided and maintained a minimum of 10 parking spaces per 100 square metres of gross leasable floor area for all restaurants that exceeds a total gross leasable floor area of 500 square metres.

D. All required parking spaces, except for visitor parking shall be provided within an underground parking structure.

E. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

x. Obstruction of Yards

Despite Section 2(b)(i), architectural projections, including balconies, covered porches, platforms and awnings may project outside the building envelope identified on Figure 1, to a maximum projection of 2.5 metres from the main wall of the building, uncovered steps may project outside the required building envelope to the lot line.

xi. Special Regulations

A. Despite Section 2(b)(i), an outdoor patio associated with a restaurant is permitted to encroach beyond the building envelope identified on Figure 1.

B. Despite Section 2(b)(ix)(B), an outdoor patio associated with a restaurant is not considered to be gross leasable floor area.

C. Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 3037, as amended, shall not apply.

c) Uses Permitted (“MU-MD-1”)

No person shall within the lands zoned “MU-MD-1” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Stacked Townhouse

ii. Back-to-Back Townhouse

iii. Back-to-Back Stacked Townhouse

d) Zone Requirements (“MU-MD-1”)

No person shall within the lands zoned “MU-MD-1”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Building Location and Setbacks:

   A. No building, part of a building, or structure shall be erected outside of the building envelope illustrated on Figure 1.

   B. The minimum setback between buildings shall be 4.0 metres.

ii. Building Height (maximum) – 12.0 metres

iii. Minimum balcony depth – 1.5 metres

iv. Residential Amenity Area – minimum 4.5 square metres per dwelling unit

v. Parking Requirements

   A. For stacked townhouse and back-to-back stacked townhouse dwelling units, there shall be provided and maintained a minimum of 1.5 parking spaces per dwelling unit for residents, plus an additional 0.2 of a parking space per dwelling unit for visitors.

   B. For back-to-back townhouse dwelling units, there shall be provided and maintained a minimum of 2.0 parking spaces per dwelling unit for residents, plus an additional 0.2 of a parking space per dwelling unit for visitors.

   C. Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.

   D. Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps.

   E. Each surface parking space, not within a private garage or on a driveway shall have a minimum width of 2.6 metres and a minimum depth of 5.3 metres.

   F. No parking lot or parking space shall be permitted within 3.0 metres of a streetline.

vi. Obstruction of Yards

   Despite Section 2(d)(i) (A), architectural projections, including balconies, covered porches, platforms and awnings may project outside the building envelope identified on Figure 1, to a maximum projection of 2.5 metres from the main wall of the building, uncovered steps may project outside the required building envelope to the lot line.

vii. Special Regulations

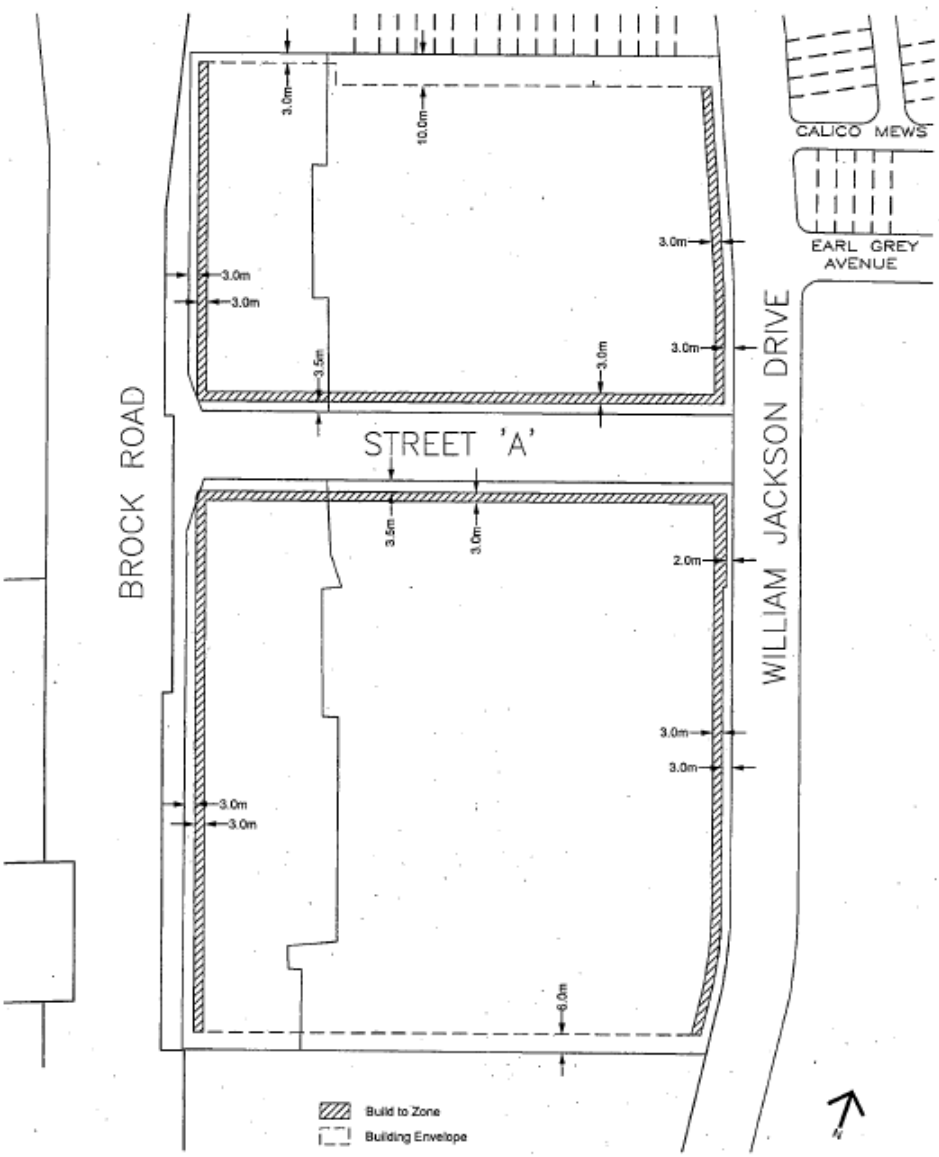
   A. Minimum total area for private parks shall be 0.19 hectares, which can be built in 2 phases with the first phase having a minimum area of 0.12 hectares.

B. The minimum pavement width for a private street shall be 6.5 metres.

C. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.

D. Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 3037, as amended, shall not apply.

3. Figure 1



SCHEDULE II TO BY-LAW 7444/15
PASSED THIS 21st
DAY OF SEPTEMBER 2015

MAYOR

CLERK

15.335 Exception Zone 335 (By-law 7642-18)

1. Definitions

   a) “Aisle” shall mean an internal vehicle route immediately adjacent to a parking space or loading space which provides vehicular access to and from the parking space or loading space, and is not a driveway.

   b) “Amenity Space” shall mean the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.

   c) “Angular Plane” shall mean an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal.

   d) “Adult Entertainment Establishment” shall mean any premises or part thereof used in the pursuance of a business, if:

      i. entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or

      ii. body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person’s body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part or them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario; or

      iii. adult videos are sold, rented, or offered or displayed for sale or rental, where the proportion of adult videos to other videos exceeds 1:10.

   e) “Bake Shop” shall mean an establishment where baked goods are made and sold to the public.

   f) “Balcony” shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   g) “Body Rub Establishment” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or

therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.

h) “Building” shall mean a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor.

i) “Building Height” shall mean the vertical distance between the established grade and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. A penthouse, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be excluded in calculating the height of such building.

j) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.

k) “Commercial Fitness/ Recreational Centre” a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit, but does not include an adult entertainment establishment, or place of amusement as defined herein.

l) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein.

m) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood.

n) “Day Care Centre” shall mean:

   i. indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or

   ii. indoor and outdoor premises in which care is offered of supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

o) “Drive-Through Facility” shall mean the use of land, buildings or structures, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine to persons remaining in

motor vehicles that are in a zoned stacking land. A drive-through facility must be used in association with permitted uses.

p) “Driveway” shall mean a private way used to provide vehicular access from a roadway to an off-street parking or loading space or aisle located on the same lot as the principal use.

q) “Dry Cleaning Distribution Centre” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

r) Dwelling shall mean:

i. “Apartment Dwelling” shall mean a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.

ii. “Dwelling Unit” shall mean a residential unit that:

1) consists of a self-contained set of rooms located in a building or structure;

2) is used or intended for use as a residential premises;

3) contains kitchen and bathroom facilities that are intended for the use of the unit only; and

4) is not a mobile home or any vehicle.

iii. “Stacked Dwelling” shall mean a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.

iv. “Townhouse Dwelling” shall mean a residential use building containing three or more attached principal dwelling units divided vertically and where all dwelling units are located on a street

s) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept lent or exchanged.

t) “Food Store” shall mean a premises that sells food and other non-food items, primarily on a self-service basis.

u) “Gross Floor Area” shall mean the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

v) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.

w) “Ground Floor” shall mean the floor of a building at or first above grade.

x) “Landscaped Area” shall mean an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, stairs or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.

y) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment.

z) “Loading Space” shall mean an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.

aa) “Main Wall” shall mean a primary exterior front, rear or side wall of a building, not including permitted projections.

bb) “Medical Office” shall mean a premises designed and used for diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries which are limited to a maximum of 50 square metres of leasable floor area, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.

cc) “Motor Vehicle” shall mean an automobile, motorcycle, recreational vehicle, trailer, and any other vehicle propelled, towed or driven otherwise than by muscular power.

dd) “Night Club” shall mean a building, or part thereof, whose primary function is the provision of theatrical performances, pre-recorded music or live musical entertainment, whether such music is provided for listening or dancing by the patrons, or any combination of the above functions, and where food and/or beverages may be served, but does not include a restaurant or adult entertainment establishment.

ee) “Office” shall mean a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration, but shall not include a medical office.

ff) “Parapet Wall” shall mean the portion of an exterior wall extending above the roof.

gg) “Parking Space” shall mean an unobstructed area of land that is accessible by an aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one motor vehicle.

hh) “Patio” shall mean an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.

ii) “Parking Area” shall mean one or more parking spaces, including related aisles, for the parking or storage of vehicles accessory or incidental to the main use.

jj) “Personal Service Establishment” shall mean a building, structure, or part thereof, where services area provided and administered to individual and personal needs and where retail sale of goods accessory to the service provided is permitted and include, but is not limited to, hair care, aesthetics, health and beauty treatment, dressmaking, tailoring, shoe shining and repair, and laundromat.

kk) “Place of Amusement” shall mean a premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public such as a billiard or pool rooms, bowling alleys, electronic games, indoor playground, miniature golf courses or roller skating rinks.

ll) “Podium” shall mean the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.

mm) “Primary Window” shall mean all windows except bathroom, hallway, closet or kitchen windows.

nn) “Restaurant” shall mean a building or part of a building where the principal business is the preparation of food and drinks for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.

oo) “Retail Store” shall mean a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.

pp) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.

qq) “Street” shall mean a public highway but does not include a lane. Where 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3

metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

rr) "Structure" shall mean anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or in ground swimming pools.

ss) "Tower" shall mean means the storeys within that portion of a building or structure or part thereof located above the podium.

tt) "Tower Floor Plate" shall mean the average floor area of all storeys within that portion of a building or structure or part thereof located above the podium, measured to the exterior faces of exterior walls of each storey of a building or structure.

uu) "Unencumbered Transparent Materials" shall mean completely transparent glass or similar transparent material that does not include spandrel glazed windows.

vv) "Veterinary Clinic" shall mean a building or part thereof, where the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

2. Provisions ("MU-32" Zone)

a) Uses Permitted ("MU-32" Zone)

No person shall within the lands zoned "MU-32", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Bake Shop
ii. Commercial Fitness/Recreational Centre
iii. Commercial School
iv. Convenience Store
v. Day Care Centre
vi. Drive-through Facility
vii. Dry Cleaning Distribution Centre
viii. Financial Institution
ix. Food Store
x. Medical Office
xi. Office
xii. Personal Service Establishment

xiii. Restaurant

xiv. Retail Store

xv. Veterinary Clinic

b) Zone Requirements (“MU-32” Zone)

No person shall within the lands zoned “MU-32”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. Buildings and structures shall be located entirely within the building envelope as shown on Figure 1;

B. A minimum of 40 percent of the entire length of the build-to-zone, as shown, is required to be occupied by a continuous portion of a building;

C. Section 5.20 of By-law 3037, as amended, shall not apply to lands zoned “MU-32”;

ii. Building Height and Functional Floors:

A. Minimum building height: 9.0 metres and 2 functional storeys;

B. Despite Section 2(b)(ii)(A) above, the minimum height of a building or structure wholly or partially located within the cross-hatched area as shown on Figure 2 shall have a minimum building height of 11.5 metres and 3 functional storeys;

C. Minimum ground floor height: 4.5 metres;

iii. Floor Space Areas:

A. Minimum total gross floor area: 12,400 square metres

B. Despite Section 2(b)(iii)(A) above, a minimum gross floor area of 3,000 square metres shall be provided above the ground floor;

iv. Landscaped Area

A. Minimum landscaped area width abutting the west property line: 3.0 metres

v. Parking Requirements:

A. Parking spaces shall be a minimum of 2.6 metres in width and 5.3 metres in length, exclusive of any land used for access, manoeuvring, aisles, driveways or similar purpose;

B. For all uses listed in Section 2(a) of this by-law, there shall be provided and maintained a minimum of 4.5 parking spaces per 100 square metres of gross leasable floor area;

C. Despite Section 2(b)(v)(A) above, there shall be provided and maintained a minimum of 2.5 parking spaces per 100 square metres of gross leasable floor area for all permitted uses located above the ground floor;

D. Parking shall be provided at grade, in a below grade structure or any combination thereof;

E. At grade parking areas and driving aisles shall be permitted no closer than 3.0 metres from any property line;

F. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

G. Parking spaces for any uses listed in Section 2(a) of this by-law may be located on the adjacent Hydro Corridor lands immediately to the south, where a legal easement or an agreement exists;

H. Sections 5.19.1 and 5.19.2 of By-law 3037, as amended, shall not apply to lands zoned “MU-32”;

vi. Drive-through Facility Requirements:

A. A maximum of one (1) drive-through facility is permitted on lands zoned “MU-32;

B. A drive-through queuing lane shall not be located between the building and any public street;

C. A drive-through queuing lane shall be setback a minimum of 15.0 metres from a residential use on an adjacent property;

D. A minimum of eight (8) vehicle queuing spaces before the order board and four (4) vehicles queuing spaces between the order board and pick-up window shall be provided.

vii. Special Regulations:

A. A minimum of 60 percent of all ground floor façades of a building facing Brock Road and Palmer’s Sawmill Road shall be comprised of openings and unencumbered transparent material;

B. A minimum of 33 percent of all façades above the ground floor for buildings facing Brock Road and Palmer’s Sawmill Road shall be constructed of unencumbered transparent material;

C. Despite Section 2(b)(i)(A) of this By-law, patios associated with a restaurant use are permitted to encroach beyond the building envelope, as identified on Figure 1;

D. Patios associated with a restaurant use is not considered to be gross floor area or gross leasable floor area;

E. Despite Section 2(b)(i)(A) of this By-law, canopies, awnings and associated supporting structures are permitted to project to within 1.5 metres of a property line;

F. Garbage and recycling areas are required to be contained within a fully enclosed structure attached or integrated into a building for which it is accessory to.

c) Special provisions for Apartment Dwelling (“MU-32” Zone)

i. In addition to the list of uses permitted in Section 2(a) of this by-law, the following additional use is permitted within the lands zoned “MU-32”:

1) Apartment Dwelling

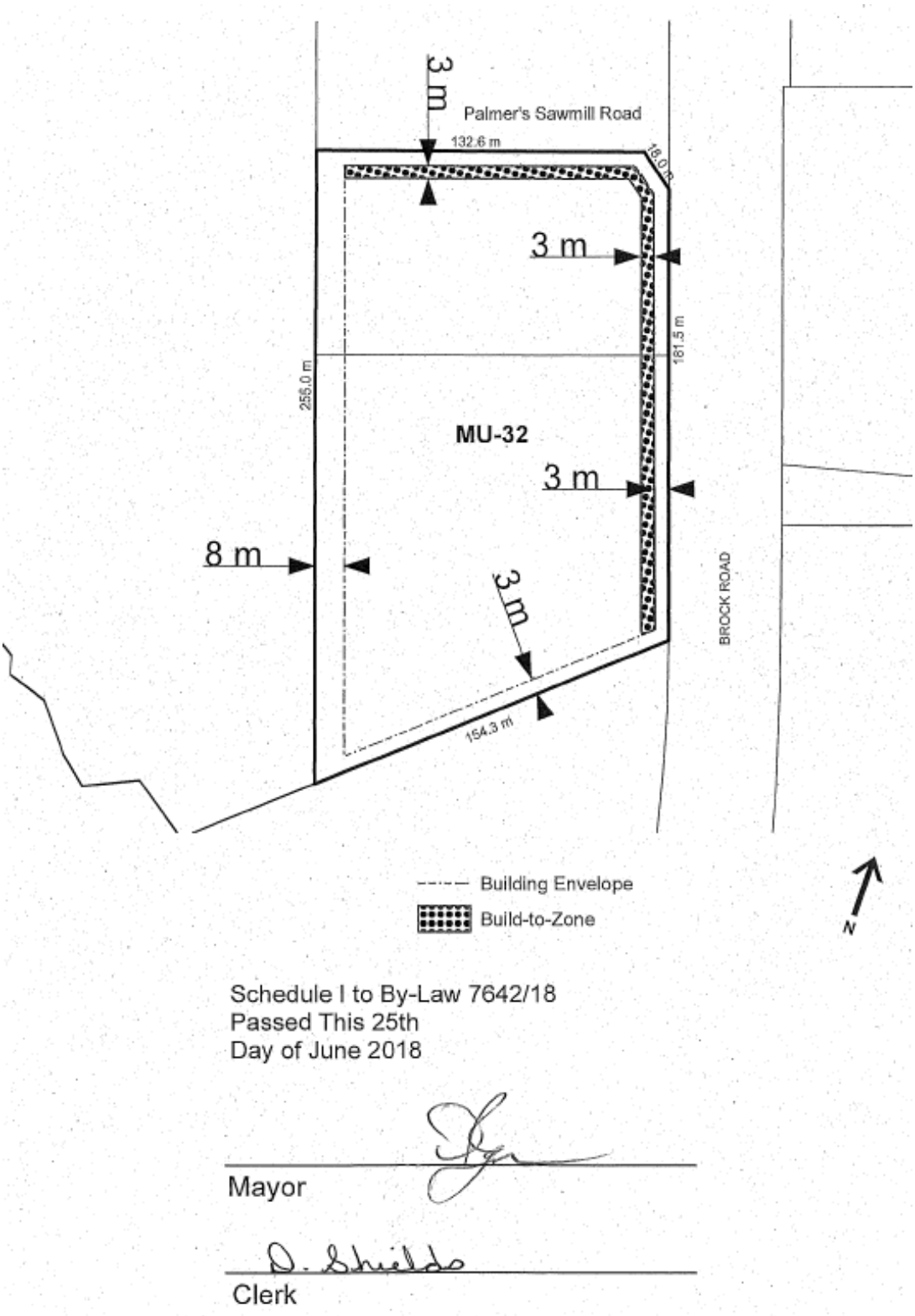
d) Zone Regulations for Apartment Dwelling (“MU-32” Zone)

In addition to Section 2(b) Zone Requirement (“MU-32” Zone) of this by-law, any building or structure partially or wholly used for an Apartment Dwelling shall be subject to the following requirements:

i. Building Height	A. minimum – 11.5 metres and 3 storeys B. maximum – 62.0 metres and 20 storeys
ii. Building Height Adjacent to a Residential Zone Category	A. building height shall be limited by a 45-degree angular plane measured 7.5 metres from a property line abutting a residential use a height of 10.5 metres above grade
iii. Podium Requirements	Buildings greater than 37.5 metres in height shall have a podium and a tower component to the building, which shall meet the following requirements: A. minimum height of a podium – 10.5 metres B. maximum height of a podium – 20.0 metres C. minimum setback from a podium to a tower – 3.0 metres
iv. Building Separation	A. minimum – 11.0 metres, except that the separation may be reduced to 3.0 metres if there are no primary windows or balconies on the mall wall facing the adjacent flanking building B. minimum – 18.0 metres for any portion of a building greater than 25.5 metres in height, except that the separation may be reduced to 11.0 metres if there are no primary windows or balconies on the main wall facing the adjacent flanking building C. minimum – 25.0 metres for any portion of a building greater than 37.5 metres in height
v. Tower Floor Plates	A. maximum tower floor plate for a residential building – 850 square metres
vi. Balcony Requirements	A. minimum depth – 1.5 metres

	B. notwithstanding Section 2(d)(vi)(A), balconies are not permitted to project beyond the main wall less than 10.5 metres in height above grade
vii. Amenity Space Requirements for Apartment Dwellings	(i) minimum – 2.0 square metres of indoor amenity space is required per apartment dwelling unit (ii) minimum – 2.0 square metres of outdoor amenity space is required per apartment dwelling unit (a minimum contiguous area of 40.0 square metres must be provided in a common location)
viii. Parking Space requirements for Apartment Dwellings	(i) minimum – 1.0 space per dwelling unit and an additional 0.2 of a space per dwelling unit for visitors

3. Figure 1


3 m
Palmer's Sawmill Road
132.6 m
18.0 m
3 m
181.5 m
255.0 m
MU-32
3 m
8 m
3 m
154.3 m
BROCK ROAD
Building Envelope
Build-to-Zone
N
Schedule I to By-Law 7642/18
Passed This 25th
Day of June 2018
Mayor
D. Shields
Clerk

4. Figure 2



Schedule II to By-Law 7642/18
Passed This 25th
Day of June 2018

Mayor

D. Shields
Clerk

15.336 Exception Zone 336 (By-law 3155-89, as amended by By-law 4825-96, By-law 5129-97, By-law 6175-03, and By-law 7150-11)

1. Definitions

   a) “Conservation” shall mean the wise use, protection and rehabilitation of natural resources according to principles that assure their highest economic, social and environmental benefits.

   b) “Golf Course” shall mean an area of land, and any ancillary building structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.

   c) “Resource Management” shall mean the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society’s use, both in the present and the future, and shall also mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

2. Provisions

   a) Uses Permitted (“A/GC” Zone)

      No person shall within the lands zoned “A/GC” use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. any use permitted by section 6.1 of By-law 3037;

      ii. a golf course

   b) Zone Requirements (“A/GC” Zone)

      No person shall within the lands zoned “A/GC” use any lot or erect, alter or use any building except in accordance with the following provisions:

      i. for those uses permitted by section 2(a)(i), above, the provisions of section 6.2 of By-law 3037;

      ii. for golf courses, the provisions of section 6.2.4 of By-law 3037

   c) Uses Permitted (“O2/GC” Zone)

      No person shall within the lands zoned “O2/GC” use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. any use permitted by section 13.1 of By-law 3037;

ii. a golf course

d) Zone Requirements (“O2/GC”)

No person shall within the lands zoned “O2/GC” use any lot or erect, alter or use any building except in accordance with section 13.2 of By-law 3037.

e) Uses Permitted (“OS-HL-EP” Zone)

No person shall within the lands zoned “OS-HL-EP” identified as lands being Parts 2, 3, 4 and 5, Plan 40R-27060, use any lot or block, or erect, alter, or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil and wildlife; and

ii. resource management

f) Zone Requirements (“OS-HL-EP” Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

15.337 Exception Zone 337 (By-law 5706-00, as amended by By-law 5720-00)

1. Definitions

   a) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf, and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.

2. PROVISIONS ("A/GC" Zone)

   a) Uses Permitted ("A/GC" Zone)

      No person shall, within the lands zoned "A/GC", use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. any use permitted by section 6.1 of By-law 3037; and

      ii. an 18-hole golf course;

   b) Zone Requirements ("A/GC" Zone)

      No person shall, within the lands zoned "A/GC" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

      i. for those uses permitted by section 2(a)(i) above, the provisions of section 6.2 of By-law 3037; and

      ii. for golf courses, the provisions of section 6.2.4 of By-law 3037.

   c) Special Regulation (“A/GC” Zone)

      Despite section 2(a) above, no active recreational golfing activities shall be permitted within the area hatched in the “A/GC” Zone.

3. PROVISIONS ("OS/HL" Zone)

   a) Uses Permitted ("OS/HL" Zone)

      No person shall, within the lands zoned "OS/HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. conservation of the natural environment, soil, and wildlife; and

      ii. resource management;

   b) Zone Requirements ("OS/HL" Zone)

      No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management;

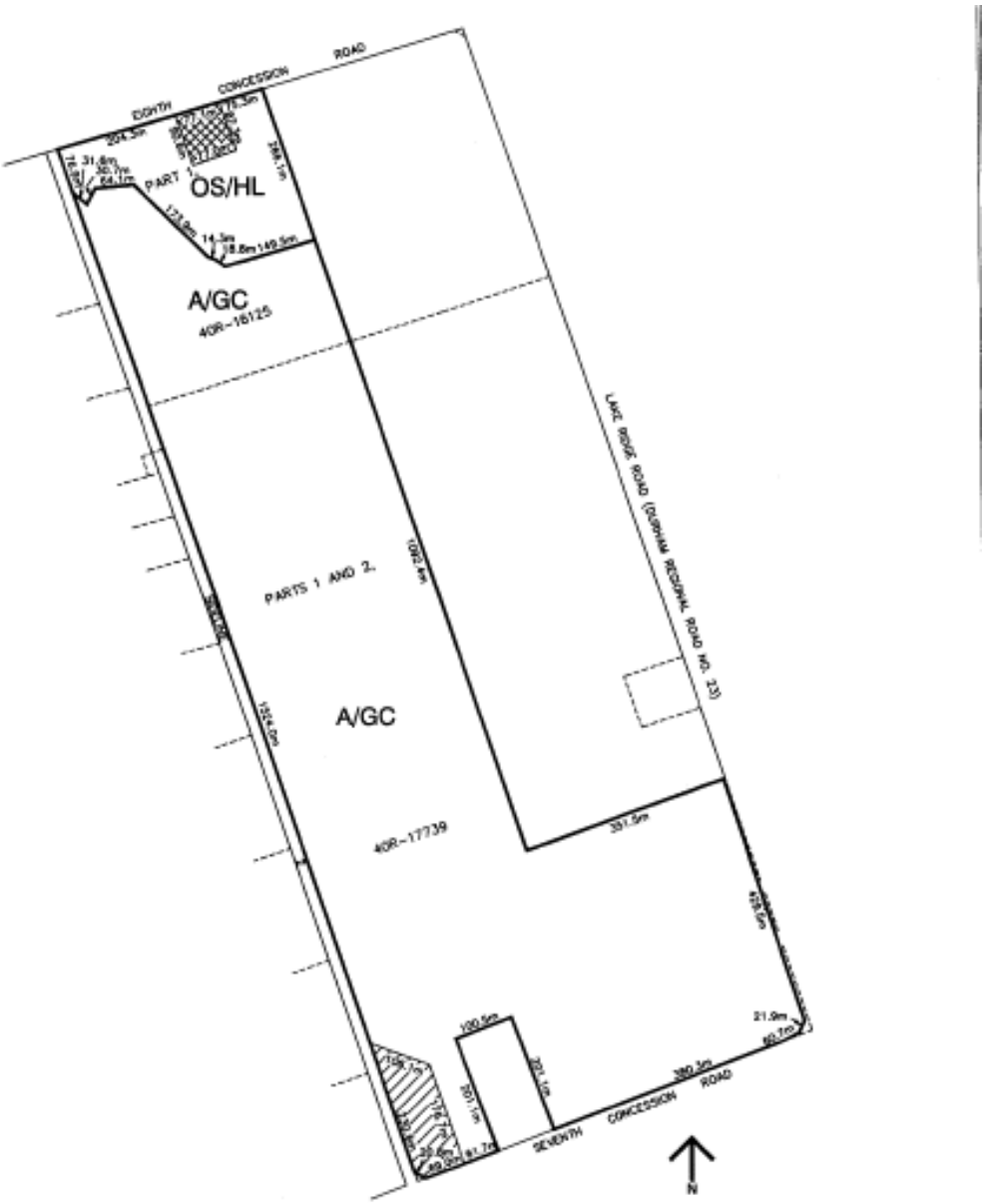
c) Special Regulation (“OS-HL” Zone)

Despite the provisions of sections 3(a) and 3(b) above, a detached residential dwelling and accessory buildings shall be permitted on the lands cross hatched on Figure 1 in accordance with the following provisions:

i. for a detached residential dwelling, the provisions of Section 6.2.1 of By law 3037, shall apply.

ii. for accessory buildings, the provisions of Section 5.18 of By law 3037, shall apply.

4. Figure 1



SCHEDULE I TO BY-LAW 5720/00

PASSED THIS 8th

DAY OF August 2000

MAYOR

DEPUTY CLERK

15.338 Exception Zone 338 (By-law 7218-12, as amended by By-law 7412-15)

1. Definitions

   a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;

   c) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   d) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located;

   e) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   f) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour;

   g) “Commercial Music School” shall mean a school which is operated for gain or profit and contains the studio of a music teacher;

   h) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

   i) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for

retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

j) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;

k) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

l) “Drug Store” shall mean a building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public, and where medicine, medical supplies and associated merchandise, confectionary items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessities are stored, displayed and offered for retail sale;

m) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

n) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

o) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

p) “Dwelling, Single Attached or Single Attached Dwelling” shall mean one of a group of not less than 3 adjacent dwelling units attached together horizontally by an above ground common wall;

q) “Dwelling, Back to Back Attached or Back to Back Attached Dwelling” shall mean a group of not less than 6 and no more than 16 adjacent dwelling units attached by common masonry walls, including a common rear wall without a rear yard and whereby each dwelling has an independent entrance to the dwelling from the outside accessed through the front yard or flankage side yard.

r) “Dwelling, Stacked Townhouses or Stacked Townhouse Dwelling” shall mean a building or structure divided into a minimum of six dwelling units each dwelling unit being separated from the other vertically and/or horizontally where each dwelling unit has an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have a shared exit facilities above the first storey.

s) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept lent or exchanged;

t) Food Store” shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public;

u) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

v) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

w) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

x) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distance from the front lot line;

y) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above-grade wall or walls, or an above-grade floor or floors, or both;

z) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;

aa) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

bb) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;

cc) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for

immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

dd) "Retail Store" shall mean a building or part of a building in which goods; wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

ee) "Storey" shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

ff) "Street" shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot.

gg) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

hh) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ii) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

jj) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

kk) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ll) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;

mm) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

nn) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

oo) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or

abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

pp) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions (“MU-24” Zone)

a) Uses Permitted (“MU-24” Zone)

No person shall within the lands zoned “MU-24”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Business office;
ii. Convenience store;
iii. Commercial club;
iv. Commercial music school;
v. Commercial school;
vi. Day nursery;
vii. Drug store;
viii. Dry cleaning depot;
ix. Financial institution;
x. Food store;
xi. Laundromat;
xii. Multiple Dwelling-Vertical
xiii. Personal service shop;
xiv. Professional office;
xv. Restaurant – Type A
xvi. Retail store

b) Zone Requirements (“MU-24” Zone)

No person shall within the lands zoned “MU-24”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. Buildings and structures shall be located entirely within the building envelope shown on Figure 1;

B. No building, part of a building, or structure shall be erected unless a minimum of 60% of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60% of the length of the build-to-zone along William Jackson Drive as illustrated on Figure 1, contains a building or part of a building;

C. Notwithstanding Section 2(b)(i)(A) above, below grade parking structures shall be permitted beyond the limits of the building envelope identified on Figure 1, but no closer than 0.5 metres from the limits of the lands;

ii. Building Height and Functional Floors:

A. Minimum 3 storeys and 14.0 metres

B. Maximum 6 storeys and 20.0 metres

iii. Floor Space Areas:

A. The maximum gross leasable floor area for all non residential uses shall be 10,000 square metres;

B. The aggregate of the gross leasable floor area of medical professional offices shall not exceed 25% of the maximum permitted gross leasable floor area;

iv. Parking Requirements:

A. There shall be provided and maintained a minimum of 4.0 parking spaces per 100 square metres of gross leasable floor area for all permitted uses listed in Section 2(a) of this by-law;

B. For multiple dwelling-vertical uses, there shall be provided and maintained a minimum of 1.0 parking space per dwelling unit for residents, and 0.25 of a parking space per dwelling unit for visitors. Parking spaces for residents shall be provided in a below grade structure, at grade or both. Visitor parking shall be provided at grade;

C. Notwithstanding Section 2(b)(iv)(A) above, there shall be provided and maintained a minimum of 10 parking spaces per 100 square metres of gross leasable floor area for any restaurant floor area that exceeds a total aggregate gross leasable area of 500 square metres in the building;

D. Parking shall be provided at grade, in a below grade structure, in an above grade structure or any combination thereof;

E. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

F. At grade parking lots and driving aisles shall be permitted no closer than 3.0 metres from any road or property line;

G. Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 3037, as amended, shall not apply to lands zoned “MU-24”;

v. Special Regulations:

1) Drive-through facilities are not permitted on lands zoned “MU-24”;

2) Residential dwelling units shall be prohibited from the first two storeys of a building;

3) Despite Section 2(b)(i)(A) of this By-law, outdoor patios associated with a restaurant – type A are permitted to encroach beyond the building envelope identified on Figure 1;

4) Despite Section 2(b)(i)(A) of this By-law, covered walkways with supporting structures, are permitted to encroach beyond the building envelope as identified on Figure 1;

5) Despite Section 2(b)(iv)(C) outdoor patios associated with a restaurant – type A are not considered to be gross leasable floor area;

6) Despite Section 2(b)(iii)(B) gross leasable floor area excludes parking structures;

7) Despite Section 2(b)(ii), the minimum building height requirement does not apply to parking structures.

3. Provisions (“MU-MD” Zone)

a) Uses Permitted (“MU-MD” Zone)

No person shall, within the lands zoned “MU-MD”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Stacked Townhouse Dwelling;

ii. Single Attached Dwelling;

b) Zone Requirements (“MU-MD”)

No person shall, within the lands zoned “MU-MD”, use any lot or erect, alter or use any building or structure except in accordance with the provisions set out below.

i. Lot Frontage (minimum) 75.0 metres

ii. Lot Area (minimum) 0.5 hectares

iii. Lot Depth (minimum) 50.0 metres

iv. Building Location and Setbacks

A. Setback of buildings from Brock Road (minimum) 6.0 metres

B. Setback of buildings from all other streets (minimum) 3.0 metres

C. Setback of buildings from all other lot lines (minimum) 2.0 metres

v. Despite Section 3(b)(iv)(C) where an interior side abuts a public walkway the minimum side yard width shall be 1.6 metres.

vi. Building Height (maximum) 13.0

The following special provisions shall be applicable to all lands zoned (“MU MD”):

vii. Parking Requirements (minimum)

Two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit.

In addition, 0.25 parking spaces for each stacked townhouse dwelling shall be set aside and clearly identified for visitor parking.

viii. Garage Parking Size – Stacked Townhouse Dwelling (minimum)

Each parking space within a private garage for stacked townhouse dwelling unit shall have a minimum width of 2.7 metres and a minimum depth of 6.0 metres provided, however, that the depth may include two interior steps.

ix. Garage Parking Size – Single Attached Dwellings (minimum)

Each parking space within a private garage for a single attached dwelling unit shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps.

x. Setback Encroachments

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. A covered or uncovered porch, veranda or balcony, with or without a foundation may have the following encroachments:

1) to Brock Road 2.0 metres

2) to any other street 1.5 metres

B. Uncovered steps maximum encroachment:

1) to Brock Road 3.0 metres

2) to any other streetline 1.5 metres

4. Provisions (“SA-13” Zone)

a) Uses Permitted (“SA-13” Zone)

No person shall, within the lands zoned “SA-13”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Single attached dwelling;

ii. Back to back attached dwelling;

b) Zone Requirements (“SA-13”)

No person shall, within the lands zoned “SA-13”, use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table.

		Street Single Attached Dwelling	Lane Single Attached Dwelling	Back to Back Attached Dwelling
i.	Lot Frontage (Minimum)	6.0 metres	6.0 metres	6.0 metres
ii.	Lot Area (Minimum)	130 square metres	110 square metres	80 square metres
iii.	Lot Depth (Minimum)	22.0 metres	19.0 metres	14.0 metres
iv.	Front Yard Depth (Minimum)	3.0 metres	3.0 metres	3.0 metres
v.	Interior Side Yard Width (Minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot
vi.	Flanking Side Yard Width (Minimum)	2.4 metres	2.4 metres	2.4 metres
vii.	Rear Yard Depth (Minimum)	7.0 metres except where the rear lot line abuts a hydro easement, the minimum rear yard depth shall be 6.0 metres	0.5 metres	N/A
viii.	Building Height (Maximum)	13.0 metres	13.0 metres	13.0 metres
ix.	Driveway Width (Maximum)	50 percent of lot frontage	100 percent of lot frontage	50 percent of lot frontage
x.	Lot Coverage of all Accessory Buildings (Maximum)	15 square metres	10 square metres	N/A

The following special provisions shall be applicable to all lands zoned (“SA 13”)

xi. Corner Rounding Setback (Minimum)

Despite any front yard depth, rear yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding at the front of a lot shall be 1.75 metres;

xii. Parking Requirement (Minimum):

Two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit or for single attached dwelling that has its vehicular access from a lane the required parking may be provided in a garage, either attached or detached and/or ones parking space in a garage and one parking space on a parking pad located beside a garage;

xiii. Garage Requirements (Minimum):

One private garage per lot. Where the vehicular entrance of such garage is from the front yard it shall be located not less than 6.0 metres from the front lot line. Where the vehicular entrance of such garage is from the rear yard it shall be located not less than 0.5 metres from the rear lot line;

xiv. Garage Parking Size (Minimum):

Each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

xv. Detached Garage Requirements:

Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

A. minimum side yard width of 0.0 metres;

B. minimum flanking side yard width of 2.4 metres;

C. minimum rear yard depth of 0.6 metres;

D. a detached garage is not considered a main building for the purpose of the by-law.

xvi. Detached Garages for Lane Based Dwelling Units:

A detached garage is not considered an accessory building for the purpose of lot coverage;

xvii. Yard Encroachments

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. A covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following maximum encroachments:

1) to front lot line: - 2.0 metres
2) to flankage lot line: - 1.5 metres
3) to interior side lot line: - 0.6 metres
4) to rear lot line: - 2.0 metres
5) to a corner rounding: - 1.0 metres
6) eaves above these features may project: - A further 0.6 metres into the required front, flankage or rear yard or corner rounding setback

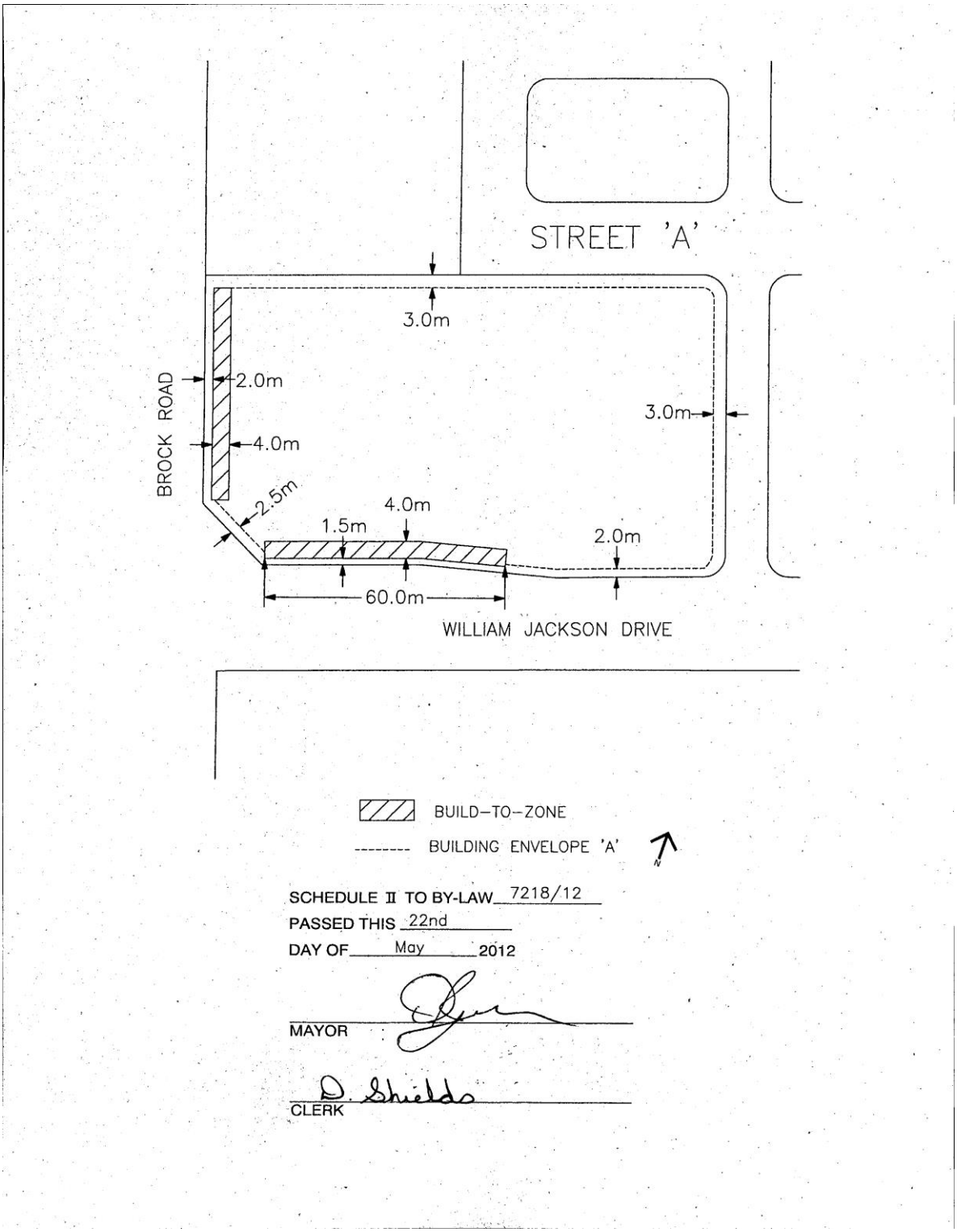
B. Uncovered decks of any height are permitted in the rear yard provided maximum encroachments as follows:

1) to interior side lot line: 0.6 metres
2) to flankage lot line: 1.0 metres
3) to rear lot line: 2.5 metres
4) steps from a deck: May encroach an additional 1.2 metres onto the rear yard

C. Bay, bow or box windows may encroach a maximum into required yards as follows:

1) front yard- 0.6 metres
2) flankage yard- 1.0 metres
3) rear yard- 0.6 metres
4) eaves above these features - May project to a further 0.6 metres into the required front, flankage or rear yard

5. Figure 1


STREET 'A'
3.0m
BROCK ROAD
2.0m
4.0m
2.5m
1.5m
4.0m
3.0m
2.0m
60.0m
WILLIAM JACKSON DRIVE
BUILD-TO-ZONE
BUILDING ENVELOPE 'A'
N
SCHEDULE II TO BY-LAW 7218/12
PASSED THIS 22nd
DAY OF May 2012
MAYOR
D. Shields
CLERK

15.339 Exception Zone 339 (By-law 1132-80)

1. Notwithstanding any other provisions of this By-law, a one-family detached dwelling may be established on the lands designated "Q-1" in accordance with the provisions of section 6.2.1 of By-law 3037.

15.340 Exception Zone 340 (By-law 1763-83)

1. Definitions

   a) "Theatre-Type A" means a building or part of a building used for the indoor presentation of plays, operas and similar theatrical art;

   b) "Theatre-Type B" means a place, a building, or part of a building, used for outdoor presentation of plays, operas and similar theatrical arts, having a maximum seating capacity of 150 persons and maximum total capacity of 200 persons; and,

   c) "Restaurant-Type E" shall mean a building or part of a building where food is prepared or offered or kept for retail sale to the public for immediate consumption in the building or elsewhere on the premises.

2. Provisions

   a) Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the subject lands may be used for the purposes of a "Theatre-Type A", a "Theatre-Type B, an auction, an antique show and a "Restaurant-Type E", in accordance with the provisions of Section 6.2.5 of By-law 3037

   b) Notwithstanding any of the provisions of this By-law, a "Restaurant-Type E" may be permitted only in combination with a "Theatre-Type A" or "Theatre-Type B" on the site.

   c) Notwithstanding any of the provisions of this By-law, a residential use in a detached dwelling may be permitted on the subject lands subject to the provisions of Section 6.2.5 of By-law 3037.

15.341 Exception Zone 341 (By-law 4292-93)

1. Provisions

   a) Notwithstanding the lot frontage and the lot area provisions of Section 6.2.1 of By-law 3037, a minimum lot frontage of 4.5 metres and a minimum lot area of 0.4 of a hectare shall be permitted for a residential lot on the subject lands.

15.342 Exception Zone 342 (By-law 6614-06)

1. Definitions

    a) “Bed and Breakfast Establishment’ means an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a detached dwelling that is the principal residence of the proprietor of the establishment.

2. Provisions

    a) Despite any provisions in this By-law to the contrary, in addition to any other uses that may be permitted thereon, the lands identified as Part of Lot 19, Concession 9, Part 1, 40R-15519 (1610 Central Street) may be used for the purpose of a bed and breakfast establishment; and,

    b) In addition to the parking requirements for a detached dwelling, a minimum of one parking space shall be provided on-site for each guest room associated with a bed and breakfast establishment.

15.343 Exception Zone 343 (By-law 3263-67)

1. Provisions

    a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purpose of the operation of a dog kennel, in accordance with Section 6.2.2 of By-law 3037 and provision of closed accommodation, satisfactory to the City.

15.344 Exception Zone 344 (By-law 3264-67)

1. Provisions

   a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purposes of the operation of a dog kennel, in accordance with the requirements of Section 6.2.2 of By-law 3037.

15.345 Exception Zone 345 (By-law 3307-67)

1. Provisions

    a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purposes of a dog kennel, in accordance with Section 6.2.2 of By-law 3037.

15.346 Exception Zone 346 (By-law 3308-67)

1. Provisions

    a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purposes of a dog kennel, in accordance with Section 6.2.2 of 3037.

15.347 Exception Zone 347 (By-law 7966-22)

1. Provisions (“ORM-R6-7”)

    a) Section 5.20 of By-law 3037 (Yard Requirements with Respect to Certain Streets), shall not apply to lands zoned “ORM-R6-7”;

    b) Despite Section 5.7 of By-law 3037, fences shall be permitted within the front yard of lands zoned “ORM-R6-7”; and

    c) Notwithstanding Section 5.40 of By-law 3037, Minimum Distance Separation shall not apply to lands zoned “ORM-R6-7”.

2. Provisions (“ORM-R6-8”)

    a) Notwithstanding Section 5.10 of By-law 3037, a front yard for lands zoned “ORM-R6-8” shall not be required from Brock Road;

    b) Section 5.20 of By-law 3037 (Yard Requirements with Respect to Certain Streets), shall not apply to lands zoned “ORM-R6-8”;

    c) Despite Section 5.7 of By-law 3037, fences shall be permitted within the front yard of lands zoned “ORM-R6-8”; and

    d) Notwithstanding Section 5.40 of By-law 3037, Minimum Distance Separation shall not apply to lands zoned “ORM-R6-8”.

3. Provisions (“ORM-R6-9”)

    a) Despite Section 8.6.2 (i) of By-law 3037, a minimum lot area of 0.27 of a hectare shall be provided for lands zoned “ORM-R6-9”;

    b) Despite Section 5.7 of By-law 3037, fences shall be permitted within the front yard of lands zoned “ORM-R6-9”; and

    c) Notwithstanding Section 5.40 of By-law 3037, Minimum Distance Separation shall not apply to lands zoned “ORM-R6-9”.

15.348 Exception Zone 348 (By-law 7623-18)

1. Provisions (“ORM-C2-2")

   a) In addition to the uses permitted within subsection 9.3.1 of By-law 3037, the following use shall be permitted on lands zoned “ORM-C2-2”:

      i. Dwelling, Duplex

   b) Despite Section 2.33 of By-law 3037, the following definition shall apply to the lands zoned “ORM-C2-2”:

      “Dwelling, Duplex” shall mean the whole of a two-storey building divided vertically into two separate dwelling units, each of which has an independent entrance.

   c) Despite Section 9.3.1 (i) of By-law 3037, an accessory dwelling unit shall not be permitted on lands zoned “ORM-C2-2”.

   d) Despite Section 9.3.2 (iv) of By-law 3037 (Maximum Height), the maximum building height permitted on lands zoned “ORM-C2-2” shall be 9.0 metres.

   e) Section 15.19.2 of By-law 3037 (Supplementary Parking Regulation) shall not apply to lands zoned “ORM-C2-2” when such lands are occupied by a dwelling, duplex.

   f) Section 5.20 of By-law 3037 (Yard Requirements with Respect to Certain Streets) shall not apply to lands zoned “ORM-C2-2”.

15.349 Exception Zone 349 (By-law 7985-23)

1. Provisions (“ORM-C2-3”)

    a) In addition to the uses permitted within subsection 9.3.1 of By-law 3037, a detached dwelling shall be permitted on lands zoned “ORM-C2-3”, subject to the provisions of Section 8.5.2 of By-law 3037.

15.350 Exception Zone 350 (By-law 3450-90)

1. Provisions

   a) Notwithstanding the lot frontage provisions of Section 6.1.2, Section 6.2.2, Section 6.2.4, and Section 6.2.5 of By-law 3037, the minimum lot frontage provision for the subject lands shall be 46.6 metres.

15.351 Exception Zone 351 (By-law 6577-05)

1. Provisions

   a) The only institutional uses permitted on any lands zoned "Rural Agricultural Zone - A" are as follows:

      i. A church and religious institution, as defined herein, shall be permitted on the lands designated "Rural Agricultural Zone - A" located in Concession 8, S. Part of Lot 6, identified as Property Identification Numbers 26394-0056 and 26394-0091 and known as 3000 Eighth Concession Road;

      ii. A church and cemetery, as defined herein, shall be permitted on the lands designated "Rural Agricultural Zone - A" located in Concession 9, N. Part, Lot 30, DPW #612, identified as Property Identification No. 26388-0012 and known as 5475 Sideline 30;

      iii. A church and religious institution, as defined herein, shall be permitted on the lands designated "Rural Agricultural Zone - A" located in Plan 585, Pt. Lot 9, Now RP 40R2633, Parts 1 - 3, identified as Property Identification No. 26383-0033 and known as 2590 Brock Road;

   b) Institutional uses permitted by Clause 6.1.4.1 (a) shall be governed by the provisions of Section 5.15 of By-law 3037.

15.352 Exception Zone 352 (By-law 6640-06)

1. Provisions (“ORM-EP-1” Zone)

   a) In addition to the uses permitted in Subsection 14.4.1 of By-law 3037, a home-based business, a bed and breakfast establishment, and accessory structures shall be permitted on the lands zoned “ORM-EP-1”;

   b) Despite Clause 5.19(6) of By-law 3037, a home-based business may occupy 25 percent of the finished floor area of a building to a maximum of 75 square metres;

   c) Despite Clause 5.19(7) of By-law 3037, a home-based business may be permitted within an accessory building or structure;

   d) Despite section c) above, a home-based business located within an accessory structure may occupy 100 percent of the floor area of the accessory structure to a maximum of 75 square metres.

2. Provisions (“ORM-A-1” Zone)

   a) In addition to the uses permitted in Subsection 6.4.3 of By-law 3037, a bed and breakfast establishment shall be permitted within a single dwelling subject to the following requirements:

      i. A maximum of three guest rooms shall be provided within the dwelling containing a bed and breakfast establishment;

      ii. A minimum of one parking space shall be provided on site for each guest room associated with a bed and breakfast establishment; and

      iii. A single dwelling that is the principal residence of the proprietor of the establishment.

3. Provisions (“ORM-A-2” Zone)

   a) Permitted Uses

      No person shall within the “ORM-A-2” Zone use any land or erect, alter or use any building or structure except in accordance with the following:

      i. agricultural use

      ii. bed and breakfast establishment

      iii. conservation projects and flood and erosion control projects

      iv. detached dwelling on a vacant lot that was zoned as of November 15, 2001

      v. farm vacation home

      vi. home-based business

      vii. home industry

viii. low intensity recreational uses

ix. new publicly initiated transportation, infrastructure and utilities as defined in Section 5.39 of this By-law

x. resource management

xi. small-scale environmental educational facilities

xii. temporary detached dwelling accessory to an agricultural use

b) Zone Requirements (“ORM-A-2” Zone)

i. Minimum Lot Area 4 hectares

ii. Minimum Lot Frontage 150 metres

iii. Minimum Yard Requirements

A. Front Yard 15.0 metres

B. Interior Side Yard 6.0 metres

C. Exterior Side Yard 7.5 metres

D. Rear Yard 15.0 metres

iv. Maximum Lot Coverage 20%

v. Maximum Height 12.0 metres

vi. Minimum Dwelling Unit Gross Floor Area 139 square metres

vii. Maximum Building Ground Floor Area 500 metres

c) Special Regulations (“ORM-A-2” Zone)

i. The maximum floor area for all buildings used for accessory small-scale environmental education facilities shall not exceed 350 square metres;

ii. A farm vacation home and a bed and breakfast establishment shall provide a maximum of three guest rooms;

iii. Temporary Detached Dwelling Requirements:

A. A temporary detached dwelling shall be permitted on a lot with a minimum lot area of 40 hectares;

B. Maximum of one temporary detached dwelling shall be permitted per lot; provided it is used by persons employed on the farm;

C. Where a detached dwelling exists, the maximum distance between the detached dwelling and a temporary detached dwelling shall be 50.0 metres, and the temporary detached dwelling shall not be located in the front yard.

iv. Where a home industry is permitted as an accessory use to a detached dwelling or agricultural operation, the following provisions shall apply:

A. In addition to persons living on the premises not more than two (2) employees shall be engaged in the home industry;

B. A home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 140 square metres;

C. There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0 square metre;

D. There shall be no outside storage of goods, materials or articles;

E. Only motor vehicles associated with the home industry may be parked or stored on the lot in an interior side or rear yard;

F. A boarding kennel shall not be permitted as a home industry;

G. Home industry uses shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 to Ontario Regulation 347 RSO, 1990.

4. Provisions (“ORM-A-3” Zone)

a) Despite Subsection 6.4 of By-law 3037, a detached dwelling shall be permitted in accordance with the following provisions:

i. Minimum Lot Area 4,000 square metres

ii. Minimum Lot Frontage 35 metres

iii. Minimum Yard Requirements

A. Front Yard 15.0 metres

B. Interior Side Yard 6.0 metres

C. Exterior Side Yard 7.5 metres

D. Rear Yard 15.0 metres

iv. Maximum Lot Coverage 20%

v. Maximum Height 12.0 metres

vi. Dwelling Unit Requirements

A. Maximum number of dwelling units per lot: one

B. Minimum gross floor area-residential: 95 square metres

b) Exceptions

i. Despite the minimum front yard depth provision of Subsection 3(b)(iii)(A), the minimum front yard depth for a detached dwelling located on that Part of Lots 1, 2 and 3 of Plan 424 designated as Part 1, Plan 40R-14166, shall be 5.3 metres; and

ii. Subsection (i) above shall only apply to the detached dwelling as it existed on May 19, 1992 and shall not apply to any extension or addition thereof.

5. Provisions (“ORM-I-1” Zone)

   a) Despite Subsections 7.5.1 and 7.5.2 of By-law 3037, a school shall only be permitted on the lands zoned “ORM-I-1”, and all buildings or structures shall be setback a minimum of 30.0 metres from any “ORM-EP” zone.

6. Provisions (“ORM-I-2” Zone)

   a) Despite Subsections 7.5.1 and 7.5.2 of By-law 3037, a cemetery, and any accessory buildings or structures, shall only be permitted on the lands zoned “ORM-I-2” subject to the following:

      i. Minimum front yard depth of 9.0 metres

      ii. Minimum interior side yard width of 3.0 metres

      iii. Minimum rear yard depth of 3.0 metres;

   b) Despite subsection a) above, a memorial stone or monument which is less than 3.0 metres in height, located a minimum of 3.0 metres from any front lot line and at least 1.0 metres from any side lot line, may be erected, altered or used;

   c) A mausoleum, columbarium or crematorium shall not be permitted;

   d) Despite subsection c) above, a mausoleum or columbarium which does not exceed 2.0 metres in height and has exterior dimensions such that the volume enclosed thereby does not exceed 15.0 cubic metres shall be considered to be a memorial stone or monument;

   e) Cemetery administrative buildings, cemetery equipment buildings and one chapel shall be permitted only as ancillary to, and in conjunction with, a cemetery use;

   f) The floor area of any cemetery administrative buildings, cemetery equipment buildings or chapel shall not exceed 200 square metres in size;

   g) G The combined floor area of all cemetery administrative buildings, cemetery equipment buildings or chapel shall not exceed 500 square metres;

   h) Subsections 5.19.2 and 2.2.1 of By-law 3037, as amended, shall not apply.

   i) Holding Provision ("H" Symbol)

      Despite subsections 6(a) through 6(h), the following provisions shall apply to the lands knows as Concession 9, Part of Lot 14, 40R-20211, Part 2:

      i. While the "(H)" Holding Symbol is in place preceding the "ORM-I-2" zone designation, no person shall use any lands for any purpose other than those uses permitted in Subsection 6.4.1 of By-law 3037;

ii. Prior to an amendment to remove the "(H)" Holding Symbol preceding the “ORM-I-2” zone, the owner shall satisfy the City of Pickering with respect to the following:

iii. the completion and approval of a hydrogeological report;

iv. the satisfaction of all provincial guidelines applicable to cemetery developments;

v. the completion of an archaeological site inventory on all of the lands zoned "ORM-I-2" and approved by the Ministry of Citizenship, Culture and Recreation;

vi. the owner obtaining site plan approval, and adhering to resultant approved site plans as stipulated in an appropriate agreement with the City of Pickering; and

vii. the establishment and form of required operating by-laws, trust funds and/or care and maintenance funds appropriate to govern the operation and administration of the cemetery.

7. Provisions (“ORM-I-3” Zone)

a) Despite Subsection 7.5.1 of By-law 3037, a cemetery and place of religious assembly shall only be permitted on the lands zoned “ORM-I-3”.

8. Provisions (“ORM-R5-1” Zone)

a) In addition to the uses permitted in Subsection 8.5.1 of By-law 3037, a day care centre shall be a permitted use on the lands zoned “ORM-R5-1” provided the lands and premises are duly licenced pursuant to the *Day Nurseries Act*, or any successor thereto, for use as a facility for the daytime care of not more than fifty-five (55) children at any one time.

9. Provisions (“ORM-R6-1” Zone)

a) Despite Clause 5.18 (a) of By-law 3037, a detached garage shall be permitted in a side yard on the lands zoned “ORM-R6-1”.

10. Provisions (“ORM-R6-3” Zone)

a) In addition to the uses permitted in Subsection 8.6.1 of By-law 3037, where a detached dwelling exists on a lot, a garden suite may be established on the same lot in accordance with the following:

i. Despite the accessory building and use provisions of Section 5.18 of By-law 3037, a maximum of one garden suite, being defined as a dwelling unit which is detached from, but accessory to and sharing the same water and sanitary services as, a main detached dwelling located on the same lot; may be permitted per lot in the rear yard of any lot on the lands zoned “ORM-R6-3” in accordance with the rear yard depth, side yard width, exterior side yard width and lot coverage provisions of Section 8.6.2, and subject to the following provisions:

A. the maximum floor area of a garden suite shall be 65 square metres;

B. the maximum ground floor area of any structure containing a garden suite shall be 65 square metres;

C. the maximum height of a garden suite shall be 5.0 metres, except where a garden suite is constructed as a second floor of a detached garage, in which case the maximum height of the entire structure shall be 6.0 metres;

D. the minimum separation between a garden suite and the main dwelling shall be 6.0 metres.

11. Provisions (“ORM-R6-4” Zone)

a) Despite Clause 8.6.2 i) of By-law 3037, for the lands zoned “ORM-R6-4” a minimum lot area of 0.2 of a hectare shall be provided.

12. Provisions (“ORM-R6-5” Zone)

a) Despite Subsection 8.6.2 of By-law 3037, the following shall apply to the lands zoned “ORM-R6-5”:

(i) no buildings or structures shall be permitted within 15 metres of a railway right-of-way;

(ii) no buildings or structures including swimming pools, sheds, decks and other appurtenances shall be permitted within 10 metres of an “ORM-EP” Zone.

b) Despite Clause 5.18 (a) of By-law 3037, a detached garage shall be permitted in a side yard.

13. Provisions (“ORM-R6-6” Zone)

a) Despite Section 5.18 and Section 5.31 of By-law 3037, where a detached dwelling exists on a lot, a maximum of one additional dwelling unit may be permitted on the second floor of a detached garage located in any side or rear yard of any lot on the lands zoned “ORM-R6-6” in accordance with the following:

i. a detached garage, and any associated uncovered steps and platforms, may be erected in any side or rear yard, a minimum of 5.0 metres from any lot line;

ii. the maximum residential floor area of the additional dwelling unit shall be 90 square metres;

iii. the maximum height of the detached garage shall be 9.0 metres;

iv. a minimum of one parking space shall be provided and maintained on the lot to serve the additional dwelling unit.

14. Provisions (“ORM-C2-1” Zone)

a) In addition to the uses permitted in Subsection 9.3.1 of By-law 3037, a maximum of four (4) dwelling units shall be permitted on the lands zoned “ORM-C2-1” subject to the following:

i. a minimum of 1.25 parking spaces shall be provided for each dwelling unit which contains one or less than one bedroom;

ii. a minimum of 1.75 parking spaces shall be provided for each dwelling unit which contains more than one bedroom.

15.353 Exception Zone 353 (By-law 5872-01)

1. Uses Permitted ("OS-HL-EP" Zone)

   No person shall within the lands designated "OS-HL-EP", use any lot or erect, alter, or use any building or structure for any purpose except the following:

   a) conservation of the natural environment, soil and wildlife; and

   b) resource management

2. Zone Requirements ("OS-HL-EP" Zone)

   No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

3. Uses Permitted ("(ND)" Zone)

   No person shall within the lands designated and containing the abbreviation "(ND)" within the established zone category, use any lot or erect, alter, or use any building or structure for any purpose except the following:

   a) those uses permitted within the corresponding zone category together with this designation; and

   b) nitrate dilution

4. Zone Requirements ("(ND)" Zone)

   No land shall be used except for the purpose of nitrate dilution from sewage effluent originating from private sewage systems serving residential development located within those adjacent lands.

Seaton Urban Area Exceptions

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
354	SLD1-1 (By-law 7364-14)	Whitevale Road frontage, west of Sideline 26 SP-2009-01, Lots 137 and 138 SP-2009-05, Lots 249-251 and Lots 259-262 SP-2009-07, Lots 1-8, Lots 210-213 and Lot 215		**Detached dwelling**		Minimur Minimur Minimur **front ya** Road: 6 Minimur where a abuts W Minimur 6.0 m
355	SMC1-1 (By-law 7364-14)	SP-2009-13, West of Sideline 24, south of the pipeline but excluding the lots fronting onto Sideline 24	**Detached dwelling** in accordance with the provisions of the SLD2 zone.			

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
356	SLN-1 (By-law 7364-14)	SP-2008-12, north of Whitevale Road By-pass, west of Sideline 24, Lot 568	**Car washing establishment**			
357	SPEG-1 (By-law 7364-14, as amended by By-law 7659-18)	Part of Lots 23 and 24, Concession 5, now Part 1, 40R-29998 and Part of Part 7, 40R-25010	Controlled Open Storage(1) Accessory Display(2)			(1) Cont areas m accesso manufac as the p same lo following a) An op be perm **yard** an m to any that such be so lo visible fr any line to such b) An op not exte 15% of t area sha **parking** Section

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
						and sha **ground building** c) An op be used i. the ter products assembl premise (2) As a the man plant, lin finished location
358	SMC1-5 (By-law 7364-14, previously MC1-1-3)		**Detached dwelling** in accordance with the provisions of the SLD2 zone.			Maximu **porch** o required 1.0 m
359	SLD1-2 (By-law 7364-14)	SP-2009-05, Street K, east of Sideline 28, Lots 233-235				Minimur

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
360	SLD1-4 (By-law 7364-14)	SP-2009-01, Whitevale Road, east of Sideline 26, Lots 303 and 304				Minimur Minimur 303: 10.
361	SLD1-5 (By-law 7364-14)	SP-2008-12, Whitevale Road, east of Street P, Lots 121-125)				Minimur **garages** from Wh
362	SLD1-6 (By-law 7364-14)	SP-2009-02, Street 3, Lot 38 SP-2009-03, Street 2, Lot 28				Minimur Minimur 1.2 m ar
363	SLD2-1 (By-law 7364-14)	SP-2009-13, Street 3, Blocks 36 and 37, Street 11, Blocks 33, 34 and 35 and Street 13, Block 38 where they abut the				Any **bui** shall hav **setback** abutting

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
		Trans-northern pipeline				
364	SLD2M-1 (By-law 7364-14)	SP-2009-01, Sideline 26/ Whites Road, Blocks 229 to 236				Minimur Minimur Minimur
365	SLD2M-2 (By-law 7364-14)	SP-2009-01, Sideline 26/ Whites Road, Block 375				For atta accesse of the **pr** the **lane** than 12. **line**.
366	SLD2M-3 (By-law 7364-14)	SP-2009-01, Street 10, Blocks 369 and 370				Minimur Minimur Minimur The **lot** zone sh the **fron** The **prin** shall fac The zon 14.8 sha were **th** For deta **garages** and **driv**

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
						Section as if the **lots**.
367	SMDDS-1 (By-law 7364-14)	SP-2009-04, Street 1, Lot 22 SP-2009-02, Street 30, Lot 395				Minimur Minimur 1.2 m ar
368	SMMDS-2 (By-law 7364-14, as amended by By-law 7962-22)	SP-2015-05 (R) Block 37 A 05/15 (R)				Notwiths minimun metres f accesse abutting flankage zoned M
369	SMDM-1 (By-law 7364-14)	SP-2009-01, Sideline 26/ Whites Road, Blocks 225 to 228, 237 to 240 and 380. SP-2009-02, Sideline 26/ Whites Road, Blocks 1, 2. 10, 11, 291 to 299, 446, 447				Minimur Minimur Minimur

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
370	SMDM-2 (By-law 7364-14)	SP-2009-05, Street Q, Block 380 SP-2009-06, Street N and Whitevale By-pass, Blocks 365 to 374				Minimur
371	SMDM-3 (By-law 7364-14)	SP-2009-07, Blocks 216 and 217				The **lot** zone sh the **fron** The **prin** shall fac The zon 14.10 sh were **thr** For deta **garages** and **driv** Section as if the **lots**. The min abutting most we 216: 2.8

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
372	SMC1-2 (By-law 7364-14, as amended by By-law 7840-21)	SP-2009-13, South of Taunton Road west of Sideline 24, north of the pipeline				The min dwelling the SMC 1, and S

373	SMC2-1 (By-law 7364-14, as amended by By-law 7840-21)	Part of Lots 25 and 26, Concession 3, Now Parts 1 and 2, 40R-24268 and Part of Lot 3, 40R-29614				The min dwelling the SMC 1, and S **Building** means a three or and may **dwelling** directly f **Building** **or Block** **Building** **structur** and/or h into a m **dwelling** has an i from **gra** rear of th of which and/or h **grade** b adjoining a **privat** **grade** a units are and acc **street**, l condom **Park, Pr** of land r

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
						jurisdicti authority maintair passive purpose Minimur units: 74 Minimur requiren Maximu Minimur requiren Minimur **Open S** Minimur m^2 Maximu **Block, T** 16 m Section shall not
374	SMC1-3 (By-law 7364-14)	SP-2009-13, Street 2, Blocks 8 and 9 and Street 13, Blocks				Maximu **porch** o required 1.0 m

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
		38, 39 and 40 where they abut the Trans-northern pipeline				
375	SMC1-4 (By-law 7364-14)	SP-2008-05, Sideline 26 / Whites Road, Blocks 165 to 169 SP-2008-06, Sideline 26 / Whites Road, Blocks 32 to 35 and 6 to 10				Minimur Minimur m^2 Minimur
376	SMC2-2 (By-law 7364-14)	SP-2008-05, Street 10, Blocks 222-225				The **lot** zone sh the **fron** The **prir** shall fac The zon 14.14 sh were **th** For deta **garages** and **driv**

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
						Section as if the **lots**.
377	SMC2-3 (By-law 7364-14)	SP-2009-13, South of Taunton Road, west of Sideline 24, east and west of Street 3, Blocks 5, 6, 12 and 14				The min dwelling the SM 1, and S Minimur

						Building means a three or and may **dwelling** directly f **Building or Bloc Building structur** and/or h into a m **dwelling** has an i from **gra** rear of t of which and/or h **grade** b adjoining a **privat grade** a units are and acc **street**, l condom **Park, Pr** of land r jurisdicti authority maintain

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
						passive purpose Minimur units: 74 Minimur requiren Maximu Minimur requiren Minimur **Open S** Minimur m^2 Maximu **Block, T** 16 m Section shall not

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
378	SCN-1 (By-law 7364-14)	Community Node straddling Taunton Road between Sideline 22 and Sideline 24, SP-2008-07 Blocks 190 -191 and SP-2009-14 Block 76				The **gro** the **grou** **building** Commu includin SCNPP 60,000 r goods a
379	SCU-1 (By-law 7364-14)	Block 615, Plan SP-2008-11, Sideline 24				The **sec** shall be provisio 14.7.2.3 **primary** incorpor **wall** of t **front lot**
380	SMC1-6 (By-law 7364-14, previously SMC1-2-3)					The min dwelling the SMC 1, and S Maximu **porch** o

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
						required 1.0 m

15.381 Exception Zone 381 (By-law 7364-14)

1. The following Holding provisions apply to the properties specified:

   The lands beyond the Phase 1 lands as identified on Figure C of the staged servicing and Implementation Strategy dated October 2012.

2. The “(H)” Holding Symbol shall be removed when:

   a) a transportation study is completed identifying the need, and if warranted, the extent and timing of additional transportation improvements including collector and arterial roads internal to the Seaton Urban Area, road linkages external to the Seaton Urban Area including linkages internal and external to Durham Region and interchanges with Highway 407 ETR that may be required to support development beyond the first phase, which shall not exceed 9,800 detached equivalent units, as defined in the Staged Servicing and Implementation Strategy. The transportation study is to be undertaken by the landowners in consultation with the City of Pickering, Durham Region, City of Toronto and York Region and shall be in accordance with Policy 11.74 (b) of the Pickering Official Plan, as amended by Pickering Official Plan Amendment 22; and

   b) the City is satisfied that the transportation improvements identified in the transportation study referred to in (a) above as required to support the development of the subsequent phase to be released from the H - holding provision will be provided in accordance with the timing recommended by the transportation study, and that satisfactory arrangements are in place for the funding of those transportation improvements.

15.382 Exception Zone 382 (E1 of By-law 7553-17)

1. Additional Permitted Uses

   The following additional use is permitted:

   a) Outdoor Storage associated with a Garden Centre Use

2. Zone Provisions

   The following regulations apply:

   a) Minimum Building Height: 10.5 metres and 2 functional storeys

   b) Maximum size of outdoor storage associated with a garden centre use: 1,900 square metres

   c) Minimum number of required parking spaces for outdoor storage associated with a garden centre use: 0 parking spaces

   d) Total number of required parking spaces that can be reduced while the outdoor storage associated with a garden centre use is operating: 90 parking spaces

   e) Maximum duration outdoor storage associated with a garden centre use shall be permitted to operate outdoors: Between April 1st and August 1st within a calendar year

3. Special Site Provisions

   The following additional provision applies:

   a) Section 9.3.1, related to Continuous Length of Buildings along a Street Line, shall not apply to any building or structure fronting Liverpool Road.

   b) Additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law.

   c) For the purpose of calculating Floor Space Index for new buildings, the area of the lot shall be equivalent to the ground floor area of the new building.

   d) Section 9.3.1 and 15.282.2 a), related to Floor Space Index and related to Building Height, shall not apply to any additions or expansions to existing buildings and structures as legally existed on the effective date of this By-law.

   e) Notwithstanding Section 9.3.1, related to Buildings Requiring Active At Grade Frontages, a primary entrance door with direct and unobstructed

access open to the public shall be incorporated into the wall of a building either facing or visible from the Kingston Road street line

f) Notwithstanding the provisions of Section 4.26 Outdoor Storage, the provisions shall not apply to a Garden Centre use.

15.383 Exception Zone 383 (E2 of By-law 7553-17)

1. Additional Permitted Uses

   The following additional use is permitted:

   a) Automobile Service Station on a lot where the use legally existed on the effective date of this By-law.

2. Definitions

   a) “Automobile Service Station” means an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical car wash and limited convenience retail sales, but shall not include facilities for the repair and maintenance of vehicles, or facilities for the repairing or painting of vehicle bodies.

   b) “Mechanical Car Wash” means an establishment where facilities are provided for the washing and cleaning of vehicles using production line methods employing mechanical devices wholly enclosed within a building.

3. Zone Provisions

   The following regulations apply only to an automobile service station:

   a) Minimum Building Height: As legally existing on the lot on the effective date of this By-law

   b) Minimum number of required parking spaces: 10 parking spaces

   c) Maximum Gross Leasable Floor Area: 360 square metres

   d) Maximum size of outdoor storage and display of convenience items: 10 square metres

15.384 Exception Zone 384 (E3 of By-law 7553-17, as amended by By-law 7713-19)

1. Additional Permitted Uses

   The following additional use is permitted:

   a) Farmers' Market

   b) Outdoor Sales and Display

   c) Vehicle Repair Shop on a lot where the use legally existed on the effective date of this By-law

2. Definitions

   a) "Vehicle Repair Shop" means an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels.

   b) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.

3. Zone Provisions

   The following regulations apply only to an automobile service station:

   a) Minimum Building Height: 10.5 metres and 2 functional storeys

   b) Maximum size of outdoor sales and display area permitted accessory only to a retail store having a gross leasable floor area in excess of 7,400 square metres: 650 square metres

   c) Minimum number of required parking spaces for Farmer's Market operating outdoors: 0 parking spaces

   d) Total number of required parking spaces that can be reduced while the Farmers' Market use is operating outdoors: 90 parking spaces

   e) An existing vehicle repair shop may only be permitted in conjunction with and as accessory to any retail store having a gross leasable floor area in excess of 7,400 square metres

   f) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, a maximum of one residential (1) building or structure wholly located within the crossed hatched area as shown on Figure 1 shall not exceed a building height of 153 metres.

g) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the diagonal hatched area as shown on Figure 1 shall not exceed a building height of 125 metres.

4. Special Site Provisions

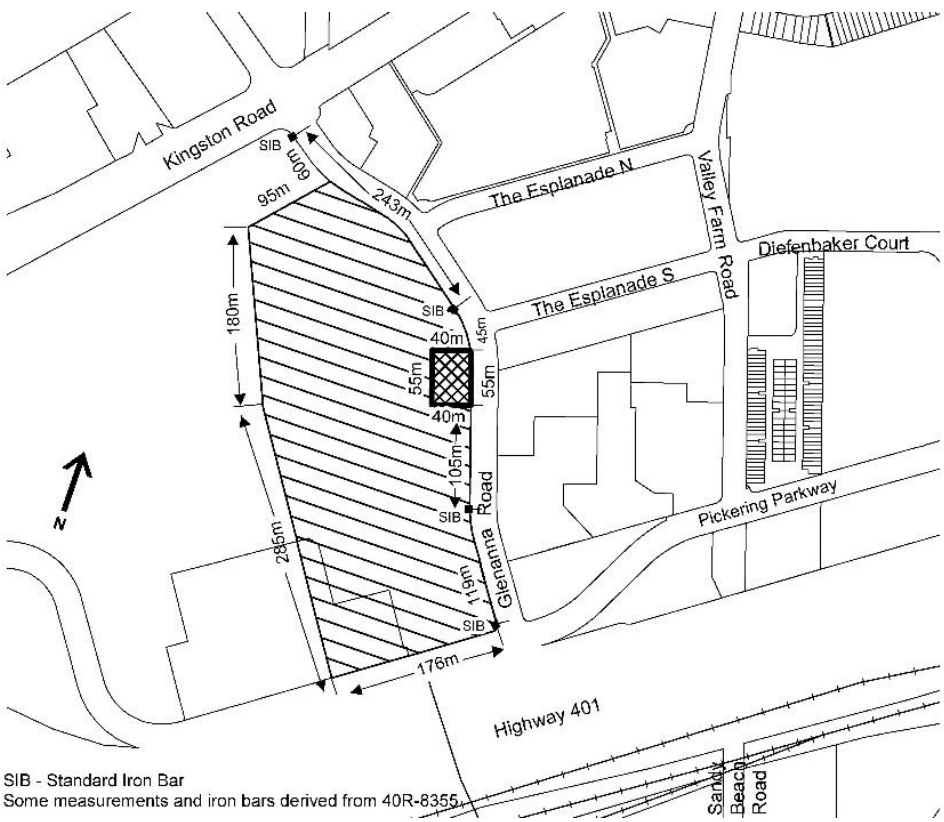
The following additional provision applies:

a) Additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law.

b) For the purpose of calculating Floor Space Index for new buildings, the area of the lot shall be equivalent to the ground floor area of the new building.

c) Section 9.3.1, related to Floor Space Index and Building Height, and Section 3 a) of this Exception, related to Building Height, shall not apply to any additions or expansions to existing buildings and structures as legally existed on the effective date of this By-law.

5. Figure 1



15.385 Exception Zone 385 (E4 of By-law 7553-17)

1. Additional Permitted Uses

    a) Automobile Service Station on a lot where the use legally existed on the effective date of this By-law.

2. Definitions

    a) “Automobile Service Station” means an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical car wash and limited convenience retail sales, but shall not include facilities for the repair and maintenance of vehicles, or facilities for the repairing or painting of vehicle bodies.

    b) “Mechanical Car Wash” means an establishment where facilities are provided for the washing and cleaning of vehicles using production line methods employing mechanical devices wholly enclosed within a building.

3. Parking Provisions

    a) Minimum number of required parking spaces for Automobile Service Station and Mechanical Car Wash: As legally existing on the lot on the effective date of this By-law

15.386 Exception Zone 386 (E5 of By-law 7553-17)

1. Additional Permitted Uses

   a) Detached Dwelling

   b) Additional Dwelling Unit is permitted within an existing detached dwelling in accordance with Section 4.3 of this By-law

2. Zone Provisions

   The following regulations apply:

   a) Maximum Lot Coverage: 50 percent

   b) Minimum Front Yard Setback: 3.0 metres

   c) Minimum Interior Side Yard Setback: 1.2 metres and 0.3 metres, on the side where dwellings on adjacent lots are attached, no interior side yard is required

   d) Minimum Exterior Side Yard Setback: 2.7 metres

   e) Minimum Rear Yard Setback: 6.0 metres

   f) Covered and unenclosed porches, verandahs and flankage entrance features not exceeding 1.5 metres in height above established grade may project no more than:

      i. 1.5 metres into any required front or rear yard

      ii. 1.0 metres into any required exterior side yard

      iii. 0.6 metres into any required side yard

   g) A minimum of one private garage shall be provided per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line

15.387 Exception Zone 387 (E6 of By-law 7553-17)

1. Zone Provisions

   The following regulations apply:

   a) Minimum Floor Space Index: 1.5

   b) Minimum Building Height: 12.0 metres

   c) Minimum Landscaped Area between parking spaces and existing residential development to the south: 2.5 metres

2. Parking Provisions

   The following parking regulations apply:

   b) Minimum Parking Requirement for Stacked Townhouse Dwellings: 1.0 parking space per dwelling unit and an additional 0.2 of a space per dwelling unit for visitors

15.388 Exception Zone 388 (E7 of By-law 7553-17)

1. Definitions

   a) “Build-to-Zone” means an area of land within which all or part of a building or buildings or part of a structure or structures are to be located.

   b) “Building Envelope” means the three-dimensional buildable area prescribed for a building by the regulations of this By-law.

2. Zone Provisions

   The following regulations apply:

   a) Buildings and structures shall comply with the minimum and maximum building envelope as shown on Figure 1.

   b) A minimum of 70% of the build-to-zone must be occupied prior to the erection of any other buildings or structures on the subject lands.

3. Special Site Provisions

   The following additional provision applies:

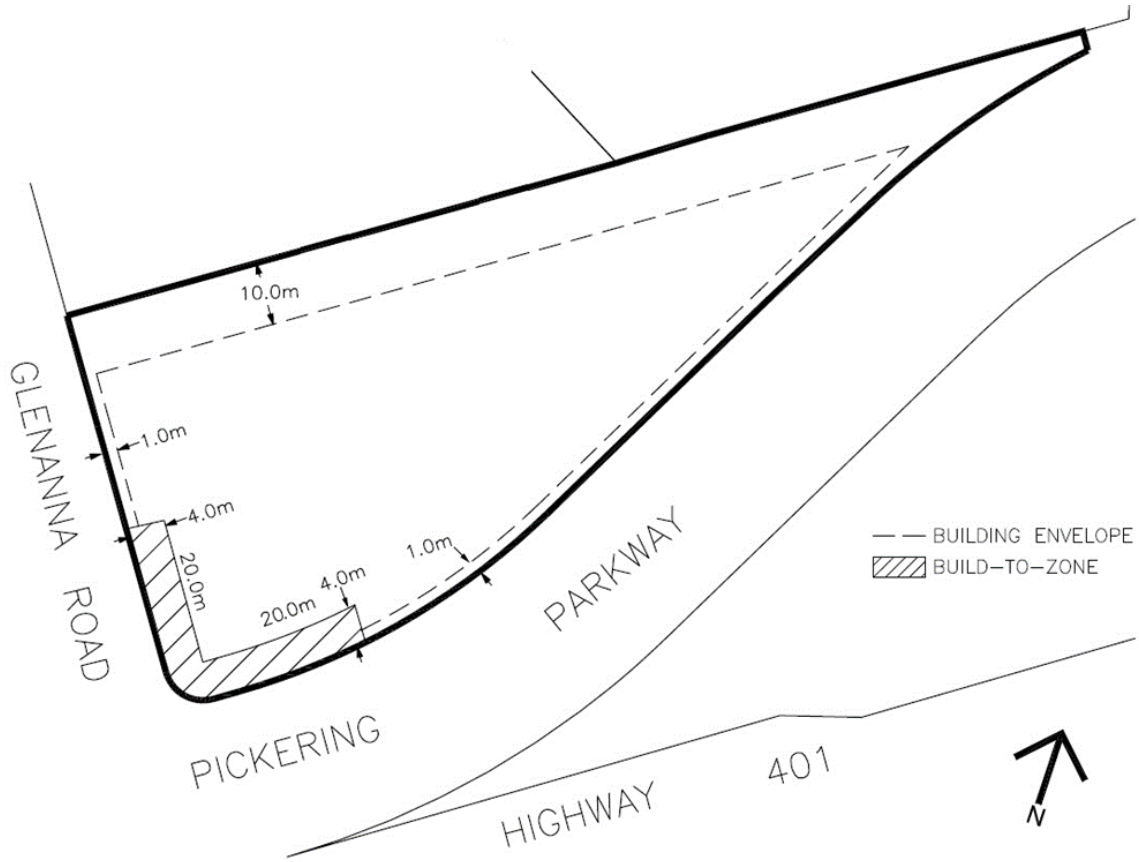
   a) Section 9.3.1, related to Building Setback from Street Line and related to Continuous Length of Buildings along a Street Line, shall not apply to the subject lands.

   b) Notwithstanding Section 9.3.1, related to Main Wall Stepback for Buildings equal to or less than 37.5 metres in height, a minimum main wall stepback of 1.5 metres is required between 4.5 metres and 15.0 metres in height for that portion of a building located within the build to-zone as shown on Figure 1.

   c) Notwithstanding Section 4.41, related to Temporary Sales Office, a temporary sales office is permitted on the subject lands for the leasing of units where Site Plan Approval has been granted by the City.

   d) Notwithstanding Section 5.10.3, related to Parking Structures, air vents are permitted to be located within the building envelope as shown on Figure Figure 1.

4. Figure 1


10.0m
1.0m
4.0m
20.0m
20.0m
4.0m
1.0m
GLENANNA ROAD
PARKWAY
PICKERING
HIGHWAY 401
BUILDING ENVELOPE
BUILD–TO–ZONE
N

15.389 Exception Zone 389 (E8 of By-law 7553-17)

1. Zone Provisions

   The following regulations apply:

   a) Minimum Floor Space Index: 1.4

   b) Notwithstanding Section 9.3.1, related to Continuous Length of Buildings along a Street Line, a minimum of 50 percent of the street frontage of a lot must be occupied by a building.

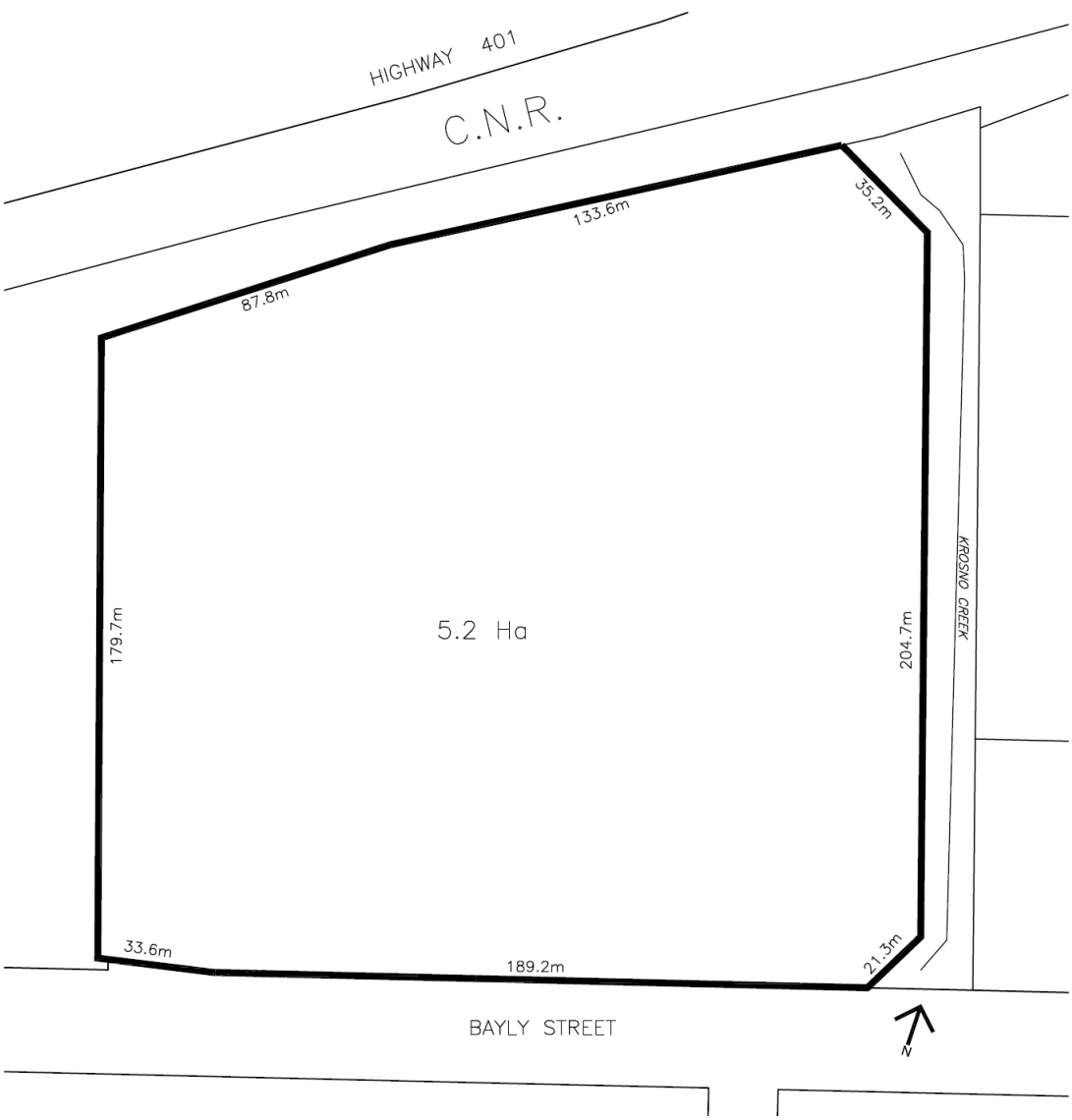
15.390 Exception Zone 390 (E9 of By-law 7553-17)

1. Special Site Provisions

   The following additional provision applies:

   a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

2. Figure 1



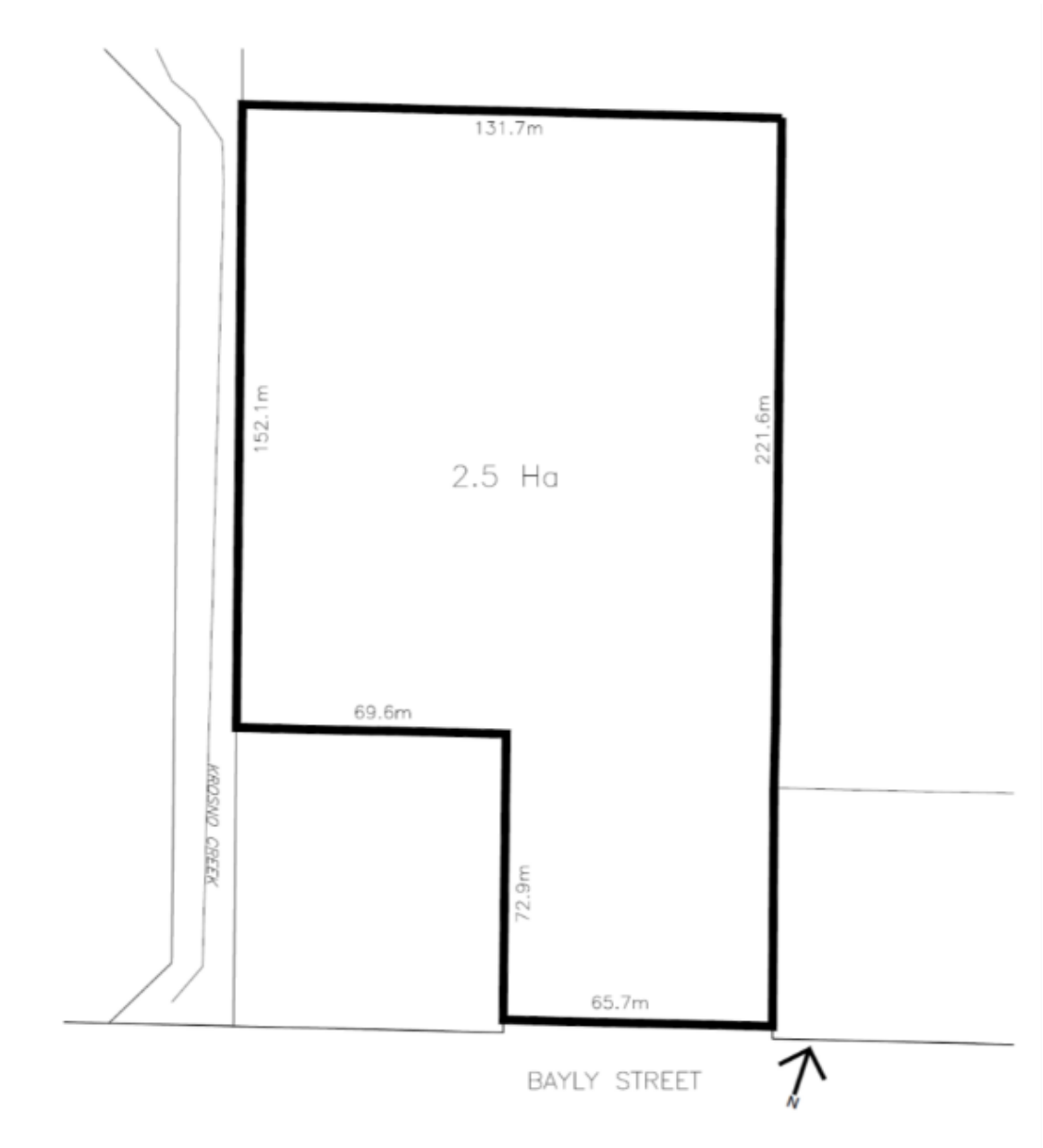
15.391 Exception Zone 391 (E10 of By-law 7553-17)

1. Special Site Provisions

   The following additional provision applies:

   a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

2. Figure 1



3.

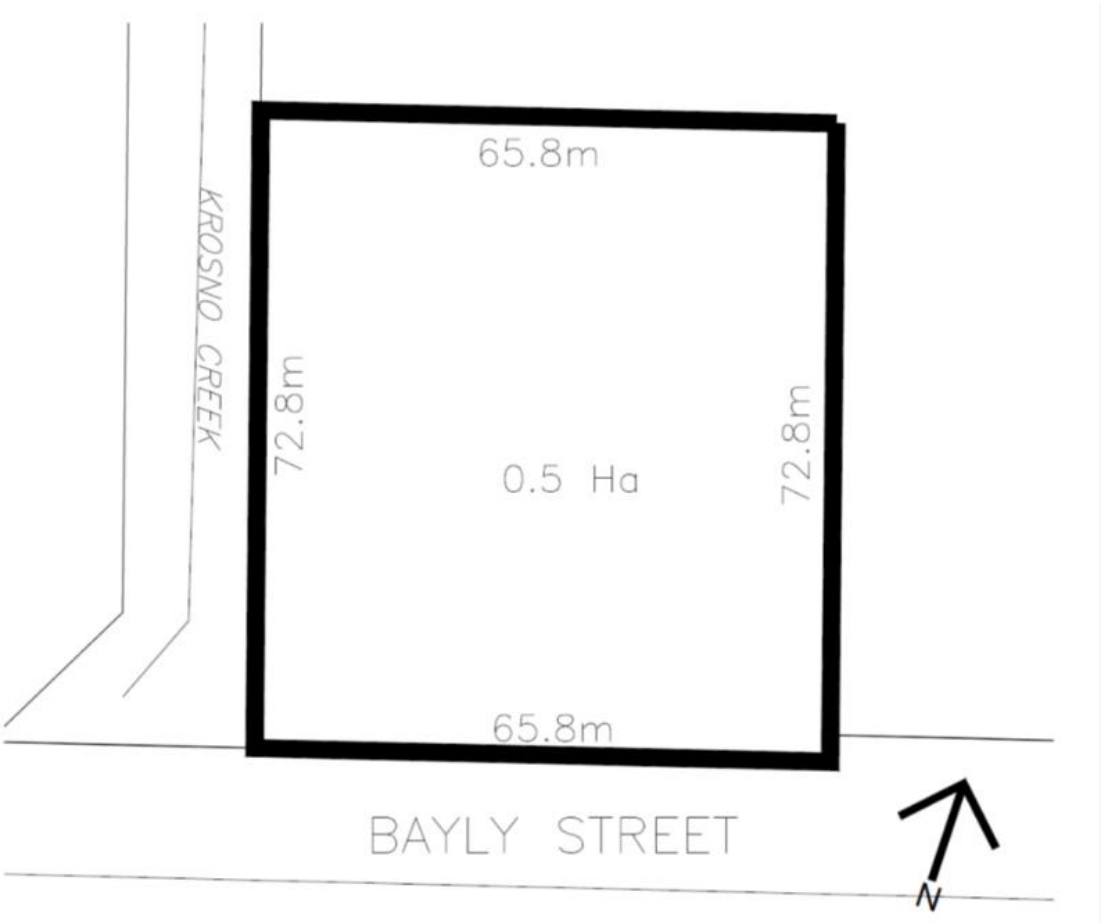
15.392 Exception Zone 392 (E11 of By-law 7553-17)

1. Special Site Provisions

   The following additional provision applies:

   a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

2. Figure 1



15.393 Exception Zone 393 (E12 of By-law 7553-17)

1. Definitions

    a) “Retirement Home” – means a building or part of a building providing accommodation primarily for senior’s where each private bedroom or living unit may contain a kitchen or stove top and oven, does have a separate entrance from a common hall, and where common facilities and services are provided for the residents including, but not limited to, personal services, the preparation and consumption of food, nursing services, common lounges, recreation rooms and ancillary support offices

2. Zone Provisions

    a) Nothwithstanding Section 9.3.1, building height shall be limited by a 45 degree angular plane measured 7.5 metres from the rear lot line of the lots on the north side of Avonmore Square at a height of 10.5 metres above grade

    b) Notwithstanding a) above, the height of a building or structure wholly located within the crossed hatched area as shown on Figure 1 shall be permitted to penetrate a 45 degree angular plane measured from the rear lot line of the lots on the north side of Avonmore Square

    c) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the crossed hatched area as shown on Figure 1 shall not exceed a building height of 70 metres

    d) Minimum Building Height for stacked dwelling: 10.0 metres

    e) Notwithstanding Section 9.3.1, minimum separation between blocks of stacked dwelling: 3.0 metres

    f) Podium Requirements for Buildings greater than 37.5 metres:

        i. minimum height of a podium – 10.5 metres

        ii. maximum height of a podium – 26 metres

    g) Tower Floor Plates:

        i. maximum tower floor plate – 2,000 square metres between the 9th storey and the 14th storey

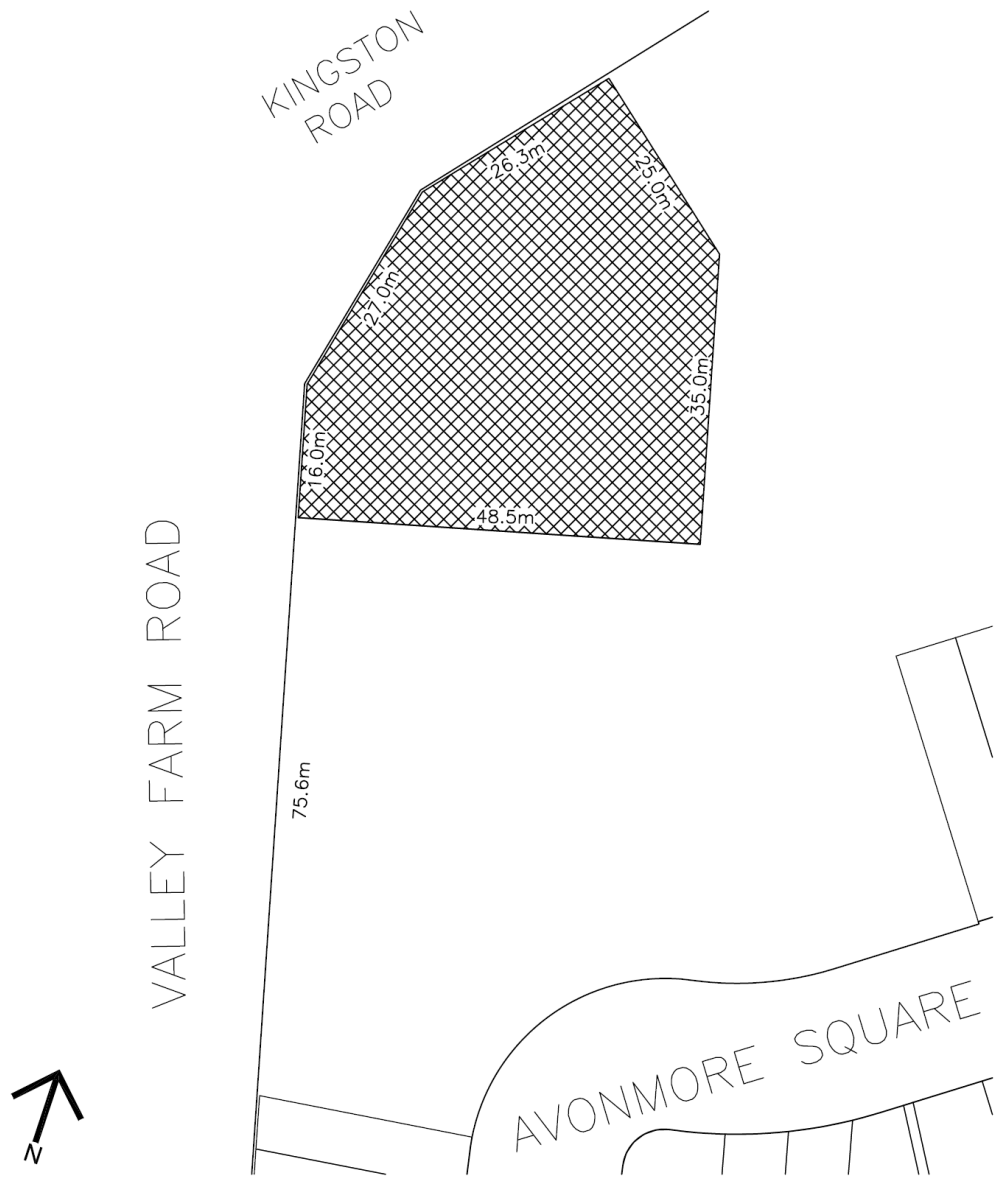
        ii. maximum tower floor plate – 900 square metres above the 14th storey

3. Special Site Provisions

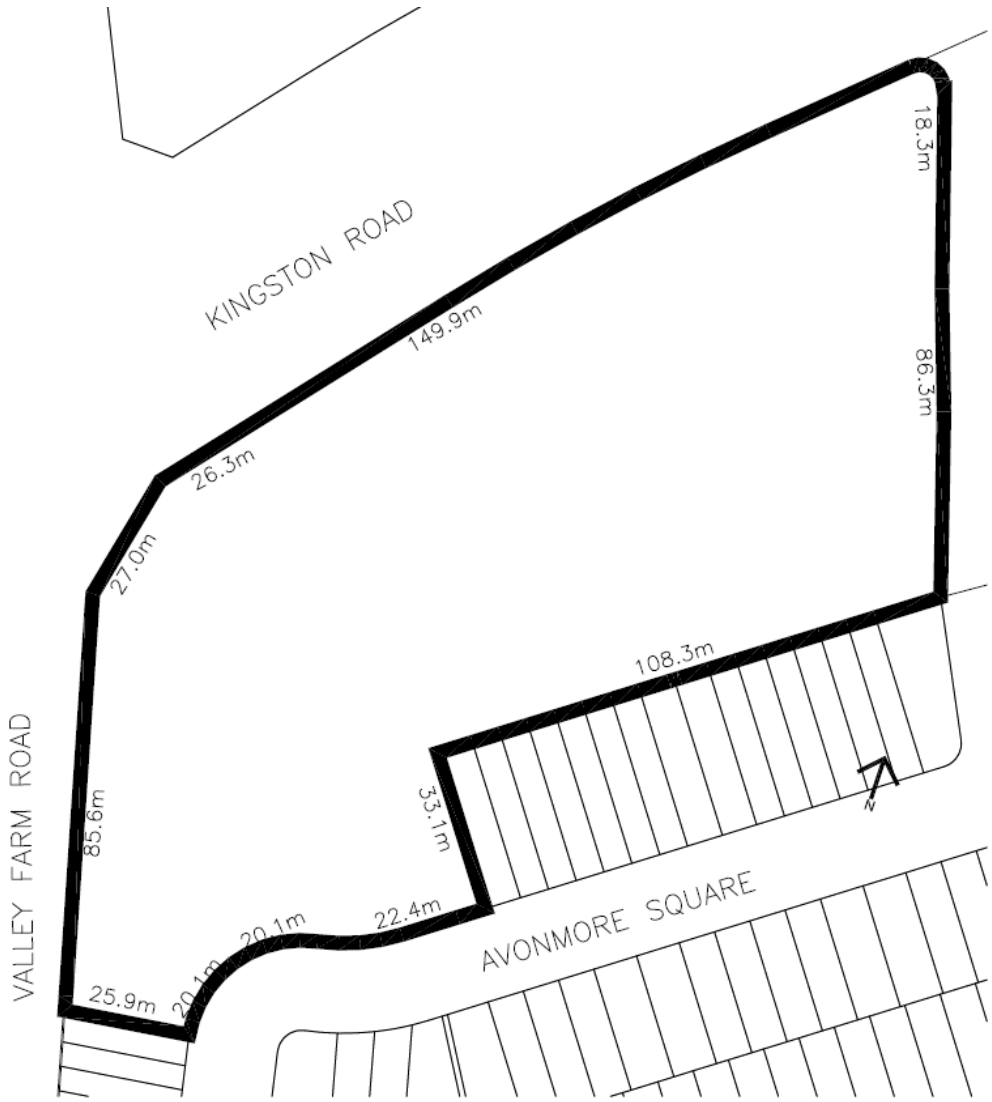
   The following additional provision applies:

   a) Notwithstanding any future severances, partition, or division of the lot, the provisions of this By-law will apply to the whole of the lot as if no severance, partition, or division had occurred, as shown on Figure 2

4. Figure 1



5. Figure 2


KINGSTON ROAD
VALLEY FARM ROAD
AVONMORE SQUARE
18.3m
149.9m
86.3m
26.3m
27.0m
108.3m
33.1m
85.6m
22.4m
20.1m
20.1m
25.9m

15.394 Exception Zone 394 (E13 of By-law 7553-17, as amended by By-law 7713-19)

1. Zone Provisions

   The following regulation applies:

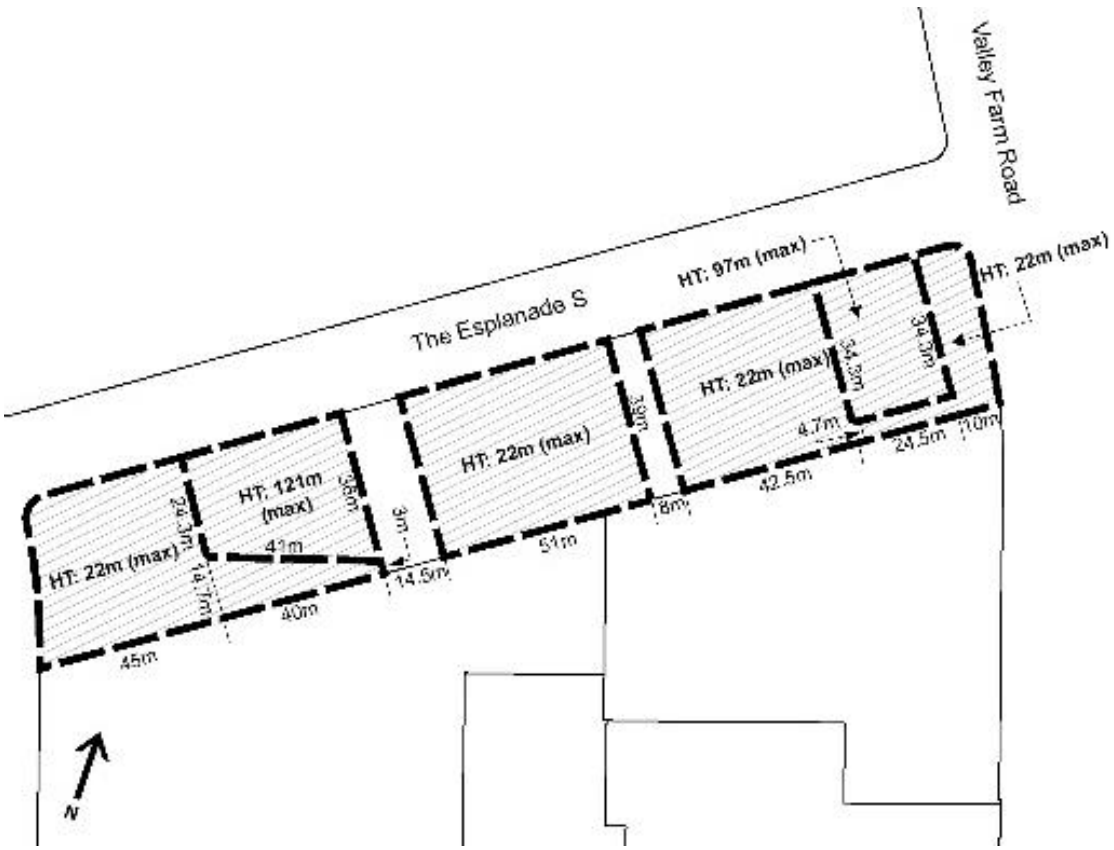
   a) Notwithstanding any provisions of this By-law, as amended, no building or structure, or part of a building, or structure located above established grade shall be erected outside of the diagonal area as shown on Figure 1.

   b) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1.

   c) Notwithstanding Section 9.3.1, related to minimum Building Setback from a Street Line, the minimum setback for a building or structure from a street line, located within the diagonal area as shown on Figure 1, shall be zero metres.

   d) Notwithstanding Section 9.3.1, related to minimum Podium Requirements for Buildings greater than 37.5 metres, the minimum height of a podium shall be 9.0 metres.

2. Figure 1


Valley Farm Road
The Esplanade S
HT: 97m (max)
HT: 22m (max)
HT: 22m (max)
HT: 121m (max)
HT: 22m (max)
HT: 22m (max)
34.3m
34.3m
23.3m
14.7m
40m
45m
41m
3m
14.5m
51m
23m
8m
42.5m
4.7m
24.5m
10m
N

15.395 Exception Zone 395 (E14 of By-law 7553-17, as amended by By-law 7810-21)

1. Definitions

   a) “Floor Area, Net” means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:

      i. Motor vehicle parking and bicycle parking below established grade;

      ii. Motor vehicle parking and bicycle parking at or above established grade;

      iii. Loading spaces and related corridors used for loading purposes;

      iv. Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;

      v. Indoor amenity space required by this By-law;

      vi. Elevator, garbage and ventilating shafts;

      vii. Mechanical penthouse; and

      viii. Stairwells in the building.

   b) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.

2. Zone Provisions

   a) Notwithstanding Section 9.3.1 related to permitted encroachments, a balcony, porch or uncovered platform may encroach into any required setback to a maximum of 2.2 metres.

   b) Notwithstanding Section 4.43 related to Yards Abutting Daylight Triangles, the minimum setback of buildings from the daylight triangle shall be 0.25 of a metre.

   c) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.71 parking spaces per apartment dwelling unit for residents and 0.15 parking spaces per apartment dwelling unit for visitors.

   d) Notwithstanding Section 5.10.2 related to parking structures, stairs associated with a parking structure are permitted to project to a maximum of 1.2 metres above establishes grade no closer than 0.3 of a metre to a street line.

   e) Notwithstanding Section 5.10.3 related to parking structures, air vents constructed in association with an underground parking structure, are

permitted to project to a maximum of 1.2 metres above established grade no closer than 2.8 metres to a street line.

f) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure shall not exceed a building height of 78 metres (26-storeys).

g) Notwithstanding Section 9.3.1 related to Building Setback from Street Line, the residential building along Bayly Street may be setback to a maximum of 4.5 metres.

h) Notwithstanding Section 9.3.1 related to Building Separation, the separation of a second storey unit with primary windows may be reduced to 8.6 metres so long as the primary window is no larger than 0.9 square metres, and the lowest point of the window is located a minimum of 1.8 metres from the floor.

i) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres, the minimum main wall stepback from the main wall of a point tower and the main wall of a podium on the building face abutting Sandy Beach Road shall not apply.

j) Notwithstanding Section 9.3.1 related to Balcony Requirements, the minimum area of a balcony is 4 square metres.

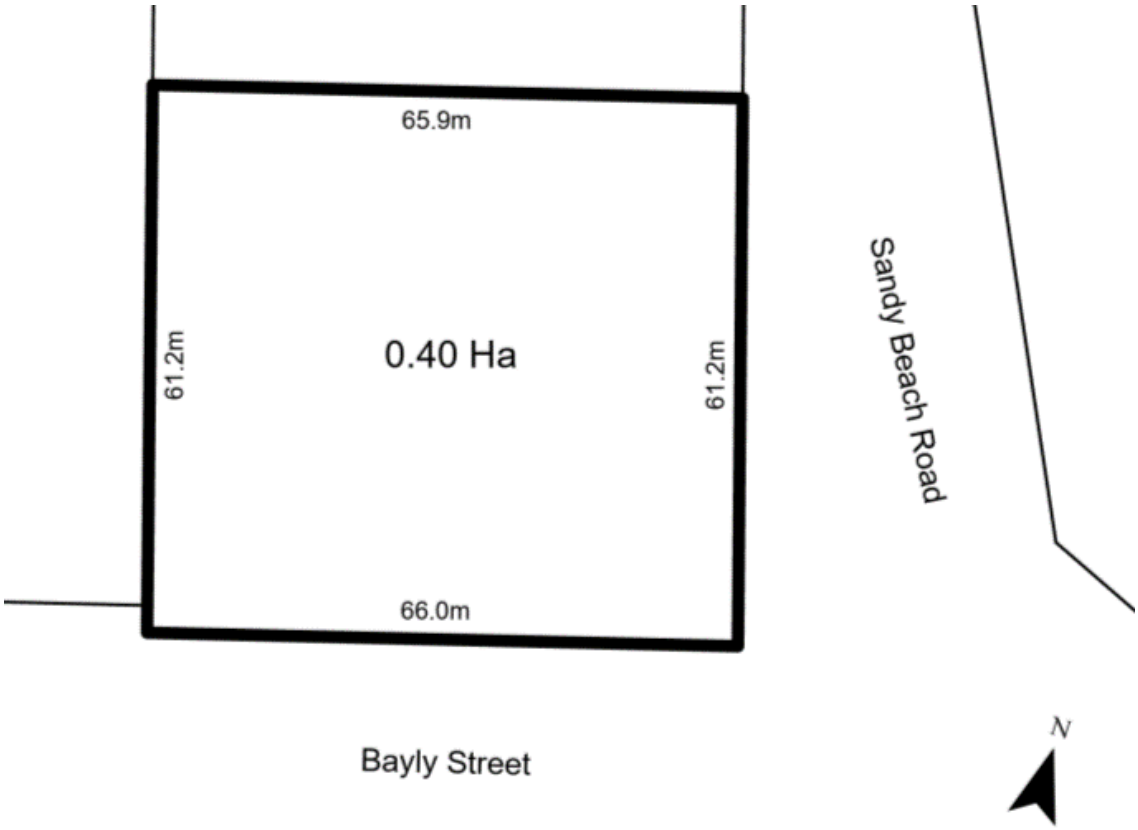
k) Notwithstanding Section 9.3.1 related to Balcony Requirements, balconies are permitted to project beyond the main wall at any height.

3. Special Site Provisions

The following additional provision applies:

a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot, including lands conveyed to public ownership for a road widening as shown in the figure below, shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

4. Figure 1



15.396 Exception Zone 396 (E15 of By-law 7553-17, as amended by By-law 7909-22)

1. Zone Provisions

   The following regulations apply:

   a) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1.

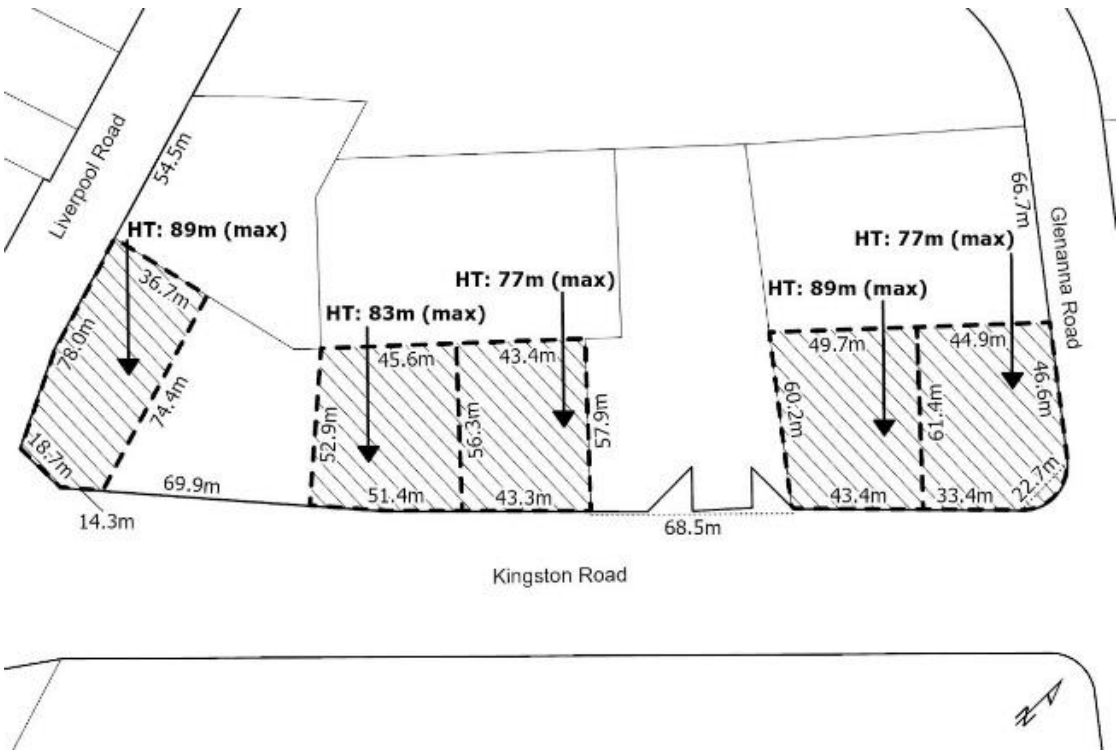
   b) Notwithstanding Section 9.3.1 related to maximum Tower Floor Plates for a residential building, the maximum tower floor plate for any portion of a building above 77 metres in height shall not exceed 650 square metres.

   c) The minimum gross leasable floor area of non-residential uses shall be as follows:

      i. for lands located at 1300 Kingston Road: 3,700 square metres

      ii. for lands located at 1360 Kingston Road: 1,500 square metres

2. Figure 1



15.397 Exception Zone 397 (E16 of By-law 7553-17, as amended by By-law 7909-22)

1. Zone Provisions

   The following regulations apply:

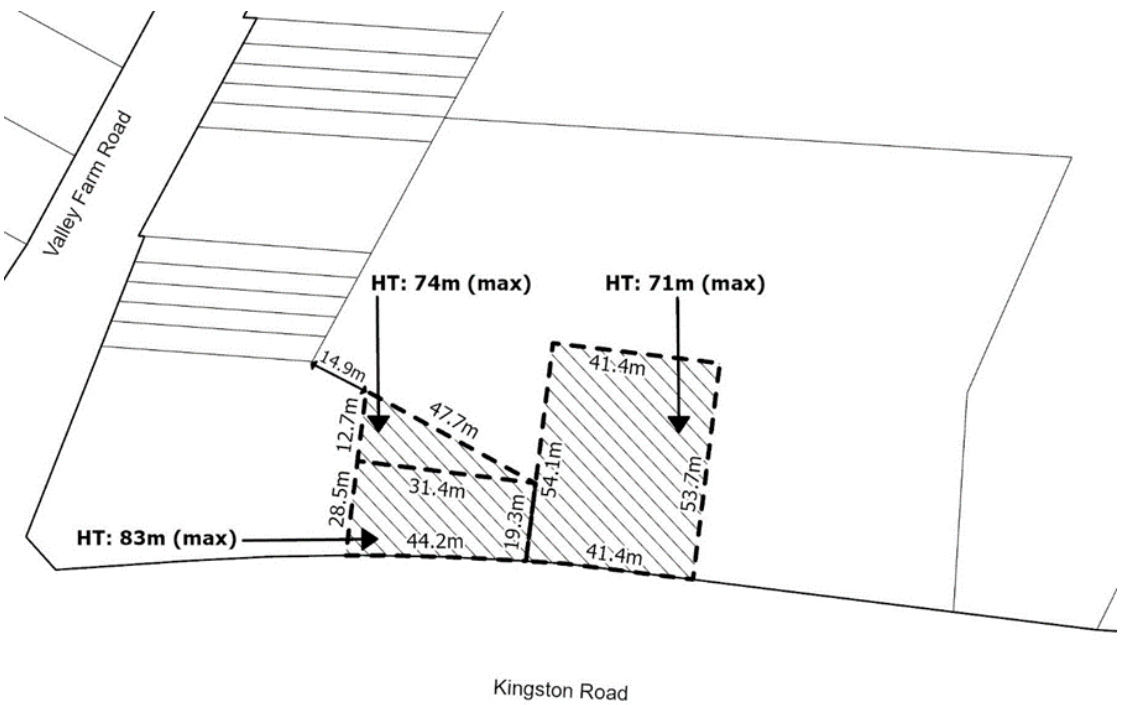
   a) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1.

   b) Notwithstanding Section 9.3.1 related to maximum Tower Floor Plates for a residential building, the maximum tower floor plate for any portion of a building above 77 metres in height shall not exceed 650 square metres.

   c) The minimum gross leasable floor area of non-residential uses shall be as follows:

      i. for lands located at 1550 Kingston Road: 2,300 square metres

2. Figure 1



15.398 Exception Zone 398 (E17 of By-law 7553-17, as amended by By-law 7936-22)

1. Zone Provisions

   The following regulations apply:

   a) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1.

   b) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.65 parking spaces per apartment dwelling unit for residents, and 0.15 parking spaces per apartment dwelling unit for visitors.

   c) Notwithstanding Section 5.9.1 a), related to Surface Parking Spaces, a maximum of ten surface parking spaces may be located in the front yard of buildings.

   d) Notwithstanding Section 5.9.1 b), related to Surface Parking Spaces, a minimum 2.5 metre wide landscaped area shall be required and permanently maintained between the street line of future Celebration Drive and the parking spaces or aisles.

   e) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply.

   f) Notwithstanding Section 9.3.1 related to Balcony Requirements, the minimum area of a balcony is 4 square metres.

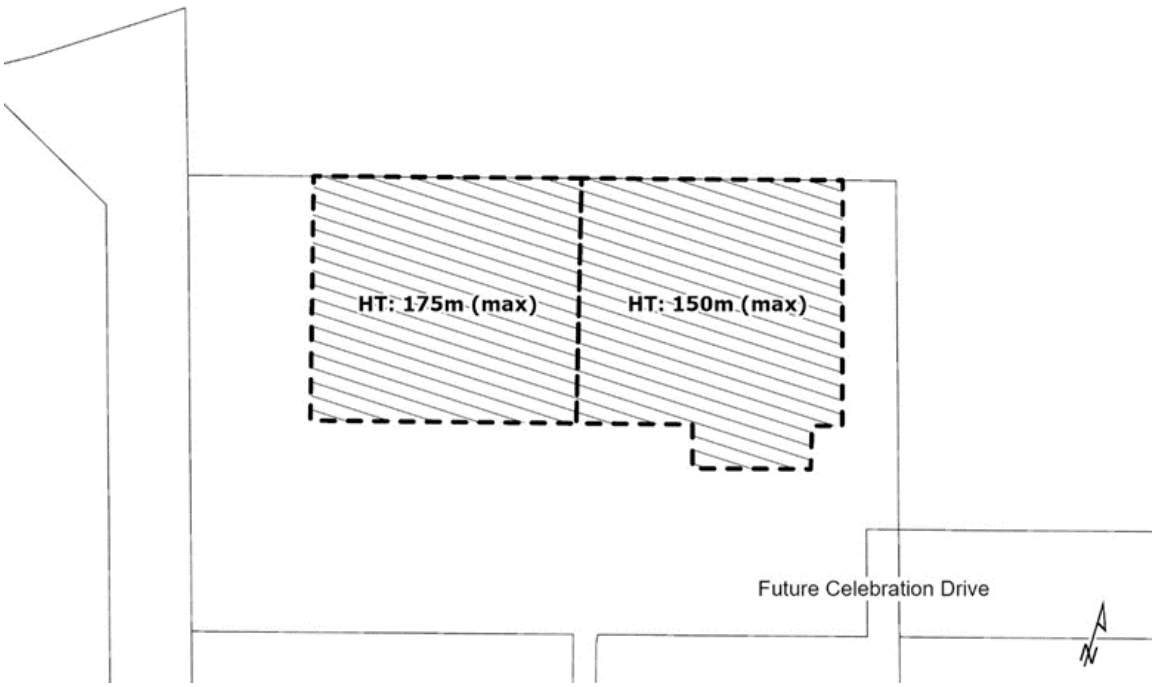
   g) Notwithstanding Section 5.10.2 related to Parking Structures, stairs and air vents associated with a parking structure are permitted in a front yard.

   h) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, structures on the podium for noise attenuation purposes may exceed the maximum podium height of 20.0 metres.

   i) Notwithstanding Section 9.3.1 related to Building Setback from Street Line, the maximum building setback shall be 13.0 metres from future Celebration Drive.

   j) Notwithstanding Section 9.3.1 related to Permitted Encroachments, projections such as awnings, canopies and other similar architectural features may project a maximum of 2.0 metres into the required front yard setback.

2. Figure 1



15.399 Exception Zone 399 (E18 of By-law 7553-17, as amended by By-law 7948-22)

1. Zone Provisions

   The following regulations apply:

   a) For the purpose of calculating Floor Space Index (FSI) for Section 9.3.1 and Schedule 4 related to minimum FSI, the area illustrated with diagonal hatching on Figure 1 shall be considered a lot.

   b) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 2 is specified by the number following the HT symbol as shown on Figure 2.

   c) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply.

   d) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, the following building elements may exceed the maximum podium height:

      i. equipment used for the functional operation of the building and structures including electrical, utility, mechanical and ventilation equipment, enclosed stairwells roof access, maintenance equipment storage, chimneys, vents, and window washing equipment;

      ii. architectural features, parapets, elements and structures associated with a green roof;

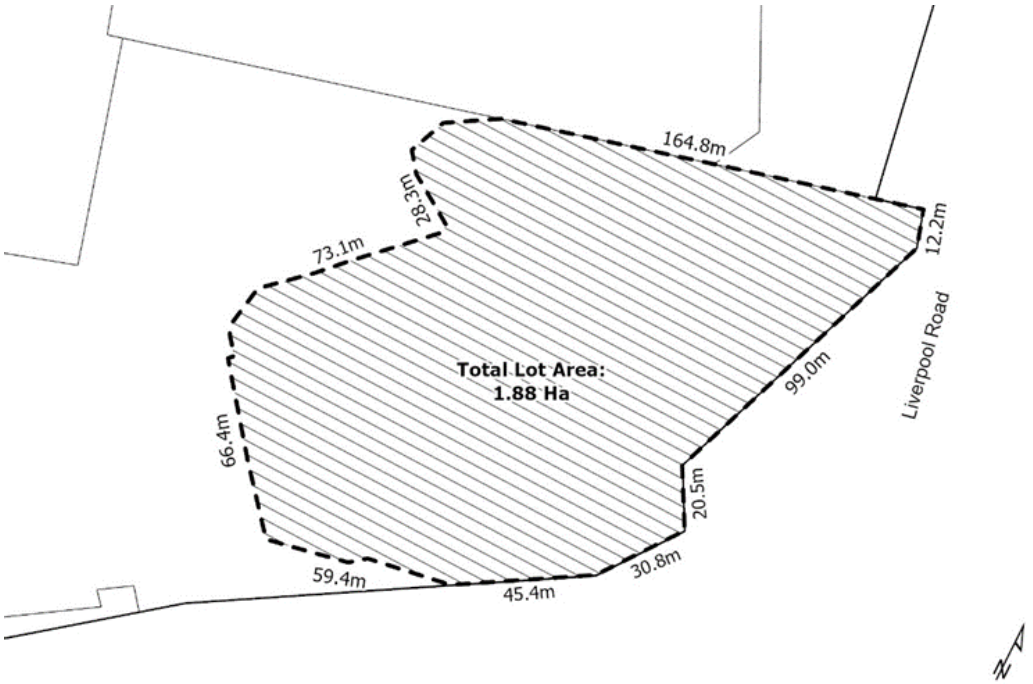
      iii. planters, landscaping features, guard rails, divider screens on a balcony and/or terrace; and

      iv. trellises, pergolas and unenclosed structures providing safety or wind/noise protection to rooftop amenity space.

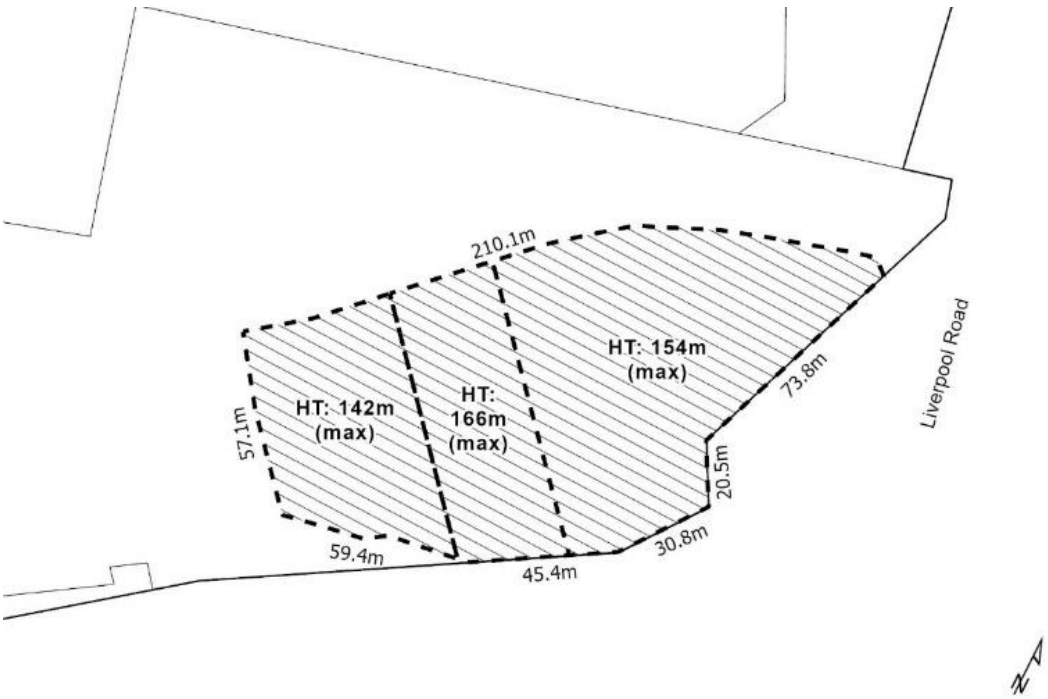
   e) Notwithstanding Section 5.13.1.4 and 5.13.2 related to Bicycle Parking Space Requirements, the required bicycle parking spaces may be stacked bicycle parking spaces, subject to the following dimensions:

      i. a minimum length of 1.8 metres and a minimum width of 0.45 metres.

2. Figure 1



3. Figure 2



15.400 Exception Zone 400 (E19 of By-law of 7553-17, as amended by By-law 7981-23)

1. Zone Provisions

   The following regulations apply:

   a) Notwithstanding Section 5.2.1 related to Parking Space Requirements, the minimum parking ratio shall be 0.65 parking spaces per apartment dwelling unit for residents and 0.15 parking spaces per apartment dwelling unit for visitors, for the lands illustrated in Figure 1.

   b) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 2 is specified by the number following the HT symbol as shown on Figure 2.

   c) Notwithstanding Section 9.3.1, related to Amenity Space Requirements for Apartment Dwellings, the minimum indoor and outdoor amenity space requirements for apartment dwellings may be located on an abutting block within the lands as identified in Figure 1, provided that:

      i. appropriate cross-use legal easement and/or an agreement are executed; and

      ii. the minimum aggregate amenity area requirement is provided in accordance with Sections 9.3.1, as amended.

2. Special Site Provisions

   a) Notwithstanding Section 9.3.1 and Schedule 4, related to Floor Space Index, the total land area of the lot, including lands conveyed to public ownership for a road widening, public street, and public park shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

   b) Section 9.3.1, related to Main Wall Stepback for Buildings greater than 37.5 metres in height, shall not apply to the lands illustrated in Figure 1.

   c) Minimum building setback abutting an Open Space (OS) zone – 3.0 metres

   d) Require an aggregate minimum of 12,000 square metres of net floor area of Office use, Financial Institution, Medical Office, Post-Secondary School, Private School, Commercial School and Veterinary Clinic either in a single building or in multiple buildings within the lands as shown on Figure 1.

   e) Require an aggregate minimum of 2,000 square metres of net floor area of non-residential uses, except for office, located on the first floor of a building or multiple buildings within the lands as shown on Figure 1 of which a

minimum of 150 square metres shall be provided on the first floor of each building.

f) Notwithstanding Section 9.3.1, the following Buildings Requiring Active At Grade Frontages requirements shall apply:

i. minimum – 40 percent of the first storey of a building along any street line and abutting an Open Space Zone with Active At Grade Frontages, residential lobbies, amenity space or at grade dwelling units, as shown on Schedule 7, as amended, shall comprise of openings and transparent glazing;

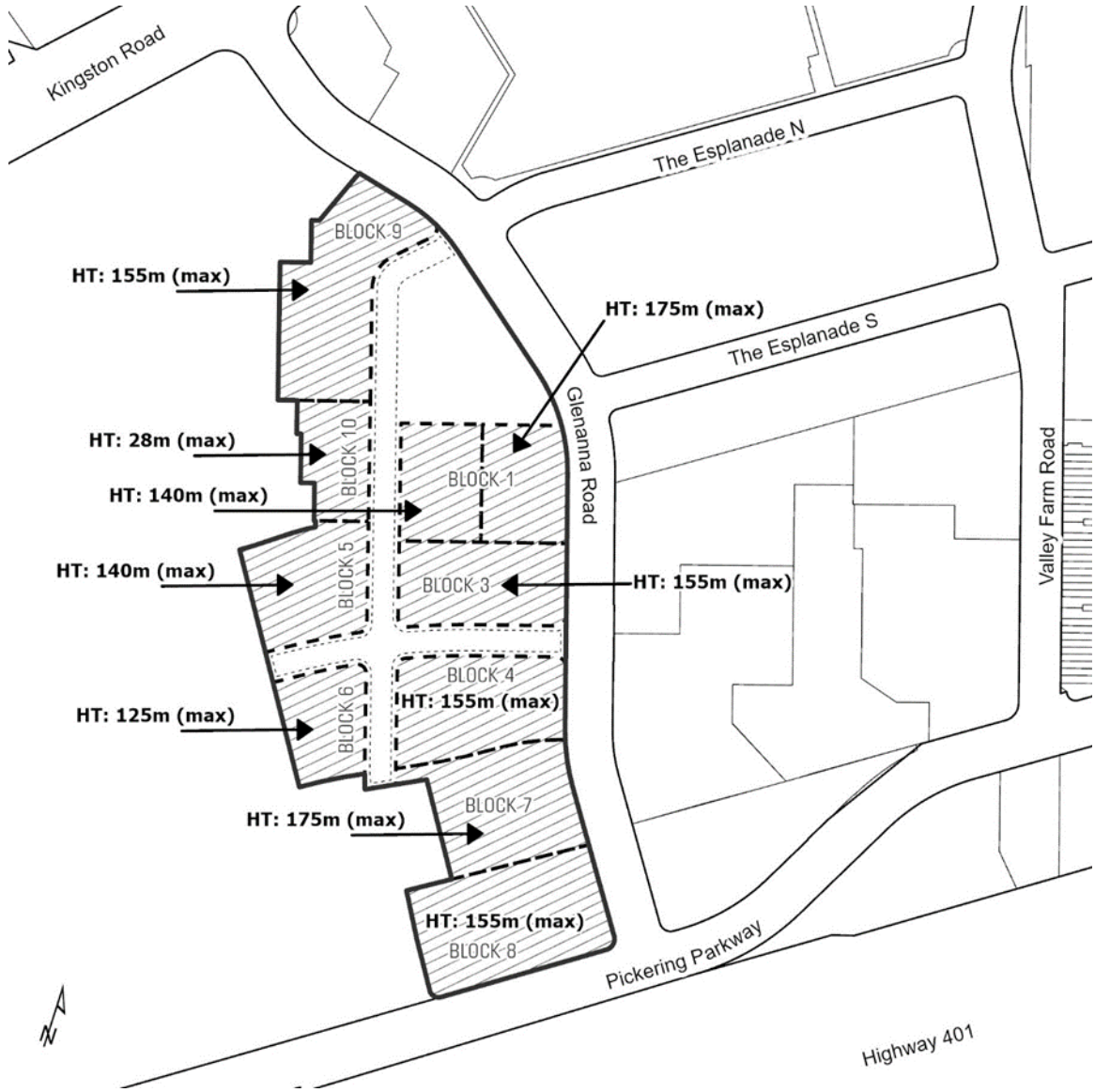
ii. a primary entrance door with direct and unobstructed access to the public shall be incorporated into the wall of a building facing the street line and abutting an Open Space Zone; and

iii. minimum ground floor height – 4.5 metres

3. Figure 1



4. Figure 2


Kingston Road
The Esplanade N
The Esplanade S
Glenanna Road
Valley Farm Road
Pickering Parkway
Highway 401
BLOCK 9
HT: 155m (max)
HT: 175m (max)
BLOCK 10
HT: 28m (max)
BLOCK 1
HT: 140m (max)
BLOCK 5
HT: 140m (max)
BLOCK 3
HT: 155m (max)
BLOCK 4
HT: 155m (max)
BLOCK 6
HT: 125m (max)
BLOCK 7
HT: 175m (max)
HT: 155m (max)
BLOCK 8

15.401 Exception Zone 401 (E20 of By-law 7553-17, as amended by By-law 7924-22)

1. Zone Provisions

   The following regulations apply:

   a) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure shall not exceed a building height of 117 metres (37-storeys).

   b) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.65 parking spaces per apartment dwelling unit for residents, and 0.15 parking spaces per apartment dwelling unit for visitors.

   c) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply.

   d) Notwithstanding Section 9.3.1 related to Balcony Requirements, the minimum area of a balcony is 4 square metres.

   e) Notwithstanding Section 9.3.1, related to Continuous Length of Buildings along a Street Line, a minimum 55 percent of the street frontage of a lot along Celebration Drive must be occupied by a building.

   f) Notwithstanding Section 5.9.1 b), related to Surface Parking Spaces, a minimum 0.6 metre wide landscaped area shall be required and permanently maintained between the west lot line and the parking spaces or aisles.

   g) Notwithstanding Section 9.3.1 related to Amenity Space Requirements for Apartment Dwellings, a minimum of 1.9 square metres of indoor amenity space is required per apartment dwelling unit.

   h) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, structures on the podium for noise attenuation purposes may exceed the maximum podium height of 20.0 metres.

15.402 Exception Zone 402 (E21 of By-law 7553-17, as amended by By-law 8023-23)

1. Zone Provisions

   a) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.55 parking spaces per apartment dwelling unit for residents, and 0.15 parking spaces per apartment dwelling unit for visitors.

   b) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio for a Financial Institution wholly located within the area identified by the cross hatching as shown on Figure 3, shall be 3.3 spaces per 100 square metres gross leasable floor area (GLFA).

   c) Notwithstanding Section 5.9.1 b), related to Surface Parking Spaces, a landscaped area shall not be required between any existing residential development and the parking spaces or aisles.

   d) Notwithstanding Section 5.10.2 related to Parking Structures, air vents associated with a parking structure are permitted in a front yard.

   e) Notwithstanding Section 5.10.3 related to Parking Structures, air vents constructed in association with an underground parking structure, which are located within a front yard, are permitted to be setback 0.0 metres from a street line, provided the air vents do not exceed a maximum height of 1.2 metres above established grade.

   f) Notwithstanding Section 9.3.1 , related to Floor Space Index (FSI), the total land area of the lot, including lands conveyed to public ownership for a public park, shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

   g) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 2 is specified by the number following the HT symbol as shown on Figure 2.

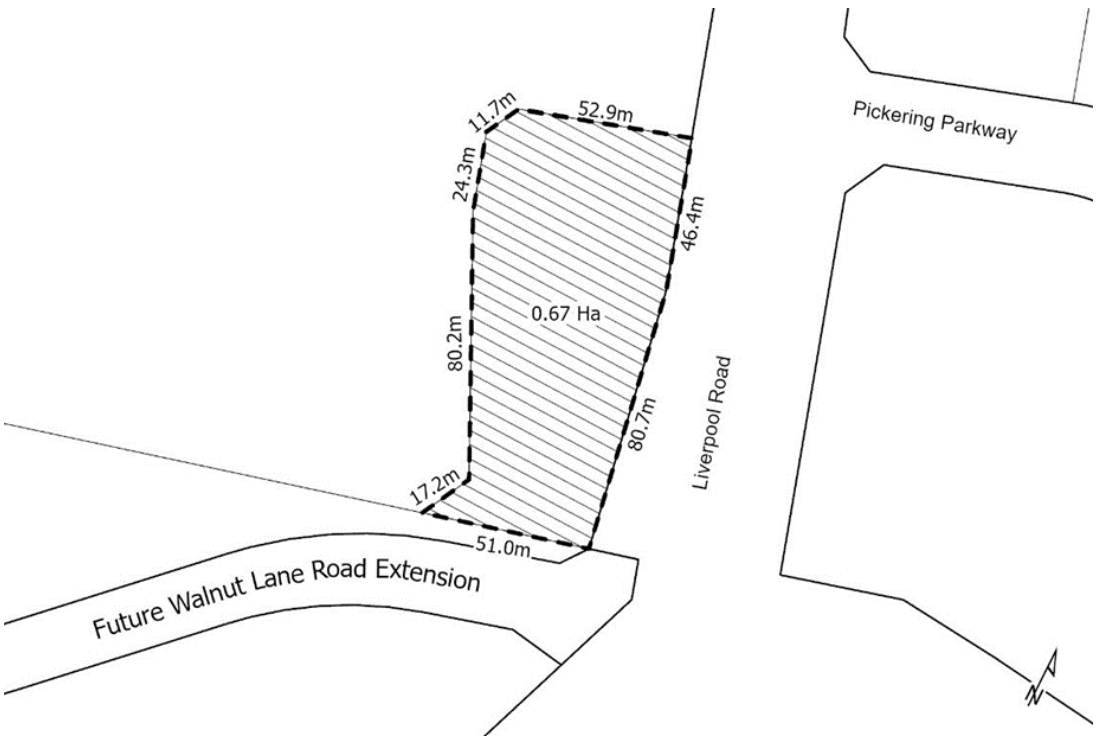
   h) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, the minimum height of a podium shall be 5.0 metres and the maximum height of a podium shall be 22.5 metres.

   i) For the purposes of measuring the height of a podium for and measuring Building Height for Section 9.3.1 and Schedule 6 related to Maximum Building Height, established grade shall mean the average elevation of the finished level of the ground measured along the east exterior wall at grade of a building fronting Liverpool Road.

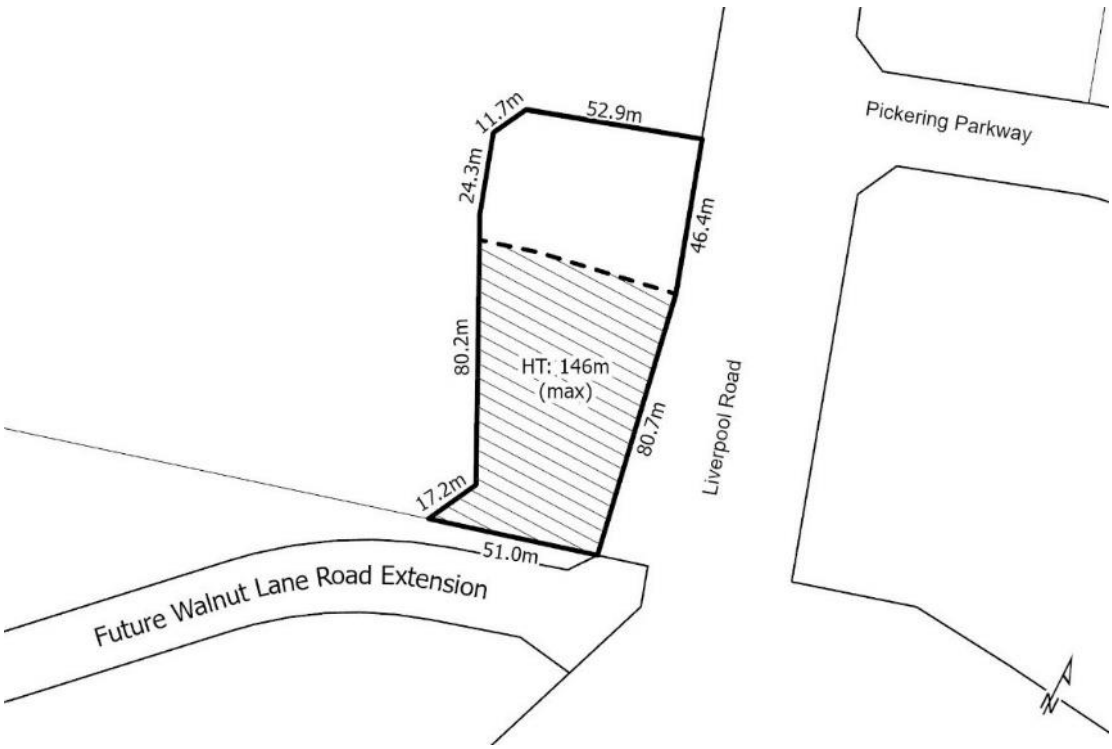
j) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply.

k) Notwithstanding Section 9.3.1, related to Continuous Length of Buildings along a Street Line, a minimum 53 percent of the street frontage of a lot along Liverpool Road must be occupied by a building wholly located within the area identified by the cross hatching as shown on Figure 3.

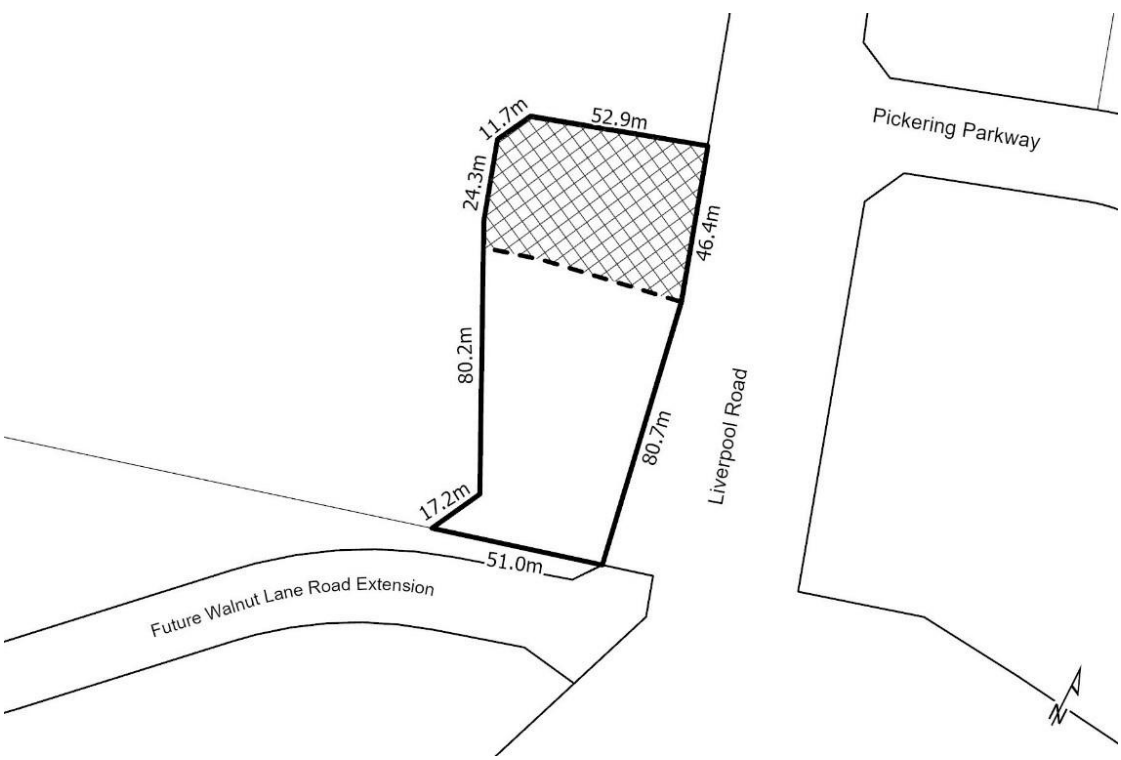
2. Figure 1



3. Figure 2



4. Figure 3



15.403 Exception Zone 403 (H1 of By-law 7553-17)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; public and private street right-of-way design; and phasing of the proposed development

15.404 Exception Zone 404 (H2 of By-law 7553-17)

1. Only Permitted Uses Prior to Removal of the “H”

   For such time as the “H” symbol is in place, these lands shall only be used for the following:

   a) All uses permitted in the applicable Zone

2. Zone Regulations Prior to Removal of the “H”

   For such time as the “H” symbol is in place, only the following shall be permitted:

   a) existing buildings or structures legally existing on the effective date of this By-law

   b) additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law

   c) new buildings or structures, subject to the provisions of this By-law, provided that the maximum combined gross floor area shall not exceed 3,000 square metres

3. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development

   b) appropriate road infrastructure is in place or will be provided in conjunction with the development

   c) an Environmental Assessment or equivalent comprehensive evaluation of alternatives for flood remediation and a road crossing of the Pine Creek valley corridor, as identified on Schedule 2 of the Official Plan, has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority

d) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority

e) the execution of an Agreement to ensure that the Pine Creek valley corridor will be conveyed into public ownership upon completion of the works to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority

f) appropriate arrangements have been made to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority to implement the recommendations of the Environmental Assessment or equivalent comprehensive evaluation

15.405 Exception Zone 405 (H3 of By-law 7553-17)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) appropriate public road infrastructure is in place or will be provided in conjunction with the development

   b) an Environmental Assessment or equivalent comprehensive evaluation of alternatives for flood remediation and a road crossing of the Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority

   c) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority

   d) the execution of an Agreement to ensure that the Pine Creek valley corridor will be conveyed into public ownership upon completion of the works to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority

   e) appropriate arrangements have been made to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority to implement the recommendations of the Environmental Assessment or equivalent comprehensive evaluation

15.406 Exception Zone 406 (H5 of By-law 7553-17)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; public and private street right-of-way design; and phasing of the proposed development

   b) appropriate road infrastructure is in place or will be provided in conjunction with the development

15.407 Exception Zone 407 (H6 of By-law 7553-17, as amended by By-law 7639-18, By-law 7707-19, By-law 7728-19, and By-law 7925-22)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development

   b) a comprehensive transportation study has been conducted to assess the impact on the transportation system and appropriate road infrastructure is in place to support the development of the lands

   c) cost sharing agreements for matters such as community uses, public parks, municipal roads and infrastructure, are made between the participating landowners

   d) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Krosno Creek valley corridor consistent with the Final Floodplain Rationalization Study for Krosno Creek, prepared by TMIG, dated February 2015 and the Krosno Creek Restoration Plan and Cross Section Drawings, prepared by Schaeffers, dated March 9, 2017 have been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority. In addition, all Toronto and Region Conservation Authority comments 5 – 7, 8 – 22 and 23, dated February 27th, 2017 shall be addressed to the satisfaction of the Toronto and Region Conservation Authority

   e) the execution of an Agreement to ensure that the restored and rehabilitated Krosno Creek valley corridor, to include 6.0 metres from the long-term stable top of bank, will be conveyed into public ownership upon completion of the works, to the satisfaction of the City of Pickering

15.408 Exception Zone 408 (H7 of By-law 7553-17)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development

   b) a comprehensive transportation study has been conducted to assess the impact on the transportation system and appropriate road infrastructure is in place to support the development of the lands

   d) cost sharing agreements for matters such as community uses, public parks, municipal roads and infrastructure, are made between the participating landowners

15.409 Exception Zone 409 (H8 of By-law 7553-17, as amended by By-law 7909-22)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) The completion of an updated Functional Servicing Report (FSR), and that the FSR include recommendations on how sanitary servicing capacity will be provided to enable the full development of each site, to, the satisfaction of the Region of Durham.

   b) The submission of a comprehensive phasing plan and construction management strategy, demonstrating how the demolition and construction of new development will be phased and sequenced, while minimizing the impact on the operation of the existing non-residential tenants located within the existing buildings not to be demolished in that phase.

   c) The submission of a tenant relocation plan, for both interim and long-term, offering an option to the existing non-residential tenants to relocate their businesses into the new development.

   e) The submission of a block plan and/or site plan illustrating adequate and appropriately located convenience surface parking spaces, and loading facilities, to support the non-residential uses.

15.410 Exception Zone 410 (H9 of By-law 7553-17, as amended by By-law 7909-22)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the City of Pickering:

   a) The completion of an updated Functional Servicing Report (FSR), and that the FSR include recommendations on how sanitary servicing capacity will be provided to enable the full development of each site, to, the satisfaction of the Region of Durham.

   b) The submission of a comprehensive phasing plan and construction management strategy, demonstrating how the demolition and construction of new development will be phased and sequenced, while minimizing the impact on the operation of the existing non-residential tenants located within the existing buildings not to be demolished in that phase.

   c) The submission of a tenant relocation plan, for both interim and long-term, offering an option to the existing non-residential tenants to relocate their businesses into the new development.

   d) The submission of a block plan and/or site plan illustrating adequate and appropriately located convenience surface parking spaces, and loading facilities, to support the non-residential uses.

15.411 Exception Zone 411 (H10 of By-law 7553-17, as amended by By-law 8023-23)

1. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the Regional Municipality of Durham and the City of Pickering:

   a) The owner has entered into a site servicing agreement with the Regional Municipality of Durham that demonstrates that there is sufficient sanitary servicing capacity available to enable the full development of the site.

15.412 Exception Zone 412 (By-law 5129-97)

1. Definitions

   a) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a clubhouse, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.

   b) “Clubhouse Accommodation" shall mean a limited portion of a clubhouse accessory to a golf course use that is used for short term overnight accommodation also accessory to the golf course use;

   c) "Golf Course Child Care" shall mean a building or portion thereof accessory to a golf course use that is used for a baby-sitting service provided to golf course patrons while using the golf course.

2. PROVISIONS ("A/GC" Zone)

   a) Uses Permitted ("A/GC" Zone)

      No person shall, within the lands designated "A/GC", use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. any use permitted by section 6.1 of By-law 3037;

      ii. a golf course;

      iii. clubhouse accommodation;

      iv. golf course child care.

   b) Zone Requirements ("A/GC" Zone)

      No person shall, within the lands designated "A/GC", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

      i. for those uses permitted by section 2(a)(i), above, the provisions of section 6.2 of By-law 3037;

      ii. for golf courses and associated uses, the provisions of section 6.2.4 of By-law 3037.

   c) Special Regulations ("A/GC" Zone)

      i. notwithstanding section 2(a)(iii) above, clubhouse accommodation provided shall be limited to not more than 10 bedrooms.

3. PROVISIONS ("OS/HL" Zone)

   a) Uses Permitted ("OS/HL" Zone)

      No person shall, within the lands designated "OS/HL", use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. conservation of the natural environment, soil, and wildlife;

      ii. resource management;

      iii. hiking trails, equestrian routes, and golf cart paths.

   b) Zone Requirements ("OS/HL" Zone)

      No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

   c) Special Regulations ("OS/HL" Zone)

      i. notwithstanding section 3(a) and 3(b) above, within the area diagonally hatched on Schedule I attached hereto, golf fairways, tees, and greens may be permitted;

      ii. notwithstanding section 3(a) and 3(b) above, within the area cross hatched on Figure 1, facilities for the provision of water supplies to the golf course use identified in 2(a)(ii) may be permitted.

4. PROVISIONS ("A" Zone)

   a) Uses Permitted ("A" Zone)

      No person shall, within the lands designated "A", use any lot or erect, alter or use any building or structure for any purpose except the following:

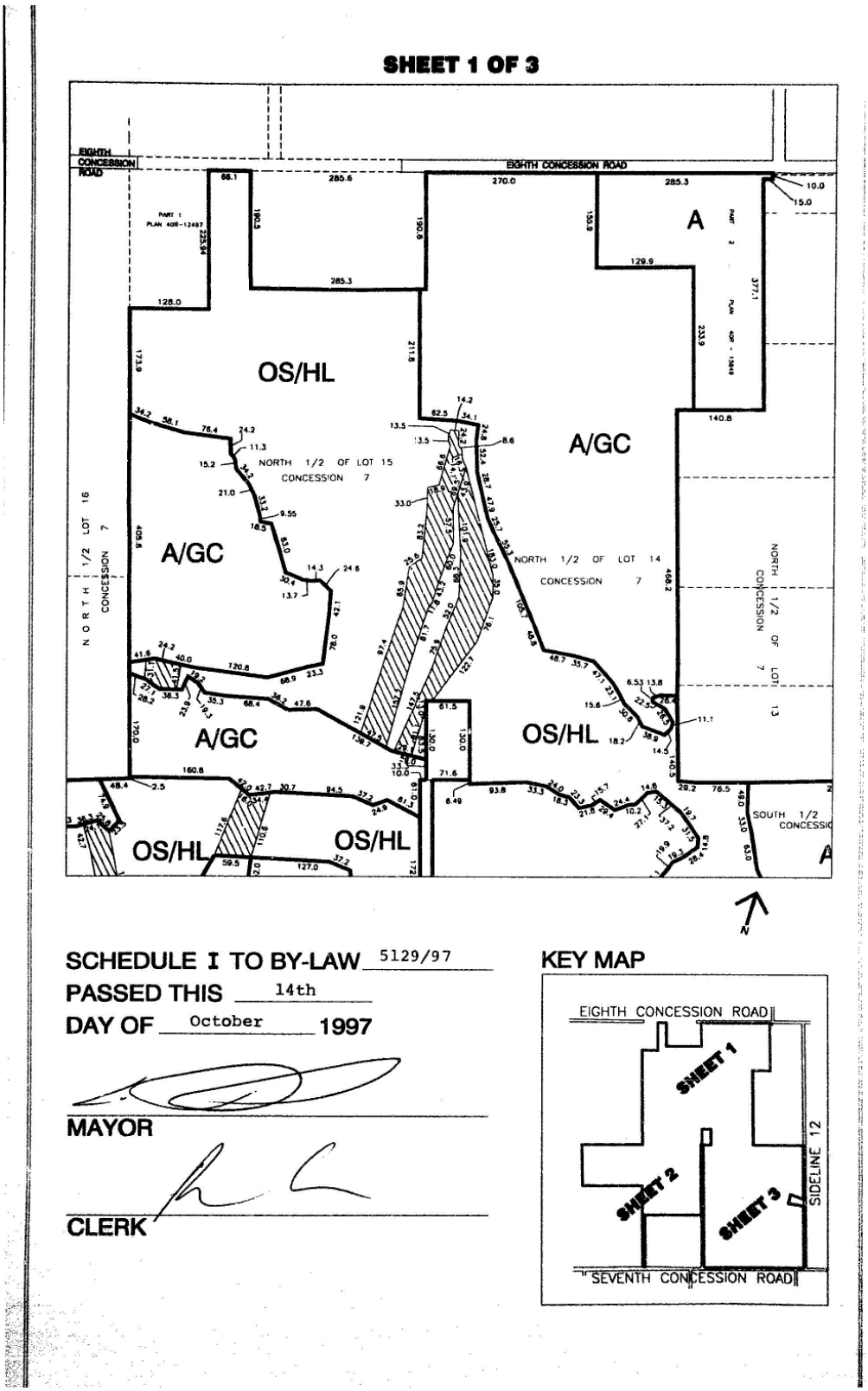
      i. any use permitted by section 6.1 of By-law 3037

   b) Zone Requirements ("A" Zone)

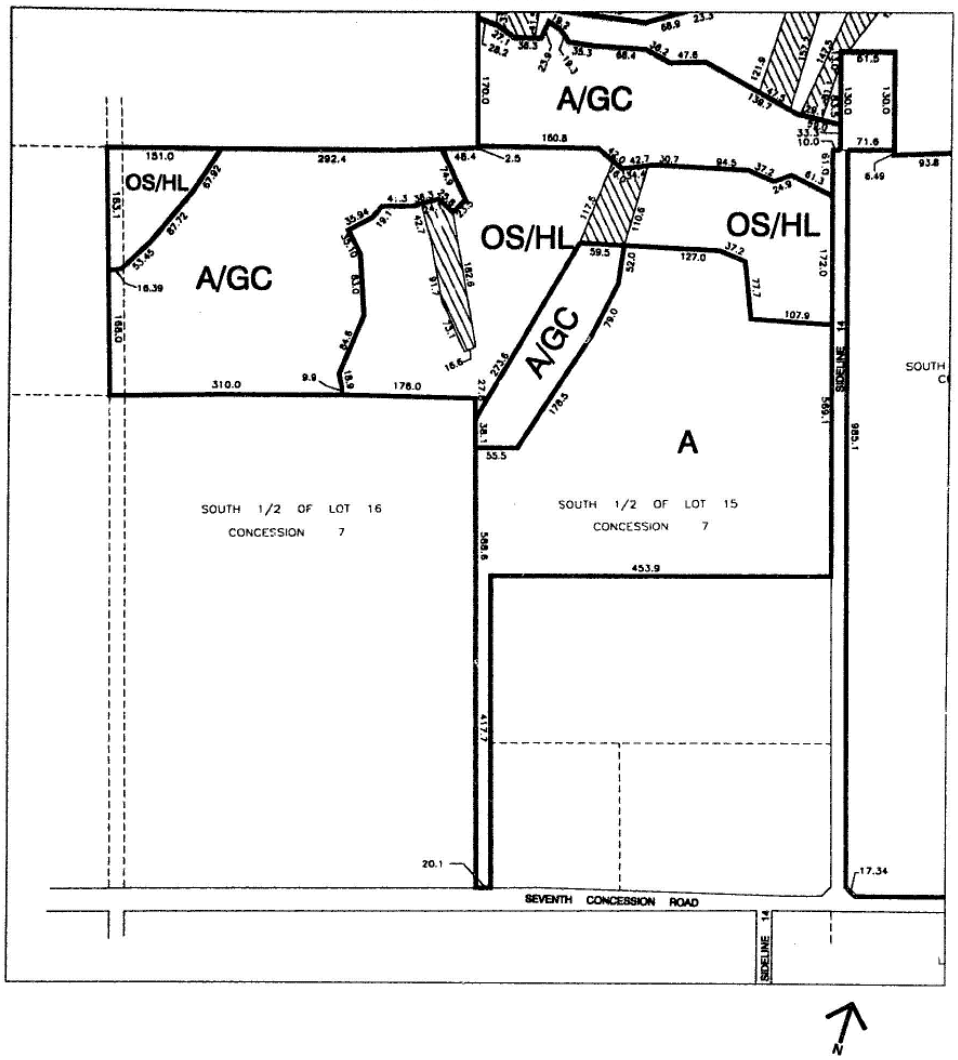
      No person shall, within the lands designated "A”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

      i. the provisions of section 6.2 of By-law 3037.

5. Figure 1


SHEET 1 OF 3
EIGHTH CONCESSION ROAD
OS/HL
A/GC
A
NORTH 1/2 OF LOT 15
CONCESSION 7
NORTH 1/2 OF LOT 14
CONCESSION 7
NORTH 1/2 LOT 16
CONCESSION 7
NORTH 1/2 OF LOT 13
CONCESSION 7
SOUTH 1/2
SCHEDULE I TO BY-LAW 5129/97
PASSED THIS 14th
DAY OF October 1997
MAYOR
CLERK
KEY MAP
EIGHTH CONCESSION ROAD
SHEET 1
SHEET 2
SHEET 3
SIDELINE 12
SEVENTH CONCESSION ROAD

SHEET 2 OF 3

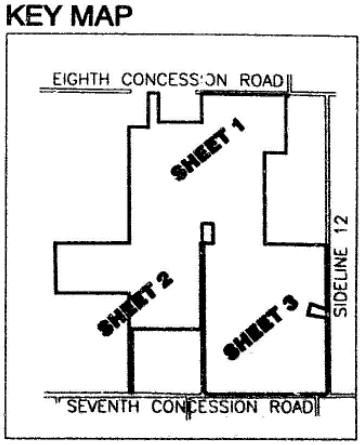


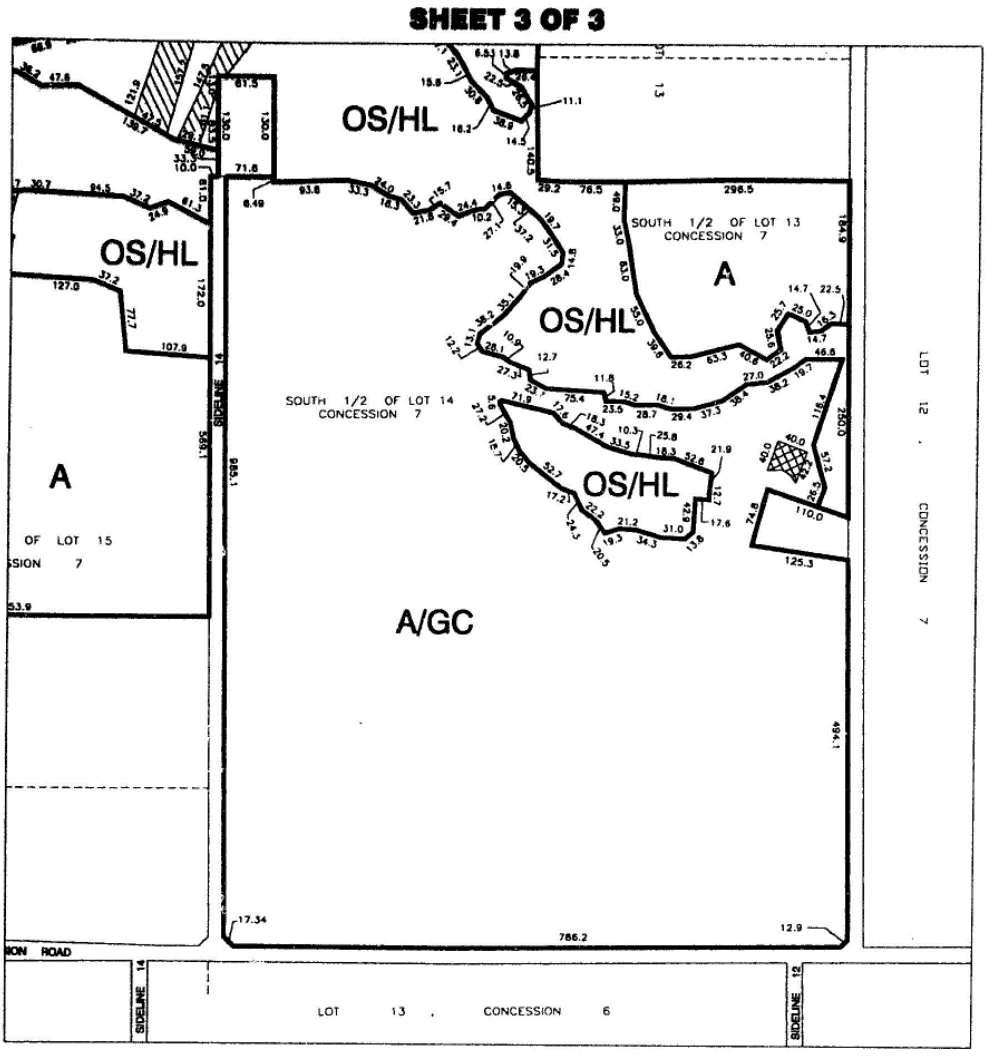
SCHEDULE I TO BY-LAW 5129/97
PASSED THIS 14th
DAY OF October **1997**

MAYOR

CLERK

KEY MAP



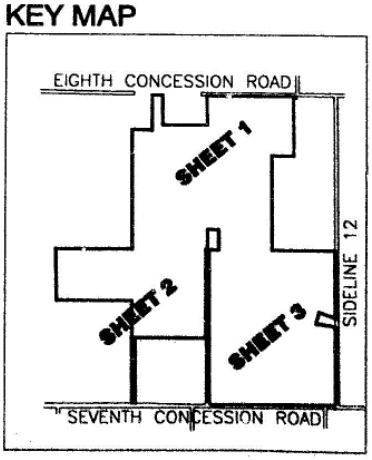


SCHEDULE I TO BY-LAW 5129/97
PASSED THIS 14th
DAY OF October 1997

MAYOR

CLERK

KEY MAP



15.413 Exception Zone 413 (By-law 8117-24)

1. Definitions

   a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipments.

   b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   c) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

   d) “Business Office” means a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   e) “Commercial School” means a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

   f) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways, and parking and amenity areas.

   g) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

   h) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   i) “Dwelling, Detached” means a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   j) “Dwelling, Multiple – Horizontal” means a building containing three or more dwelling units attached horizontally by an above-grade wall or walls;

k) "Dwelling Unit" means one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

l) "Floor Area – Residential" means the area of the floor surface contained within the outside walls of a storey or part of a storey.

m) "Gross Floor Area – Residential" means the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

n) "Height, Dwelling" means the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

o) "Lands, Subject" means the lands subject of this by-law.

p) "Lot" means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

q) "Lot Area" means the total horizontal area within the lot lines of a lot;

r) "Lot Frontage" means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

s) "Lot, Through" means a lot bounded on opposite sides by a street.

t) "Parapet Wall" means the portion of an exterior wall extending above the roof.

u) "Park, Private" means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes;

v) "Personal Service Shop" means an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include an adult entertainment parlour as defined herein or a body-rub parlour as .defined in Section 224(9)(b) of the *Municipal Act* R.S.O.1990, Chapter M.45, as amended from time to time, or any successor thereto;

w) "Porch" means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

x) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

y) “Professional Office” means a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or physician, but shall not include a body-rub parlour as defined in Section 224(9)(b) of the *Municipal Act*, R.S.O.1990, chapter M.45, as amended from time to time, or any successor thereto;

z) “Park, Private” means a park which is maintained by a condominium corporation.

aa) "Retail Store" means a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public

bb) “Street” means a right-of-way or roadway that is used by vehicles and includes a public highway and a private street within a condominium.

cc) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a private right-of-way over private property, that provides access to lots abutting the private street;

but is not maintained by a public body and is not a lane.

dd) “Wall, Front” means the wall of the dwelling closest to the front lot line.

ee) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

ff) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

gg) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

hh) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

ii) "Rear Yard" means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

jj) "Rear Yard Depth" means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

kk) "Side Yard" means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

ll) "Side Yard Width" means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

mm) "Flankage Side Yard" means a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

nn) "Flankage Side Yard Width" means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted ("MD-H23", "MD-H24" and "MU-35" Zones)

No person shall within the lands zoned "MD-H23", "MD-H24" and "MU-35", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Multiple Dwelling – Horizontal;

b) Zone Requirements ("MD-H23", "MD-H24" and "MU-35" Zones)

No person shall within the lands zoned "MD-H23", "MD-H24" and "MU-35", use any lot or erect, alter, or use any building except in accordance with the following provisions:

		"MD-H23" Zone	"MD-H24" Zone	"MU-35" Zone
(a)	Number of Dwelling Units (maximum)	51 dwelling units		
(b)	Lot Frontage (minimum)	6.0 metres		

		“MD-H23” Zone	“MD-H24” Zone	“MU-35” Zone
(c)	Lot Area (minimum)	130 square metres		
(d)	Front Yard Depth (minimum)	4.5 metres		4.5 metres, but, may be reduced to 3.7 metres for end units
(e)	Side Yard Depth (minimum)	1.5 metres, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot. May be reduced to 1.2 metres for the most westerly unit fronting Wharf Street.	1.5 metres, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot.	1.2 metres, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot.
(f)	Rear Yard Depth (minimum)	6.5 metres	0.6 metres	4.4 metres
(g)	Flankage Yard Depth (minimum)	2.4 metres		1.9 metres
(h)	Building Height (maximum)	11.0 metres (3 storeys)		
(i)	Driveway Width (maximum)	3.4 metres	Nil	3.4 metres
(j)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit		
(k)	Visitor Parking Requirements (minimum)	0.34 of a parking space per dwelling unit		
(l)	Garage Requirements	Minimum 1 private garage per lot attached to the main building, the vehicular entrance of which shall be located not less	Minimum 1 private garage per lot attached to the main building.	Minimum 1 private garage per lot attached to the main building, the vehicular entrance of

		“MD-H23” Zone	“MD-H24” Zone	“MU-35” Zone
		than 6.0 metres from a private or public street.		which shall be located not less than 6.0 metres from a private or public street.
(m)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres.	A private garage shall have a minimum width of 5.6 metres and a minimum depth of 6.0 metres.	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres.
(o)	Private Park (minimum)	200 square metres, with a minimum frontage of 8.0 metres along Liverpool Road and 22.0 metres along Wharf Street.		

c) Special Provisions (“MD-H23”, “MD-H24” and “MU-35” Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 metres or half the distance of the required yard, whichever is less;

ii. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 metres or half the distance of the required yard, whichever is less;

iii. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 metres to a side lot line and shall not be located on any easement in favour of the City;

iv. Outdoor Private Amenity Area for lands zoned “MD-H24” and “MU-35:

A. a minimum of 12 square metres of outdoor private amenity area shall be provided on a balcony or above the garage;

B. accessory structures such as pergolas, sheds or other similar structures shall not be permitted on the balcony above the garage at the rear of the dwelling unit;

C. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

d) Special Provisions (“MD-H23” Zone)

i. A porch, uncovered deck or balcony and associated steps may encroach into any required front yard, side yard and flankage yard to a

maximum of 2.5 metres or half the distance of the required yard, whichever is less;

ii. A porch or uncovered deck or balcony may encroach into any required rear yard to a maximum of 2.0 metres;

iii. Stairs to a porch or uncovered deck may encroach to within 3.5 metres of a rear lot line.

e) Special Provisions (“MD-H24” Zone)

i. A porch, uncovered deck or balcony may encroach into any required front yard to a maximum of 2.5 metres;

ii. Stairs to a porch, uncovered deck or entrance may encroach to within 0.45 of a metre of the front lot line.

f) Special Provisions (“MU-35” Zone)

i. Dwelling units within the “MU-35” Zone shall provide a minimum ground floor area of 50 square metres, with a minimum finished ceiling height of 2.7 metres, exclusive of stairwells, to enable their use for commercial purposes;

ii. Despite Section 2(a)(i) above, the following non-residential uses may be permitted within only the ground floor of a Multiple Dwelling – Horizontal dwelling unit:

A. Business office

B. Professional office

C. Commercial school

D. Professional service shop

E. Retail store

iii. A porch, uncovered deck or balcony may encroach into any required front or rear yard to a maximum of 2.5 metres or half the distance of the required yard, whichever is less;

iv. Stairs to a porch, uncovered deck or entrance may encroach to within 0.45 of a metre of the front lot line.

g) Special Regulations (“MD-23”, MD-H24” and “MU-35” Zones)

i. Despite the provisions of Section 5.6 of By-law 2511, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street;

ii. Despite Section 2(f)(i) above, the lot line abutting Annland Road shall be deemed to be the Front Lot Line for the lands Zoned “MD-H24”;

iii. Despite Section 2(f)(i) above, the lot line abutting Liverpool Road shall be deemed to be the Front Lot Line for the lands zoned “MU-35”;

iv. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MD-23”, MD-H24” and “MU-35” zone provisions and zone requirements;

v. Sections 5.20, 5.21.1, 5.21.2(a)(b)(d)(f), 6.4, 6.6 and 6.7a)(iv) of By-law 2511, as amended shall not apply to the lands zoned “MD-23”, MD-H24” and “MU-35”.

h) Uses Permitted (“OS-HL-6” Zone)

No person shall within the lands zoned “OS-HL-6” use any lot or erect any buildings or structures for any purpose except the following:

i. Preservation and conservation of the natural environment, soil and wildlife;

ii. Resource management;

iii. Private park.

i) Zone Requirements (“OH-HL-6” Zone)

No building or structures shall be permitted to be erected, nor shall placing or removal of fill be permitted, except where buildings or structures are used only for purposes of floor and erosion control, or resource management.

j) Model Homes

i. A maximum of 1 block, together with not fewer than 2 parking spaces per Model Home, may be constructed on the lands zoned “MD-H23” prior to the division of those lands by lifting of part lot control;

ii. A maximum of 1 block, together with not fewer than 2 parking spaces per Model Home, may be constructed on the lands zoned “MD-H24” prior to the division of those lands by lifting of part lot control;

iii. A maximum of 1 block, together with not fewer than 2 parking spaces per Model Home, may be constructed on the lands zoned “MU-35” prior to the division of those lands by lifting of part lot control;

iv. For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

k) Uses Permitted (“(H)MD-H23”, “(H)MD-H24” and “(H)MU-35” Zones)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such use continues in the same manner and for the same purpose for which they were used on the day this by-law was passed.

l) Zone Requirements (“(H)MD-H23”, “(H)MD-H24” and “(H)MU-35” Zones)

The “(H)” Holding Symbol shall be removed from the “(H)MD-H23”, “(H)MD-H24” and “(H)MU-35” Zones until the completion of the following:

i. the owner has satisfied all the requirements of the Regional Municipality of Durham with respect to the provision of sewer and water services, Regional roads, and entered into any necessary agreements in this regard.

15.414 Exception Zone 414 (By-law 61-74)

1. Upon installation of full services and connection of the sanitary sewer to permanent sewage treatment plant facilities the 'H' designation as specified within Section 2 of By-law 2511 will be considered repealed.

15.415 Exception Zone 415 (By-law 8112-24)

1. Definitions

a) "Air Conditioner" shall mean any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) "Amenity Area" shall mean an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

c) "Balcony" shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

d) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

e) "Condominium, Common Element" shall mean spaces and features owned in comment by all shareholders in a condominium and may include private streets, walkways and parking an amenity areas.

f) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines including private street lines in the form of an arc, which joins the front lot line to the flankage or side lot line and joins the rear lot line to the flankage or side lot line.

g) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

h) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

i) "Dwelling, Detached" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

j) "Dwelling, Semi-Detached" shall mean a residential use building containing two attached principal dwelling units that are divided vertically, with each unit having frontage on a street, except where located within a planned unit development;

k) "Multiple Dwelling - Horizontal" shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.

l) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

m) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

n) "Height, Building" shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

o) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

p) "Lot Coverage" shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

q) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

r) "Park, Private" means a park which is maintained by a condominium corporation.

s) "Private Garage" means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

t) "Storey" means the portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge above it.

u) "Street" shall mean a public highway but does include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the Municipal Act.

v) "Street, Private" means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street,

but is not maintained by a public body and is not a lane.

w) "Water Meter Building" shall mean a building or structure that contains devices supplied by the Region of Durham which measure the quantity of water delivered to a property.

x) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

y) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

z) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

aa) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

bb) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and

the nearest wall of the nearest main building or structure on the lot;

cc) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

dd) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ee) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

ff) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

gg) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MD-H19" and "MD-H20" Zones)

No person shall within the lands zoned "MD-H19" and MD-H20" use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling - horizontal

b) Zone Requirements ("MD-H19" and "MD-H20" Zones)

No person shall within the lands zoned "MD-H19" and "MD-H20" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

		"MD-H19" Zone	"MD-H20" Zone
(a)	Number of Dwelling Units	(i) Minimum number of dwelling units: 17 (ii) Maximum number of dwelling units: 48	
(b)	Lot Frontage (minimum)	5.2 metres	5.5 metres
(c)	Lot Area (minimum)	105 square metres	130 square metres

		“MD-H19” Zone	“MD-H20” Zone
(d)	Front Yard Depth (minimum)	3.0 metres	5.0 metres
(e)	Side Yard Depth (minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	
(f)	Rear Yard Depth (minimum)	4.5 metres	6.0 metres
(g)	Flankage Yard Depth (minimum)	2.4 metres, however, may be reduced to 2.0 metres for an end unit nearest to the east property line	1.7 metres, however may be reduced to 1.5 metres for an end unit nearest to the east property line
(h)	Building Height (maximum)	12.0 metres (3 storeys)	
(i)	Private Park Areas (minimum)	790 square metres	
(j)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	
(k)	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit which may be provided on a separate lot	
(l)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the private street.	
(m)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps	
(n)	Driveway Width (maximum)	Shall not exceed the width of the private garage	

c) Special Provisions ("MD-H19" and "MD-H20" Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;

ii. For lands zoned "MD-H19, a porch, uncovered deck or balcony may encroach a maximum of 1.5 metres into any

required front yard and flankage yard and 2.0 metres into any required rear yard or half the distance of the required yards, whichever is less;

iii. For lands zoned "MD-H20", a porch, uncovered deck or balcony may encroach a maximum of 1.5 metres into any required front yard and flankage yard and a maximum of 1.6 metres into any required rear yard or half the distance of the required yards, whichever is less;

iv. For lands zoned "MD-H19", stairs to porch, uncovered deck or an entrance may encroach to within 0.45 of a metre of the front lot line or flankage lot line, to within 1.0 metre of a rear lot line and to within 0.6 of a metre of a side lot line;

v. For lands zoned "MD-H20", stairs to a porch, uncovered deck or an entrance may encroach to within 2.0 metres of the front lot line, to within 0.6 of a metre of a flankage lot line, and to within 0.6 of a metre of a rear lot line;

vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less;

vii. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City;

viii. Despite any minimum front yard depth, rear yard depth side yard width or flankage side yard width requirement; on a corner lot, the minimum setback to a corner rounding at the front, rear, side or flankage of a lot shall be 1.3 metres.

ix. Minimum Private Amenity Area for lands zoned "MD-H19":

A. 10.0 square metres of amenity shall be provided on the balcony above the garage or driveway and located at the rear of the dwelling unit;

B. accessory structures such as pergolas, shed or other similar structures shall not be permitted on the balcony above the garage at the rear of the dwelling unit;

C. the private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

d) Special Regulations ("MD-H19" and "MD-H20" Zones)

i. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street

shall be satisfied by establishing frontage on a common element condominium street;

ii. Despite Section 2(d)(i) above, the lot line abutting Altona Road and Finch Avenue shall be deemed to be the Front Lot Lines for the lands zoned "MD-H19";

iii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from "MD-H19", "MD-H20" zone use provisions and zone requirements;

iv. Sections 5.21.2(a), 5.21.2(b), 5.21.2(d), 5.21.2(f) and 5.22 of By-law 3036, as amended, shall not apply to the lands zoned "MD-H19" and "MD-H20".

e) Uses Permitted ("OS-HL" Zones)

No person shall within the lands zoned "OS-HL", use any lot or erect any buildings or structures for any purpose except the following:

i. Preservation and conservation of the natural environment, soil and wildlife;

ii. Resource management.

f) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, or resource management.

g) Dwelling Unit Requirements

i. Not more than a total of 48 dwelling units shall be permitted on the lands zoned as "MD-H19" and "MD-H20".

ii. Of the 48 dwelling units permitted, a maximum of 11 dwelling units are transferred from the lands legally known as Part of Lot 1, Plan 566 and Part of Lot 32, Concession 1 North, Now Part 1, 40R-2545 to lands legally known as Part of Lots 2, 3, 4 Plan 566, Now Part 1, 40R-2549.

h) Model Homes

i. A maximum of 2 blocks together with no fewer than two parking spaces per Model Home, may be constructed on the lands zoned "MD-H19" and "MD H20" prior to the division of those lands by registration of a plan of subdivision; and

ii. For the purpose of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

i) Model Homes

i. A maximum of 2 blocks together with no fewer than two parking spaces per Model Home, may be constructed on the lands zoned "MD-H19" and "MD H20" prior to the division of those lands by registration of a plan of subdivision; and

ii. For the purpose of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

15.416 Exception Zone 416 (By-law 8121/24)

1. Definitions

a) “Amenity Space” shall mean the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, porches, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities;

b) “Building, Apartment” shall mean a building containing more than four dwelling units where the units are connected by an interior corridor;

c) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

d) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

e) “Dwelling, Stacked” means a residential use building for four or fewer storeys in height, containing three or more principle dwelling units, where the units are divided horizontally and vertically, and where each unit has an independent entrance at the ground level, or through a common entrance at the ground level or at the first storey above ground, and may have shared exit facilities above the first floor;

f) “Dwelling, Multiple – Vertical” shall mean a building containing three or more dwelling units, attached horizontally and vertically, by an above-grade wall or walls, or an above-grade floor or floors, or both, and in which each dwelling unit has an attached private garage, and is accessed from a rear lane;

g) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

h) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

i) “Building, Height” shall mean the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall. A penthouse, tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be disregarded in calculating the height of such building;

j) “Grade” shall mean, when used within reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of

the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment;

k) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

m) "Lot Frontage"" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

n) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

u) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

v) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

w) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

x) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

y) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

2. Provisions

a) Permitted Uses (“(H) R2” Zone)

Until such time as the (H) Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day this By-law was passed.

b) Zone Regulations (“(H) R2” Zone)

The (H) Holding Provision shall, upon application by the landowner, be removed from the “R2” Zone by City Council passing a By-law under Section 34 of the *Planning Act.* The following condition shall first be completed to the satisfaction of the City of Pickering:

i. That the City receives an acknowledgement from the Trustee of the Duffin Heights Landowners Group that the applicant has made satisfactory arrangements to pay its proportionate share of the development costs to the Landowners Group.

c) Uses Permitted (“R2” Zone)

No person shall within the lands designated “R2”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Stacked Townhouses

ii. Dwelling, Multiple – Vertical

iii. Apartment Building

d) Zone Requirements (“R2”)

No person shall within the lands designated “R2” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. All buildings shall be located entirely within a building envelope with a minimum setback of 25 metres to the CP Rail lands.

ii. Maximum Number of Dwelling Units: 170

A. Stacked Townhouse Units: 46

B. Dwelling, Multiple-Vertical: 32

C. Apartment Units: 92

iii. Minimum Setback from South Lot Line:

A. Stacked Townhouses: 4.5 metres

B. Apartment Building: 6.0 metres

iv. Minimum Setback between Dwelling, Multiple-Vertical Building Blocks:

A. Between Building B and C: 10.5 metres

B. Between Building C and D: 12.5 metres

v. Minimum Setback between Stacked Townhouse Building Blocks:

A. Between Building A and B: 7.5 metres

B. Between Building B and C: 2.8 metres

C. Between Building C and D: 7 metres

vi. Minimum Setback between Building A (Stacked Townhouses) Building Block to Building B (Dwelling, Multiple-Vertical) Building Block: 13.0 metres

vii. Maximum Height

A. Building A: 13.0 metres

B. Building B:

1) Dwelling, Multiple-Vertical: 11.5 metres

2) Stacked Townhouses: 13.0 metres

C. Building C:

1) Dwelling, Multiple-Vertical: 11.5 metres

2) Stacked Townhouses: 13.0 metres

D. Building D:

1) Dwelling, Multiple-Vertical: 13.0 metres

2) Stacked Townhouses: 13.0 metres

3) Apartment Building: 28.0 metres

viii. A below grade parking structure shall be permitted beyond the limits of the building envelope as identified:

A. To the easterly lot line: 0.5 metres

B. To the southerly lot line: 1.0 metre

C. To the northerly lot line: 23.8 metres

e) Permitted Encroachments

No part of the building envelope shall be obstructed except as follows:

i. Projections including balconies, uncovered and covered porches, decks, platforms and awnings, stairs, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may project outside the building envelope provided that no such feature projects a maximum of 2.5 metres from the main wall of the building

f) Vehicular Parking Requirements

i. Minimum Parking Requirements:

A. Dwelling, Multiple-Vertical: 2.0 spaces per dwelling unit

B. Stacked Townhouses: 1.0 space per dwelling unit

C. Apartment Building: 1.0 space per dwelling unit

D. Visitor Parking: 0.2 spaces per unit

g) Accessible Parking Requirements

To be provided in accordance with the Traffic and Parking By-law 6604/05, as amended, or any successor thereto.

h) Restrictions on Parking and Storage of Vehicles

i. A private garage associated with a Stacked Townhouse and a Dwelling, Multiple-Vertical shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres. The width may include one interior step and the depth may include two interior steps.

ii. A driveway shall not be wider than the building or structure to which it provides access.

iii. The parking or storage of an inoperative vehicle is not permitted on any lot in a residential zone, unless it is entirely within a fully enclosed building or structure.

iv. The parking or storage or a construction vehicle is not permitted on any lot in a residential zone, unless it is entirely within a fully enclosed building or structure.

v. A vehicle that exceeds the maximum permissible vehicle size provisions, is permitted to park temporarily on a lot in an residential zone for the sole purpose of delivering to, servicing, building or constructing the premises on that lot.

vi. Subsection 5.19.2 of By-law 3037, as amended shall not apply.

i) Special Regulations ("R2" Zone)

i. A private street shall have a minimum width of 6.5 metres.

ii. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.

iii. A water meter building required by the Region of Durham for the purposes of measuring the quality of water delivered shall be exempt from the subject zoning requirements.

j) Landscaped Open Area and Residential Amenity Area ("R2" Zone)

i. A minimum landscaped open area of 20% is required.

ii. 6.0 square metres of amenity area shall be provided for each unit;

iii. Accessory structures such as pergolas, sheds or other similar structures shall not be permitted on the private amenity area above the garage at the rear of the dwelling unit.

iv. A minimum balcony depth of 1.5 metres is required.

k) Permitted Uses ("OS" Zone)

No person shall within the lands designed "OS" use any lot or erect, alter or use any building or structure except the following:

i. Preservation and conservation of the natural environment, soil and wildlife;

ii. Resource Management; and

iii. Stormwater Management Facilities.

l) Zone Requirements ("OS" Zone)

No buildings or structures shall be permitted to be erected where buildings or structures are used only for purposes of resource management, including a stormwater management facility, pedestrian and/or bicycle trails.

m) Model Homes

i. Notwithstanding any provisions in By-law 3037, a maximum of one Model Home per dwelling unit type, having a minimum of one parking spaces per Model Home unit is permitted.

ii. For the purposes of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

Seaton Urban Area Exceptions

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
417	SMDM-4 (By-law 8090-24)	SP-2009-11 (R2) Block 30				For a **st dwellin** private g a street line on a Maximu requiren Section apply.
418	SLD1-7 (By-law 8090-24)	SP-2009-11 (R2) Block 58 and Block V				For a **de** attached accesse abutting through Maximu requiren Section apply.
419	SMDDS-3 (By-law 8090-24)	SP-2009-11 (R2) Block 119				For a **de** attached accesse abutting through

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Maximu requiren Section apply.
420	SMDM-5 (By-law 8100-24)	SP-2008-12 (R) Blocks 491, 492, 527–540				For the law, whe abuts a or less t establisl restrict c abutting reserve constitut the purp required Reserve purpose and une For the law, whe abuts a or less t establisl restrict c abutting consider on a pub

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						For a **st dwellin** private g a lane: Minimur metres Section apply.
421	SMDM-6 (By-law 8100-24)	SP-2008-12 (R) Blocks 493-499 505-524, 541-547				For the law, whe abuts a or less t establis restrict abutting reserve constitu the purp required Reserve purpose and une For the law, whe abuts a or less t establis restrict

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						abutting consider on a pub Section apply.
422	SMDDS-4 (By-law 8100-24)	SP-2008-12 (R) Lots 195-215, 254, 256, 392-456				For the law, whe abuts a or less t establis restrict c abutting reserve constitut the purp required Reserve purpose and une For the where th abuts a or less t establis restrict c abutting consider on a pub

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Section apply.
423	SLD1T-1 (By-law 8100-24)	SP-2008-12 (R) Blocks 525,526				For the law, whe abuts a or less t establis restrict abutting reserve constitu the purp required Reserve purpose and une For the law, whe abuts a or less t establis restrict abutting conside on a pub

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
424	SLD1-8 (By-law 8100-24)	SP-2008-12 (R) Lots 216-253, 257-391, 457-460, 548-550, 562, 567, 572, 579-600				For the law, whe abuts a or less t establisl restrict c abutting reserve constitut the purp required Reserve purpose and une For the law, whe abuts a or less t establisl restrict c abutting conside on a pub Section apply.

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
425	SLN-2 (By-law 8100-24)	SP-2008-12 (R) Block 577	**Street Townhouse Dwelling** Despite Table 14.12 – Note 1, a **Live work unit, Block Townhouse building, and Back-to-back townhouse** are not required to be constructed in combination with an **Apartment dwelling.**			**Park, Pr** of land r jurisdicti that is de for active recreatio To calcu **Space In** area of t deemed areas of zones. Despite and 14.5 combine maximu shall app as SLN- i) the m be 80 and c ii) the m be 14 hecta inclu

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Street t Block T and **Bac townho** the setb landscap height re SMC2 z types. A water required Durham quantity shall be provisio The **min** for corne measure a **privat** the **corr** **Street t** in a **buil water m** private p to be a **S dwelling** private g a lane. T **private**

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						shall be **lot line**. Despite Local N Commu standar standar **comme** i) maxi metre ii) minim 3.0 m iii) maxi 9.0 m iv) minim metre Despite Mixed C zone sta zone sta a **Street** with inte facing th i) maxi 13.5

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Despite Mixed C zone sta zone sta a **Street** with inte accesse i) maxir 13.5 r Section apply. Despite Mixed C zone sta zone sta a **Back- dwelling** i) maxir 13.5 r Section apply.

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
426	SLN-3 (By-law 8100-24)	SP-2008-12 (R) Block 563 and 569			For Block 563: **Live work unit, Block Townhouse building,** and **Back-to-back townhouse**	**Park, Pr** of land r jurisdicti that is de for active recreatio To calcu **Space In** area of t deemed areas of zones. Despite and 14.5 combine maximu shall app as SLN- i) th s h ii) the m be 14 hecta inclu

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Street t Block T and **Bac townho** the setb landscap height re SMC2 z types. A water required Durham quantity shall be provisio The **min** for corne measure a **privat** the **corr** **Street t** in a **buil water m** private p to be a **S dwelling** private g a lane. T **private**

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						shall be **lot line**. Despite Local N Commu standar standar **comme** i) m 7 ii) minim 3.0 m iii) maxi 9.0 m iv) minim metre Despite Mixed C zone sta zone sta a **Street** with inte facing th i) m **h**

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
						Despite Mixed C zone sta zone sta a **Street** with inte accesse i) m **h** Section apply. Despite Mixed C zone sta zone sta a **Back- dwelling** i) m **h** Section apply.

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
427	SCN-2 (By-law 8091-24)	Block 203, 40M-2671	**Private Park**		**Live work unit, Block Townhouse building,** and **Back-to-back townhouse.**	**Park, Pr** of land r jurisdicti that is de for activ recreatio To calcu **Space In** area of t deemed areas of 3 zones. Despite and 14.5 combine maximu shall app as SCN- i) th s h ii) the m be 14 hecta inclu The tota shall be 5 percen

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						lands zo 3. Within a Node (S adjacent Node – Predomi zone, th **floor are** of all bui zones th retailing shall not square r **Street to Block T** and **Bac townho** the setb landscap height re SMC2 z types. A water required Durham quantity

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						shall be provisio The **min** for corne measure a **privat** the **corn** **Street t** that is lo **townho** a **water** **private** to be a **S** **dwellin** private g a lane. I **townho** integrate accesse **line** that entrance deemed and a m shall not Despite Local N Commu standard

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						standard **Apartm** i) min **Yar** ii) max **Yar** iii) min met The **lot** l Road sh the **fron** **Apartm** Despite Mixed C zone sta zone sta a **Street** with inte facing th i) max **heig** ii) min met iii) min for l park met

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Despite Mixed C zone sta zone sta a **Street** with inte accesse i) max **heig** ii) max lots **Stre** Sections 14.2.14. Despite Mixed C zone sta zone sta a **Back- dwelling** i) max **heig** ii) min for l parl met

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Section apply.
428	SCN-3 (By-law 8091-24)	Blocks 188, 197 and 203, 40M-2671 and Block 76, 40M-2664	**Street townhouse dwelling** **Private Park** Despite Table 14.12 - Note 1, a **Live work unit, Block Townhouse building, and Back-to-back townhouse** are not required to be constructed in combination with an **Apartment dwelling.**			**Park, Pr** of land r jurisdicti that is d for activ recreatio To calcu **Space I** area of t deemed areas of 3 zones. Despite and 14.5 combine maximu shall ap as SCN- i) th s h ii) the m be 14 hecta inclu

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						The tota shall be 5 percer lands zo 3. Within a Node (S adjacent Node – Predomi zone, th **floor are** of all bui zones th retailing shall not square r **Street t Block T** and **Bac townho** the setb landscap height re SMC2 z types. A water required Durham

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						quantity shall be provisio The **min** for corne measure a **privat** the **corr** **Street t** that is lo **townho** a **water** **private** to be a **S** **dwellin** private g a lane. I **townho** integrate accesse **line** that entrance deemed and a m shall not Despite Local N Commu standar

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						standard **Apartm** i) m **Y** ii) max **Yar** iii) min met The **lot** l Road sh the **fron** **Apartm** Despite Mixed C zone sta zone sta a **Street** with inte facing th i) m **h** ii) min met iii) min for l park met

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Despite Mixed C zone sta zone sta a **Street** with inte accesse i) maxi 13.5 ii) max lots **Stre** Sections 14.2.14. Despite Mixed C zone sta zone sta a **Back- dwelling** i) maxi 13.5 ii) min for l parl met

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Section apply.
429	SCN-4 (By-law 8091-24)	Block 76, 40M-2664 and Block 188, 40M-2671	**Street townhouse dwelling** **Private Park** Despite Table 14.12 - Note 1, a **Live work unit, Block Townhouse building, and Back-to-back townhouse** are not required to be constructed in combination with an **Apartment dwelling.**			**Park, Pr** of land r jurisdicti that is d for activ recreatio To calcu **Space I** area of t deemed areas of SCNPP- Despite and 14.5 combine maximu shall ap as SCN- i) the r be 8 and ii) the r be 1 hecta inclu

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						The tota shall be 5 percen lands zo SCNPP- Within a Node (S adjacent Node – Predomi zone, th **floor are** of all bui zones th retailing shall not square r **Street t Block T** and **Bac townho** the setb landscap height re SMC2 z types. A water required Durham

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						quantity shall be provisio The **min** for corne measure a **privat** the **corn** **Street t** that is lo **townho** a **water** **private** to be a **S** **dwellin** private g a lane. I **townho** integrate accesse **line** that entrance deemed and a m shall not Despite Local No Commu standard

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						standard **Apartm** i) m 6 ii) min **Yar** iii) max **Yar** iv) min met Despite Mixed C zone sta zone sta a **Street** with inte accesse i) max **heig** ii) max lots **Stre** Sections 14.2.14. **Back-to dwelling**

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						maximu 13.5 me Section apply Despite Mixed C zone sta zone sta a **Street** with inte facing th i) max **heig** ii) min met Despite Mixed C zone sta zone sta a **Live w** i) min 20 s ii) max 13.5
430	SCNPP-1 (By-law 8091-24)	Block 76, 40M-2664 and	**Street townhouse dwelling**			**Park, Pr** of land r jurisdicti

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
		Block 188, 40M-2671	**Private Park** Despite Table 14.12 - Note 1, a **Live work unit, Block Townhouse building, and Back-to-back townhouse** are not required to be constructed in combination with an **Apartment dwelling.**			that is d for activ recreati To calcu **Space I** area of t deemed areas of SCNPP- Despite and 14.5 combine maximu shall ap as SCN- i) the m be 8 and 1 ii) the m be 1 hecta inclu The tota shall be 5 percen lands zo SCNPP-

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Within a Node (S adjacent Node – Predomi zone, th **floor are** of all bui zones th retailing shall not square r **Street t Block T** and **Bac townho** the setb landscap height re SMC2 z types. A water required Durham quantity shall be provisio The **min** for corne

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						measure a **privat** the **corr** **Street t** that is lo **townho** a **water** **private** to be a **S** **dwelling** private g a lane. I **townho** integrate accesse **line** that entrance deemed and a m shall not Despite Local N Commu standard standard **Apartm** i) m 6

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						ii) min Yar iii) max Yar iv) min met Despite Mixed C zone sta zone sta a **Street** with inte accesse i) maxi 13.5 ii) max lots **Stre** Sections 14.2.14. **Back-to dwelling** maximu 13.5 me Section apply

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						Despite Mixed C zone sta zone sta a **Street** with inte facing th i) m **h** ii) min met Despite Mixed C zone sta zone sta a **Live w** i) m 2 maximu metres
431	SMC2-4 (By-law 8091-24)	Block 187, 40M-2671				**Park, Pr** of land r jurisdicti that is d for activ recreatio

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						To calcu **Space I** area of t deemed areas of SMC3-1 Despite and 14.5 combine maximu shall app as SMC i) the m be 60 and 1 ii) the m be 18 and u FSI The tota shall be percent lands zo SMC3-1 A water required Durham quantity

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						shall be provisio The **min** for corne measure a **privat** the **corr** **Street t** that is lo **townho** a **water** **private** to be a **S** **dwellin** private g a lane. I **townho** integrate accesse **line** that entrance deemed and a m shall not Despite Mixed C Gateway standard

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						standard **Apartm** i) max met ii) min **Yar** iii) max **Yar** iv) min met Despite Mixed C zone sta zone sta a **Street** with inte facing th i) max **heig** ii) min met Despite Mixed C Zone St zone sta a **Street** with inte accesse

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						i) max **heig** ii) max lots **Stre** Sections 14.2.14. **Back-to dwelling** maximu 13.5 me Section apply.
432	SMC3-1 (By-law 8091-24)	Block 187, 40M-2671				**Park, Pr** of land r jurisdicti that is d for activ recreatio To calcu **Space I** area of t

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						deemed areas of SMC3-1 Despite and 14.5 combine maximu shall ap as SMC i) th s h ii) the m be 18 and u FSI The tota shall be percent lands zo SMC3-1 A water required Durham quantity shall be provisio

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						The **min** for corne measure a **privat** the **corn** **Street t** that is lo **townho** a **water** **private** to be a **S** **dwellin** private g a lane. I **townho** integrate accesse **line** that entrance deemed and a m shall not Despite Mixed C Gateway standard standard **Apartm**

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						i) m 6 ii) min **Yar** iii) max **Yar** iv) min met Despite Mixed C zone sta zone sta a **Street** with inte facing th i) m **h** ii) min met Despite Mixed C Zone St zone sta a **Street** with inte accesse i) maxi 13.5

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisio
						ii) max lots **Stre** Sections 14.2.14. **Back-to dwelling** maximu 13.5 me Section apply.
433	SPEG-3 (By-law 8109-24)	SP-2023-03 A11/23 Part Lots 27 and 28, Concession 5 (575, 625 and 685 Highway 7) (south of Highway 7, north of Highway 407, east of North	Freezer Storage Logistics and Distribution use Stormwater Management Facility (private) A minimum 5% of the net floor area shall be dedicated for			Despite Table 14 yard (5.0 apply to SPEG-3 Despite Table 14 building exclusiv equipme apply to SPEG-3 Despite parking betweer

Exception #	Zone	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses	Descrip Provisi
		Road, and west of NHS)	an Office use within a building that contains a Freezer Storage, or Logistics and Distribution, or Warehousing use. A minimum 10% of the total net floor area shall be dedicated for an Office use within all buildings on a lot that includes a Light Manufacturing and/or Food Processing use.			front lot zoned S Despite Addition 14.6.4.2 the land

15.434 Exception Zone 434 (E22 & H11 of By-law 7553-17, as amended by By-law 8099-24)

1. Zone Provisions

   The following regulations apply:

   a) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.55 parking spaces per apartment dwelling unit for residents, and 0.15 parking spaces per apartment dwelling unit for visitors.

   b) Notwithstanding Section 5.13.1.4 and 5.13.2 related to Bicycle Parking Space Requirements, all required bicycle parking spaces may be stacked bicycle parking spaces, subject to the following dimensions:

      i. a minimum length of 1.8 metres and a minimum width of 0.37 metres.

   c) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure shall not exceed a building height of 133 metres.

   d) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, the maximum height of a podium shall be 23 metres.

   e) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, the following building elements may exceed the maximum podium height:

      i. equipment used for the functional operation of the building and structures including electrical, utility, mechanical and ventilation equipment, enclosed stairwells roof access, maintenance equipment storage, chimneys, vents, and window washing equipment;

      ii. architectural features, parapets, elements and structures associated with a green roof;

      iii. planters, landscaping features, guard rails, divider screens on a balcony and/or terrace; and

      iv. trellises, pergolas and unenclosed structures providing safety or wind/noise protection to rooftop amenity space.

   f) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply.

2. Conditions for Removal of the “H”

   The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the Planning Act. The following conditions shall first be completed to the satisfaction of the Regional Municipality of Durham and the City of Pickering:

   a) The owner has entered into a site servicing agreement with the Regional Municipality of Durham that demonstrates that there is sufficient sanitary servicing capacity available to enable the full development of the site.

15.435 Exception Zone 435 (By-law 8089-24)

1. Definitions

a) “Air Conditioner” shall mean any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) “Amenity Area” shall mean an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

c) “Balcony” shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

d) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

e) “Condominium, Common Element” shall mean spaces and features owned in comment by all shareholders in a condominium and may include private streets, walkways, parking, and amenity areas.

f) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

g) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

h) “Dwelling - Semi-Detached” shall mean a residential use building containing two attached principal dwelling units that are divided vertically, with each unit having frontage on a street, except where located within a planned unit development;

i) Dwelling - Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in

which each dwelling unit has an independent entrance to the interior;

j) “Dwelling, Multiple – Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.

k) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

l) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

m) “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

n) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

o) “Park, Private” means a park which is maintained by a condominium corporation.

p) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

q) “Storey” means the portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge above it.

r) “Street” shall mean a public highway but does include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the Municipal Act.

s) “Street, Private” means:

   i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

   ii. a private road condominium, which provides access to individual freehold lots;

   iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

   iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

t) “Water Meter Building” shall mean a building or structure that contains devices supplied by the Region of Durham which measure the quantity of water delivered to a property.

u) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

v) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

w) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

x) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

y) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

z) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

aa) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

bb) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

cc) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

dd) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions (“MD-H21” Zone)

a) Uses Permitted (“MD-H21” Zone)

No person shall within the lands zoned “MD-H21”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling – horizontal

b) Zone Requirements (“MD-H21” Zones)

No person shall within the lands zoned “MD-H21”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

		“MD-H21” Zone
(a)	Lot Frontage (minimum)	5.5 metres
(b)	Lot Area (minimum)	110 square metres
(c)	Front Yard Depth (minimum)	4.5 metres
(d)	Side Yard Depth (minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot
(e)	Rear Yard Depth (minimum)	6.0 metres
(f)	Flankage Yard Depth (minimum)	2.4 metres

		“MD-H21” Zone
(g)	Building Height (maximum)	12.0 metres (3 storeys)
(h)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit
(i)	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit
(j)	Garage Requirements	Minimum one private garage per dwelling, the vehicular entrance of which shall be located not less than 6.0 metres from the private street.
(k)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps
(l)	Driveway Width (maximum)	3.5 metres

c) Special Provisions (“MD-H21” Zone)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;

ii. A porch, uncovered deck or balcony may encroach into any required front yard or rear yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;

iii. A porch, uncovered deck, or balcony may encroach into any required rear yard, flankage yard or side yard to a maximum of 1.2 metres, or half the distance of the required yards, whichever is less;

iv. Stairs to porch, uncovered deck or an entrance may encroach to within 2.5 metres of the front lot line and to within 0.6 of a metre of a side lot line or flankage lot line;

v. Stairs may encroach into any required rear yard to a maximum of 2.0 metres;

vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less;

vii. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City.

3. Provisions (“MD-H22” Zones)

a) Uses Permitted (“MD-H22” Zones)

No person shall within the lands zoned “MD-H22”, use any lot or erect any buildings or structures for any purpose except the following:

i. dwelling-stacked

ii. multiple dwelling-horizontal

b) Zone Requirements (“MD-H22”)

No person shall within the lands zoned “MD-H19” and “MD-H20”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

		MD-H22
(a)	Building Location	No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1
(b)	Setback between building blocks (minimum)	3.0 metres between side walls
(c)	Building Height (maximum)	12.0 metres (3 storeys)
(d)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit
(e)	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit

		MD-H22
(f)	Garage Requirements	Minimum one private garage per dwelling, the vehicular entrance of which shall be located not less than 6.0 metres from a private street.
(g)	Interior Garage Dimensions (minimum)	A private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.3 metres. The width may include two interior steps and the depth may include two interior steps or may permit a platform and associated steps to encroach a maximum of 1.0 metre into the required depth and a maximum of 2.0 metres into the required width.
(h)	Driveway Width (maximum)	A driveway shall not exceed the width of the building or structure to which it provides access.
(i)	Private Park Area (minimum)	420 square metres

c) Special Provisions (“MD-H22” Zone)

i. Despite Section 3(b)(a), a porch (including living space of dwelling unit located below), uncovered deck, private patio or balcony may encroach a maximum of 2.0 metres beyond the building envelope as illustrated on Figure 1, but shall be located a minimum of 1.2 metres from a lot line;

ii. Despite Section 3(b)(a), stairs to a porch, uncovered deck or entrance may encroach beyond the building envelope to within 0.30 of a metre of the front lot line;

iii. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach beyond the building envelope as identified on Figure 1 to a maximum of 0.6 of a metre;

iv. Air Conditioners shall not be located between a building and Altona Road or Sparrow Circle, but may be permitted on a balcony or roof.

v. Minimum Private Amenity Area:

A. 4.5 square metres of private amenity area shall be provided for each unit;

B. accessory structures such as pergolas, shed or other similar structures shall not be permitted on the balcony above the garage of the dwelling unit; and

C. outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

4. Special Regulations (“MD-H21” and “MD-H22” Zones)

a) Number of Dwelling Units:

i. Minimum: 26

ii. Maximum: 57

b) Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the lands subject to this By-law;

c) Despite Section 4(b), the lot line abutting Altona Road and Sparrow Circle shall be deemed the front lot line for lands zoned “MD-MH-22”;

d) A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MD-H21”, “MD-H22” zone use provisions and zone requirements;

e) Sections 5.21.2(a), 5.21.2(b), 5.21.2(d) and 5.22 of By-law 3036, as amended, shall not apply to the lands zoned “MD-H21” and “MD-H22”; and

f) Visitor parking spaces shall be setback a minimum of 1.0 metre from any lot line.

5. Provisions (“OS-HL” Zones)

a) Uses Permitted (“OS-HL” Zones)

No person shall within the lands zoned “OS-HL”, use any lot or erect any buildings or structures for any purpose except the following:

i. Preservation and conservation of the natural environment, soil and wildlife;

ii. Resource management.

b) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, or resource management.

6. Model Homes

   a) A maximum of 2 blocks together with no fewer than two parking spaces per Model Home, may be constructed on the lands zoned “MD-H21” and “MD H22” prior to the division of those lands by registration of a plan of subdivision; and

   b) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

7. Provisions (“(H)MD-H21” and “(H)MD-H22” Zones)

   a) Uses Permitted (“(H)MD-H21” and “(H)MD-H22” Zones)

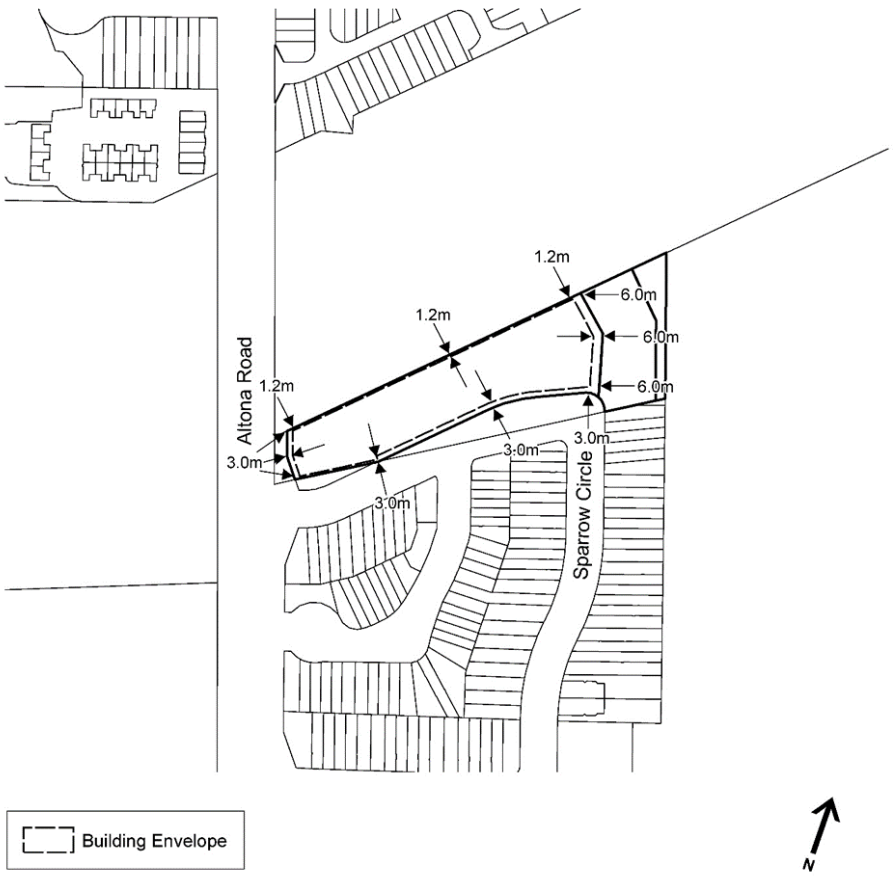
      Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such use continues in the same manner and for the same purpose for which they were used on the day this by-law was passed.

   b) Zone Requirements (“(H)MD-H21” and “(H)MD-H22” Zones)

      The “(H)” Holding Symbol shall be removed from the ““(H)MD-H21” and “(H)MD H22” Zones until the completion of the following:

      i. the applicant secures a permanent easement over the lands immediately to the north (hydro lands) for emergency access, or satisfies the City’s Fire Services Department with an alternative emergency access for the development.

8. Figure 1



Schedule II to By-Law 8089/24
Passed This 25th
Day of March 2024

Original Signed By

Mayor

Original Signed By

Clerk

15.436 Exception Zone 436

1. Provisions

   Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the lands subject to this exception may be used for the purpose of a place of worship.

15.437 Exception Zone 437

1. Provisions

   Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the lands subject to this exception may be used for the purpose of an elementary school.