

## 15.1 Exception Zone 1 (By-law 300-75)

### 1. Definitions

- a) "Coverage" shall mean the percentage of lot area covered by all buildings, including garages.
- b) "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.
- 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" shall mean an 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

ZONE	Residential- Multiple
SYMBOL	M15
UNIT BREAKDOWN	Maximum number of four-bedroom units - 50% of total units.  Units exceeding four bedrooms not permitted.
MAXIMUM DENSITY	38 units per hectare to the nearest full unit
MINIMUM LANDSCAPED OPEN SPACE	50%
MAXIMUM COVERAGE	30%
MAXIMUM HEIGHT	3 storey
SETBACK	as per Figure 1
MINIMUM FLOOR AREA	95 sq.m. for three-bedroom units 110 sq.m. for four- bedroom units
MINIMUM PARKING REQUIREMENTS	1 private garage parking space plus 1 driveway parking space per unit



## 15.2 Exception Zone 2 (By-law 7624-18)

### 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) “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, Detached” 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) “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.
- 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 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 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) "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) "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.
- s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.
- t) "Wall, Front" shall mean the wall of the dwelling closest to the front lot line.

## 2. Provisions

### a) Uses Permitted ("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. preservation and conservation of the natural environment, soil and wildlife; and
- ii. resource management

b) Uses Permitted (“S4-14” Zone)

No person shall within the lands zoned “S4-14”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Detached Dwelling

c) Zone Requirements (“S4-14” Zone)

No person shall within the lands zoned “S4-14”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

		“S4-14” Zone
(a)	Lot Frontage (minimum)	10.5 metres
(b)	Lot Area (minimum)	300 square metres
(c)	Front Yard Depth (minimum)	6.0 metres
(d)	Side Yard Depth (minimum)	1.2 metres one side, and 0.6 of a metre on the other side
(e)	Flankage Yard Depth (minimum)	2.7 metres
(f)	Rear Yard Depth (minimum)	(i) 7.0 metres (ii) Despite 2(c)(f)(i) above, lots 40 metres or greater in depth, - 10.0 metres
(g)	Building Height (maximum)	10.0 metres
(h)	Lot Coverage (maximum)	(i) 45 percent (ii) Despite 2(c)(h)(i) above, lots 40 metres or greater in depth – 35 percent
(i)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit for resident, one of which must be provided within an attached private garage.
(j)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of the private garage.
(k)	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

		"S4-14" Zone
		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.
(l)	Interior Garage Size (minimum)	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.
(m)	Garage Projection	A maximum 2.0 metres projection beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch 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.

### 3. Special Provisions

The following special provisions shall apply to lands zoned "S4-14":

a) Obstruction of Yards (maximum):

- i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.5 metres in height above established grade may encroach a maximum of 2.0 metres into the minimum required front or flankage yard;
- ii. uncovered balconies, decks and associated stairs, not exceeding 1.5 metres in height above grade may encroach a maximum of 4.0 metres into the required rear yard, provided they are setback 0.6 metres from a side lot line;
- iii. balconies located above the first floor projecting or inset in the rear are prohibited;
- iv. 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; and

- v. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features are permitted to project a maximum of 0.6 metres into any required yard and are required to be setback 0.6 metres from a side lot line.

4. Model Homes

- a) Despite the provisions of Clause 6.1 of By-law 2511, a maximum of 2 model homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands subject to this By law prior to the division of those lands by registrations of a plan of subdivision or enacting a by-law exempting those lands from the Part Lot Control provisions of the Planning Act.
- b) 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.

### **15.3 Exception Zone 3 (By-law 3981-71)**

1. Notwithstanding the provisions of Sections 18.1 and 18.2 of By-law 2511, a combined restaurant and tavern, having; a minimum southerly side yard setback of 3.3 metres may be constructed and operated on that part of Lot 19 Range 3 of the Township of Pickering designated as "M2S (SPECIFIC)" on the lands subject to this exception in addition to the uses set out in said Section 18.1.



## **15.4 Exception Zone 4 (By-law 6993-09, as amended by By-law 7151-11)**

### 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. Uses Permitted ("S2-16" Zone)

No person shall within the lands designated "S2-16", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- a) detached dwelling residential use

3. Zone Requirements ("S2-16" Zone)

No person shall within the lands designated "S2-16", use any lot or erect, alter, or use any building except in accordance with the following provisions:

- a) LOT AREA (minimum): 430 square metres;
- b) LOT FRONTAGE (minimum): 14.0 metres;

- c) FRONT YARD DEPTH (minimum): 4.5 metres;
- d) INTERIOR SIDE YARD WIDTH (minimum): 1.5 metres one side, 0.6 metres other side;
- e) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;
- f) REAR YARD DEPTH (minimum): 7.5 metres;
  - i. On lots dual zoned OS-HL and S2-16 a minimum rear yard depth of 7.5 metres shall be provided from the OS-HL zone;
  - ii. On lots cross hatched on Figure 1 attached hereto, a minimum rear yard depth of 12 metres shall be provided;
- g) BUILDING HEIGHT (maximum): 9.5 metres;
- h) DWELLING UNIT REQUIREMENTS:  
maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;
- i) PARKING REQUIREMENTS:
  - i. 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; and,
  - ii. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, 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;
- j) SPECIAL REGULATIONS:
  - i. the horizontal distance between buildings on adjacent lots shall not be less than 2.1 metres;
  - ii. notwithstanding clause 5.8(b) of By-law 2511, as amended, for Lots 15 to 20, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres in-depth into the required rear yard of a lot provided no part thereof exceeds 6.0 metres in width.

4. Uses Permitted (“OS-HL” Zone)

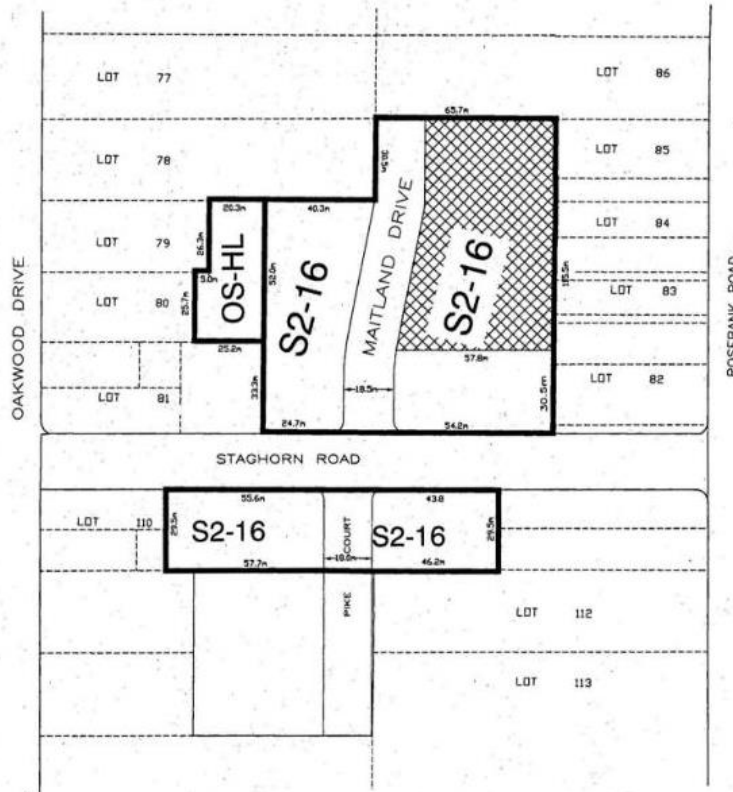
No person shall, within the lands zoned “OS-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

- a) Preservation and Conservation of the natural environment, soil and wildlife;
- b) Resource Management;
- c) Pedestrian Trails and Walkways;

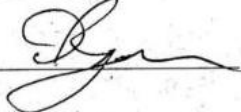
5. Zone Requirements (“OS-HL” Zone)

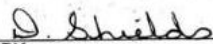
- a) No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

6. Figure 1



SCHEDULE I TO BY-LAW 6993/09  
AS AMENDED BY BY-LAW 7151/11  
PASSED THIS 11th  
DAY OF JULY 2011

  
MAYOR

  
CLERK

## 15.5 Exception Zone 5 (By-law 1571-82)

### 1. Definitions

- a) "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.
- b) "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.
- 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 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.
- e) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.
- 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) "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. 1980, Chapter 302, as amended from time to time or any successor thereto.
- i) "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, an engineer, a lawyer or a physician, 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.

- j) "Restaurant – Type D" 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, and which may include an accessory take-out component.
- k) "Retail Store" shall mean 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.
- 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 line, 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 ("C8" Zone)

No person shall within the lands designated "C8" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. business offices
- ii. dry cleaning depots
- iii. laundromats
- iv. personal service shops
- v. professional offices
- vi. restaurants - type D
- vii. retail stores

b) Zone Requirements ("C8" Zone)

No person shall within the lands designated "C8" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. LOT AREA (minimum) 0.139 hectares
- ii. LOT FRONTAGE (minimum) 24 metres
- iii. FRONT YARD DEPTH (minimum) 9 metres
- iv. INTERIOR SIDE YARD WIDTH (minimum) 4.5 metres
- v. FLANKAGE SIDE YARD WIDTH (minimum) 3 metres
- vi. REAR YARD WIDTH (minimum) 7.5 metres
- vii. LOT COVERAGE (maximum) 45 percent
- viii. BUILDING HEIGHT (maximum) 5 metres
- ix. Special Restriction
  - A. The gross floor area of all buildings on the lot shall not exceed 620 square metres.
  - B. The lands subject of this By-law may not be re-developed in any manner whatsoever without an amendment to this By-law with respect to building setbacks and parking provisions.

3. BY-LAW 2511

- a) The provisions of Section 5.21 (off street parking) of By-law 2511 shall not apply to the lands subject of this By-law.



## **15.6 Exception Zone 6 (By-law 6090-03, as amended by By-law 6147-03 and By-law 6550-05)**

### 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) "Boat Storage" shall mean the enclosed or open storage of boats, vessels or watercraft on land, and use of accessory facilities related thereto, and may include a trailer or cradle supporting a boat and boat lifting equipment.
- c) "Boat Repair-Major" shall include gelcoat spraying, epoxy/fibreglass hull repair, engine repair requiring engine removal and unenclosed hull sanding.
- d) "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 gabled, hip or gambrel roof, the mean height level between eaves and ridge. 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.
- e) "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;
- f) "Club" shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- g) "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;
- 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) "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;
- k) "Multiple Dwelling - Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, 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 in may be, other than a private garage, an attic, or a cellar;
- n) "Ground Floor Area" shall mean the area of that portion of a lot occupied by a building or structure, exclusive of any porch, private garage, verandah or sunroom, unless such sunroom is habitable at all seasons;
- o) "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 or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors.
- p) "Games Arcade" shall mean any building, room, or area in which facilities are offered for the play of
  - i. three or more games of chance,
  - ii. three or more games of mixed chance and skill,
  - 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 amusement facilities offered are pool tables, billiard tables, or bowling alleys;
- 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) "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;
- s) "Marina" shall mean a commercial establishment or premises where boats, vessels and watercraft or boat accessories are berthed, stored, serviced, repaired or launched. A Marina may include: parking areas, land based facilities for the storage of boats; sale or rental of boats and boat accessories; the sale of marine fuels or lubricants, accessory retail sales and a taxi and/or barging service; waste water pumping facilities; washroom and shower facilities; a laundromat; launching ramp; boat lift/boat lifting equipment; administrative offices; a lounge with or without eating facilities; a restaurant; refreshment stands; tennis courts; picnic areas; parks; playgrounds, beaches; locker and locker room facilities; and, a boatel.
- t) "Marine Service & Repair Shop" shall mean a building or part of a building containing facilities for the repair and maintenance of boat vessels on the premises, in which boat accessories are sold and boat vessel maintenance and repair operations are performed in return for remuneration, but shall not include the retail sale of motor fuels.
- u) "Parking Lot" shall mean a lot or portion thereof, used for the temporary storage or parking of motor vehicles and available for public use, whether free, for compensation, or as an accommodation for clients, customers or residents, but shall not include the repair or the storage or parking of motor vehicles for hire and gain, display or for sales;
- v) "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 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) "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 theatre, but shall not include a games arcade or an adult entertainment parlor as defined herein;
- x) "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;
- y) "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 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) "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;
- aa) "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.
- 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 the main building from the street to 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 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.;
- 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;





- D. For the dwelling units referred to in Section 2(b)(iii)(B) of this By-law, a single dwelling unit shall be established on each lot above the ground floor of the dwelling, with supplementary floor area provided within the ground floor for those dwelling units that may be utilized for commercial purposes.
- E. Despite Section 2.46(c)(i) of By-law 2511, Liverpool Road shall be considered as the front lot line.
- F. Despite clauses 2(b)(iii)(C) and 2(b)(iii)(D) a business office shall be permitted to occupy all floors of Part of Block 1, Plan 40M-2177. Part 9, Plan 40R-22540.

c) Uses Permitted ("RM-1" Zone)

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

i. Residential Uses: A multiple dwelling - horizontal

The residential uses noted above and uses accessory thereto may be in the form of common elements condominium with freehold parcels of tied-land pursuant to the *Condominium Act, 1998*

d) Zone Requirements ("RM-1" Zone)

No person shall within the lands designated "RM-1", use any lot or erect, alter, or use any building except in accordance

i. Building Location And Restrictions:

- A. Building Height: minimum 7.5 metres maximum 11.0 metres
- B. Front Yard Depth: minimum 3.0 metres maximum 4.5 metres
- C. Unit Width: minimum 5.4 metres
- D. Despite clause B above, front yard balconies, verandahs and decks, both covered and uncovered, may project a maximum of 2.4 metres into any required yard;

ii. PARKING REQUIREMENTS:

- A. For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, must be provided within an attached private garage. Any vehicular entrance shall be located not less than 6 metres from any street or drive aisle providing access to those lots and a minimum of .25 visitor parking spaces.
- B. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2511, as amended, shall not apply to the lands designated "RM-1".
- C. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

iii. SPECIAL REGULATIONS:

- A. A maximum of 45 multiple dwelling-horizontal dwelling units are permitted on the lands designated zoned "RM-1".
  - B. Despite the provisions of Section 5.6 of By-law 2511, the requirement for frontage on a public street shall be satisfied by establishing frontage on a common elements condominium street.
- e) Uses Permitted ("O3B-1" Zone)

No person shall within the lands designated "O3B-1", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. business office
- ii. club
- iii. marina
- iv. restaurant - type A
- v. retail store
- vi. yacht club

- f) Zone Requirements ("O3B-1" Zone)

No person shall within the lands designated "O3B-1", use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. BUILDING LOCATION AND RESTRICTIONS:

- A. Lot Area (minimum): 0.5 hectares
- B. Lot Frontage (minimum): 20 metres
- C. Water Frontage (minimum): 130 metres
- D. Building Height (maximum): 11.0 metres

- ii. PARKING REQUIREMENTS:

- A. A minimum of 10 visitor parking spaces shall be provided and maintained on the lands designated "O3B-1".
- B. A minimum of 0.5 parking spaces per boat slip shall be provided from June 1 to September 30, all of which parking spaces shall be located on the lands designated "O3B-2" on Figure 1 attached hereto. For the purpose of this section, a parking space may be provided in a boat storage location not otherwise occupied by a boat.

- iii. SPECIAL REGULATIONS:

- A. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2511, as amended, shall not apply to the lands designated "O3B-1".
- B. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking



areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

- C. For the purposes of this clause, the term "drive-through facility" shall mean a facility in which goods, products or services are provided directly to the customer in vehicles.
- D. No drive-through facility shall be permitted in association with any of the uses permitted on the lands-designated "O3B-1";
- E. No boat storage shall be permitted on the lands designated "O3B-1".

g) Uses Permitted ("O3B-2" Zone)

No person shall within the lands designated "O3B-2" on Figure 1 attached hereto, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. boat storage
- ii. business office
- iii. club
- iv. marine service and repair shop
- v. parking lot
- vi. restaurant-type A
- vii. retail store
- viii. yacht club
- ix. boat repair-major

h) Zone Requirement ("O3B-2" Zone)

No person shall within the lands designated "O3B-2" on Figure 1 attached hereto, use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. **BUILDING LOCATION AND RESTRICTIONS:**
  - A. Building Height (minimum) 11.0 metres
  - B. Buildings and structures shall be located entirely within the envelope illustrated on Figure 1 attached hereto;
  - C. Business offices, Restaurants - type A and Retail uses shall be located entirely within the hatched area illustrated on Figure 1 attached hereto;
  - D. Major boat repairs - shall only be permitted within the cross-hatched area illustrated on Figure 1 attached hereto;
  - E. The storage of boats shall be located a minimum of 3 metres from the front lot line abutting Liverpool Road except for the display of new and resale boats for retail sale.

ii. PARKING REQUIREMENTS:

- A. Within the hatched area illustrated on Figure 1 attached hereto a minimum of 4.5 parking spaces per 100 square metres of gross leasable floor area shall be provided and maintained;
- B. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2520, as amended, shall not apply to the lands designated "O3B-2" on Figure 1 attached hereto;
- C. Boat storage areas and marina related parking required by Section 2(f)(ii)(B) shall be gravel surfaced only;

iii. SPECIAL REGULATIONS

- A. 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 the customer in vehicles;
- B. No drive-through facility shall be permitted in association with any of the uses permitted on the lands designated "O3B-2";

i) Uses Permitted ("OS-HL-5" Zone)

No person shall within the lands designated "OS-HL-5" on Figure 1 attached hereto, 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;

j) Zone Requirements ("OS-HL-5" Zone)

- i. No buildings or structures shall be erected, nor shall the placing or removal of fill be permitted;
- ii. Above ground encroachment of boats on storage cradles that are located in the (H) O3B-2 zone is permitted.

3. Holding Provisions (H) Holding Symbol

a) Uses Permitted

While the "(H)" holding symbol is in place, no person shall, on the lands designated:

- i. "(H)O3B-2", use the lands for any purpose other than for marina support uses including boat storage, temporary structures related to marina uses and a business office in the existing structure.

b) Removal of the "H" Holding Symbol

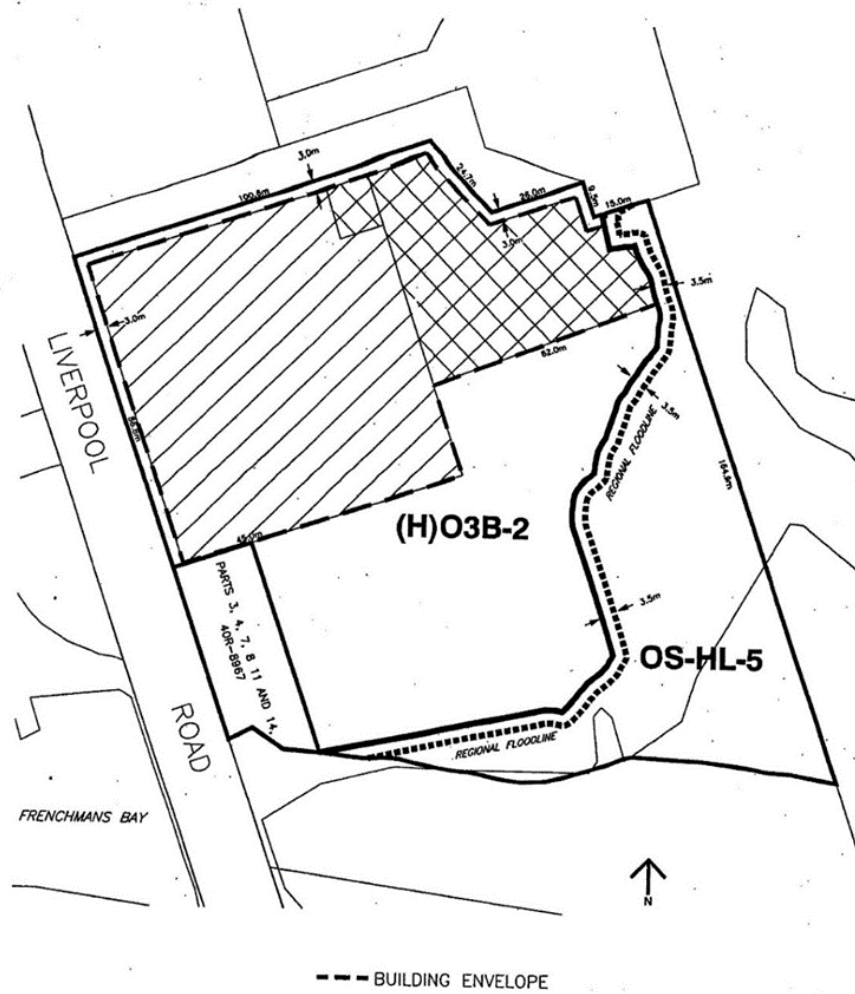
The "(H)" Holding Symbol preceding the above zoning categories shall be removed when the following conditions are met:

- i. O3B-2

The owner has executed appropriate Site Plan and Development Agreements, with and to the satisfaction of the City, and such Agreements have been registered on title to the lands, to address the following matters:

- A. servicing agreements with the Region of Durham;

4. Figure 1



SCHEDULE II TO BY-LAW 6090/03  
AS MADE BY  
ONTARIO MUNICIPAL BOARD

ORDER DATE MAY 13, 2003  
(O.M.B. FILE Z010162)

## 15.7 Exception Zone 7 (By-law 5792-01)

### 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 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 any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- d) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- e) “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 as defined herein;
- f) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;
- g) “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, an art school, a golf school or any other school operated for gain or profit;
- h) “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;
- i) “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 such processes;

- j) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
- k) “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;
- l) “Gross Leasable Floor Area” shall mean the aggregate 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) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, 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) “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;
- o) “Lot Coverage” shall mean the percentage of 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) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- r) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but

shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

- s) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;
- t) “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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- u) “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 theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- v) “Place of Assembly” shall mean a building or part of 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 as defined herein;
- w) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- 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 by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;
- 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;

- aa) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- bb) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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;
- cc) “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, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;
- dd) “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 use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- ee) “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, 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;
- ff) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;
- 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 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" 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;
- 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; and
- pp) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted ("MC-14" Zones)

No person shall within the lands designated "MC-14", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakery;
- ii. business office;
- iii. club;
- iv. commercial club;
- v. commercial school;
- vi. commercial-recreational establishment;
- vii. convenience store;
- viii. dry cleaning depot;

- ix. dry cleaning establishment;
- x. food preparation plant;
- xi. light manufacturing plant;
- xii. merchandise service shop;
- xiii. office-associated commercial establishment;
- xiv. personal service shop;
- xv. place of assembly;
- xvi. printing establishment;
- xvii. professional office;
- xviii. restaurant – Type A;
- xix. sales outlet;
- xx. scientific, medical or research laboratory;
- xxi. vehicle repair shop;
- xxii. vehicle sales or rental establishment;
- xxiii. warehouse;

b) Zone Requirements ("MC-14" Zone)

No person shall within the lands designated "MC-14", use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. LOT AREA (minimum): 0.3 hectares
- ii. LOT FRONTAGE (minimum): 45 metres
- iii. FRONT YARD DEPTH (minimum): 12 metres
- iv. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres
- v. REAR YARD DEPTH (minimum): 7.5 metres
- vi. LOT COVERAGE (maximum): 40 per cent
- vii. BUILDING HEIGHT (maximum): 12 metres
- viii. OPEN STORAGE:

All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

ix. PARKING REQUIREMENTS

- A. There shall be provided and maintained on the lot a minimum of 5.5 parking spaces per 100 square metres of gross leasable floor area for all uses;
- B. Sections 5.21.2 (a) and 5.21.2 (b) of By-law 2511 as amended shall not apply to the lands designated "MC-14";

- x. SPECIAL REGULATIONS:
  - A. A sales outlet shall be permitted only if accessory to a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25 per cent of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse;
  - B. Notwithstanding Clause A above, a sales outlet may exceed 25 per cent up to a maximum of 40 per cent of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25 per cent of the total gross leasable floor area that buildings;
  - C. The maximum aggregate gross leasable floor area shall be:
    - 1) for all convenience stores on the lot: 325 square metres
    - 2) for all office-associated commercial establishments on the lot: 325 square metres
    - 3) for all personal service shops on the lot: 325 square metres
    - 4) for all restaurants – Type A on the lot: 600 square metres
  - D. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "MC-14";

## **15.8 Exception Zone 8 (By-law 929-78, as amended by By-law 1201-80, By-law 1444-82, and By-law 6803-07)**

1. Notwithstanding the provisions of Section 16.1 or Section 16.2 of By-law 2511, the land designated as "CA2(S)" shall be used only in accordance with the provisions of this subsection.
2. Definitions
  - a) "Automobile Service Station" shall mean a gasoline retail outlet which also contains facilities for the repair and maintenance of vehicles on the premises, and in which vehicle accessories are sold and vehicle maintenance and repair operations are performed but shall not include a body shop as defined herein;
  - 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) "Body Shop" shall mean an establishment primarily engaged in repairing or painting vehicle bodies;
  - d) "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, and may include a sales outlet component;
  - e) "Car Wash" shall mean a building or structure containing facilities specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand;
  - f) "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;
  - g) "Dry Cleaning Establishment" shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
  - h) "Floor Area" shall mean the area of the floor surface of a storey or part of a storey.

- i) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure other than a private garage, an attic or a cellar;
- j) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged.
- k) "Gasoline Retail Outlet" shall mean an establishment where only vehicle fuels and lubricants are offered for retail sale;
- l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber and may include a sales outlet component, but shall not include a manufacturing plant;
- m) "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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- n) "Printing Establishment" shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- o) "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 the offices of an architect, a chartered accountant, an engineer, a lawyer, but shall not include the offices of a physician or a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;
- p) "Restaurant" 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;
- q) "Sales Outlet" shall mean a building or part of a building accessory to a merchandise service shop or a warehouse, wherein products are processed, stored, serviced or repaired on the premise, are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- r) "Self-Serve" when used in reference to an automobile service station or a gasoline retail outlet, shall mean an automobile service station or a gasoline retail outlet wherein some or all of the facilities or equipment used

in the retail sale of petroleum fuels for the purpose of dispensing such fuels are operated by the purchaser thereof;

- s) "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.
- t) "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, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.
- u) "Farm and Recreational Vehicle Service and Sales Establishment" shall mean an establishment in which farm and recreational vehicles and accessories are stored, repaired or serviced and wherein the retail sale of such vehicles or accessories may be permitted providing:
  - i. no more than 50 percent of the gross floor area of the establishment is used for retail purposes; and
  - ii. all vehicles and accessories are stored, displayed or kept totally within an enclosed structure or structures on the lot.
- v) "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold or both.

### 3. Uses Permitted

No person shall within the lands designated "CA2(S)", use any lot or erect, alter or use any building structure for any purpose except one or more of the following uses:

- a) automobile service stations, self-serve
- b) bakery
- c) business office
- d) car washes
- e) convenience store
- f) dry cleaning establishment
- g) farm and recreational vehicle service and sales establishments
- h) financial institution
- i) merchandise service shop

- j) personal service shop
- k) printing establishment
- l) professional office
- m) rental establishment
- n) restaurants
- o) sales outlet, subject to the provisions of Section 4(k)
- p) vehicle repair shops
- q) vehicle sales shop
- r) warehouses

#### 4. Zone Requirements

No person shall within the lands designated "CA2(S)", 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 of a hectare
- b) LOT FRONTAGE (minimum): 45 metres
- c) FRONT YARD (minimum): 18 metres
- d) SIDE YARD (minimum)
  - i. interior Side Yard: 4.5 metres
  - ii. flankage Side Yard: 12 metres
- e) REAR YARD (minimum): 7.5 metres
- f) LOT COVERAGE (maximum): 40 percent
- g) BUILDING HEIGHT (maximum): 12 metres
- h) OPEN STORAGE: No open storage shall be permitted in any yard
- i) SPECIAL RESTRICTION ON RESTAURANTS

The gross floor area of all restaurants on a lot shall not exceed 18 percent of the gross floor area of all buildings on the lot.

- j) SPECIAL RESTRICTIONS ON VEHICLE SALES SHOP
  - i. A vehicle sales shop may be permitted only in combination with a vehicle repair shop on the site;
  - ii. Not more than 20 percent of the gross floor area of the combined vehicle repair shop and vehicle sales shop establishments shall be used for the display or sale of vehicles;

iii. All vehicles for sale or being displayed shall be kept totally within an enclosed structure or structures on the lot.

k) SPECIAL RESTRICTION FOR SALES OUTLETS

The maximum area for a sales outlet shall be limited to no more than 30 percent of the gross floor area of a permitted use.

l) PARKING REQUIREMENTS (minimum)

There shall be provided and maintained 5.0 spaces per 100 square metres of gross leasable floor area for all permitted uses on the property.



## **15.9 Exception Zone 9 (By-law 119-74)**

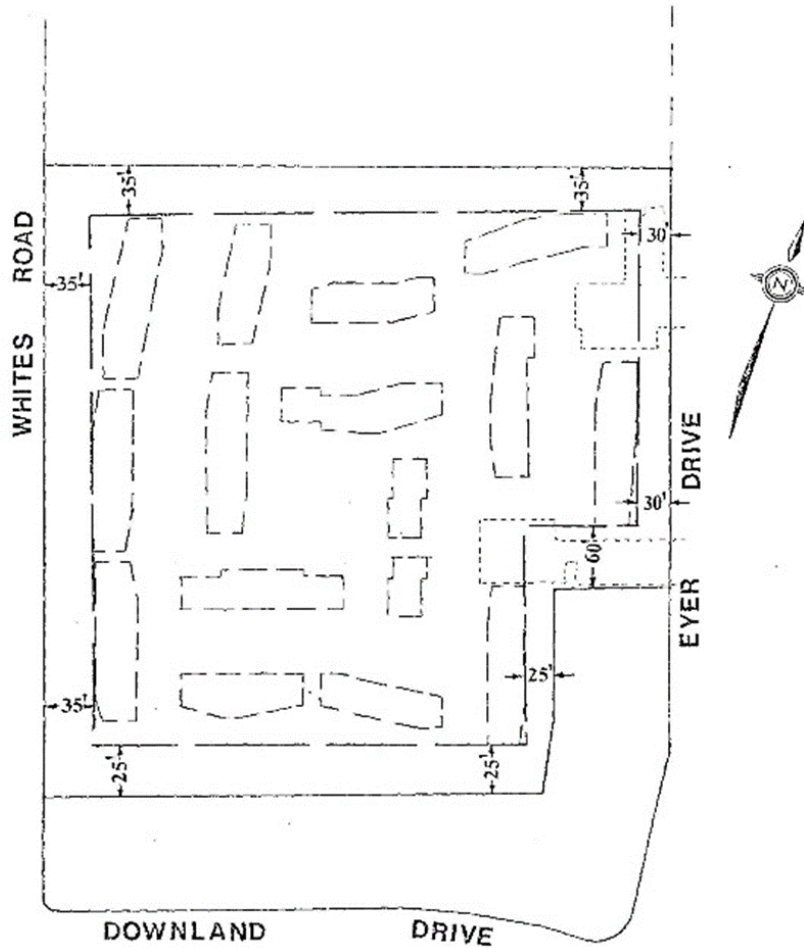
1. Definitions
  - a) "Residential-Multiple" shall mean a building divided vertically into three or more dwelling units, each having independent external entrances at grade level of the building.
2. The performance standards and provisions as set out on Figure 1 hereto shall apply to the Area restricted by this By-law.

3. Figure 1

ZONE	SYMBOL	MAXIMUM DENSITY	LAND-SCAPED OPEN SPACE	COVERAGE	MAXIMUM HEIGHT	SETBACKS	FLOOR AREA	UNIT BREAKDOWN	MINIMUM PARKING REQUIREMENTS
Residential - Multiple	M15	38 u.p.ha. to the nearest full unit	70%	All buildings 25% maximum	3 storeys	Setbacks from streets & property boundaries as per Figure 2	3 bedroom unit 100 sq. m. minimum 4 bedroom unit 105 sq. m. minimum	Maximum no. of 4 bdrm. units 50% of total exceeding 4 bdrms. not permitted.	2 spaces per unit Underground parking

U.P.HA – Units Per Hectare

4. Figure 2



WHITES ROAD - OKLAHOMA DRIVE  
SCHEDULE "C" TO BY-LAW 11174

PASSED THIS 21 DAY OF March 1974 .

  
MAYOR

  
CLERK

NOTE: 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. MAP NOT TO SCALE.

## 15.10 Exception Zone 10 (By-law 1227-81)

### 1. Definitions

- a) "Coverage" shall mean the percentage of lot area covered by all buildings on the lot.
- b) "Vehicle Sales or Rental Establishment" shall mean an establishment having as its main use the sale, service, rent or lease of vehicles, and which may include an accessory vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels.
- 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 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 between 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 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

No person shall within the lands designated CA3, use any lot or erect, alter or use any building or structure for any purpose except as follows:

- i. vehicle sales or rental establishment

b) Zone Requirements

No person shall within the lands designated CA3, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. FRONT YARD DEPTH (minimum): 12 metres
- ii. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres
- iii. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres
- iv. REAR YARD DEPTH (minimum): 7.5 metres
- v. LOT COVERAGE (maximum): 30 percent
- vi. BUILDING HEIGHT (maximum): 12 metres

## **15.11 Exception Zone 11 (By-law 1299-81, as amended by By-law 2352-87)**

### 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 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 above grade only, below grade only, or both above and below grade.
- 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 ("SA" Zone)

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

- i. on lots or blocks adjacent to Bayly Street, residential uses in single attached dwellings attached above grade only or both above and below grade
- ii. on lots or blocks not adjacent to Bayly Street, residential uses in any single attached dwelling type

b) Zone Requirements ("SA" Zone)

No person shall within the lands designated "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):
  - A. on lots or blocks,
    - 1) adjacent to Bayly Street, or
    - 2) not adjacent to Bayly Street but having erected thereon single attached dwellings attached by an above grade common wall, 0.6 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; and
  - B. on lots or blocks not adjacent to Bayly Street and having erected thereon single attached dwellings attached below grade only,
    - 1) no interior side yard one side and 1.8 metres other side; or
    - 2) 0.6 metres one side and 1.2 metres other side,so long as the horizontal distance at grade level between dwellings on adjacent lots is not less than 1.8 metres.
- 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): 40 percent
- ix. BUILDING HEIGHT (maximum): 12 metres
- x. DWELLING UNITS PER LOT: 1 only
- xi. PARKING REQUIREMENTS PER LOT:
  - A. subject to the provisions of (B), below, minimum 1 private garage located not less than 6 metres from the front lot line



B. notwithstanding Section 5.19 of By-Law 2511, on lots or blocks adjacent to Bayly Street, a private garage detached from the main dwelling may be located in the front yard with no minimum side yard setback, and may be attached in whole or in part to another private garage which is located on an adjacent lot.

c) 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

d) Uses Permitted ("PU" Zone)

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

i. sewage pumping station

## 15.12 Exception Zone 12 (By-law 1309-81)

### 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 1 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 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: 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

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. maximum dwelling units per lot: 1 only
- B. minimum dwelling unit area: 100 square metres

x. PARKING REQUIREMENTS:

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

## 15.13 Exception Zone 13 (By-law 1200-80, as amended by By-law 1573-82)

### 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) “Senior Citizens Apartment Dwelling” shall mean a dwelling containing four or more dwelling units attached horizontally or vertically for occupation by elderly person.
- d) “Floor Area” shall mean the area of the floor surface contained within the outside wall of a storey or part of a storey.
- e) “Dwelling Unit Area” shall mean the aggregate of the floor area of all habitable rooms of a dwelling unit.
- f) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot.
- g) “Day Nursery – Type B” shall mean lands and premises 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 65 children at any one time.

### 2. PROVISIONS

#### a) Uses Permitted (“I(C) – R(SC)” Zone)

No person shall within the land designated “I(C) – R(SC)”, use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. church
- ii. senior citizen apartment dwelling
- iii. day nursery – type B

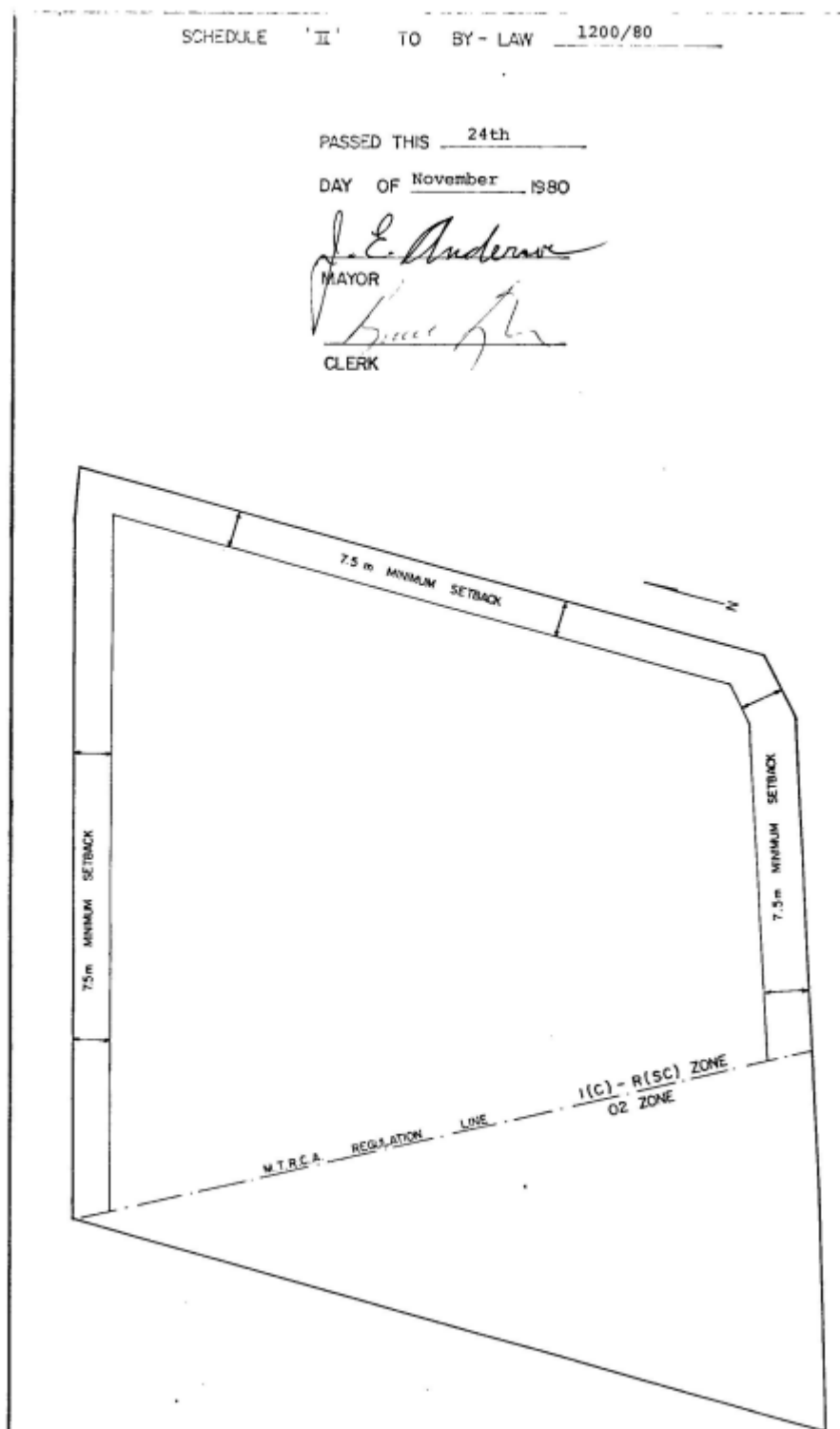
#### b) Zone Requirements (“I(C) - R(SC)” Zone)

No person shall within the lands designated “I(C) – R(SC)”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Yard requirements: as set out on Figure 1 attached hereto
- ii. Lot Coverage (maximum): 33 percent
- iii. Building Height (maximum): 12 metres

- iv. Dwelling Unit Area (minimum): 40 square metres
- v. Dwelling Units per lot (maximum): 60 dwelling units
- vi. Parking Requirements per lot (minimum):
  - A. church 1 space per 4 person capacity
  - B. senior citizens apartment dwelling: 1 space per 4 dwelling units
- vii. Supplementary Parking Regulations:
  - A. Notwithstanding section 5.21.2(a) of By-law 2511, as amended, all parking spaces may be located in the front yard.
  - B. Notwithstanding section 5.21.2(b) of By-law 2511, as amended, side yard parking may be permitted no closer than 1.5 metres from any side lot line.
- c) Special Restrictions
  - i. A day nursery-Type B may be permitted only in a church building on the site.
- d) Uses Permitted and Zone Requirements (“O2” Zone)
  - i. No person shall within the lands designated “O2”, use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of section 20 of By-law 2511, as amended.

3. Figure 1





## 15.14 Exception Zone 14 (By-law 1471-82)

### 1. Definitions

- a) "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 radio or television broadcasting station and related studios or theatres but shall not include a retail store.
- b) "Coverage" or "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.
- c) "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.
- d) "Dry Cleaning Establishment" shall mean a building or part of a building for dry cleaning and related processes but does not include a laundromat.
- 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) "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.
- h) "Frontage" or "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) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.
- j) "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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.
- k) "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 and allied products 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.
- l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, any establishment used for the service or repair of motorized vehicles, or a retail store other than a sales outlet.
- 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, 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 Section 368a(6) of The Municipal Act, R.S.O. 1970, Chapter 284, as amended from time to time, or any successor thereto.
- n) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products.
- o) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein 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.
- p) "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, 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.

- q) "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.
- r) "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.
- s) "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.
- t) "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.
- u) "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.
- 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.
- w) "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.
- x) "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.
- y) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("MC-2" zone)

a) Uses Permitted

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

- i. business offices
- ii. dry cleaning depots, subject to the provisions of paragraph (B) of subclause (ix) of clause (b) of this subsection

- iii. dry cleaning establishments
- iv. food preparation plants
- v. light manufacturing plants
- vi. merchandise service shops
- vii. professional offices
- viii. sales outlets, subject to the provisions of paragraph (A) of subclause (ix) of clause (b) of this subsection
- ix. scientific, research or medical laboratories
- x. warehouses

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

No person shall, within the lands designated MC-2, use any lot or erect, alter or use any building or structure 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) 12 metres
- iv. SIDE YARD WIDTH (minimum)
  - A. interior side yard 4.5 metres
  - B. flankage side yard 8 metres
- v. REAR YARD DEPTH (minimum) 7.5 metres
- vi. LOT COVERAGE (maximum) 40 percent
- vii. BUILDING HEIGHT (maximum) 12 metres
- viii. OPEN STORAGE

No open storage shall be permitted in any yard.

ix. SPECIAL RESTRICTIONS

- A. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area of the sales outlet does not exceed 48% of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.
- B. Dry Cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross floor area of the dry cleaning depot does not exceed 20% of the gross floor area of the dry cleaning establishment.

## **15.15 Exception Zone 15 (By-law 1849-84, as amended by By-law 1985-85)**

### 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, 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 - Attached Below Grade" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part 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 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 a 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 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 - "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:

- a) detached dwelling residential uses

3. 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:

- a) LOT AREA (minimum): 450 square metres

- b) LOT FRONTAGE (minimum): 15 metres
- c) FRONT YARD DEPTH (minimum): 6 metres
- d) SIDE YARD WIDTHS (minima):
  - i. interior side yard: 1.5 metres one side  
1.2 metres other side
  - ii. flankage side yard: 4 metres
- e) REAR YARD DEPTH (minimum): 7.5 metres
- f) FLOOR AREA (minimum): 100 square metres
- g) LOT COVERAGE (maximum): 35 percent
- h) BUILDING HEIGHT (maximum): 12 metres
- i) DWELLINGS PER LOT (maximum): 1 only
- j) PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building
- k) SPECIAL REGULATION: despite any other provision of this by-law the minimum rear yard depth for lots and blocks abutting the Canadian National Railway Right-of-Way shall be 25 metres.

4. Uses Permitted -"SD-B" Zone

No person shall within the lands designated "SD-8", use any lot or erect, alter or use any building or structure for any purpose except:

- i. semi-detached dwelling attached below grade residential uses.

5. Zone Requirements -"SD-B" Zone

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

- a) LOT AREA (minimum): 320 square metres
- b) LOT FRONTAGE (minimum): 10.5 metres
- c) FRONT YARD DEPTH (minimum): 6 metres
- d) SIDE YARD WIDTHS (Minima)
  - i. interior side yard: 1.5 metres, except that in the case of an interior side yard between a pair of attached single dwellings the minimum shall be 0.9 metres
  - ii. flankage side yard: 4 metres
- e) REAR YARD DEPTH (minimum): 7.5 metres

- f) FLOOR AREA (minimum): 100 square metres
- g) LOT COVERAGE (maximum): 35 percent
- h) BUILDING HEIGHT (maximum): 12 metres
- i) DWELLINGS PER LOT (maximum): 1 only
- j) PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main than 6 metres from building and located not less the front lot line
- k) SPECIAL REGULATIONS: despite any other provisions of this by-law the minimum rear yard depth for lots and blocks abutting the Canadian National Railway Right-of-way shall be 25 metres



## 15.16 Exception Zone 16 (By-law 1866-84)

### 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, 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) "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;
- c) "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
- d) "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;
- e) "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;
- f) "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.
- 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 a 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) "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.
- k) "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;
- l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store.
- 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 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;
- n) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a food preparation plant, merchandise service shop, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- o) "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;

- p) "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, 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;
- q) "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.
- r) "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.
- s) "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.
- t) "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.
- u) "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.
- 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.
- w) "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.
- x) "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.
- y) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. PROVISIONS

- a) Uses Permitted ("MC-3" Zone)

No person shall within the lands designated "MC-3", use any lot or erect, alter or use any building or structure for any purpose, except the following:

- i. business office

- ii. dry cleaning establishment
- iii. financial institution
- iv. food preparation plant
- v. light manufacturing plant
- vi. merchandise service shop
- vii. professional office
- viii. sales outlet subject to the provisions of Section 2(b)(x)
- ix. scientific, research or medical laboratory
- x. warehouse

b) Zone Requirements ("MC-3" Zone)

No person shall within the lands designated "MC-3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. LOT AREA (minimum): 0.4 hectares
- ii. LOT FRONTAGE (minimum): 30 metres
- iii. FRONT YARD DEPTH (minimum): 12 metres
- iv. SIDE YARD WIDTH (minimum): 4.5 metres
- v. REAR YARD DEPTH (minimum): 7.5 metres
- vi. LOT COVERAGE (maximum): 45 percent
- vii. BUILDING HEIGHT (maximum): 12 metres
- viii. OPEN STORAGE OR DISPLAY: no open storage or display shall be permitted in any yard.
- ix. 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. There shall be provided and maintained a minimum of 2.1 parking spaces for each 93 square metres or part thereof of gross leasable floor area
- x. SPECIAL RESTRICTIONS:

Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the aggregate of the gross leasable floor area of all the sales outlets does not exceed 20 percent of the gross leasable floor area of all the buildings on the lot.

## 15.17 Exception Zone 17 (By-law 1891-84)

### 1. Definitions

- a) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.
- b) "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.
- c) "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, food-stuffs, substances, articles or things, and includes the premises of a warehouseman.
- 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 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 ("W-1" Zone)

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

- i. warehouse

### b) Zone Requirements ("W-1" Zone)

No person shall within the lands designated "W-1", 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. SIDE YARD WIDTH (minimum): 4.5 metres
- iii. REAR YARD DEPTH (minimum): 7.5 metres
- iv. BUILDING HEIGHT (maximum): 12 metres
- v. PARKING REQUIREMENTS (minimum): 50 parking spaces
- vi. GROSS FLOOR AREA (maximum): 26,700 square metres

## **15.18 Exception Zone 18 (By-law 1893-84, as amended by By-law 2640-88)**

### 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 may include an auditorium or a banquet hall, but shall not include a place of amusement or entertainment;
- 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) "Body Shop" shall mean an establishment primarily engaged in repairing or painting vehicle bodies;
- d) "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;
- e) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;
- f) "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 may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein.
- 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 processing elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.
- h) "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.
- i) "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;

- 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) "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;
- l) "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 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.
- m) "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? A the case may be, together with any accessory bu1ld1ngs 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 Coverage" shall mean the percentage of a lot covered by all buildings on the lot;
- o) "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.
- p) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment.
- q) "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.
- r) "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 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;
- s) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;
  - t) "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.
  - u) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership;
  - 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, 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;
  - w) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;
  - 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 where goods, wares, merchandise, foods, substances, articles or things are stored, kept and offered for retail sale to the public, but does not include any establishment otherwise defined herein;
  - z) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced,

processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

- aa) "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.
- bb) "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.
- cc) "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold, or both.
- dd) "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, 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.
- ee) "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.
- ff) "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.
- gg) "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 on the lot.
- hh) "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.
- ii) "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.

- jj) "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.
- kk) "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.
- ll) "Flankage Side Yard" shall mean a yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.
- mm) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted ("MC-4" Zone)

No person shall within the land designated "MC-4", 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. dry cleaning depot, subject to the provisions of Section (b)(viii)(C)
- vii. dry cleaning establishment
- viii. food preparation plant
- ix. light manufacturing plant
- x. merchandise service shop
- xi. private club
- xii. professional office
- xiii. public club
- xiv. restaurant, type A, subject to the provisions of Section (b)(viii)(A)
- xv. sales outlet, subject to the provisions of Section (b)(viii)(B)
- xvi. scientific, research or medical laboratory
- xvii. vehicle repair shop
- xviii. warehouse
- xix. vehicle sales shop

### b) Zone Requirements ("MC-4" Zone)

No person shall within the lands designated "MC-4", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. LOT AREA (minimum): 0.4 hectares
- ii. LOT FRONTAGE (minimum): 45 metres
- iii. SETBACK REQUIREMENTS (minimum):
  - A. The boundary of the land designated "MC-4" which abuts Bayly Street (Regional Road No. 22) shall be deemed to be the front lot line and the minimum setback of any building or structure, except a sign from the front lot line shall be 12 metres.
  - B. The boundary of the land designated "MC-4" not abutting streets or highways shall be deemed to be the rear lot line and the minimum setback of any building or structure from the rear lot line shall be 7.5 metres.
  - C. All other boundaries of the land designated "MC-4" shall be deemed to be side lot lines and the minimum setback of any building or structure, except a sign, from the side lot line shall be 4.5 metres.
- iv. BUILDING HEIGHT (maximum): 12 metres
- v. LOT COVERAGE (maximum): 45 %
- vi. 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. There shall be provided and maintained on the subject lands a minimum of 3.5 parking spaces for each 93 square metres or part thereof of gross leasable floor area.
- vii. OPEN STORAGE:
  - A. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.
- viii. SPECIAL RESTRICTIONS:
  - A. The gross floor area of all type A restaurants on a lot shall not exceed 35% of the gross floor area of all buildings on the lot.
  - B. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area of the sales outlet does not exceed 20% of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.

- C. Dry Cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross floor area of the dry cleaning depot does not exceed 20% of the gross floor area of the dry cleaning establishment.

## **15.19 Exception Zone 19 (By-law 2092-85, as amended by By-law 7480-16)**

### 1. Definitions

- a) “Body Shop” shall mean an establishment primarily engaged in repairing or painting vehicle bodies.
- b) “Floor Area” shall mean the area of the floor surface contained within the outside walls of a storey or part 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) “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;
- e) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;
- f) “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;
- g) “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;
- h) “Vehicle Sales or Rental Establishment” shall mean an establishment having as its main use the sale, service, rent or lease of vehicles and which may include an accessory vehicle repair shop, but shall not include any establishment engaged in the retail sale of vehicle fuels;
- 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 main 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) “Interior Side Yard” shall mean a side yard other than a flankage side yard;

## 2. Provisions

### a) Uses Permitted (“CA3-2” Zone)

No person shall within the lands designated “CA3-2” use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. Vehicle sales or rental establishment
- ii. Business Office
- iii. Professional Office

### b) Zone Requirements (“CA3-2” Zone)

No person shall within the lands designated “CA3-2”, 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): 50.0 metres
- iii. Front Yard Depth (minimum): 17.5 metres
- iv. Interior Side Yard Width (minimum): 10.5 metres
- v. Flankage Side Yard Width (minimum): 9.0 metres
- vi. Rear Yard Depth (minimum): 10.5 metres

- vii. Lot Coverage (maximum): 33 percent
- viii. Building Height (maximum): 12.0 metres
- ix. 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 of 5.0 parking spaces for each 0.4 hectare or part thereof of lot area, plus 2.0 parking spaces for each 93 square metres or part thereof gross floor area.
  - C. Section 5.21.2 b) of By-law 2511, as amended, shall not apply to the lands designated “CA3-2”.
  - D. Notwithstanding Section 5.21.2 g) of By-law 2511, as amended, all parking areas shall be paved.
- x. Special Provisions (“CA3-2” Zone)
  - A. Despite any provision of By-law 2511, as amended by By-law 2092/85, an automotive repair shop having a maximum gross floor area of 400 square metres is permitted in association with a Business Office.



## 15.20 Exception Zone 20 (By-law 2210-86)

### 1. Definitions

- a) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- b) "Floor Area-Non-Residential" shall mean the aggregate of the floor areas of all above and below grade storeys of all buildings and structures used for non-residential purposes, but shall exclude the floor area of any stairwells, elevators, and any part below established grade used exclusively for storage purposes;
- c) "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;
- d) "Marina-Type 1" shall mean an establishment having access to a navigable waterway and providing recreational boat mooring facilities for the public, and includes accessory uses such as the sale, rental, service and repair of boats, boat motors, and marine equipment accessory thereto, the sale of boat motor fuels, and marine offices;
- e) "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;
- f) "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 take-out purposes only;
- g) "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;
- h) "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;
- i) "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.

2. Provisions

a) Uses Permitted ("MR-1" Zone)

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

- i. marina-type 1, subject to the provisions of paragraph (D) of subclause (v) of clause (c) of this subsection;
- ii. restaurant-type A, subject to the provisions of paragraphs (A) and (C) of subclause (v) of clause (c) of this subsection;
- iii. restaurant-type C, subject to the provisions of paragraphs (B) and (C) of subclause (v) of clause (c) of this subsection.

b) Temporary Uses Permitted ("MR-1" Zone)

Despite the provisions of clause 2(a) of this Section, the second storey of a building located on Lots 27 and 28, Plan M-89, Pickering, may be used for the purpose of a residential dwelling during the period of May 5, 1986 to May 5, 1989 subject to the provisions of paragraphs E and F of subclause (v) of clause (c) of this subsection.

c) Zone Requirements ("MR-1" Zone)

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

- i. FRONT YARD DEPTH (minimum): 5 metres
- ii. BUILDING HEIGHT (maximum): 12 metres
- iii. FLOOR AREA-NON RESIDENTIAL (maximum): 980 square 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. There shall be provided and maintained a minimum of 68 parking spaces on lands designated "MR-1";
  - C. Section 5.21. 2b) of By-law 2511, as amended, shall not apply to the lands designated "MR-1";
  - D. Notwithstanding the provision of Section 2.2.1 of By-law 2511 as amended, a one-way traffic aisle shall provide a minimum perpendicular width of 3.5 metres,
- v. SPECIAL REGULATIONS:
  - A. The gross leasable floor area of all restaurants-type A shall not exceed 93 square metres;

- B. The gross leasable floor area of all restaurants-type C shall not exceed 17 square metres;
- C. Restaurant-type A and Restaurant-type C may only be permitted as accessory uses to a marina-type 1 use;
- D. No more than 80 boats shall be moored or docked at any one time;
- E. The floor area-residential of any temporary residential dwelling shall not exceed 248 square metres;
- F. A temporary residential use shall only be permitted if accessory and incidental to a marina-type 1.

## **15.21 Exception Zone 21 (By-law 2234-86, as amended by By-law 6902-08)**

### 1. Definitions

- a) “Building 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;
- b) “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;
- c) “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;
- d) “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;
- e) “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;
- f) “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.
- 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) “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.
- k) “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. 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.
- l) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store.
- 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 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;
- n) “Sales Outlet” shall mean a building or part of a building accessory to a light manufacturing plant, a food preparation plant, merchandise service shop, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- o) “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;

- p) “Truck Centre” shall mean land or premises where trucks or tractor trailers are repaired fueled or serviced, or kept for sale, rental, hire or lease, or where truck or tractor trailer parts or accessories are kept or displayed for rent or for wholesale or retail sale.
- 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, 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;
- 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 (“MC-6” Zone)

No person shall within the lands designated “MC-6” use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. All uses permitted under “M1” Zone
- ii. business office
- iii. dry cleaning establishment
- iv. financial institution
- v. food preparation plant
- vi. light manufacturing plant
- vii. merchandise service shop
- viii. professional office
- ix. sales outlet subject to the provisions of Section (b)(xi)(A)
- x. scientific, research or medical laboratory
- xi. truck centre
- xii. warehouse

### b) Zone Requirements (“MC-6” Zone)

No person shall within the lands designated “MC-6”, 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) 12 metres
- iv. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres
- v. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres
- vi. REAR YARD DEPTH (minimum): 7.5 metres
- vii. LOT COVERAGE (maximum): 45 percent
- viii. BUILDING HEIGHT (maximum): 12 metres
- ix. OUTDOOR STORAGE:
  - A. Outdoor storage shall be permitted in any yard except the front yard so long as the area used for outdoor storage purposes does not exceed 30 percent of the area of the lot
  - B. Despite Section (b)(xi)(A) of this by-law, outdoor storage, railway trackage and loading facilities be permitted in the hatched area shown on Figure 1.

- 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 a parking aisle or driveway
  - B. Subsection 5.21.2b) of By-law 2511 shall not apply to the area set out on Figure 1 attached hereto.
  - C. Section 5.21.2a) of By-law 2511, shall not apply on the hatched area shown on Figure 1 of this by-law.
- xi. SPECIAL REGULATIONS:
  - A. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area of the sales outlet does not exceed 20 percent of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.
  - B. Existing railway spurs prior to the passing of this by-law are permitted to encroach beyond the hatched area shown on Figure 1.
  - C. Despite Section 2.74.1 and 5.19(c) of By-law 2511, temporary storage tank containers located in the hatched area shall not exceed 6.0 metres in height.





## 15.22 Exception Zone 22 (By-law 4732-96)

### 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) "Body Shop" shall mean a building or part of a building engaged in repairing or painting vehicle bodies;
- d) "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 public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use;
- e) "Commercial Club" shall mean an athletic or recreational club operated for gain or profit and having public or private membership;
- f) "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;
- g) "Dry-Cleaning Depot" shall mean a building or part thereof used for the purpose of receiving articles or goods or fabrics to be subjected to the process of dry-cleaning or laundering elsewhere and distribution of articles or goods which have been subjected to any such process;
- h) "Dry-Cleaning Establishment" shall mean a building where dry-cleaning, dry-dyeing, cleaning or pressing of articles or goods of fabric is carried on, but does not include a spotting and stain removing establishment, hand laundry, machine laundry or a wholesale dyeing plant;
- i) "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;
- 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) "Light Manufacturing Plant" shall mean a manufacturing plant used for:
  - i. the dry cleaning, pressing or laundering of garments;
  - ii. the production of apparel and finished textile products other than the production of synthetic fibers;
  - iii. printing or duplicating;
  - iv. the manufacture of finished paper and allied products other than the processing of wood pulp;
  - v. the production of cosmetics, drugs and other pharmaceutical supplies; or
  - vi. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewelry, watches, precision instruments, radios and electronic components;
- 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) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;
- n) "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, 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;
- o) "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;
- p) "Private Club" shall mean an athletic, recreational or social club, and includes the premises of a fraternal organization; 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;

- q) "Professional Office" shall mean a building or part of a building in which legal, medical or other professional service is performed, or consultation given, and may include a clinic, and the offices of a lawyer, an architect, an engineer, a chartered accountant, a real estate agent or an insurance agent 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;
- r) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership; 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;
- 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 or off the premises, or both; but shall not include an adult entertainment parlour as defined herein;
- t) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- u) "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 are manufactured or otherwise prepared for use on the premises;
- v) "Vehicle Repair Shop" shall mean a building or part of a building 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;
- w) "Vehicle Sales Shop" shall mean a building or part of a building in which vehicles are displayed for sale, sold or both;
- x) "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, food-stuff,

substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

- 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.

## 2. Provisions

### a) Uses Permitted ("MC-10" Zone)

No person shall within the lands designated "MC-10" 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 recreation establishment
- v. dry cleaning depot, subject to the provisions of Section 2(b)(v)(E)
- vi. dry cleaning establishment
- vii. food preparation plant
- viii. light manufacturing plant
- ix. merchandise service shop
- x. place of assembly
- xi. private club
- xii. professional office
- xiii. public club
- xiv. restaurant - type A
- xv. sales outlet, subject to the provisions of Section 2(b)(v)(D)
- xvi. scientific, research or medical laboratory
- xvii. vehicle repair shop
- xviii. vehicle sales shop
- xix. warehouse

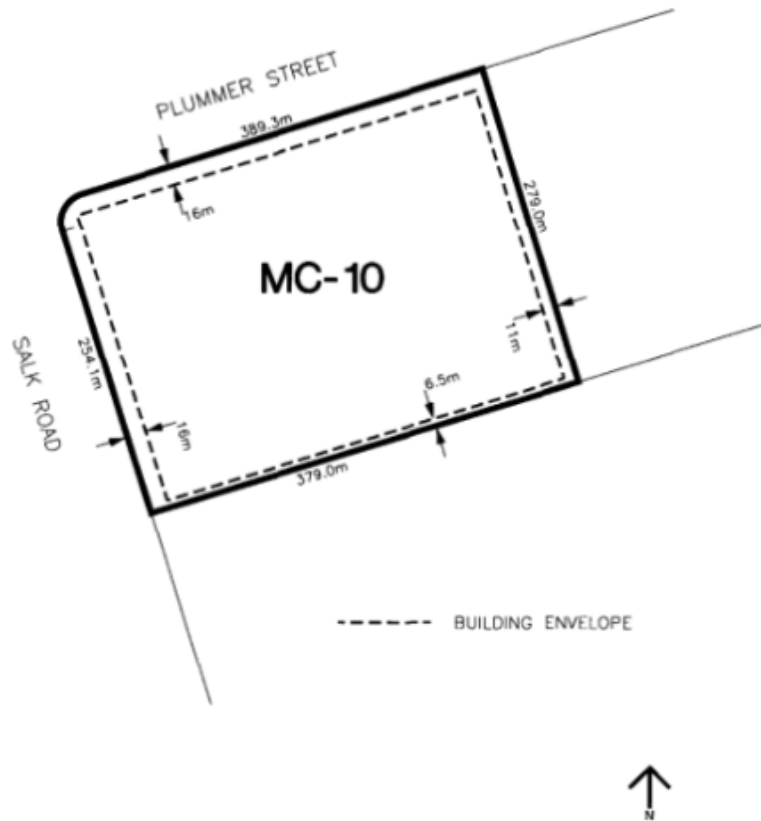
### b) Zone Requirements ("MC-10" Zone)

No person shall within the lands designated "MC-10" 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 attached hereto;

- ii. BUILDING HEIGHT (maximum): 12 metres;
- iii. OUTDOOR STORAGE:  
No outdoor storage or display, including the storage and display of motor vehicles, shall be permitted in any yard;
- iv. 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. On the lands designated "MC-10", there shall be provided and maintained a minimum of 74 parking spaces;
- v. SPECIAL REGULATIONS:
  - A. Despite the provisions in Section (2)(b)(iv)(B), the aggregate gross leasable floor area of all bakeries, business offices, commercial clubs, commercial recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, professional offices, public clubs, restaurants - type A, sales outlets and vehicle sales shops shall be limited to:
    - 1) 35 percent of the total gross leasable floor area of all buildings on the lot provided a minimum of 90 parking spaces are provided and maintained on the site;
    - 2) 25 percent of the total gross leasable floor area of all buildings on the lot provided a minimum of 74 parking spaces are provided and maintained on the site;
  - B. The aggregate gross leasable floor area of all Restaurants - type A shall not exceed 250 square metres;
  - C. No Restaurant - type A shall include drive-through, order or pick-up services;
  - D. A sales outlet shall be permitted only if accessory to a food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery and provided that the gross leasable floor area of the sales outlet does not exceed 20 percent of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery;
  - E. A dry-cleaning depot shall be permitted only if accessory to a dry-cleaning establishment and provided the gross leasable floor area of the drycleaning depot does not exceed 20 percent of the gross leasable floor area of the drycleaning establishment;
  - F. The gross leasable floor area of all buildings shall not exceed 4,225 square metres.

- 3. By-law 2511, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area subject to this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 2511, as amended, except that subsections 5.21.2 a) and 5.21.2 b) shall not apply to the area subject to this exception.
- 4. Figure 1



**SCHEDULE I TO BY-LAW** 4732/96  
**PASSED THIS** 19th  
**DAY OF** February **1996**

  
\_\_\_\_\_  
**MAYOR**

  
\_\_\_\_\_  
**CLERK**

## **15.23 Exception Zone 23 (By-law 1399-81, as amended by By-law 1862-84 and By-law 5707-00)**

### 1. Definitions

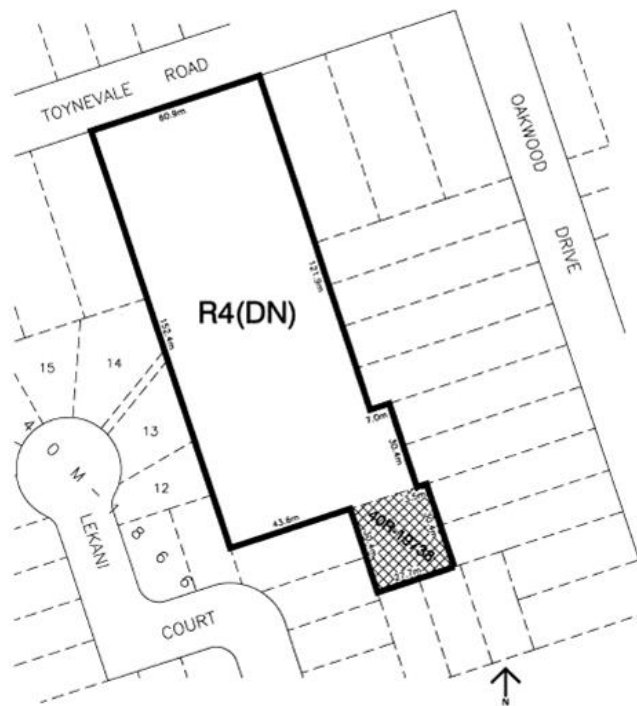
- a) "Day Nursery, Type A" shall mean the lands and premises duly licensed pursuant to the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of not more than forty (40) children at any one time.
- b) "Public School" shall mean,
  - i. a school under the jurisdiction 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.
- c) "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.
- d) "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.
- e) "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.

### 2. Permitted Uses

- a) Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the lands designated "R4(DN)" may be used for the purpose of a Day Nursery, Type A.
- b) Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the lands designated "R4(DN)" may be used for the purpose of a Private Non-Residential School.



- 3. Special Restrictions For a Day Nursery, Type A and a Private Non-Residential School
  - a) The aggregate of
    - i. the number of children enrolled in each day nursery, type A and
    - ii. the number of persons enrolled in each private non-residential school shall not exceed 100 at any one time.
  - b) Notwithstanding any other provisions of this by-law, no buildings or structures shall be erected within those lands designated “R4(DN)” and cross-hatched on Figure 1.
  - c) Despite section (3)(n) above, fences and recreational equipment may be erected within those lands designated “R4(DN)” and cross-hatched on Figure 1.
- 4. Figure 1



SCHEDULE I TO BY-LAW 5707/00  
PASSED THIS 26th  
DAY OF June 2000

  
MAYOR

  
CLERK

## **15.24 Exception Zone 24 (By-law 1972-85)**

1. Despite the provisions of Section 5.21.1 of By-law 2511, for the lands designated "M2S" minimum off-street parking shall be provided thereon at the rate of 1 parking space per 126 square metres or part thereof of gross floor area.
2. The provisions of clauses (a) and (b) of Section 5.21.2 of By-law 2511 shall not apply to the lands designated "M2S".

## **15.25 Exception Zone 25 (By-law 188-75)**

1. Notwithstanding the provisions of Section 16.1, 16.2, and 16.3 of By-law 2511 a fraternity meeting hall may be operated on that part of Lot 30, Range 3 of the Town of Pickering designated as "M1 (Specific)" in addition to the uses set out in said Section 16.1.

## **15.26 Exception Zone 26 (By-law 1522-82)**

### 1. Definitions

- a) For the purpose of this subsection "Truck Centre" shall mean land or premises where trucks or tractor trailers are repaired, fueled or serviced, or are kept for sale, rental, hire or lease, or where truck or tractor trailer parts or accessories are kept or displayed for rent or for wholesale or retail sale.

### 2. Provisions

- a) In addition to the provisions of Section 16.1 of By-law 2511, the lands designated M1-3 may be used for the purpose of a truck centre in accordance with Section 16.2 provided that the following requirements are met:
  - i. Outdoor storage shall be permitted in any yard except the front yard so long as the area used for outdoor storage purposes does not exceed 30 percent of the area of the lot.
  - ii. Retail sale of trucks, tractor trailers or associated truck or tractor trailer parts or accessories may be permitted only in combination with a truck centre provided that no more than 20% of the gross floor area of the building or buildings on the lot is used for retail sale purposes.

## 15.27 Exception Zone 27 (By-law 2865-88)

### 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 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 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 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) "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;
- q) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted ("I(C)-DN(1)" Zone)

No person shall within the lands designated "I(C)-DN(1)" 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(1)" Zone)

No person shall within the lands designated "I(C)-DN(1)" use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. LOT AREA (minimum): 0.4 hectare
- 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. PARKING REQUIREMENTS (minimum):

there shall be provided and maintained one parking space per four persons church capacity

viii. SUPPLEMENTARY PARKING REGULATIONS:

Section 5.21.2a) and Section 5.21.2b) of By-law 2511, as amended, shall not apply

ix. SPECIAL REGULATIONS:

a day nursery may be permitted only in a church building on the site

## **15.28 Exception Zone 28 (By-law 2760-88, as amended by By-law 6704-06)**

### 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) "Body Rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario;
- 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 purposes of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario;
- 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, 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, recreational or social club operated for gain or profit and having public or private membership;
- g) "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;
- 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) "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;
- 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) "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;
- m) "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;
- 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 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) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

- r) "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;
- s) "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 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;
- t) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;
- u) "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;
- v) "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;
- w) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership;
- 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. 1980, Chapter 302, as amended from time to time, or any successor thereto;

- y) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;
- z) "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;
- aa) "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;
- bb) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- cc) "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;
- dd) "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;
- ee) "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold or both;
- ff) "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;
- 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;

## 2. Provisions

- a) Uses Permitted ("MC-7" Zone)

No person shall within the lands designated "MC-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. bakery
- ii. body-rub parlour
- iii. business office
- iv. commercial club
- v. commercial-recreational establishment
- vi. dry cleaning depot, subject to the provisions of section 2(d)(vii)
- vii. dry cleaning establishment
- viii. food preparation plant
- ix. light manufacturing plant
- x. merchandise service shop
- xi. place of assembly
- xii. private club
- xiii. professional office
- xiv. public club
- xv. restaurant, type A, subject to the provisions of section 2(d)(iii)
- xvi. sales outlet, subject to the provisions of section 2(d)(vi)
- xvii. scientific, research or medical laboratory
- xviii. vehicle repair shop
- xix. vehicle sales shop
- xx. warehouse

b) Zone Requirements ("MC-7" Zone)

No person shall within the lands designated "MC-7" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. SETBACK REQUIREMENTS (minimum): as illustrated on Figure 1 attached hereto
- ii. BUILDING HEIGHT (maximum): 12 metres
- iii. OPEN STORAGE: all uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display

c) PARKING REQUIREMENTS:

- i. 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

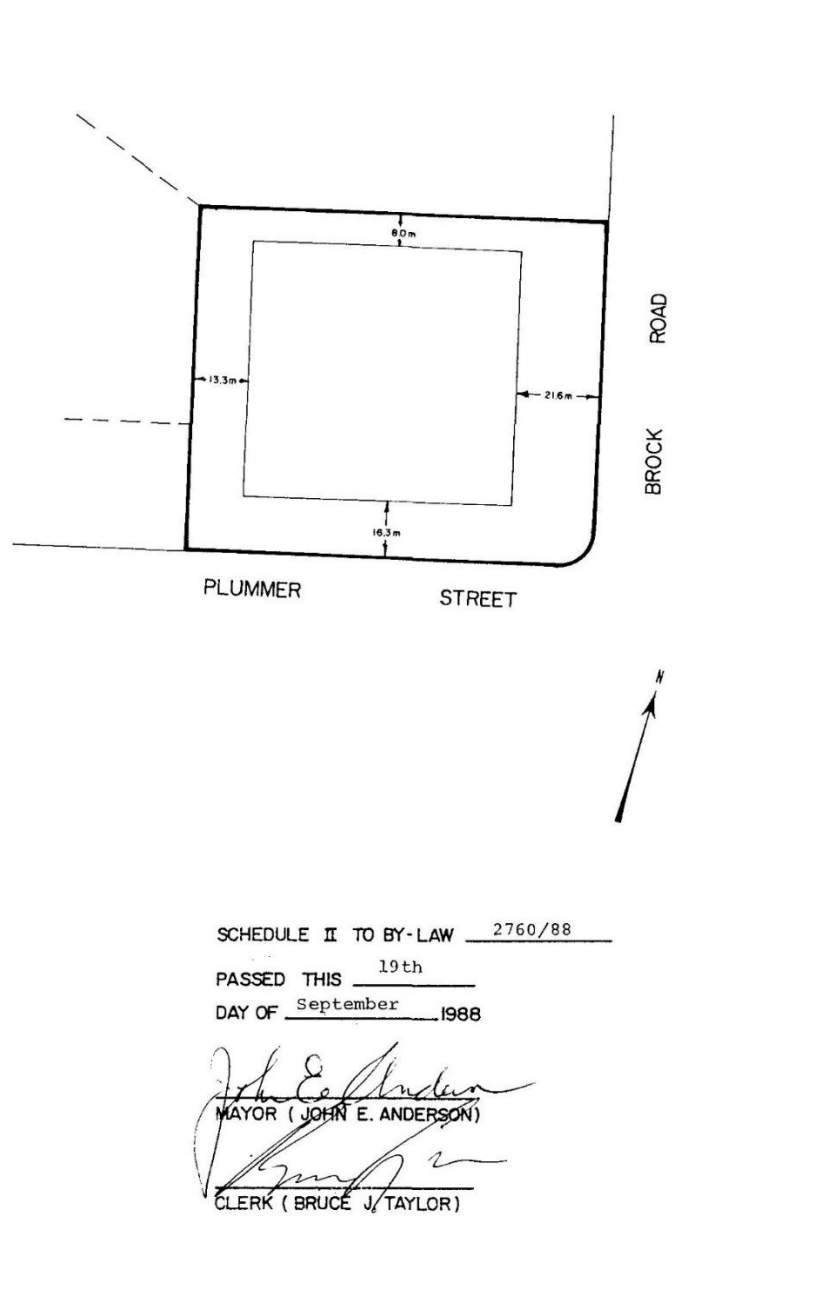
than 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

- ii. There shall be provided and maintained on the subject lands a minimum of:
  - A. 4.5 spaces per 100 square metres gross leasable floor area for the first 465 square metres; and
  - B. 3.6 spaces per 100 square metres gross leasable floor area for the next 465 square metres; and
  - C. 2.2 spaces per 100 square metres gross leasable floor area for the next 465 square metres; and
  - D. 2.4 spaces per 100 square metres gross leasable floor area for the next 5,110 square metres; less
  - E. 10 percent of the number of parking spaces required under A,B,C and D above;

d) SPECIAL REGULATIONS

- i. No more than one building may be constructed and maintained;
- ii. The gross leasable floor area of the building shall not exceed 4,590 square metres;
- iii. No more than one restaurant - type A shall be established and shall not exceed a gross leasable floor area of 625 square metres;
- iv. All bakeries, commercial clubs, commercial-recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, public clubs, restaurant - type A, sales outlets, vehicle repair shops and vehicle sales shops shall be restricted to those units that front either Plummer Street or Brock Road;
- v. The aggregate gross leasable floor areas of all bakeries, business offices, commercial clubs, commercial-recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, professional offices, public clubs, restaurant - type A, sales outlets, vehicle repair shops and vehicle sales shops shall not exceed 2,210 square metres;
- vi. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops, warehouses or bakeries, and providing the gross leasable floor area of the sales outlet does not exceed 20% of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery;
- vii. Dry cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross leasable floor area of the dry cleaning depot does not exceed 20% of the gross leasable floor area of the dry cleaning establishment.

- viii. No more than one body-rub parlour shall be permitted and the aggregate gross leasable floor area of the body-rub parlour shall not exceed 150 square metres;
  - ix. A body-rub parlour shall be restricted to those units that do not front either Plummer Street or Brock Road;
3. Definitions and subject matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law 2511, as amended, except that subsection 5.21.2 a) and 5.21.2 b) shall not apply to the area subject to this exception.
4. Figure 1



SCHEDULE II TO BY-LAW 2760/88

PASSED THIS 19th

DAY OF September 1988

*John E. Anderson*  
MAYOR (JOHN E. ANDERSON)

*Bruce J. Taylor*  
CLERK (BRUCE J. TAYLOR)

## **15.29 Exception Zone 29 (By-law 4062-92)**

1. Despite the provisions of Section 14.1 of By-law 2511, the lands designated “C2/GS3” located in Part of Lot 28, Range 3, B.F.C., may not be used for the purposes of an automobile service station, but may be used for the purposes of a gasoline retail outlet in accordance with the provisions of Sections 14.2 and 14.3 of By-law 2511.

## 15.30 Exception Zone 30 (By-law 4139-92)

### 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, or below grade, or both above and below grade;
- 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 ("S-SD-1" Zone)

No person shall within the lands designated "S-SD-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

### b) Zone Requirements ("S-SD-1" Zone)

No person shall within the lands designated "S-SD-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): 7.5 metres
- iii. FRONT YARD DEPTH (minimum):
  - A. where no dwelling units fronting the same street exist on the lots on either side, the minimum front yard depth shall be 4.5 metres
  - B. where only one dwelling unit fronting the same street exists on the lots on either side, the minimum front yard depth shall be the average of the front yard depth of that dwelling and 4.5 metres
  - C. where a dwelling unit fronting the same street exists on each lot on either side, the minimum front yard depth shall be the average of the front yard depths of each of those dwellings
- c) INTERIOR SIDE YARD WIDTH:
  - i. for single detached dwellings:
    - A. no minimum one side, minimum 1.2 metres other side or B minimum 0.6 metres both sides
  - ii. for semi-detached dwellings: 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;
- d) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres
- e) REAR YARD DEPTH (minimum): 7.5 metres
- f) LOT COVERAGE (maximum): 45 percent
- g) BUILDING HEIGHT (maximum): 7.5 metres

- h) DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 60 square metres
  - i) PARKING REQUIREMENTS: minimum one parking space being at least 2.6 metres in width and 5.3 metres in length per lot
  - j) SPECIAL REGULATIONS:
    - i. The minimum horizontal separation distance between a dwelling on a lot and any building or structure on any abutting lot shall be 1.2 metres.
    - ii. All accessory buildings or structures which are not part of the main building shall be erected in the rear or side yard with no minimum setback required from any lot line.
    - iii. The maximum height of any accessory building or structure shall be 4.5 metres;
    - iv. Despite the definition of "Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(e) a Semi-Detached Dwelling erected in a "S-SD-1" 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.
3. Holding Symbol
- a) Prior to an amendment to remove the "(H)" holding symbol preceding the use designation "S-SD-1" the following conditions shall be met:
    - i. the land to which the "(H)" holding symbol applies shall be fully serviced, to the lot line, with municipal sanitary sewers and water supply; and
    - ii. Waterpoint Street shall be dedicated as a public highway.
  - b) Despite the provisions of clause 2(a) while the "(H)" holding symbol is in place no person shall within the lands designated "(H) S-SD-1", use any lot or erect alter or use any buildings or structure for any purpose except detached dwelling residential uses in accordance with the provisions of Section 10 of By-law 2511, as amended.
4. Definitions and subject matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law 2511, as amended, except that Section 5.8 shall not apply to the area subject to this By-law.

## **15.31 Exception Zone 31 (By-law 4354-73, as amended by By-law 4470-73)**

### 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 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 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 or in part and above and/or below grade and the two dwellings are 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' from the street line.
- g) "Ground Floor Area" shall mean the area of the 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 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 a building and a side lot line bounding on a public street and extending from front lot line to rear lot line.

2. Provisions

- a) The performance standards and provisions as set out in Figure 1 hereto shall apply to the area restricted by this by-law.

3. Figure 1

ZONE	SYMBOL	MAXIMUM DENSITY		MINIMUM YARDS			MINIMUM GROUND FLOOR AREA/DWELLING (SQ. M.)			MINIMUM PARKING SPACES/DWELLING
		Minimum Frontage	Min. Lot Area/Dwelling	FRONT	SIDE & FLANKAGE	REAR	Bung.	Split or 1 ½	2 Storey	
Single-detached Dwelling	S	1 dwelling per Registered Lot 15.0 metres	460 sq.m	4.5 m	1.2 m side 2.7 m flankage	7.5 m	110	74	65	Each dwelling shall have one private garage set back at least 6 metres from a street in addition to the minimum ground floor requirement
Semi-detached dwellings	SD	2 dwellings per Registered lot 19.5 metres 21 metres corner lot	320 sq.m	4.5 m	1.2 m side 2.7 m flankage	7.5 m	110	74	65	

a) Provisions:

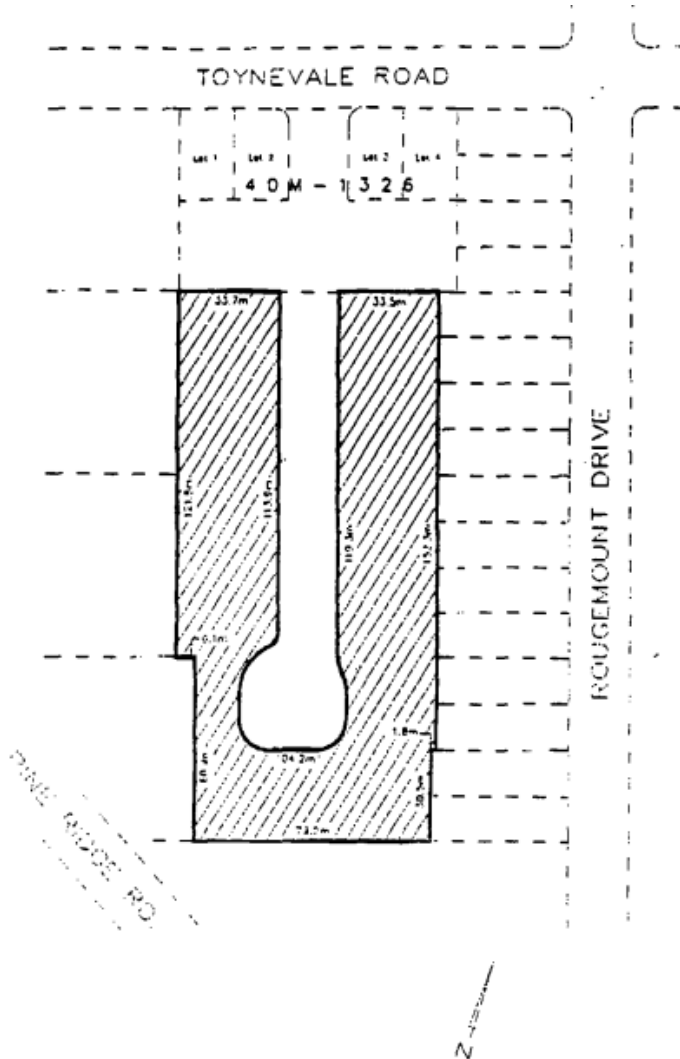
- i. Maximum building height – 10.5 metres
- ii. Maximum building coverage – 33%
- iii. Where semi-detached dwellings are attached in part or below grade and separated above grade, such separation shall be a minimum of 1.2 metres

## **15.32 Exception Zone 32 (By-law 4342-73)**

1. Notwithstanding the provisions of section 18 of By-law 2511, Open Storage shall not be permitted on the lands within 15 metres of the property boundaries of the parcel subject to this exception.

### 15.33 Exception Zone 33 (By-law 4359-93)

1. Notwithstanding subsections 10.2.3 and 10.2.6 of By-law 2511, for the lands hatched on Figure 1 and located in Part of Lots 1 to 8, Plan 395 and Part of Lot 34, Plan 350 in the Town of Pickering, the minimum front yard requirement is 6.0 metres and the maximum lot coverage is 38 percent.
2. Figure 1



SCHEDULE 1 TO BY-LAW 4359793  
as made by  
Ontario Municipal Board



## 15.34 Exception Zone 34 (By-law 3132-89)

### 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) "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 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 pen 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 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 ("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 uses

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): 450 square metres
- ii. LOT FRONTAGE (minimum):  
15.0 metres, except that in the case of a corner lot the minimum lot frontage shall be 17.0 metres
- iii. FRONT YARD DEPTH (minimum):  
6.0 metres, except that for those lots with front lot lines abutting Rosebank Road, the minimum front yard depth shall be 7.6 metres
- iv. SIDE YARD WIDTH (minimum): 1.5 metres
- v. FLANKAGE SIDE YARD WIDTH (minimum): 4.0 metres
- vi. REAR YARD DEPTH (minimum): 7.5 metres
- vii. LOT COVERAGE (maximum): 35 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 a reserve on the opposite side of which is a street, except that for the lots with front lot lines abutting Rosebank Road, any vehicular entrance to a private garage shall be located not less than 7.6 metres from the front lot line

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

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

- i. semi-detached dwelling attached below grade only residential uses

d) Zone Requirements ("SD-B" Zone)

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

- i. LOT AREA (minimum): 320 square metres
- ii. LOT FRONTAGE (minimum):  
10.5 metres, except that in the case of a corner lot the minimum lot frontage shall be 12.0 metres

- iii. FRONT YARD DEPTH (minimum): 6.0 metres
- iv. SIDE YARD WIDTH:  
1.5 metres, except that in the case of an interior side yard between a pair of attached single dwellings the minimum shall be 0.9 metres
- v. FLANKAGE SIDE YARD WIDTH (minimum): 4.0 metres
- vi. REAR YARD DEPTH (minimum): 7.5 metres
- vii. LOT COVERAGE (maximum): 35 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

## 15.35 Exception Zone 35 (By-law 3572-90)

### 1. Definitions

- a) "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 vehicle parking spaces within the building;
- b) "Funeral Home" shall mean a building or part of a building where funerals are conducted and shall be limited to such facilities as chapels, visitation rooms, administrative offices, rooms for the preparation of the deceased, display rooms for the storage of caskets and garages for hearses and other equipment but shall not include a single detached dwelling;
- c) "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;
- d) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- e) "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;
- f) "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.
- g) "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;
- h) "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;
- i) "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;
- j) "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;

- k) "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;
- l) "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;
- m) "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
- n) "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;
- o) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted ("FH" Zone)

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

- i. funeral home

### b) Zone Requirements ("FH" Zone)

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

- i. FRONT YARD DEPTH (minimum) 9.0 metres
- ii. INTERIOR SIDE YARD WIDTH (minimum)  
6.0 metres from northerly side yard; 1.5 metres from southerly side yard
- iii. REAR YARD DEPTH (minimum) 80.0 metres
- iv. BUILDING HEIGHT (maximum) 10.0 metres
- v. OPEN STORAGE: non permitted
- 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 on the lot a minimum of 45 parking spaces and the parking lot must be capable of accommodating the parking of 45 additional vehicles. Any future expansion of the funeral home must meet a minimum standard of 5 parking spaces per 100 square metres of floor area
  - C. Despite Section 5.21.2(g) of By-law 2511, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof; and
  - D. Section 5.21.2(b) of By-law 2511, as amended shall not apply to the lands designated "FH".
- vii. SPECIAL REGULATIONS:
- A. No more than one building may be constructed and maintained; and
  - B. The floor area of a funeral home shall not exceed 1,270 metres.

## 15.36 Exception Zone 36 (By-law 3893-91)

### 1. Definitions

- a) "Body Shop" shall mean an establishment engaged in repairing or painting vehicle bodies;
- 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 theaters, but shall not include a retail store;
- c) "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;
- d) "Dry Cleaning Establishment - Non-Venting" shall mean a building or part of a building where a dry cleaning plant, with a dry weight capacity of 60 pounds which does not vent gases or odours and is operated separately or in association with dry-dyeing, cleaning, laundering, pressing or incidental tailoring or repair of articles or goods of fabric is carried on, in which only non-flammable fabrics are or can be used which do not emit noxious odours or fumes and in which no noise or vibration causes a nuisance to neighbouring premises;
- e) "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;
- f) "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;
- 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) "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;
- i) "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 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;
- j) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;
- k) "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, as amended from time to time, or any successor thereto;
- l) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- 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 a vehicle repair shop, but shall not include an establishment engaged in the retail sale of motor vehicle fuels;
- o) "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;
- 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;

## 2. PROVISIONS

### a) Uses Permitted ("MC-8" Zone)

No person shall within the lands designated "MC-8" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. body shop
- ii. business office
- iii. commercial-recreational establishment
- iv. dry cleaning establishment - non-venting
- v. light manufacturing plant
- vi. merchandise service shop
- vii. sales outlet
- viii. vehicle repair shop
- ix. vehicle sales or rental establishment
- x. warehouse

### b) Zone Requirements ("MC-8" Zone)

No person shall within the lands designated "MC-8" use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. BUILDING HEIGHT (maximum): 12 metres
- ii. YARD SETBACKS (minimum):  
as illustrated on Figure 1 attached hereto
- iii. OUTDOOR STORAGE:  
no outdoor storage shall be permitted in any yard

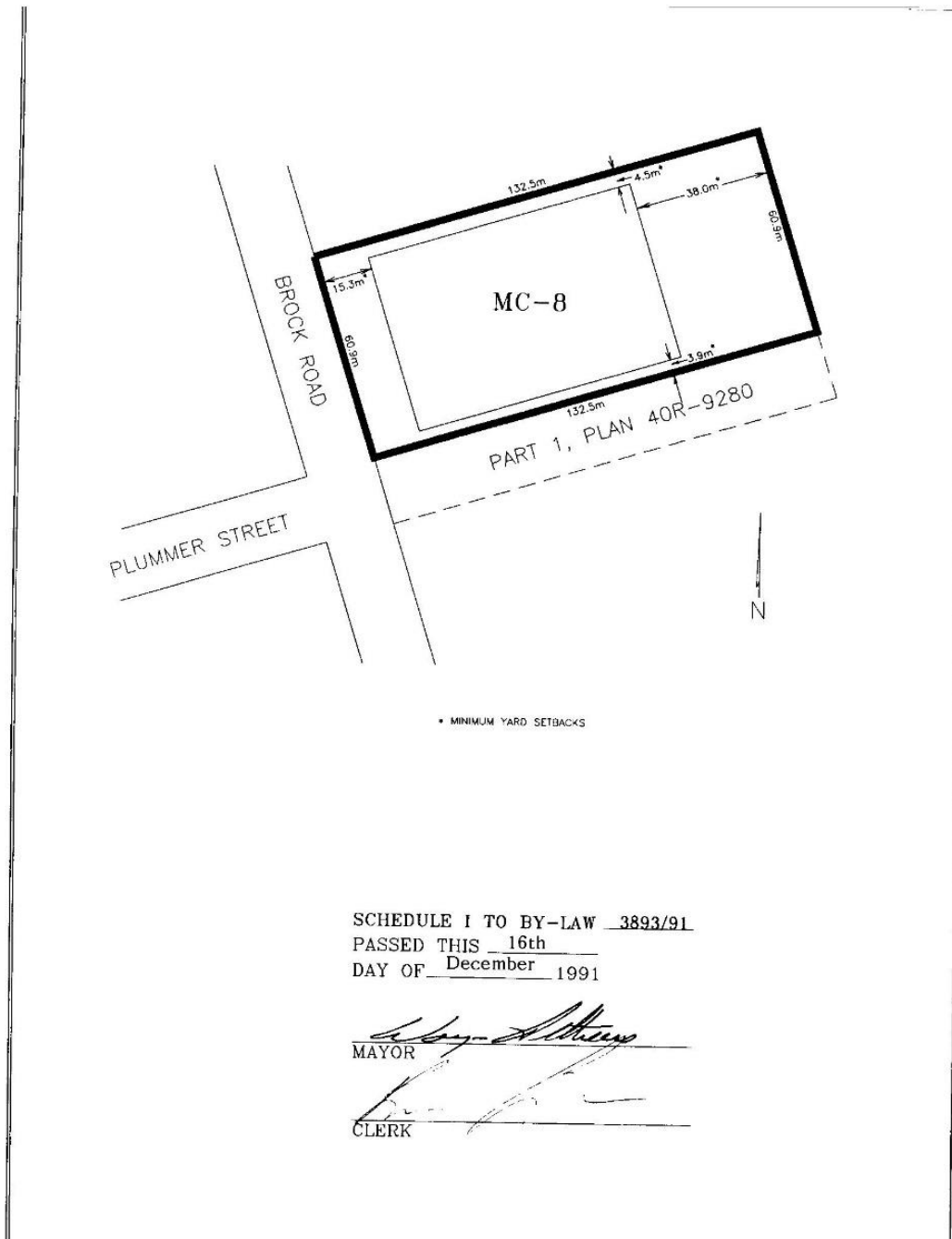
iv. PARKING REQUIREMENTS:

- A. For the purpose of this clause, 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 the parking aisle or driveway.
- B. For all uses permitted, there shall be provided and maintained on the lot a minimum of 70 parking spaces.
- C. All parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.
- D. Parking areas at grade shall be set back a minimum of 3.0 metres from all road allowances.
- E. Sections 5.21.2(b) and 5.21.2(g) of By-law 2511, as amended, shall not apply.

v. SPECIAL REGULATIONS:

- A. No more than two buildings shall be constructed and maintained on the lot;
- B. The total aggregate gross floor area of all buildings shall not exceed 2,330 square metres;
- C. The aggregate gross leasable floor area of all business offices, commercial-recreational establishments, dry cleaning establishments - non venting, merchandise service shops, and sales outlets shall not exceed 820 square metres.
- D. Sales outlets are permitted only if accessory to light manufacturing plants, merchandise service shops and warehouses, and providing the gross leasable floor area of a sales outlet does not exceed 20% of the gross leasable floor area of the light manufacturing plant, merchandise service shop or warehouse.

3. Figure 1



## 15.37 Exception Zone 37 (By-law 5245-98)

### 1. Definitions

- a) "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 theaters, but shall not include a retail store;
- b) "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;
- 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) "Functional Floor Level" shall mean an enclosed building storey containing an area of at least 50% of the building's ground floor area, and a ceiling height suitable for the intended use;
- f) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing, or other incidental equipment;
- 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 Store" shall mean a building or part of a building 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;

- k) "Personal Service Shop" shall mean a building, or part of a building 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 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;
- l) "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 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.

## 2. Provisions

### a) Uses Permitted ("C17-R" Zone)

No person shall within the lands zoned "C17-R" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. business office
- ii. dry cleaning depot
- iii. dwelling unit
- iv. laundromat
- v. neighbourhood store
- vi. personal service shop
- vii. professional office

### b) Zone Requirements ("C17-R" Zone)

No person shall within the lands zoned "C17-R" use any lot or erect, alter or use any building except in accordance with the following provisions:

#### i. BUILDING RESTRICTIONS:

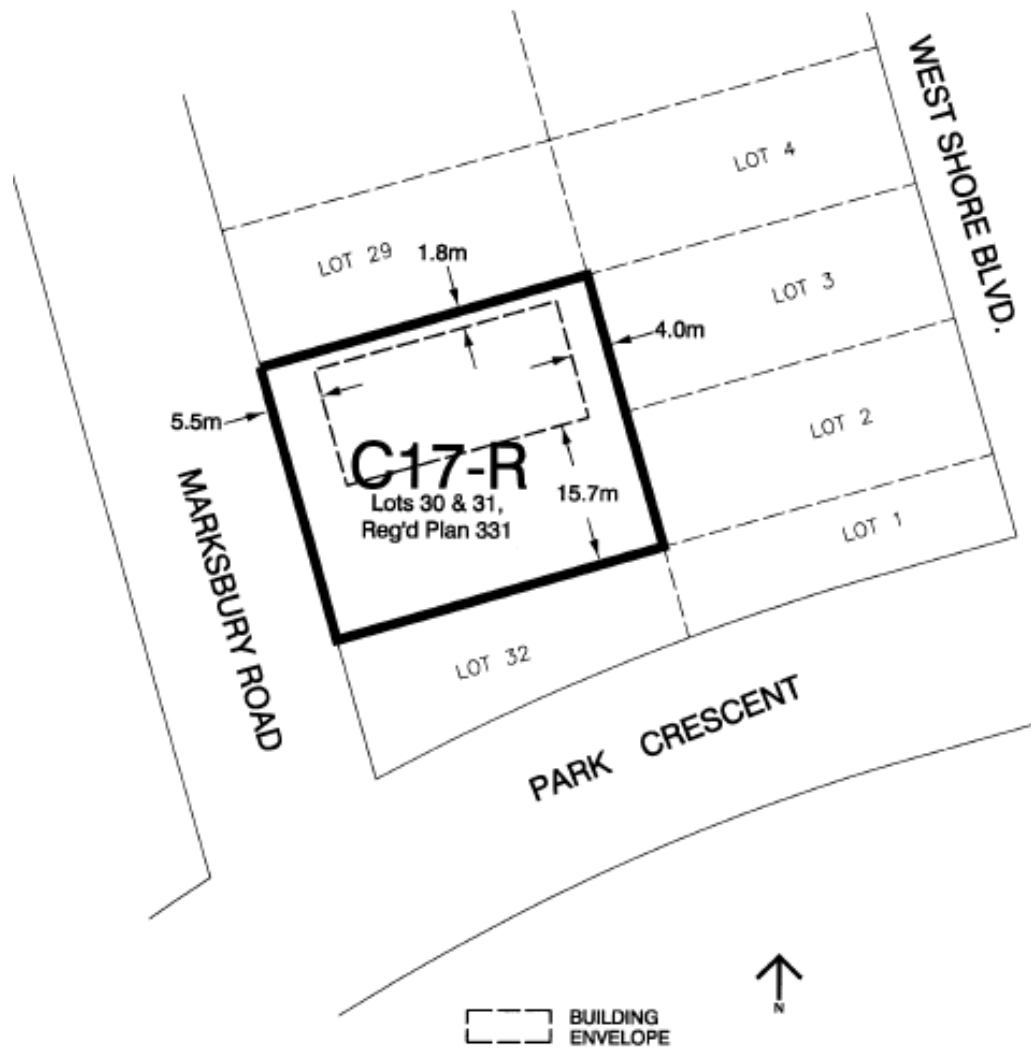
##### A. Building Location and Setbacks:

- 1) Buildings and structures shall comply with the maximum building envelope illustrated on Figure 1 attached hereto, with the exception of refuse container enclosures.
- 2) Despite Clause A above, uncovered steps or platforms not exceeding 1.2 metres in height above grade, may extend a maximum of 1.2 metres beyond the maximum building envelope illustrated on Figure 1 attached hereto.

##### B. Building Height (maximum):two functional floor levels and 9.0 metres.


- ii. PARKING REQUIREMENTS:
  - A. There shall be provided and maintained on the lands a minimum of 15 parking spaces.
- iii. DWELLING UNIT REQUIREMENTS:
  - A. Maximum of 3 dwelling units;
  - B. Any dwelling unit shall be located on the second floor.
- iv. SPECIAL REGULATIONS:
  - A. All uses, other than parking shall take place entirely within enclosed buildings or structures with no outside storage or display;
  - B. A maximum of 1 neighbourhood store use shall be permitted, with a maximum gross floor area of 170 square metres.

3. Figure 1



**SCHEDULE I TO BY-LAW** 5245/98  
**PASSED THIS** 6th  
**DAY OF** April **1998**

  
\_\_\_\_\_  
**MAYOR**

  
\_\_\_\_\_  
**CLERK**



## 15.38 Exception Zone 38 (By-law 5502-99)

### 1. Definitions

- a) In this By-law, “Bingo Facility” shall mean a building or part of a building in which are offered facilities for the play of a lottery scheme where consideration is given for a chance to win a cash prize or prizes by being the first to complete a specified arrangement of numbers on a bingo paper from numbers selected at random, which game is not contrary to the Criminal Code of Canada, but does not include a “place of amusement or entertainment” or a “games arcade” as defined in this By-law;
- b) In this By-law “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 room or an area used for any video lottery terminal use as governed by the Gaming Services Act, or used for an adult entertainment parlour as defined herein or 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;
- c) In this By-law “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;
- d) In this By-law “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, bingo facilities, or bowling alleys.

### 2. Provisions

- a) PERMITTED USE (“M2(CR)” Zone)

Subject to the provisions of Subsection (2) of this By-law, the lands designated “M2(CR)”, and any building or part of a building thereon, may be used for the purpose of a bingo facility in addition to the uses permitted by sub-section 17.1 of By-law 2511;

- b) No person shall, within the lands designated "M2(CR)", use any lot or erect, alter or use any building thereon for the purpose of a bingo facility except in accordance with the following provisions:
  - i. The gross leasable floor area of any bingo facility shall not exceed 1740 square meters;
  - ii. The gross leasable floor area of any office use shall not exceed 950 square meters;
  - iii. There shall be provided and maintained on the lands designated "M2(CR)" a minimum of 270 parking spaces.

## 15.39 Exception Zone 39 (By-law 5526-99)

### 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 ("R4-10" Zone)

No person shall within the lands designated "R4-10" 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 ("R4-10" Zone)

No person shall within the lands designated "R4-10" 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): 7.5 metres
  - iv. INTERIOR SIDE YARD WIDTH (minimum): 1.5 metres
  - v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres
  - vi. REAR YARD DEPTH (minimum): 7.5 metres
  - vii. LOT COVERAGE (maximum): 33 percent
  - viii. BUILDING HEIGHT (maximum): 9.0 metres
  - ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;
  - x. PARKING AND PRIVATE GARAGE REQUIREMENTS:  
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;
  - xi. SPECIAL REGULATION:  
notwithstanding section 2(b)(iv) above, the dwelling in existence on the date of passage of this by-law on Part of Block A, Plan 233, designated "R4-10" may remain in its current location, but no additions or exterior alterations other than restoration or general maintenance to that dwelling shall be permitted;
- 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 following:
- i. conservation of the natural environment, soil, and wildlife; and
  - ii. resource management;
- 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, or resource management.

## **15.40 Exception Zone 40 (By-law 5558-99, as amended by By-law 6599-05)**

### 1. Definitions

- a) "Body Rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;
- b) "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;
- c) "Club" shall mean a building or part of a building in which a not-for profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- d) "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 as defined herein;
- e) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within 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, 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) "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) "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;

- 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 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) "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 a dressmaking shop or a photographic studio, 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;
- m) "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 room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein or a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- n) "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 as defined herein;
- o) "Private Non-Residential School" shall mean a school which is maintained for educational or religious purposes, but shall not include a day nursery, or any other school defined herein;
- p) "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 a day nursery, or any other school defined herein;
- q) "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.

## 2. Provisions

### a) Uses Permitted ("MC-12" Zone)

No person shall within the lands zoned "MC-12" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. any use of the "M2S" - Yard Storage and Heavy Manufacturing Zone as per Section 18.1 of By-law 2511, as amended;
- ii. restaurant, type A (subject to Special Regulation (B) in section 2(b)(ii) of this By-law);
- iii. accessory retail use (subject to Special Regulation (C) in section 2(b)(ii) of this By-law);
- iv. body rub parlour;
- v. club;
- vi. commercial club;
- vii. commercial-recreational establishment;
- viii. commercial school;
- ix. dry cleaning depot;
- x. dry cleaner's distribution station;
- xi. personal service shop;
- xii. place of amusement or entertainment;
- xiii. place of assembly;
- xiv. private non-residential school;

### b) Zone Requirements ("MC-12" Zone)

No person shall within the lands zoned "MC-12" use any lot or erect, alter or use any building except in accordance with the following provisions:

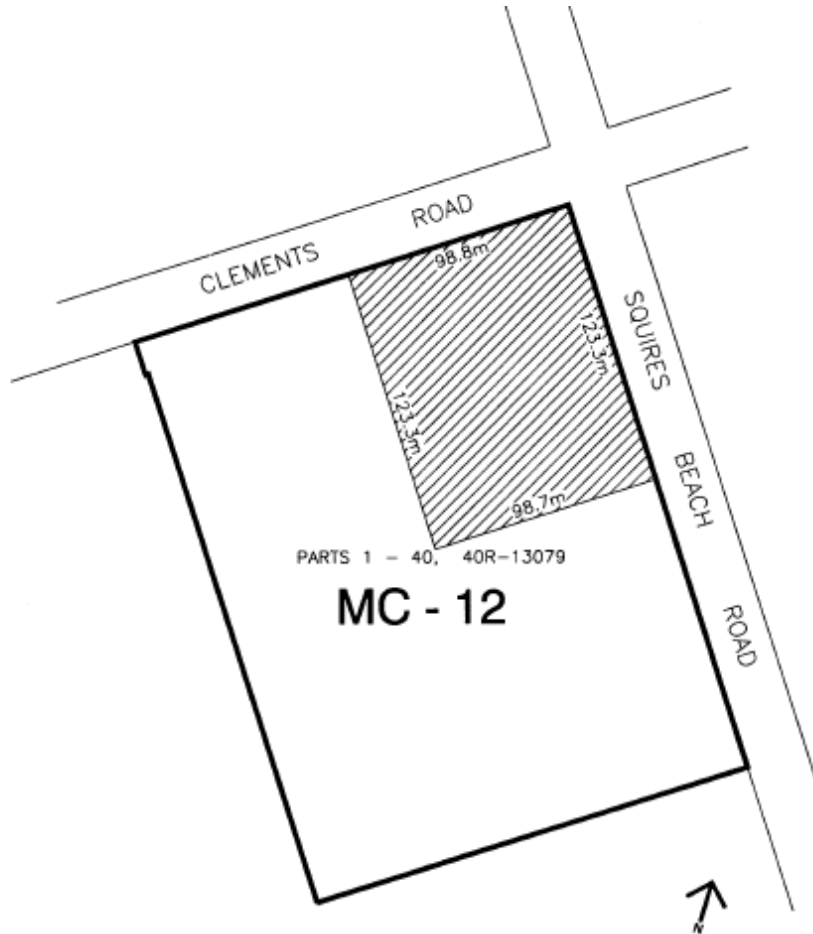
- i. BUILDING RESTRICTIONS:
  - A. Subject to Section 18.2 of By-law 2511;
- ii. SPECIAL REGULATIONS:
  - A. The aggregate gross floor area of all uses listed in Section 2(a)(i) to (xiv) of this By-law is limited to 5,500 square metres;
  - B. Restaurant, Type A uses shall be restricted to the hatched area on Figure 1 attached to this By-law, and to a maximum aggregate gross leasable floor area of 631 square metres;
  - C. Despite Section 18.1.2 of By-law 2511, as amended, accessory retail use is permitted to a maximum of 20% of the gross leasable floor area of a permitted use in the "M2S" - Yard Storage and Heavy Manufacturing Zone, as per Section 18.1 of By-law 2511, as



amended, or to a maximum 93 square metres of floor area, whichever is less;

- D. Not more than one Body Rub Parlour shall be permitted and the aggregate gross leasable floor area of the Body Rub Parlour shall not exceed 110 square metres;

3. Figure 1



SCHEDULE I TO BY-LAW \_\_\_\_\_  
PASSED THIS \_\_\_\_\_  
DAY OF \_\_\_\_\_ 1999

  
MAYOR

  
CLERK

## 15.41 Exception Zone 41 (By-law 5672-00)

### 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 any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- d) “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 as defined herein;
- e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within 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, an art school, a golf school or any other 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 such processes;
- h) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
- i) “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;

- j) “Gross Leasable Floor Area” shall mean the aggregate 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) “Light Machinery and Equipment Supplier” shall mean a building or a part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesale or retail sale to industrial or commercial establishments;
- l) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, 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;
- m) “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;
- n) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;
- o) “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;
- 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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- q) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

- 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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- s) “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 theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;
- t) “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 as defined herein;
- u) “Place of Worship” shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care center or nursery school;
- v) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- 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 by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, 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) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;

- z) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- aa) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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;
- bb) “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, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;
- cc) “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 use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- dd) “Video Store” shall mean a building or part of a building in which video cassette recorders, tapes, and accessories thereto are stored, serviced, displayed, and offered for rent or retail sale to the public for use off the premises only;
- ee) “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, 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; and
- ff) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;
- 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 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" 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;
- 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; and
- pp) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted ("M1-12-2" Zone)

No person shall within the lands designated "M1-12-2", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakery;
- ii. business office;
- iii. club;
- iv. commercial club;
- v. commercial-recreational establishment;
- vi. commercial school;

- vii. dry cleaning depot;
- viii. dry cleaning establishment;
- ix. food preparation plant;
- x. light machinery and equipment supplier;
- xi. light manufacturing plant;
- xii. manufacturing plant;
- xiii. merchandise service shop;
- xiv. personal service shop;
- xv. place of assembly;
- xvi. place of amusement or entertainment;
- xvii. place of worship;
- xviii. printing establishment;
- xix. professional office;
- xx. rental establishment;
- xxi. restaurant – Type A;
- xxii. sales outlet;
- xxiii. scientific, medical or research laboratory;
- xxiv. vehicle repair shop;
- xxv. vehicle sales or rental establishment;
- xxvi. warehouse;

b) Zone Requirements ("M1-12-2" Zone)

No person shall within the lands designated "M1-12-2", use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. OUTDOOR STORAGE:
  - A. Open storage shall not be permitted;
- ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 7.5 metres
- iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS  
(minimum): 4.5 metres
- iv. FLANKAGE SIDE YARD WIDTH REQUIREMENTS  
(minimum): 12.0 metres
- v. REAR YARD DEPTH REQUIREMENTS (minimum):
  - A. 7.5 metres





## 15.42 Exception Zone 42 (By-law 5673-00)

### 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 any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- d) “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 as defined herein;
- e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within 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, an art school, a golf school or any other school operated for gain or profit;
- g) “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;
- 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 such processes;
- i) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

- j) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;
- k) “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;
- l) “Gross Leasable Floor Area” shall mean the aggregate 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) “Light Machinery and Equipment Supplier” shall mean a building or a part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesale or retail sale to industrial or commercial establishments;
- n) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, 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;
- 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 percentage of lot area covered by all buildings on the lot;
- 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) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- s) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines,

appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

- t) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;
- u) “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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- v) “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 theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;
- w) “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 as defined herein;
- x) “Place of Worship” shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care center or nursery school;
- y) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- z) “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 by the Municipal Act, R.S.O. 1990, c.m. 45, as amended from time to time, or any successor thereto;

- aa) “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;
- bb) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;
- cc) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- dd) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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;
- ee) “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, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;
- ff) “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 use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- gg) “Video Store” shall mean a building or part of a building in which video cassette recorders, tapes, and accessories thereto are stored, serviced, displayed, and offered for rent or retail sale to the public for use off the premises only;
- hh) “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, 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;

- ii) "Waste Transfer and Management Facility" shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;
- jj) "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;
- kk) "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;
- ll) "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;
- mm) "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;
- nn) "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;
- oo) "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;
- pp) "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;
- qq) "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;
- rr) "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
- ss) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MC-13-1", "MC-13-2" and "MC-13-3" Zones)

No person shall within the lands designated "MC-13-1", "MC-13-2", and "MC 13-3", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakery;
- ii. business office;
- iii. club;
- iv. commercial club;
- v. commercial school;
- vi. commercial-recreational establishment;
- vii. convenience store;
- viii. dry cleaning depot;
- ix. dry cleaning establishment;
- x. financial institution;
- xi. food preparation plant;
- xii. light machinery and equipment supplier;
- xiii. light manufacturing plant;
- xiv. merchandise service shop;
- xv. office-associated commercial establishment;
- xvi. personal service shop;
- xvii. place of assembly;
- xviii. place of amusement or entertainment;
- xix. place of worship;
- xx. printing establishment;
- xxi. professional office;
- xxii. restaurant – Type A;
- xxiii. rental establishment;
- xxiv. sales outlet;
- xxv. scientific, medical or research laboratory;
- xxvi. vehicle repair shop;
- xxvii. vehicle sales or rental establishment;
- xxviii. warehouse;

b) Zone Requirements ("MC-13-1", "MC-13-2", and "MC-13-3" Zone)

No person shall within the lands designated "MC-13-1", "MC-13-2", and "MC 13-3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

Open storage shall not be permitted;

ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS

(minimum): 4.5 metres

iv. FLANKAGE SIDE YARD WIDTH REQUIREMENTS

(minimum): 12.0 metres

v. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

vi. PARKING REQUIREMENTS (minimum):

A. On lands designated "MC-13-1": 136 spaces

B. On lands designated "MC-13-2": 182 spaces

C. On lands designated "MC 13-3": 68 spaces

D. Notwithstanding section 5.21.2(g) of By-law 2511 as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

E. Sections 5.21.2(a) and (b) of By-law 2511 as amended shall not apply;

vii. BUILDING SIZE (maximum aggregate, all buildings on the lands):

A. On lands designated "MC-13-1": 5,230 square metres of gross leasable floor area

B. On lands designated "MC-13-2": 7,350 square metres of gross leasable floor area

C. On lands designated "MC-13-3": 2,335 square metres of gross leasable floor area

viii. BUILDING HEIGHT (maximum): 12 metres

ix. SPECIAL REGULATIONS:

A. A sales outlet, accessory to a permitted industrial operation, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable

floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

- C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial-recreational establishments, convenience stores, dry cleaning depots, financial institutions, office-associated commercial establishments, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – Type A on the lots shall not exceed 75% of the gross leasable floor area of all buildings on the lot;
- D. The maximum gross leasable floor area for any convenience store, office-associated commercial establishment, financial institution, personal service shop, and restaurant – Type A shall be 325 square metres;
- E. The maximum aggregate gross leasable floor area shall be:
  - 1) for all convenience stores on the lot: 325 square metres
  - 2) for all office-associated commercial establishments on the lot: 325 square metres
  - 3) for all financial institutions on the lot: 325 square metres
  - 4) for all personal service shops on the lot: 325 square metres
  - 5) for all restaurants – Type A on the lot: 325 square metres
- F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "MC-13-1", "MC-13-2", and "MC-13-3";

c) Uses Permitted ("M1-12-1" Zone)

No person shall within the lands designated "M1-12-1", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakery;
- ii. business office;
- iii. club;
- iv. commercial club;
- v. commercial-recreational establishment;
- vi. commercial school;
- vii. dry cleaning depot;
- viii. dry cleaning establishment;
- ix. food preparation plant;
- x. light manufacturing plant;
- xi. manufacturing plant;



- xii. merchandise service shop;
- xiii. personal service shop;
- xiv. place of assembly;
- xv. place of amusement or entertainment;
- xvi. place of worship;
- xvii. printing establishment;
- xviii. professional office;
- xix. rental establishment – Type A;
- xx. restaurant – Type A;
- xxi. sales outlet;
- xxii. scientific, medical or research laboratory;
- xxiii. vehicle repair shop;
- xxiv. vehicle sales or rental establishment;
- xxv. warehouse;

d) Zone Requirements ("M1-12-1" Zone)

No person shall within the lands designated "M1-12-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. OUTDOOR STORAGE:
  - Open storage shall not be permitted.
- ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 14.9 metres
- iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 7.5 metres
- iv. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres
- v. PARKING REQUIREMENTS (minimum):
  - A. 130 spaces;
  - B. Notwithstanding section 5.21.2(g) of By-law 2511 as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;
  - C. Sections 5.21.2 (a) and (b) of By-law 2511 as amended shall not apply;
- vi. BUILDING SIZE (maximum aggregate, all building on the lands): 7,270 square metres gross leasable floor area
- vii. BUILDING HEIGHT (maximum): 12 metres

viii. SPECIAL REGULATIONS:

- A. A sales outlet shall be permitted only if accessory to a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a manufacturing plant, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse;
- B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, manufacturing plant, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area that buildings;
- C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial-recreational establishments, dry cleaning depots, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – Type A on the lots shall not exceed 35% of the gross leasable floor area of all buildings on the lot;
- D. The maximum gross leasable floor area for any personal service shop, or restaurant – Type A shall be 325 square metres;
- E. The maximum aggregate gross leasable floor area shall be:
  - 1) for all personal service shops on the lands: 325 square metres;
  - 2) for all restaurants – Type A on the lands: 325 square metres;
- F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "M1-12-1";

## 15.43 Exception Zone 43 (By-law 5688-00)

### 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) "Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- d) "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;
- 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) "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) "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;
- 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) "Interior Side Yard" shall mean a side yard other than a flankage side yard;
- 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; and
- 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.

## 2. Provisions

### a) Uses Permitted ("R4-13" Zone)

No person shall within the lands designated "R4-13", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling unit

### b) Zone Requirements ("R4-13" Zone)

No person shall within the lands designated "R4-13", 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. 4.5 metres, or
  - B. 7.5 metres for the area diagonally hatched on Figure 1 attached to this By-law.
- iv. INTERIOR SIDE YARD WIDTH (minimum):
- A. 1.2 metres each side, or
  - B. minimum 1.5 metres for the area diagonally hatched on Figure 1 attached to this By-law.
- v. FLANKAGE SIDE YARD WIDTH (minimum):
- A. 2.7 metres, or
  - B. 4.5 metres for lots abutting Toynevale Road, or a reserve, the other side of which is Toynevale Road
- vi. REAR YARD DEPTH (minimum):
- A. 7.5 metres, or
  - B. 13.7 metres for lots with rear yards that abut the Highway 401
- vii. BUILDING HEIGHT (maximum):
- A. 9.0 metres, or
  - B. 6.0 metres for the area cross-hatched on Figure 1 attached to this By-law
- viii. LOT COVERAGE (maximum): 35 percent
- ix. DWELLING UNIT REQUIREMENTS:
- A maximum of one detached dwelling unit per lot shall be permitted with a minimum gross floor area-residential of 95 square metres.
- x. SPECIAL REGULATIONS:
- A. Despite subsection (vii), only one-storey structures (bungalows) are permitted within the area cross-hatched on Figure 1 attached to this By-law; and,
  - B. Despite subsection (viii), a maximum lot coverage of 40% is permitted for dwellings on lots with one storey structures (bungalows) which do not front or flank onto Toynevale Road.
- xi. PARKING REQUIREMENTS:
- A. minimum one private garage per lot attached to the main building; and,
  - B. 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 or abutting a reserve on the opposite side of which is a street.

c) Uses Permitted ("OS-HL" Zone)

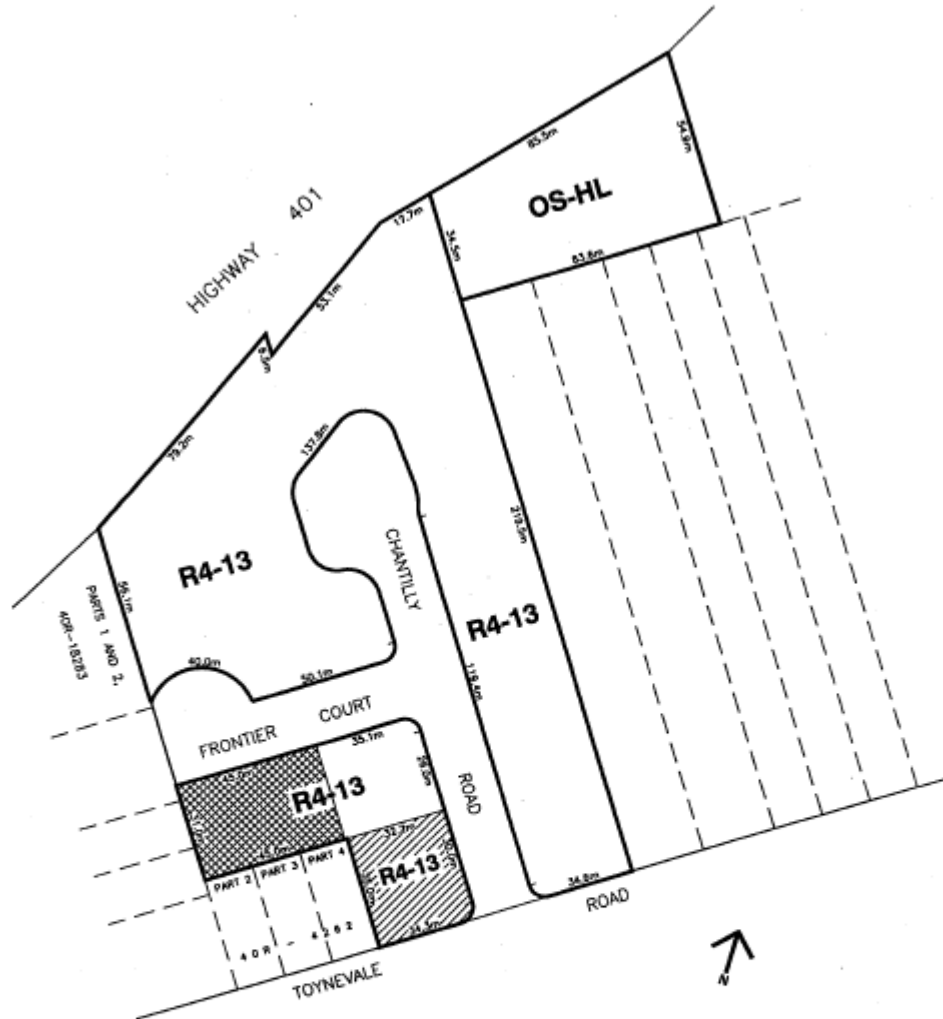
No person shall within the lands designated "OS-HL", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. preservation and conservation of the natural environment, soil and wildlife;
- ii. resource management;
- iii. pedestrian trails and walkways.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall 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, resource management, or pedestrian trail and walkway purposes.

3. Figure 1



SCHEDULE I TO BY-LAW 5688/00  
PASSED THIS 5th  
DAY OF June 2000

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

## 15.44 Exception Zone 44 (By-law 5755-00)

### 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 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, but shall not include a retail store;
- 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) "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) "Light Manufacturing Plant" shall mean a manufacturing plant used for the dry cleaning, pressing or laundering of garments, the production of apparel and finished textile products other than the production of synthetic fibers, printing or duplicating, the manufacture of finished paper and allied products other than the processing of wood pulp, the production of cosmetics, drugs and other pharmaceutical supplies, or the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;
- h) "Manufacturing Plant" shall mean a building or structure or part thereof in which is carried on an activity or operation pertaining to the making of any article or part of an article, which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up, or demolishing the said article;
- i) "Scientific, Research or Medical Laboratory" shall mean a building or part of 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;

- j) "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, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

## 2. Provisions

### a) Uses Permitted ("M1-1(S)" Zone)

No person shall within the lands designated "M1-1(S)", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Residential Uses
  - A. Accessory dwelling unit
- ii. Non-Residential Uses
  - A. Business Office
  - B. Light Manufacturing Uses
  - C. Scientific, Research or Medical Laboratory
  - D. Warehouse

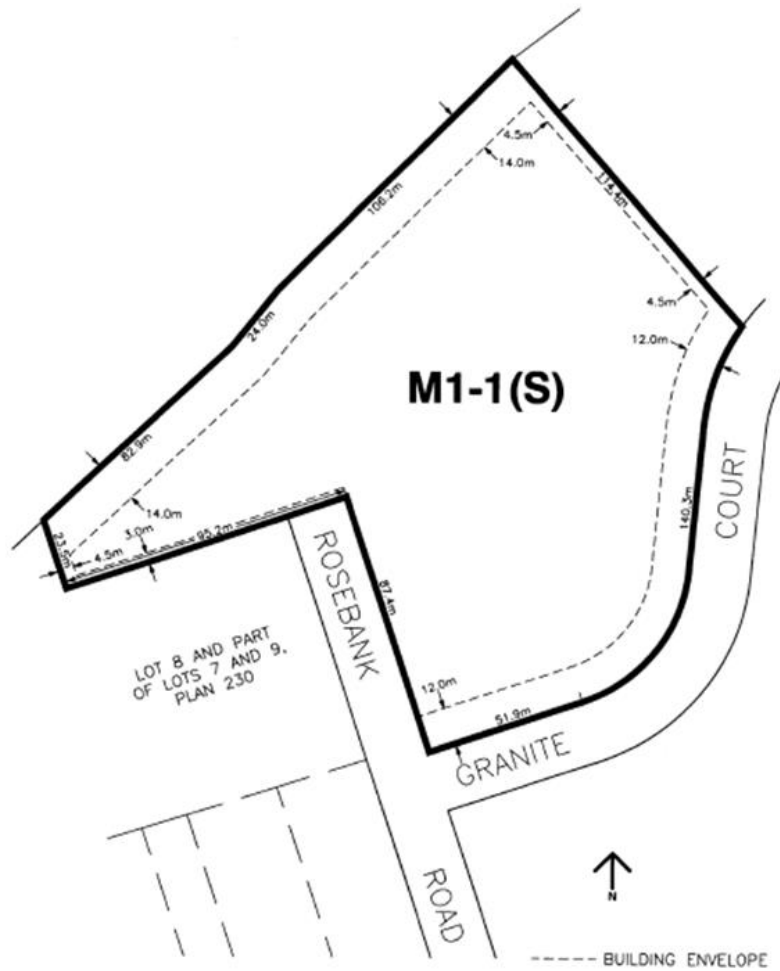
### b) Zone Requirements ("M1-1(S)" Zone)

No person shall within the lands designated "M1-1(S)", 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: no minimum
- iii. BUILDING RESTRICTIONS
  - A. Building Location and Setbacks:
    - 1) Buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By law;
    - 2) Despite clause A above, uncovered steps or platforms may project a maximum 1.5 metres beyond the building envelope;
  - B. Building Height: maximum 20 metres except that where lot coverage exceeds 33 percent the maximum building height shall be 12 metres;
- iv. Lot Coverage: 50 percent, except that where building heights exceeds 12 metres the maximum lot coverage shall be 33 percent;

- v. Open Storage: no open storage shall be permitted in any yard;
- vi. ACCESSORY DWELLING UNIT REQUIREMENTS:
  - A. maximum one dwelling unit;
  - B. minimum unit area of 55.5 square metres plus an additional 1.5 square metres for each bedroom;
- vii. LANDSCAPED OPEN AREA:
  - A. Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces or driveways shall be maintained as landscaped open area;
- viii. SPECIAL REGULATIONS:
  - A. No loading spaces or electric transformers shall be located adjacent to Granite Court;
  - B. Clauses 5.21.2a) to 5.21.2b), inclusive, of By-law 2511, as amended shall not apply to the lands designated “M1-1(S)” on Figure 1 attached hereto.

3. Figure 1



**SCHEDULE I TO BY-LAW** 5755/00  
**PASSED THIS** 16th  
**DAY OF** October **2000**

**MAYOR** 

**CLERK** 

## 15.45 Exception Zone 45 (By-law 5829-01)

### 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, the premises of a real estate or insurance agent, or a radio broadcasting station, but shall not include a retail store;
- b) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of children;
- c) "Gross Leasable 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 rooms or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors;
- d) "Light Manufacturing Plant" shall mean a manufacturing plant used for the dry cleaning, pressing or laundering of garments, the production of apparel and finished textile products other than the production of synthetic fibers, printing or duplicating, the manufacture of finished paper and allied products other than the processing of wood pulp, the production of cosmetics, drugs and other pharmaceutical supplies, or the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;
- 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 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) "Manufacturing Plant" shall mean a building or structure or part thereof in which is carried on an activity or operation pertaining to the making of any article or part of an article, which shall include altering, assembling,

repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up, or demolishing the said article;

- i) "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;
- j) "Printing Establishment" shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- 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 by the Municipal Act, R.S.O. 1990, c.m. 45, 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 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 ("M-IC(DN)" Zone)

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

- i. business office;
- ii. day nursery;
- iii. light manufacturing plant;
- iv. place of religious assembly;
- v. printing establishment;
- vi. professional office;

### b) Zone Requirements ("M-IC(DN)" Zone)

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

- i. FRONT YARD DEPTH (minimum): 9.0 metres;
- ii. SIDE YARD WIDTH (minimum): 4.5 metres;
- iii. FLANKAGE SIDE YARD WIDTH (minimum): 4.5 metres;
- iv. REARYARD DEPTH (minimum): 7.5 metres;
- v. PARKING REQUIREMENTS:
  - A. There shall provided and maintained a minimum of 225 parking spaces on the lands zoned "M-IC(DN)";
  - B. Sections 5.21.2 (b) of By-law 2511 as amended shall not apply to the lands designated "M-IC(DN)"; and
  - C. Despite 5.21.2 (g) and (k) of By-law 2511, as amended, all entrances and exists to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

vi. OPEN STORAGE:

- A. All uses, other than parking and outdoor play areas, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

vii. SPECIAL REGULATIONS:

- A. The gross leasable floor area of all buildings shall not exceed 4200m<sup>2</sup>; and
- B. The maximum aggregate gross leasable floor area for all places of religious assembly shall not exceed 3000 m<sup>2</sup>

## 15.46 Exception Zone 46 (By-law 5836-01)

### 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 or designed to appeal to erotic or sexual appetites or inclinations.
- b) “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 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.
- c) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- d) “Commercial Vehicle” shall mean a vehicle for commercial purposes, and shall include ambulances, hearses, motor buses, and fire apparatus.
- e) “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.
- f) “Dwelling Unit Area” shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.
- g) “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 shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act or premises in which the only amusement facilities offered are pool tables, billiard tables or bowling alleys.



- h) “General Truck Stop” shall mean land or premises upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products and may include, as ancillary uses, a business office, one (1) accessory dwelling unit, the retail sale of accessories or equipment for trucks and similar commercial vehicles, the retail sale of convenience items, shower and laundry facilities, a personal service shop, and a games arcade but shall not include an Adult Entertainment Parlour as defined herein.
- i) “Gross Floor Area” shall mean the aggregate of the floor area 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) “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) “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) “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 a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224 (9)(b) or the Municipal Act, R.S.O. 1990, Chapter M. 45 as amended from time to time, or any successor thereto, or an Adult Entertainment Parlour as defined herein.
- 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 the premises or off the premises, or both on and off the premises but shall not include an Adult Entertainment parlour as defined herein.

- p) "Waste Transfer and Management Facility" shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;
- q) "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;
- r) "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;
- s) "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;
- t) "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;
- u) "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;
- w) "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;
- x) "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;
- y) "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
- z) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

- a) Uses Permitted ("M2S-1" Zone)

No person shall within the lands zoned “M2S-1” use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. General Truck Stop
  - ii. Restaurant - Type A
  - iii. Games Arcade
  - iv. Uses permitted under Section 16.1.1 of By-law 2511, as amended
  - v. Uses permitted under Section 16.1.3 of By-law 2511, as amended
  - vi. Uses permitted under Section 17.1.3 of By-law 2511, as amended
- b) Zone Requirements (“M2S-1” Zone)

No person shall within the lands zoned “M2S-1” use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. BUILDING RESTRICTIONS:
  - A. Building Location and Setbacks:
    - 1) LOT FRONTAGE: Minimum 140 metres
    - 2) FRONT YARD DEPTH: Minimum 15 metres
    - 3) REAR YARD DEPTH: Minimum 7.5 metres
    - 4) SIDE YARD WIDTH: Minimum 7.5 metres
    - 5) BUILDING HEIGHT: Maximum 13.0 metres
- ii. PARKING REQUIREMENTS:
  - A. Parking shall be provided on the subject lands at a ratio of a minimum of 30 spaces for the first 1000 square metres of gross floor area plus 1 space per 250 square metres or part thereof of gross floor area beyond 1000 square metres;
  - B. Clauses 5.21.2.a) to 5.21.2.c), inclusive, Clause 5.21.2.j) and 5.21.2.k) of By-law 2511, as amended shall not apply to the lands designated “M2S-1”; and
  - C. Despite Clause 5.21.2.g) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;
- iii. SPECIAL REGULATIONS:
  - A. The Gross Leasable Floor Area of accessory retail sales shall not exceed 270 square meters;
  - B. The Gross Leasable Floor Area of a Restaurant - Type A shall not exceed 120 square meters and such Restaurant - Type A shall only be permitted in conjunction with a General Truck Stop;
  - C. The Dwelling Unit Area shall not exceed 120 square meters;

- D. For the purpose of this By-law, the term “drive-through facility” shall mean a facility at which goods, products, or services are provided directly to customers in vehicles;
- E. No drive-through facility shall be permitted in association with any of the uses permitted on the lands designated “M2S-1”;
- F. The Gross Leasable Floor Area of a Games Arcade shall not exceed 50 square metres and such Games Arcade shall only be permitted in conjunction with a General Truck Stop and shall be patronized only by the drivers and occupants of commercial vehicles;
- G. No video lottery terminals shall be permitted;
- H. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "M2S-1";

## **15.47 Exception Zone 47 (By-law 1091-80, as amended by By-law 1697-83)**

1. Notwithstanding the provisions of Section 16.1 or Section 16.2 of By-law 2511, the land designated MC will be used only in accordance with the provisions of this section.
2. 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 may include a banquet hall or private club, but shall not include a place of entertainment or an adult entertainment parlour.
  - b) "Bakery" shall mean a building or part of a building where 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 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) "Coverage" or "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.
  - e) "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.
  - f) "Dry Cleaning establishment" shall mean a building or part of building used for dry cleaning and related processes but does not include a laundromat.
  - 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 portion thereof, as the case may be, other than a private garage, an attic or a cellar.
  - i) "Food Preparation Plant" shall mean a building or part of building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

- j) "Frontage" or "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) "Laundromat" shall mean a self-service clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.
- 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, repairing, ornamenting, finishing, cleaning, 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 and allied products 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) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, any establishment used for the service or repair of motorized vehicles, or a retail store other than a sales outlet.
- o) "Place of Entertainment" shall mean a building or part of a building in which facilities are provided for entertainment purposes and may include a theatre, music hall, dance hall, billiard or pool room, bowling alley or ice or roller skating rink, but does not include an adult entertainment parlour.
- p) "Private Club" shall mean an athletic, recreational or social club, and Includes the premises of a fraternal organization.
- 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 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.

- r) "Restaurant - Type B" shall mean a building or part of a building where food is prepared and offered or kept of a for retail sale to the public for immediate consumption in the building or buildings on the premises only.
- s) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products, but shall not include an eating establishment.
- t) "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.
- u) "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, 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.
- 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) "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) "Side Yard" shall mean a yard extending from the front yard to the rear yard and from the side lot line of a lot to the nearest wall of the nearest main building or structure on the lot.

- z) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.
- aa) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

3. Use Permitted

- a) assembly halls
- b) bakeries
- c) business offices
- d) dry cleaning depots, subject to the provisions of paragraph (iii) of subclause (i) of clause 4 of this subsection
- e) dry cleaning establishments
- f) food preparation plants
- g) light manufacturing plants
- h) merchandise service shops
- i) professional offices
- j) restaurant - Type B, subject to the provisions of paragraph (i) of subclause (i) of clause 4 of this subsection
- k) sales outlet, subject to the provisions of paragraph (ii) of subclause (i) of clause 4 of this subsection
- l) scientific, research or medical laboratory
- m) warehouse

4. Zone Requirements

- a) LOT AREA (minimum) - 0.4 hectares
- b) LOT FRONTAGE (minimum) - 30 metres
- c) FRONT YARD (minimum) - 12 metres
- d) SIDE YARD (minimum)
  - i. interior side yard - 4.5 metres
  - ii. flankage side yard - 12 metres
- e) REAR YARD (minimum) - 7.5 metres
- f) LOT COVERAGE (maximum) - 40 percent
- g) BUILDING HEIGHT (maximum) - 12 metres



h) OPEN STORAGE

No open storage shall be permitted in any yard.

i) Special Restrictions

- i. The gross floor area of all Type B restaurants on a lot shall not exceed 10 percent of the gross floor area of all buildings on the lot.
- ii. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area of the sales outlet does not exceed 20% of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.
- iii. Dry Cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross floor area of the dry cleaning depot does not exceed 20% of the gross floor area of the dry cleaning establishment.

## **15.48 Exception Zone 48 (By-law 1508-82)**

### 1. Definitions

- a) For the purpose of this subsection "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold or both.

### 2. Provisions

- a) In addition to the provisions of Section 17.1 of By-law 2511, the lands designated M2-2 may be used for the purpose of a vehicle sales shop in accordance with Section 17.2 provided that the following requirements are met:
  - i. A vehicle sales shop may be permitted only in combination with a motor vehicle repair shop on the site;
  - ii. Not more than 20 percent of the aggregate of the gross floor areas of the motor vehicle repair shop and vehicle sales shop establishments shall be used for the display or sale of vehicles;
  - iii. All vehicles for sale or being displayed shall be kept totally within an enclosed structure or structures on the lot.

## 15.49 Exception Zone 49 (By-law 849-78)

1. Notwithstanding the provisions of Sections 13.1, 13.2 and 13.3 of By-law 2511, the lands designated C1-1, as amended, shall not be used except in accordance with the provisions of this subsection.
  - a) Definitions
    - i. "Bake Shop" shall mean a building or part of a building where baked food products are prepared and offered for retail sale;
    - ii. "Bank" shall mean an institution where money is deposited, kept, lent and exchanged;
    - iii. "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 public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use:
    - iv. "Dry-Cleaning Depot" shall mean a building or part thereof used for the purpose of receiving articles or goods or fabrics to be subjected to the process of dry-cleaning or laundering elsewhere and distribution of articles or goods which have been subjected to any such process;
    - v. "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.
    - vi. "Neighbourhood Store" shall mean a retail store having a net floor area of not more than 400 square metres wherein 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.
    - vii. "Personal Service Shop" means an establishment where a personal service is performed, and includes a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in Section 368b of The Municipal Act R.S.O 1970, Chapter 284, as amended.
    - viii. "Professional Office" shall mean a building or part of a building in which a legal, medical or other personal professional services is performed or consultation given, but does not include a body-rub parlour or any adult entertainment parlour as defined in Section 368b of the Municipal Act R.S.O. 1970, Chapter 284, as amended.
    - ix. "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, and includes a neighbourhood store, a bake shop, and a farm produce outlet, but shall

not include a building or part of a building containing any other use defined herein or specifically named elsewhere in this bylaw.

- x. "Restaurant" 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 either in or off the premises.
- xi. "Tailor or Dressmaking Shop" shall mean a building or part of a building which is used primarily for the custom manufacture, alteration or repair of articles of clothing or individual clients, but shall not include any establishment primarily engaged in the retail sale of clothing manufactured elsewhere or the manufacture of clothing for distribution to other retail outlets.

b) Uses Permitted

No person shall within any C1-1 Zone use any lot or erect, alter, or use any building or structure for any purpose except one or more of the following C1-1 uses, namely:

- i. bank;
- ii. business office;
- iii. dry cleaning depot;
- iv. laundromat;
- v. neighbourhood store;
- vi. personal service shop;
- vii. professional office;
- viii. restaurant.

c) ZONE REQUIREMENTS

No person shall within any C1-1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. LOT AREA (minimum): 700 square metres
- ii. LOT FRONTAGE (minimum): no minimum
- iii. FRONT YARD DEPTH (Minimum): 12 metres
- iv. SIDE YARD WIDTH (minimum):- no minimum, except that where a side lot line abuts a street or a Residential Zone the minimum side yard width shall be 4.5 metres
- v. REAR YARD DEPTH (minimum): 7.5 metres
- vi. LOT COVERAGE (maximum): 33 per cent
- vii. BUILDING HEIGHT (maximum): 12 metres
- viii. LANDSCAPED OPEN SPACE (minimum): 20 percent

## **15.50 Exception Zone 50 (By-law 4603-95)**

1. Despite any other provisions of By-law 2511, one residential detached dwelling is permitted on lands known as Lot 18, Plan M-89, in the Town of Pickering, subject to the following provisions:
  - a) Lot Area (minimum): 460 square metres
  - b) Lot Frontage (minimum): 15 metres
  - c) Front Yard Depth (minimum): 6 metres
  - d) Side Yard Width (minimum):
    - i. west side yard 7.5 metres
    - ii. east side yard 1.5 metres
  - e) Rear Yard Depth (minimum): 4.5 metres
  - f) Lot Coverage (maximum): 38 percent
  - g) Building Height (maximum): 9 metres
  - h) Parking Requirements: minimum one private garage attached to the main building

## 15.51 Exception Zone 51 (By-law 4622-95)

### 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) "Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- d) "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;
- 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) "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) "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;
- 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) "Interior Side Yard" shall mean a side yard other than a flankage side yard;
- 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; and
- 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.

2. Provisions ("R4-6" Zone)

a) Uses Permitted ("R4-6" Zone)

No person shall within the lands designated "R4-6", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling

b) Zone Requirements ("R4-6" Zone)

No person shall within the lands designated "R4-6", 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): 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. BUILDING HEIGHT (maximum): 12.0 metres

viii. LOT COVERAGE (maximum): 33 percent

ix. DWELLING UNIT REQUIREMENTS:

no more than one detached dwelling having a minimum gross floor area-residential of 95 square metres shall be permitted on a lot

x. SPECIAL REGULATION:

the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 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.

3. Provisions ("R4" zone)

a) Uses Permitted ("R4" Zone)

No person shall within the lands designated "R4", 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" Zone)

No person shall within the lands designated "R4", use any lot or erect, alter or use any building or structure for detached dwelling uses except in accordance with the provisions of Section 10 of By-law 2511 respecting "R4" Zones.



## **15.52 Exception Zone 52 (By-law 4824-96)**

1. Despite the provisions of Section 18.1 of By-law 2511, on that part of Lot 32 and Part of Block C, Plan M-1040, identified as Parts 5 and 6, Plan 40R-0559, Town of Pickering, being lands designated "M2S", a retail sales use accessory to a light track equipment and accessories manufacturing and warehouse industrial use is permitted to a maximum of ten percent of the total gross leasable floor area of all buildings on the lands, or to a maximum of 93 square metres, whichever is the least.

## 15.53 Exception Zone 53 (By-law 5034-97)

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

## 2. Provisions

### a) Uses Permitted ("S4-7" Zone)

No person shall within the lands designated "S4-7" 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 ("S4-7" Zone)

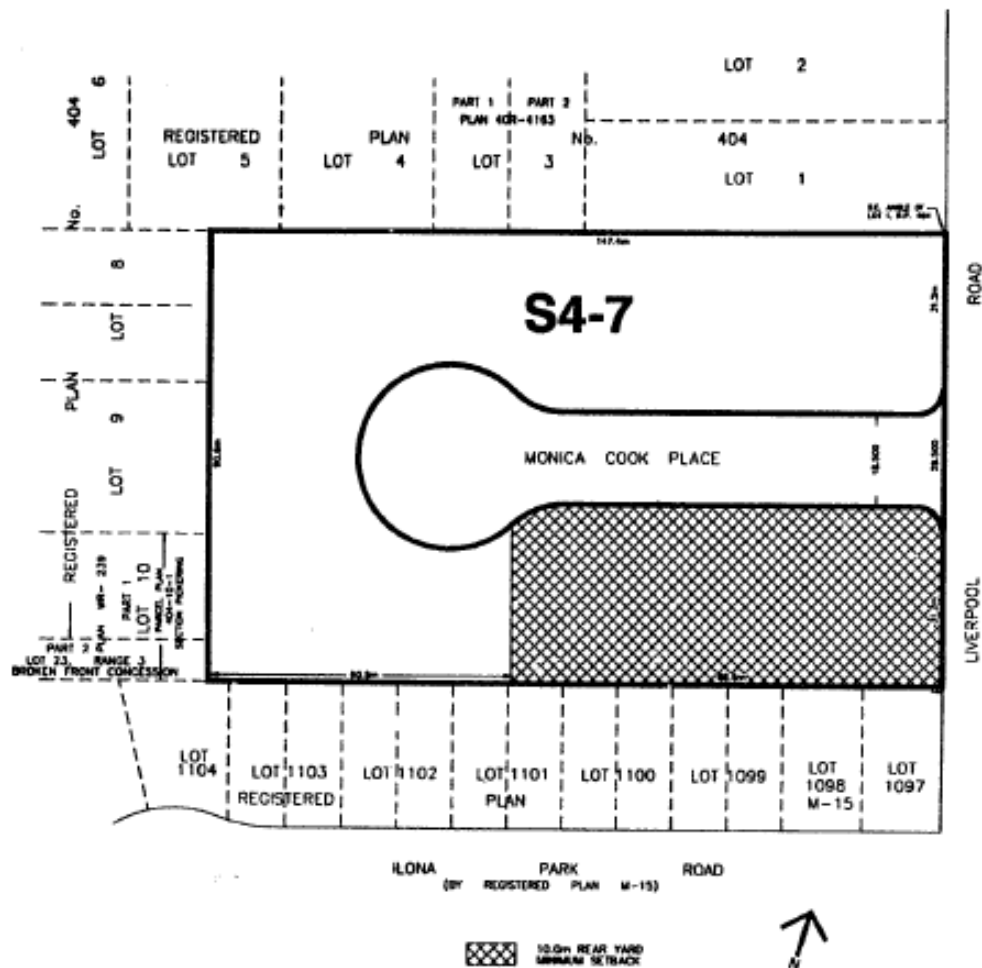
No person shall within the lands designated "S4-7" use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. LOT AREA (minimum): 250 square
- ii. LOT FRONTAGE (minimum): 9.0 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):
  - B. for the lands cross-hatched on Figure 1 attached hereto: 10.0 metres
  - A. for all other lands: 7.5 metres
- vii. LOT COVERAGE (maximum):
  - A. for all buildings and structures on a lot: 40%
  - B. despite clause A above, where a single storey covered and unenclosed verandah or porch having no habitable space above it is attached to the wall containing the main front entrance to the dwelling unit, such porch 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 lot coverage of all accessory buildings shall not exceed five percent.
- viii. BUILDING HEIGHT (maximum): 9.0 metres
- ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.
- x. PARKING REQUIREMENTS:
  - A. 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.
  - B. no part of any attached private garage shall extend more than 2.2 metres beyond the wall containing the main front entrance to the dwelling.
- xi. SPECIAL REGULATIONS:
  - A. the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

- B. uncovered platforms, and decks not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required rear yard.
- C. no uncovered or covered deck, platform or balcony exceeding 1.0 metre in height above grade may be permitted in any yard.
- D. despite clause 2(b)(iii) above, 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.

3. Figure 1



**SCHEDULE I TO BY-LAW** 5034/97  
**PASSED THIS** 16th  
**DAY OF** June **1997**

  
\_\_\_\_\_  
**MAYOR**

  
\_\_\_\_\_  
**CLERK**

## 15.54 Exception Zone 54 (By-law 5065-97)

### 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) "Commercial-Recreational Establishment" shall mean a commercial establishment in which recreational facilities such as bowling alleys, miniature golf courses, bingo facilities, gymnastics facilities, roller skating rinks, squash courts, swimming pools, batting cages, and other similar recreational facilities are provided, and which may include an athletic or recreational club, but shall not include a place of amusement or entertainment as defined herein, a room or an area used for any video lottery terminal use WI governed by the Gaming Services Act, an adult entertainment parlour as defined herein or 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;
- c) "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 shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act or premises in which the only amusement facilities offered arc pool tables, billiard tables or b0wling alleys;
- d) "Golf Practice Facility" shall mean the use of land for a driving range with target greens, which may include practice greens and/or bunkers, operated for the purpose of developing golf techniques;\_
- e) "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 occupa,1cy or exclusive use only, but excluding storage areas below established grade;
- 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 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) "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 room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein or 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;
  - i) "Restaurant - Type E" 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 in the building or elsewhere on the premises;
  - 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 of the lot, or where there is no rear lot line, the junction point of the side lot lines;
  - 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) "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
- s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("M1(CR1)" Zone)

a) Uses Permitted ("M1(CR1)" Zone)

No person shall within the lands designated "M1(CR1)" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. all uses permitted under Section 16.1 of By-law 2511, as amended
- ii. commercial-recreational establishment
- iii. games arcade
- iv. golf practice facility
- v. place of amusement or entertainment
- vi. restaurant - type E

b) Zone Requirements ("M1(CR1)" Zone)

No person shall within the lands designated "M1(CR1)", use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. any use permitted under Section 16.1 of By-law 2511, as amended, shall be governed by the relevant provisions outlined in Section 16.2 of By-law 2511, as amended
- ii. all other uses permitted under section 2(a) of this by-law shall be governed by the following provisions:
  - A. LOT AREA (minimum): 6.0 hectares
  - B. LOT FRONTAGE (minimum): 150 metres
  - C. FRONT YARD DEPTH (minimum): 12 metres
  - D. SIDE YARD WIDTH (minimum): 3.0 metres
  - E. REAR YARD DEPTH (minimum): 7.5 metres
  - F. BUILDING HEIGHT (maximum): 9.0 metres
  - G. PARKING REQUIREMENTS:
    - 1) There shall be provided and maintained on the lot a minimum of 70 parking spaces, or, a minimum of 8.0 parking spaces per 93 square metres of gross leasable floor area for all uses

which are undertaken within buildings, whichever is the greater;

- 2) Sections 5.21.2a) and 5.21.2b) of By-law 251 I, as amended, shall not apply to the lands designated "M1(CR1)";
- 3) All parking areas shall be set back a minimum of 3.0 metres from all road allowances.

H. SPECIAL PROVISIONS:

- I. The aggregate of the gross leasable floor area of all restaurants - type E on the lot shall not exceed 175 square metres.

3. Provisions ("M2(CR1)" Zone)

a) Uses Permitted ("M2(CR1)" Zone)

No person shall within the lands designated "M2(CR1)" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. all uses permitted under Section 17.1 of By-law 2511, as amended
- ii. those uses permitted under sections 2(a)(ii) through 2(a)(vi) of this by-law

b) Zone Requirements ("M2(CR1)" Zone)

No person shall within the lands designated "M2(CR1)", use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. any use permitted under Section 17.1 of By-law 2511, as amended, shall be governed by the relevant provisions outlined in Sections 17.2 and 17.3 of By-law 2511, as amended;
- ii. any use permitted under section 3(a)(ii) of this by-law shall be governed by the relevant provisions outlined in Section 2(b)(ii) of this by-law.

## 15.55 Exception Zone 55 (By-law 5092-97)

### 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) "Retirement Home" shall mean a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms and medical care facilities may also be provided;

- 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 ("R4-10" Zone)

No person shall within the lands designated "R4-10" 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 ("R4-10" Zone)

No person shall within the lands designated "R4-10" 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): 7.5 metres
- iv. INTERIOR SIDE YARD WIDTH (minimum): 1.5 metres
- v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres
- vi. REAR YARD DEPTH (minimum): 7.5 metres
- vii. LOT COVERAGE (maximum): 33 percent
- viii. BUILDING HEIGHT (maximum): 9.0 metres
- ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;
- x. PARKING AND PRIVATE GARAGE REQUIREMENTS:  
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;
- xi. SPECIAL REGULATION:  
notwithstanding section 2(b)(viii) above, within the lands crosshatched on Figure 1 maximum building height shall be 12.0 metres for structures that exist on the date of the passing of this by-law.

c) Uses Permitted ("R(RH)" Zone)

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

- i. retirement home;

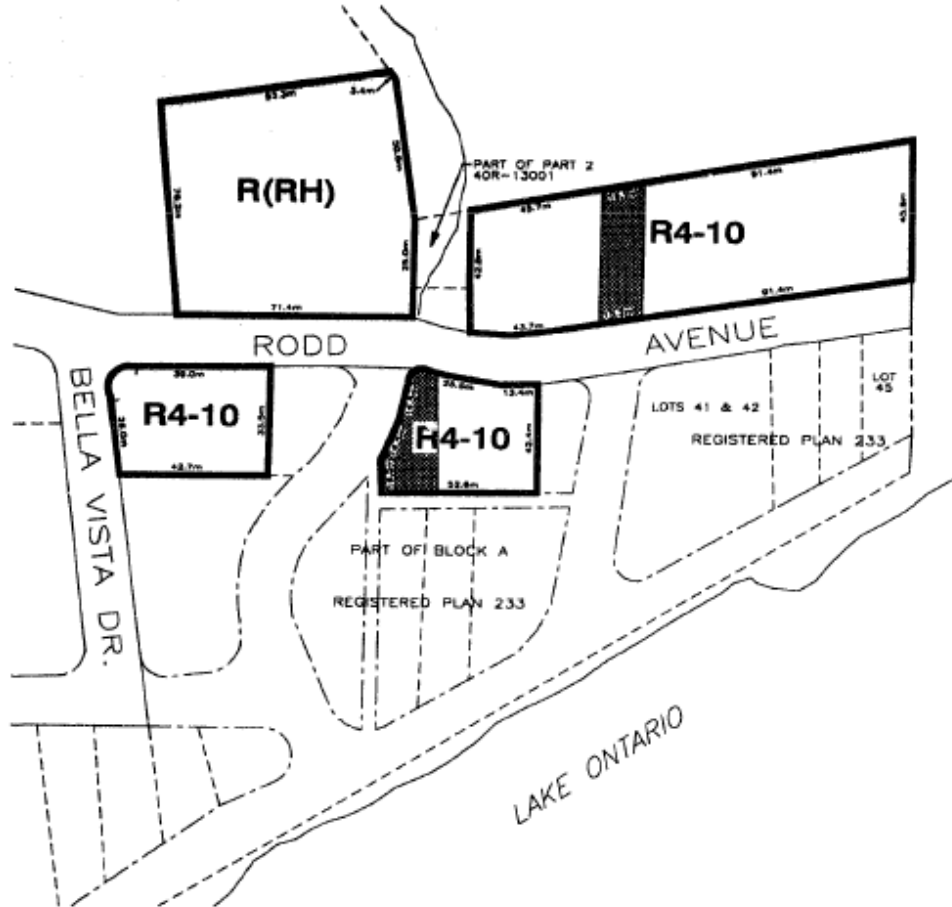
d) Zone Requirements ("R(RH)" Zone)

No person shall within the lands designated "R(RH)" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

- i. FRONT YARD DEPTH (minimum): 9.0 metres
- ii. INTERIOR SIDE YARD WIDTH (minimum): 7.5 metres
- iii. REAR YARD DEPTH (minimum): 7.5 metres
- iv. PARKING
  - A. there shall be provided and maintained at least 1 parking space for each 4 persons that may be legally accommodated at one time;


B. notwithstanding section 5.21.2 a), of By-law 2511, as amended, up to 80 percent of required parking spaces may be located within the required front yard.

3. Figure 1



SCHEDULE I TO BY-LAW 5092/97  
PASSED THIS 15th  
DAY OF September 1997

  
MAYOR

  
CLERK

## 15.56 Exception Zone 56 (By-law 5151-97)

### 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) "Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- d) "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;
- 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) "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) "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;
- 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) "Interior Side Yard" shall mean a side yard other than a flankage side yard;
- 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; and
- 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.

2. Provisions ("R4-11" Zone)

a) Uses Permitted ("R4-11" Zone)

No person shall within the lands designated "R4-11", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling

b) Zone Requirements ("R4-11" Zone)

No person shall within the lands designated "R4-11", 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): 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. BUILDING HEIGHT (maximum): 12.0 metres
- viii. LOT COVERAGE (maximum): 33 percent
- ix. DWELLING UNIT REQUIREMENTS: no more than one detached dwelling having a minimum gross floor area-residential of 95 square metres shall be permitted on a lot
- x. SPECIAL REGULATIONS:
  - A. the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres; and
  - B. uncovered platforms, and decks not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required rear yard;
  - C. no uncovered or covered deck, platform or balcony exceeding 1.0 metre in height above grade may be permitted in any yard;
- xi. PARKING REQUIREMENTS:
  - A. 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;
  - B. 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.

## **15.57 Exception Zone 57 (By-law 6635-06)**

### 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) “Body Rub” includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;
- c) “Body Rub Parlour” includes any premises or part thereof where a body rub is preformed, 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 preformed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;
- d) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization but shall not include a retail store;
- e) “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;
- f) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacturing of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacturing 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;
- g) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

- h) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;
- i) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- j) “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 by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;
- k) “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;
- l) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- m) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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;
- n) “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, 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;

2. Provisions

a) Uses Permitted ("M1-14" Zone)

No person shall within the lands designated "M1-14", 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. sales outlet;
- v. scientific, medical or research laboratory;
- vi. warehouse;

b) Zone Requirements ("M1-14" Zone)

No person shall within the lands designated "M1-14", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. Building Location and Setbacks:

- 1) All buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By-law;

B. Building Heights:

- 1) Minimum Building Height: 6.5 metres

ii. OUTDOOR STORAGE

A. Outdoor storage is only permitted in the area cross-hatched as illustrated on Figure 1 attached to this by-law;

B. Outdoor Storage Height:

- 1) Maximum Outdoor Storage Height: 5.0 metres

iii. PARKING REQUIREMENTS:

A. No parking is permitted to be located in the front yard;

B. For all uses, there shall be provided and maintained on the lands a minimum of 1.0 parking space for every 56 square metres of gross leasable floor area or part thereof;

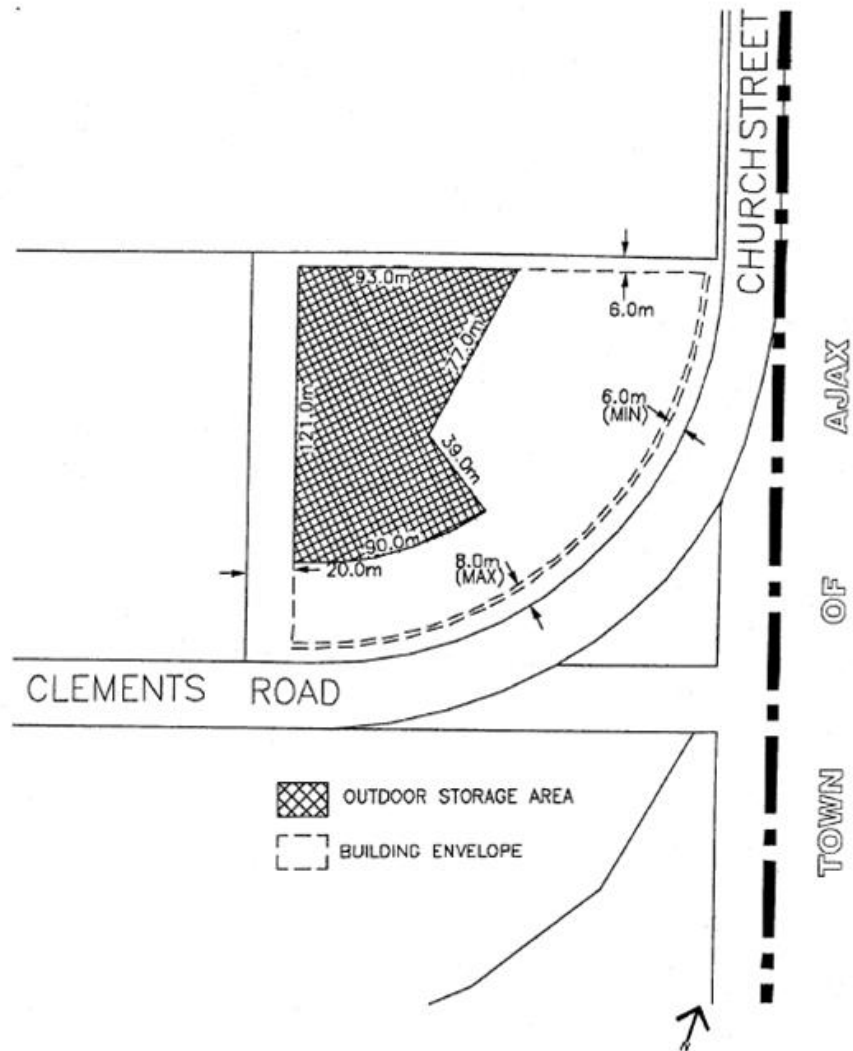
C. Section 5.21.2 (a) and (b) of By-law 2511, shall not apply to the lands zoned "M1-14";

D. Despite Clause 5.21.2 (g) and (k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

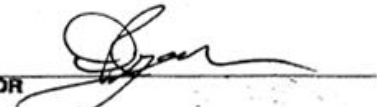
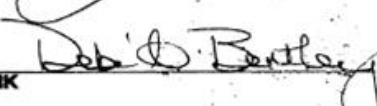
iv. SPECIAL REGULATIONS:

- A. A sales outlet, accessory to a permitted use, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

3. Figure 1



**SCHEDULE II TO BY-LAW 6635/06**  
**PASSED THIS** 6th  
**DAY OF** MARCH 2006

**MAYOR**   
**CLERK** 

## 15.58 Exception Zone 58 (By-law 6685-06)

### 1. Definitions

- a) “Dredging” shall mean the use of vehicles, equipment and / or machinery to remove sediment from the bottom of waterways, wetlands and other bodies of water and / or to deepen or widen a harbour;
- b) “Recreation” shall mean a public or private social occasion, including uses such as an exhibition, barbecues, parties, private or corporate promotional or appreciation gatherings, regattas or weddings and like events;
- c) “Height – Wind Turbine” shall mean the height of a wind turbine, being measured from the established grade to the top of the blades at their full vertical extension;
- d) “Wind Turbine” shall mean a structure or a system of components used to convert the kinetic energy of the wind into electrical or mechanical power that comprises all the necessary devices for energy storage, power conditioning, control systems, transmission systems and structural support systems, to provide electrical or mechanical power;

### 2. Provisions

#### a) Uses Permitted (“(H)OS-R” Zone)

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

- i. dredging;
- ii. recreation;
- iii. wind turbine;

#### b) Zone Requirements (“OS-R” Zone)

No person shall within the lands designated “OS-R”, erect, alter, or use any structure for any purpose except in accordance with the following provisions:

- i. WIND TURBINE:
  - A. maximum one wind turbine;
  - B. maximum height of 65 metres;
- ii. SPECIAL REGULATIONS:
  - A. Despite Section 1(b) and 2(a)(i), freestanding gazebos, shall be permitted having a maximum aggregate total floor area of 100 square metres;

3. Holding Provision – (H) Holding Symbol

a) Holding Provision Requirements

i. Permitted Uses

While the “(H)” Holding Symbol is in place, no person shall, on the lands designated “(H)OS-R”, use the lands for any purpose other than for following:

- A. dredging;
- B. wind turbine;

ii. Removal of the (H) Holding Symbol

Prior to an amendment to remove the (H) Holding Symbol preceding the above zoning category “OS-R”, the following condition shall be met:

- A. an appropriate agreement shall be executed with, and to the satisfaction of, the City of Pickering and the Owner of the lands, and shall be registered on title to the lands to address matters such as pedestrian and vehicular access over Sandbar Road and Liverpool Road; any maintenance of Sandbar Road required as a result of damage caused by the recreation activities; health and safety matters respecting access over Liverpool and Sandbar Roads for recreation activities held on the lands; and scheduling of deliveries for event activities; and provision of parking.

## 15.59 Exception Zone 59 (By-law 6849-08)

### 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) “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 facility;
- c) “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 which may include an assembly hall but shall not include a restaurant;
- d) “Build-to-Zone” shall mean an area of land within which all or part of a building or buildings are to be located;
- e) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above and below grade designated and intended for owner or tenant occupancy or exclusive use inclusive of banquet rooms, offices and meeting rooms, sound rooms or other special purpose rooms, and kitchen areas for the preparation of food but shall not include entrance and foyer areas on the ground floor or mezzanine levels, elevators, stairs, or similar common areas inclusive of service areas, washrooms, storage areas and mechanical and/or equipment rooms whether such facilities are below or above grade;
- 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 Coverage” shall mean the percentage of lot area covered by all buildings on the lot;
- h) “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;

### 2. Provisions

- a) Uses Permitted (‘MC-20’ Zone)



No person shall, within the lands zoned 'MC-20', use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. All uses permitted under 'M2' Zone
  - ii. Banquet Facility
- b) Zone Requirements ('MC-20' Zone)

No person shall within the lands designated 'MC-20' use any lot or erect, alter or use any building except in accordance with the following provisions:

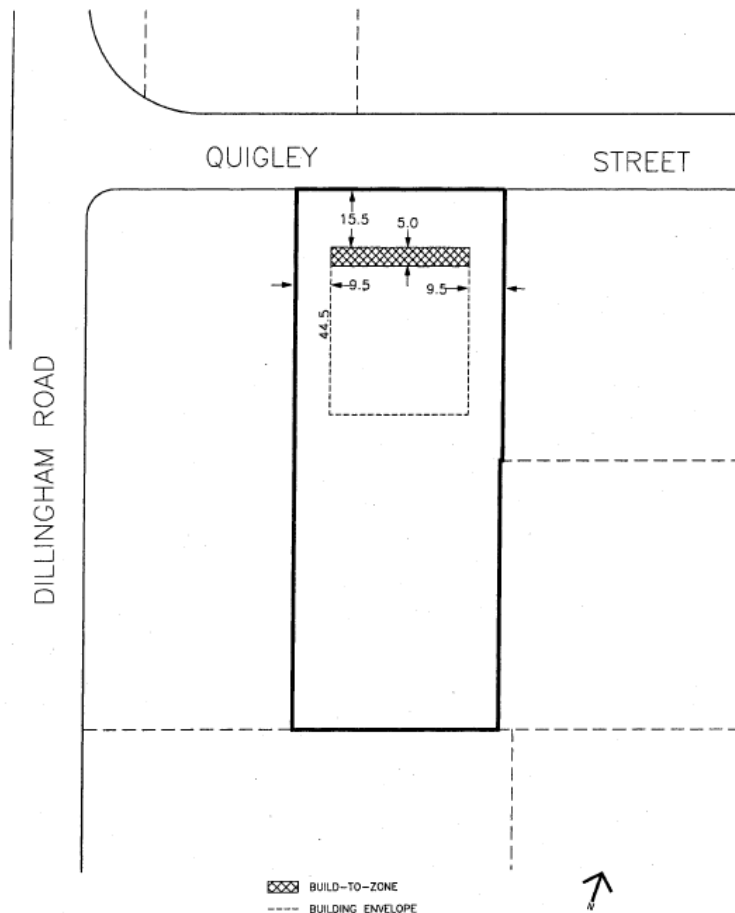
- i. BUILDING RESTRICTIONS
  - A. Building Location and Setbacks:
    - 1) Buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By-law;
    - 2) Buildings shall be located in such a manner that 50% of the length of the build-to-zone, as indicated on Figure 1 attached to this By-law, contains all or part of a building or buildings;
  - B. Building Height: minimum 6 metres, maximum 12 metres;
  - C. Open Storage:
    - 1) All uses other than parking shall take place entirely within enclosed buildings or structures with no outside storage or display permitted;
    - 2) Despite Section 2(b)(i)(C)(1) of this By-law, Section 17.3 of By-law 2511 shall apply to uses permitted under the 'M2' Zone;
- ii. PARKING REQUIREMENTS
  - A. There shall be provided and maintained on the lot a minimum of 10.8 parking spaces for every 100 square metres of gross leasable floor area of the banquet facility;
  - B. All uses under 'M2' are subject to the Minimum Off Street Parking Requirements under Section 5.21.1
  - C. Drive aisle widths shall be setback a minimum of 1.5 metres from the building wall;
  - D. Where a drive aisle abuts a side lot line, there shall be a 1.5 setback therefrom;
  - E. Clauses 5.21.2a) to 5.21.2e) inclusive, of By-law 2511, as amended, shall not apply to the lands designated 'MC-20'
  - F. Despite Clauses 5.21.2b) of By-law 2511, as amended, side yard parking shall be setback 1.5 metres from all side lot lines.
  - G. Parking shall be setback 1.5 metres from all rear lot lines.
  - H. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking

areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

iii. SPECIAL REGULATIONS

- A. The maximum combined gross leasable floor area for all uses on the lands zoned 'MC-20' shall be 1500 square metres;
- B. No portion of the building or structure below finished grade be used for the purposes of public assembly;
- C. One outdoor patio located at the rear of the building with a maximum area of 70 square metres is permitted;
- D. Despite Section 2(b)(i)(A)(1), a front yard canopy in connection with a banquet facility with a maximum height of 6 metres may encroach into the front yard, 12.5 metres beyond the building envelope;

3. Figure 1



SCHEDULE II TO BY-LAW 6849/08  
PASSED THIS 21st  
DAY OF April 2008

## 15.60 Exception Zone 60 (By-law 6919-08)

### 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) "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 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) "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 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 "R4-21" Zone

a) Uses Permitted ("R4-21" Zone)

No person shall, within the lands zoned "R4-21" , 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 ("R4-21" Zone)

No person shall within the lands designated "R4-21" use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. Lot Area (minimum): 320 square metres;
- ii. Lot Frontage (minimum): 13.5 metres;
- iii. Front Yard Depth (minimum): 4.5 metres;
- iv. Rear Yard Depth (minimum): 6.0 metres;
- v. Side Yard Width (minimum): 1.5 metres;
- vi. Flankage Side Yard Width (minimum): 2.7 metres;
- vii. Building Height (maximum): 12.0 metres;

- viii. Lot Coverage (maximum): 40 percent;
- ix. Garage Requirements minimum one private garage per lot attached to the main building and 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;
- x. Garage Projection (maximum): 3.0 metres beyond the wall containing the main entrance to the dwelling unit;
- xi. Uncovered steps and platform projection into rear yard (maximum): 1.5 metres for any uncovered steps and platform not exceeding 2.0 metres in height;
- xii. Special Regulation: Despite Section 2.1 and 5.19 (c) of By-law 2511, a gazebo having a maximum ground floor area of 30 square metres and a maximum height of 5.5 metres, and a boathouse having a maximum ground floor area of 42 square metres and a maximum height of 4.0 metres, shall be permitted as accessory structures in the location as they existed on the date of passing of this by-law, with or without a primary residential building;
- xiii. Interpretation Regulation: Despite any requirement of this By-law, for lots that are divided into two zones, each such portion of the lot shall be considered a lot for the purpose of this By-law and shall be used in accordance to the zone and the zone requirements.

### 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. preservation and conservation of the natural environment, soil and wildlife;
- ii. resource management;

#### b) Zone Requirements (“OS-HL” Zone)

- i. 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, resource management, or pedestrian trail and walkway purposes;
- ii. Despite Clause (i) above, docks are permitted within the “OS-HL” Zone.

## **15.61 Exception Zone 61 (By-law 6974-09, as amended by By-law 7519-16 and By-law 7828-21)**

### 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 designed to appeal to erotic or sexual appetites or inclinations;
- b) “Animal Boarding Establishment” shall mean a building, structure or part thereof, where dogs and cats and other domesticated animals, excluding livestock, are bred, raised, groomed, trained or kept or a fee on a temporary basis and may include outdoor facilities;
- c) “Auction and Estate Sales” shall mean a building or part of a building where auctions are conducted and may include a warehouse component wherein products are stored on the premises until such time that a public auction is held;
- d) “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;
- e) “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;
- f) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- g) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- h) “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 as defined herein;
- i) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses

permissible within a place of amusement or entertainment as defined herein;

- 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, an art school, a golf school or any other school operated for gain or profit;
- k) “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;
- l) “Day Care Centre” shall mean 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;
- 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 such processes;
- n) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
- o) “Exhibition Hall” shall mean a building or part of a building where the temporary exhibition of music, art, goods, wares, and the like are displayed and made available for sale and which may include a flea market use;
- p) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;
- q) “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;
- r) “Light Machinery and Equipment Supplier” shall mean a building or part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesaler retail sale to industrial or commercial establishments;
- s) “Light Manufacturing Plant” shall mean a manufacturing plant used for the production of apparel and finished textile products other than the production of synthetic fibres; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of

cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plastic ware, 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;

- t) “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;
- u) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;
- v) “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;
- w) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- x) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;
- y) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;
- 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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- aa) “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 theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, or an adult entertainment parlour as defined herein;

- bb) “Place of Assembly” shall mean a building or part of 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 as defined herein;
- cc) “Place of Worship” shall mean a building or part of building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre, or nursery school;
- dd) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- ee) “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 by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;
- ff) “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;
- gg) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;
- hh) “Retail Store” shall mean a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.
- ii) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- jj) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or

investigations are systematically conducted, or 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;

- kk) “Vehicle Sales Establishment” shall mean an establishment having as its main use the sale, service, rent or lease of vehicles, and which may include an accessory vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- ll) “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, 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;
- mm) “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;
- nn) “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;
- oo) “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;
- pp) “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;
- qq) “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;
- rr) “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;
- ss) “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;

- tt) “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;
- uu) “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
- vv) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“MC-21” Zones)

No person shall within the lands designated “MC-21”, use any lot or erect, alter, or use any building or structure for any purpose except for the uses and in the locations as prescribed in the following chart:

Uses permitted in All Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Diagonally and Horizontally Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Cross Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Horizontally Hatched Areas as illustrated in Figure 1 attached hereto
Animal boarding establishment	Convenience store	Banquet facility	Day care centre
Auction and estate sales house	Dry cleaning depot	Club	
Bakery	Financial institution	Commercial club	
Business office	Personal service shop	Commercial-recreational establishment	
Commercial school	Restaurant – Type A	Exhibition hall	
Dry cleaning establishment	Retail store	Place of amusement or entertainment	
Food preparation plant		Place of assembly	
Light machinery and equipment supplier			
Light manufacturing plant			
Merchandise service shop			

Uses permitted in All Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Diagonally and Horizontally Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Cross Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Horizontally Hatched Areas as illustrated in Figure 1 attached hereto
Office-associated commercial establishment			
Printing establishment			
Professional office			
Rental establishment			
Sales outlet			
Scientific, medical or research laboratory			
Vehicle sales establishment			
Warehouse			

b) Zone Requirements (“MC-21” Zone)

No person shall within the lands designated “MC-21”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

- A. All buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By-law;
- B. A minimum of 40% of the length of the build-to zone as illustrated on Figure 1 attached hereto, shall contain a building or buildings, or part of a building or buildings;
- C. Minimum Building Height in 6.5 metres diagonally hatched area

ii. OUTDOOR STORAGE AND DISPLAY

- A. Outdoor storage and display is prohibited;

iii. PARKING REQUIREMENTS

- A. No parking shall be located in the front yard;
- B. There shall be provided and maintained on the lot a minimum of parking spaces calculated in accordance with the following provisions:

Section 15 | Exceptions

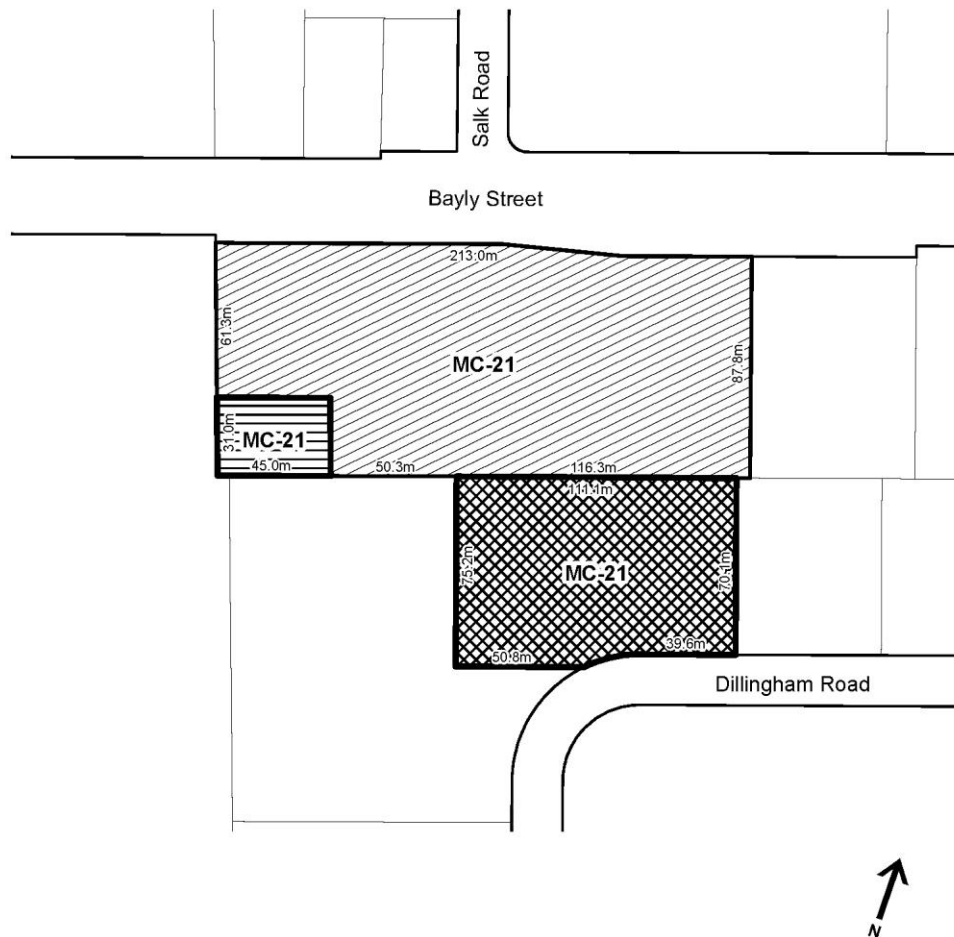
1.8 parking spaces per 100 square metres gross leasable floor area	2.5 parking spaces per 100 square metres gross leasable floor area	4.5 parking spaces per 100 square metres gross leasable floor area	5.5 parking spaces per 100 square metres gross leasable floor area	8.3 parking spaces per 100 square metres gross leasable floor area	10 parking spaces per 100 square metres gross leasable floor area
Bakery	Day care centre	Animal boarding establishment	Auction and estate sales house	Banquet facility	Exhibition hall
Dry cleaning establishment			Business office	Club	
Food preparation plant			Commercial club	Commercial school	
Light machinery and equipment supplier			Convenience store	Commercial-recreational establishment	
Light manufacturing plant			Dry cleaning depot	Place of amusement or entertainment	
Printing establishment			Financial institution	Place of assembly	
Rental establishment			Merchandise service shop		
Scientific, medical or research laboratory			Office-associated commercial establishment		
Vehicle sales establishment			Personal service shop		
Warehouse			Professional office		
			Retail store		
			Sales outlet		
			Restaurant – Type A		

- C. Sections 5.21.2(a) and 5.21.2(b) of By-law 2511 as amended shall not apply to the lands designated “MC-21”;
- D. Notwithstanding section 5.21.2(g) of By-law 2511, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

iv. SPECIAL REGULATIONS

- A. Sales outlet shall be permitted only if accessory to an auction and estate sales house, a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a manufacturing plant, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the auction and estate sales house, bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse;
- B. Notwithstanding Clause (A) above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the auction and estate sales house, bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% or the total gross leasable floor area in that building;
- C. A maximum of 6 Restaurants – Type A shall be permitted;
- D. The maximum aggregate gross leasable floor area for Restaurants – Type A shall be 1,300 square metres;
- E. In addition to a Place of Amusement or Entertainment being permitted in the Cross Hatched Areas, a maximum of one (1) Place of Amusement or Entertainment facility shall be permitted within the Diagonally or Horizontally Hatched Areas up to a maximum gross leasable floor area of 150 square metres;
- F. Despite clause 2(b)(i)(A), the build-to zone as illustrated on Figure 2 attached hereto, shall not apply to that portion of the frontage of the lot if a stormwater management pond is constructed directly adjacent to Bayly Street.

3. Figure 1



Schedule I to By-Law 6974/09  
Amended by By-Law 7519/16  
Amended by By-Law 7828/21  
Passed This 22<sup>nd</sup>  
Day of March 2021

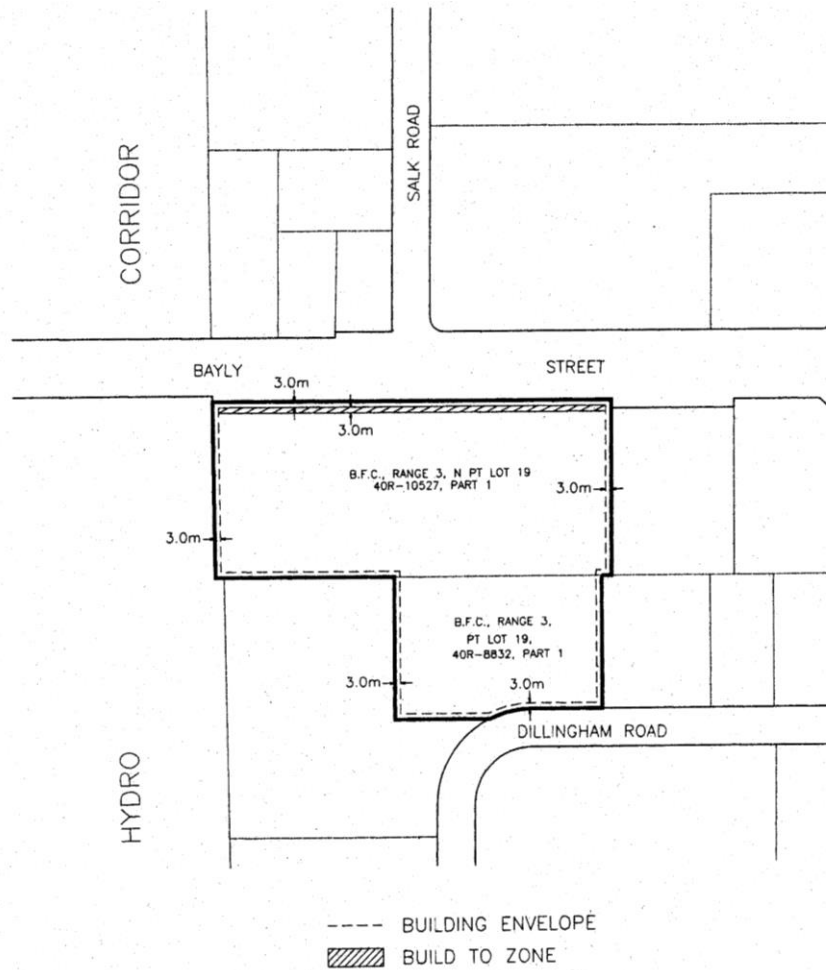
Original Signed By: \_\_\_\_\_

Mayor

Original Signed By: \_\_\_\_\_

Clerk

4. Figure 2



SCHEDULE II TO BY-LAW 6974/09  
PASSED THIS 13th  
DAY OF JULY 2009





## 15.62 Exception Zone 62 (By-law 7082-10)

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

## 2. Provisions

### a) Uses Permitted ("S4-9" Zone)

No person shall within the lands designated "S4-9", 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 ("S4-9" Zone)

No person shall within the lands designated "S4-9", use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Lot Area (minimum): 325 square metres
- ii. Lot Frontage (minimum): 11.0 metres
- iii. Front Yard Depth (minimum): 6.0 metres

- A. despite Section 5.8(b) of By-law 2511 as amended, uncovered and covered platforms/porches attached to a main dwelling may provide a front yard depth of 4.5 metres.
- iv. Interior Side Yard Width (minimum):
  - A. for lot frontages 15.0 metres or greater:
    - 1) 1.5 metres on both sides;
  - B. for lot frontages greater than 12.0 metres to 14.9 metres:
    - 1) 1.2 metres on both sides;
  - C. for lot frontages less than or equal to 12.0 metres:
    - 1) 1.2 metres one side, 0.6 metre on the other;
- v. Flankage Side Yard Width (minimum): 2.7 metres
- vi. Rear Yard Depth (minimum):
  - A. for lot depths less than or equal to 40.0 metres: 7.5 metres
  - B. for lot depths greater than 40.0 metres: 10.0 metres
  - C. where the rear yard abuts a CN Rail right-of-way: 30.0 metres
- vii. Building Height (maximum): 12.0 metres
- viii. Lot Coverage (maximum): 42 percent
- ix. Parking Requirements:
  - A. 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;
  - B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, 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;
  - C. a driveway width shall not occupy more than 55 percent of the front yard width.
- x. Special Regulations:
  - A. rear yard uncovered steps and platforms less than or equal to 1.0 metre above grade may project a maximum of 2.5 metres;
  - B. rear yard uncovered steps and platforms exceeding 1.0 metre in height above grade and less than or equal to 6.0 metres in width may project a maximum of 1.5 metres.

## **15.63 Exception Zone 63 (By-law 7312-13, as amended by By-law 7392-14)**

### 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) “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 a 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, Detached” 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) “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.
- 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 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;
- 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 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 lots;
- 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;
- v) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions (“R4-22” Zone)

a) Uses Permitted (“R4-22” Zone)

No person shall, within the lands zoned “R4-22”, use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling

b) Zone Requirements (“R4-22” Zone)

No person shall within the lands designated “R4-22” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Frontage (minimum):
  - A. 16.0 metres
  - B. 14.0 metres for lots in the hatched and cross hatched areas as shown on Figure 1 attached to this by-law
- ii. Lot Area (minimum): 460 square metres
- iii. Front Yard Depth (minimum):
  - A. 7.5 metres for lots fronting Park Crescent
  - B. 4.5 metres to the dwelling and 6.0 metres to the garage for all other lots
- iv. Side Yard Width (minimum):
  - A. 1.2 metres
  - B. 2.0 metres on the south side yard of the properties abutting existing residential to the south along Cliffview Road and Park Crescent, as shown on Figure 2 attached to this by-law
- v. Flankage Side yard width (minimum): 2.7 metres
- vi. Rear Yard Depth (minimum): 7.5 metres
- vii. Building Height (maximum):
  - A. 9.0 metres for all properties fronting or adjacent to Park Crescent with a front yard depth less than 10.0 metres
  - B. 9.5 metres for all properties fronting or adjacent to Park Crescent with a minimum front yard depth of 10.0 metres
  - C. 10.0 metres for all properties fronting or adjacent to Park Crescent with a minimum front yard depth of 12.5 metres
  - D. 10.7 metres for all properties fronting or adjacent to Park Crescent with a minimum front yard depth of 15.0 metres
  - E. 10.7 metres for properties fronting Cliffview Road and not abutting Park Crescent

viii. Lot Coverage (maximum):

- A. 33 percent
- B. 40 percent for lots in the cross hatched and dashed areas as shown on Figure 1 attached to this by-law

ix. Garage Requirements:

minimum one private garage per lot and 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 or abutting a reserve on the opposite side of which is the street

x. Garage Projection (maximum):

- A. 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch 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
- B. despite A above, where the front wall is not the wall containing the main entrance to the dwelling unit, garages shall not extend beyond the front wall of the dwelling for any lots fronting Park Crescent

xi. Obstruction of Yards (maximum):

- A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard and minimum flankage side yard
- B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 3.0 metres into the required rear yard
- C. bay, bow or box window may encroach a maximum into required yards as follows:
  - 1) front yard: 0.6 metres
  - 2) flankage yard: 0.6 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 yards

3. Provisions (“R4-HL” Zone)

a) Uses Permitted (“R4-HL” Zone)

No person shall within the lands designated “R4-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. existing detached dwelling
- b) Zone Requirements (“R4-HL” Zone)
  - i. On lands zoned “R4-HL” the minimum lot frontage shall be 41 metres and the minimum lot depth shall be 59 metres.
  - ii. The minimum yards shall be the yards existing on the date this by-law came into effect. However, yards, except the front yard, may be decreased by 10% subject to an approved heritage permit application.
- 4. Provisions (“OS-HL” Zone)
  - a) Uses Permitted (“OS-HL” Zone)

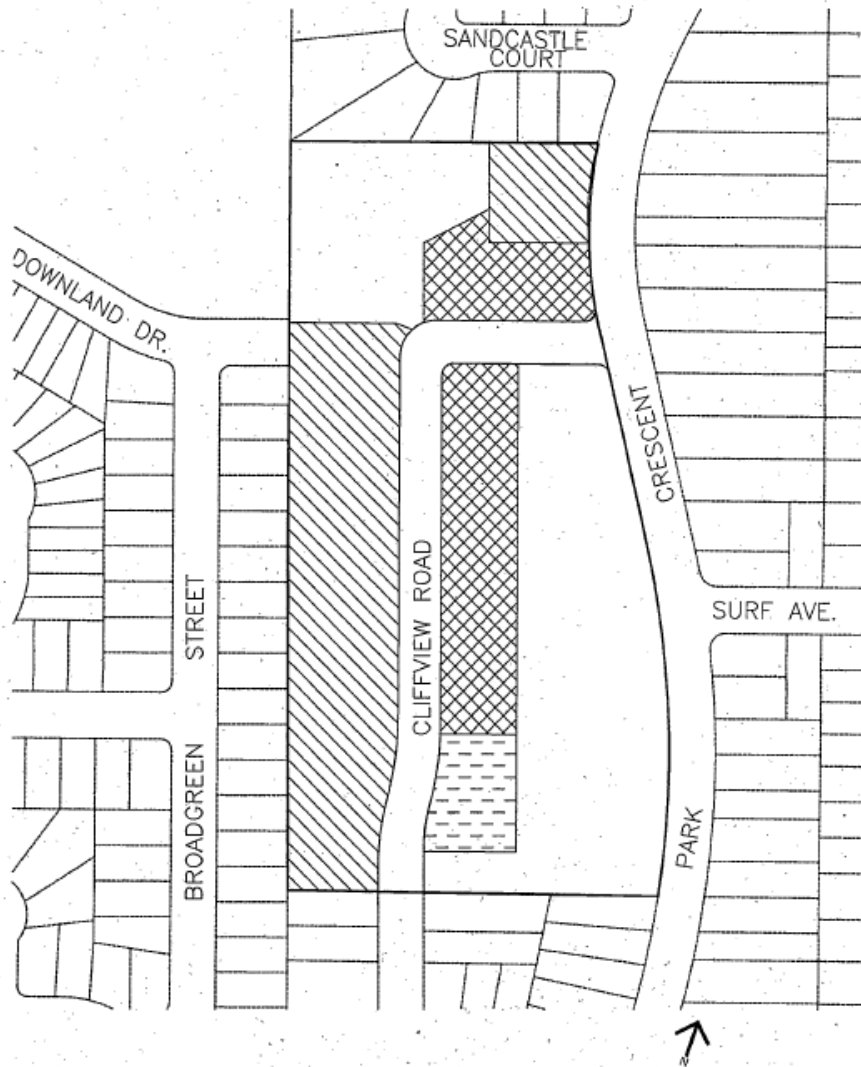
No person shall within the lands designated “OS-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

    - i. 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 flood and erosion control, resource management, or pedestrian trail and walkway purposes.



5. Figure 1

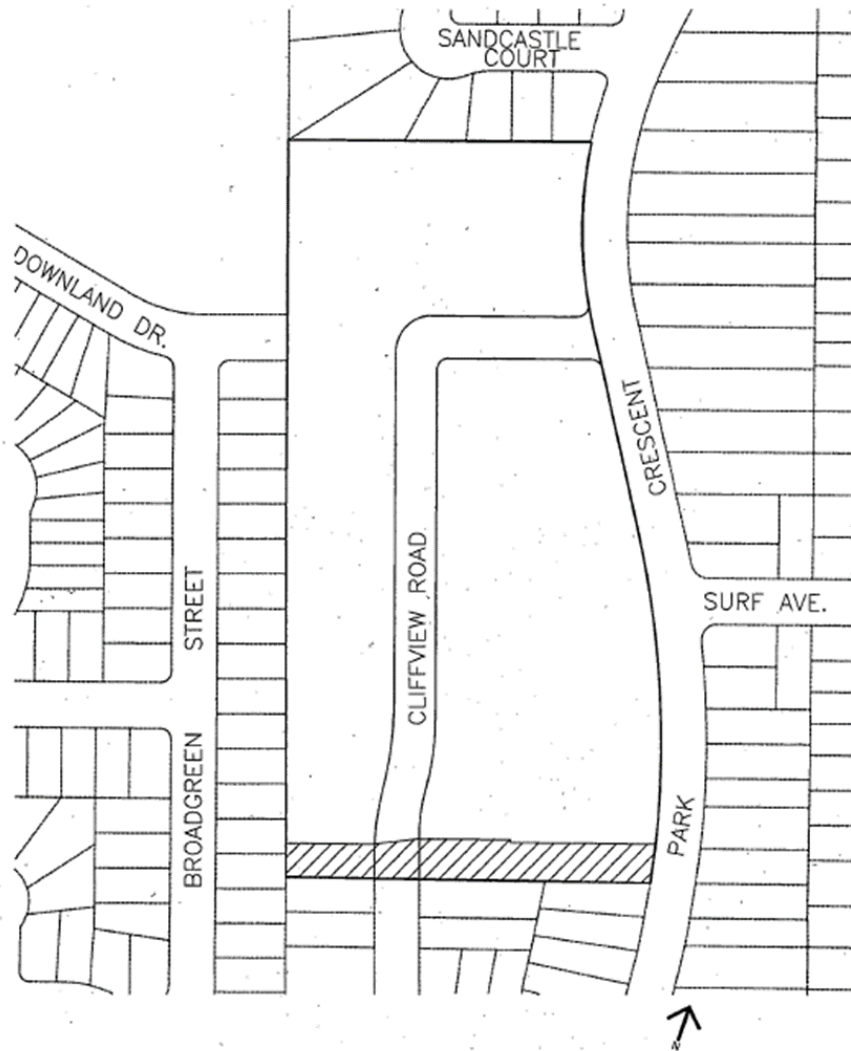


SCHEDULE II TO BY-LAW 7312/13  
PASSED THIS 28th  
DAY OF October 2013

MAYOR *[Signature]*

CLERK *D. Shields*

6. Figure 2



SCHEDULE III TO BY-LAW 7312/13

PASSED THIS 28th

DAY OF October 2013

MAYOR 

CLERK 

## **15.64 Exception Zone 64 (By-law 7383-14, as amended by By-law 7410-15)**

### 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, and may or may not include a window seat; and may include a door;
- 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, Detached" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- e) "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 one above ground 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 part thereof as the case may be, other than a private garage, an attic, or a cellar;
- h) "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;
- 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 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 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;

- 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 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;
- w) "Wall, Front" shall mean the wall of the dwelling closest to the front lot line.

2. Provisions (“SA-22” Zone)

a) Uses Permitted (“SA-22” Zone)

No person shall within the lands zoned “SA-22”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Single Attached Dwelling

b) Zone Requirements (“SA-22” Zone)

No person shall within the lands zoned “SA-22” 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:

		“SA-22” Zone
(a)	Lot Frontage (minimum)	7.0 metres
(b)	Lot Area (minimum)	190 square metres
(c)	Front Yard Depth (minimum)	4.0 metres
(d)	Rear Yard Depth (minimum)	7.5 metres
(e)	Side Yard Width (minimum)	1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard
(h)	Building Height (maximum)	9.5 metres
(i)	Internal Garage Width (minimum)	(i) Lots with minimum Lot Frontage of 10.0 metres and less – 3.7 metres (ii) Lots with minimum Lot Frontage of 11.0 metres – 5.5 metres

3. Special Provisions (“SA-22” Zone)

The following special provisions shall apply to lands zoned “SA-22”

a) Building Height:

- i. notwithstanding Section 1(h), “Building Height” shall mean the vertical distance between the established grade, at the front of the house, and the highest point of the roof surface (finished upper floor);

- ii. notwithstanding provision 2(b)(h), a parapet wall may project a maximum of 1.8 metres above the highest point of the roof surface (finished upper floor);
- b) Outdoor Private Amenity Area:
  - i. a minimum of 25.0 square metres of outdoor private amenity area shall be provided and located on the roof top terrace;
  - ii. accessory structures such as pergolas, sheds or other similar structures shall not be permitted on the roof top terrace;
  - iii. a privacy fence located on the roof top terrace shall have a maximum height of 1.8 metres from the highest point on the roof surface (finished upper floor);
  - iv. the outdoor private amenity area located on the roof top terrace shall not be enclosed;
- c) Elevator and Stairwell Enclosures:

notwithstanding provision 2(b)(h), elevator and stairwell enclosures may project a maximum of 2.5 metres above the highest point of the roof surface (finished upper floor);
- d) Garage 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;
- e) Garage Projection (maximum):

2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch 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;
- f) Obstruction of Yards (maximum):
  - i. covered and unenclosed porches, veranda or balcony, with or without foundations, may encroach a maximum of 3.0 metres into the required minimum front yard and stairs may encroach an additional 1.0 metre into the required front yard;
  - ii. uncovered decks, platforms and steps may encroach a maximum of 3.0 metres into the required rear yard;
  - iii. bay, bow or box window may encroach a maximum into required yards as follows:
    - A. front yard 0.6 metres

- B. flankage yard                      0.6 metres
- C. rear yard                              0.6 metres
- D. eaves above these features may project to a further 0.6 metres into any required yards

g) Parking Requirements:

For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which must be provided within an attached private garage.

## 15.65 Exception Zone 65 (By-law 7984-23)

### 1. Definitions

- a) “Automobile Sales Showroom” means a building or part of a building where new or used vehicles are displayed and/or offered for sale, rent or lease.
- b) “Automobile Service Repair Garage” means an establishment for the servicing or repairing of automobiles, but shall not include a body shop.
- c) “Body Shop” means an establishment in which motor vehicle bodies are repaired and/or painted.
- d) “Building Height” means the vertical distance between the average grade as measured along the front wall, 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. Ornamental fixtures such as a cupola or antenna shall not be included in calculating the height of a building.
- e) “Build-to-Zone” means an area of a property within which all or part of one (1) or more buildings or structure is to be located.
- f) “Gross Floor Area” means the total area, expressed in square metres (m<sup>2</sup>) 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.
- g) “Inoperative Vehicle” means a motor vehicle that is mechanically inoperative, and/or is in a state that precludes immediate use.
- h) “Landscaped Area” means the open unobstructed space from ground to sky at grade which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio, stairs or similar area but does not include any driveway, or ramp, whether surfaced or not, any curb, retaining wall, parking area, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a front yard or exterior side yard.
- i) “Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.
- j) “Lot Frontage” means the horizontal distance between the side lot lines of a lot measured along a line parallel to and 6.0 metre distant from the front lot line.



- k) “Lot Line” means a line delineating any boundary of a lot.
- l) “Lot Line, Flankage Side” means the side lot line, which separated a lot from the street adjacent to it.
- m) “Lot Line, Front” means the lot line, which separates a lot from the street in front of it. Where more than one (1) lot line separates a lot from the street, the front lot line shall be the shorter lot line. Where a lot is a through lot, the lot line abutting the wider street right-of-way shall be the front lot line. In the case of a through lot, where both streets are of the same width, the City may designate either street line as the front lot line.
- n) “Lot Line, Interior Side” means a side lot line, which is not adjacent to a street.
- o) “Lot Line, Rear” means the lot line opposite to, and most distant from, the front lot line, but where the side lot lines intersect, as in the case of a triangular lot, the rear lot line shall be represented by the point of intersection.
- p) “Lot Line, Side” means all lot lines, which join both a front lot line and a rear lot line.
- q) “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.
- r) “Office-associated Commercial Establishment” means an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store.
- s) “Outdoor Storage” means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or inoperative vehicles.
- t) “Printing Shop” means an establishment used for blueprinting, engraving, electrotyping, photocopying, plotting from disk, printing, stereotyping or typesetting.
- u) “Yard” means any open, uncovered, unoccupied space appurtenant to a building.
- v) “Yard, Flankage Side” means a side yard adjacent to a street.
- w) “Yard, Front” means a yard extending across the full width of the lot between the front lot line and the nearest wall of any main building on the lot for which the yard is required.
- x) “Yard, Interior Side” means a side yard not adjacent to a street.

- y) “Yard, Rear” means a yard extending across the full width of the lot between the rear lot line and the nearest wall of any main building on the lot for which the yard is required.
- z) “Yard, Side” means a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any building or structure on the lot for which the yard is required.

2. Permitted Uses and Zone Regulations (“CA5” Zone)

a) Permitted Uses (“CA5” Zone)

No person shall, within the lands zoned “CA5”, use any lot or erect, alter, or use any building or structure for any purpose except for the following:

- i. Office
- ii. Automobile Sales Showroom
- iii. Automobile Service Repair Garage
- iv. Office-associated Commercial Establishment
- v. Printing Shop

b) Zone Regulations (“CA5” Zone)

No person shall, within the lands zoned “CA5”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

i) Lot Frontage	minimum – 45.0 metres
ii) Lot Area	minimum – 0.5 of a hectare
iii) Building Setbacks	no building or part of a building or structure shall be erected outside of the building envelope, as shown on Figure 1 to this By-law no building or part 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 shown on Figure 1 to this By-law, contains a building or part of a building
iv) Building Height	minimum – 5.0 metres
v) Gross Floor Area (GFA)	minimum – 900.0 square metres
vi) Landscaped Area	minimum – 20 percent of the lot

c) Vehicular Parking Regulations

i. Minimum Parking Requirements

A. Office, Automobile Sales Showroom, Automobile Service Repair Garage	3.0 parking spaces per 100 square metres of Gross Floor Area (GFA)
B. All other permitted uses	5.5 parking spaces per 100 square metres of GFA

ii. Surface Parking Spaces

All surface parking shall be setback a minimum of 13.0 metres from the lot lines abutting Bayly Street and Brock Road.

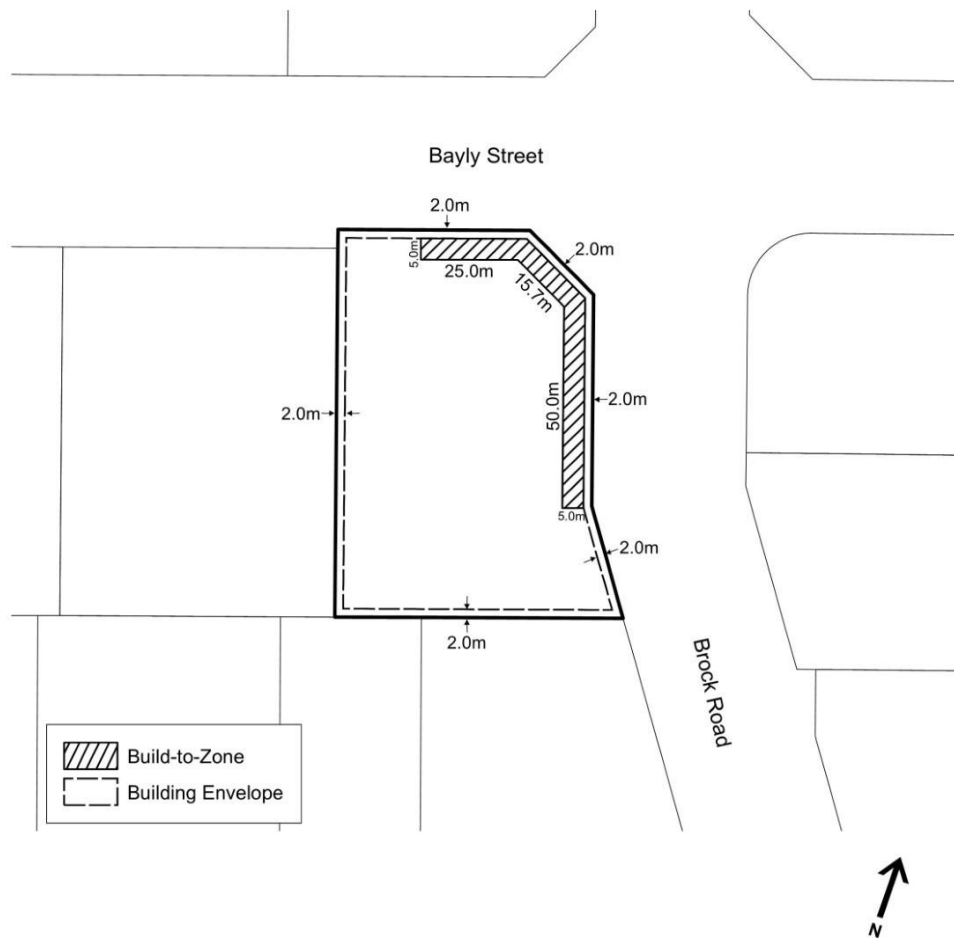
d) Outdoor Storage and Display

- i. No outdoor storage or display of inoperative vehicles or equipment is permitted on the lot.
- ii. Notwithstanding Section 2(d)(i) above, the display of automobiles in association with an Automobile Sales Showroom shall be permitted on the lot.
- iii. No required parking space, as required in Section (3) a) above, may be used for the storage or display of automobiles.

e) Garbage Facilities

All garage facilities shall be contained within a fully enclosed structure attached or integrated into a building.

3. Figure 1



Schedule II to By-Law 7984/23  
Passed This 23<sup>rd</sup> Day  
of January 2023

Original Signed By \_\_\_\_\_  
Mayor

Original Signed By \_\_\_\_\_  
Clerk

## 15.66 Exception Zone 66 (By-law 7916-22)

### 1. Definitions

- a) “Balcony” shall mean an attached covered or uncovered platform projecting or recessed 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) “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.
- d) “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.
- e) “Dwelling, detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.
- f) “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.
- g) “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.
- h) “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.
- i) “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.

- 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 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 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.
- 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) “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.
- 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) “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.
- p) “Wall, Front” shall mean a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.
- q) “Yard” shall mean an area of land which is appurtenant to and located on
- r) 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 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.

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

## 2. Provisions

### a) Uses Permitted (“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. preservation and conservation of the natural environment, soil and wildlife;
- ii. resource management; and
- iii. stormwater management facilities.

### b) Uses Permitted (“R4-23” and “R4-24” Zones)

No person shall within the lands zoned “R4-23” and “R4-24”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Detached dwelling

c) Zone Requirements (“R4-23” and “R4-24” Zones)

No person shall within the lands zoned “R4-23” and “R4-24”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

		“R4-23” Zone	“R4-24” Zone
(a)	Lot Area (minimum)	410 square metres	
(b)	Lot Frontage (minimum)	(i) 13.5 metres	(i) 15 metres
		(ii) 14 metres for the lands in the diagonal hatched area as shown on Figure 1 to this By-law	(ii) 12.5 metres for the lands in the cross hatched area as shown on Figure 1 to this By-law
(c)	Front Yard Depth (minimum)	(i) 6.0 metres	6.0 metres
		(ii) 4.5 metres for the lands in the diagonal hatched area as shown on Figure 1 to this By-law	
(d)	Side Yard Width (minimum)	1.5 metres	
(e)	Flankage Side Yard Width (minimum)	4.5 metres	
(f)	Rear Yard Depth (minimum)	7.5 metres	
(g)	Dwelling Depth (maximum)	(i) For lots with depths up to and including 40 metres: 17 metres	
		(ii) For lots with depths greater than 40 metres: 20 metres	



(h)	Front Entrance (maximum elevation)	The maximum elevation of the front entrance shall be 1.2 metres above the average grade, which is measured along the front wall of the dwelling, to the top of the platform (covered or uncovered) immediately outside of the front entrance.
(i)	Building Height (maximum)	9.0 metres
(j)	Lot Coverage (maximum)	39 percent
(k)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit, one of which must be provided within an attached private garage.
(l)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of a private garage.
(m)	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 front lot line.
(n)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres. However, the width may include one interior step and the depth may include two interior steps.

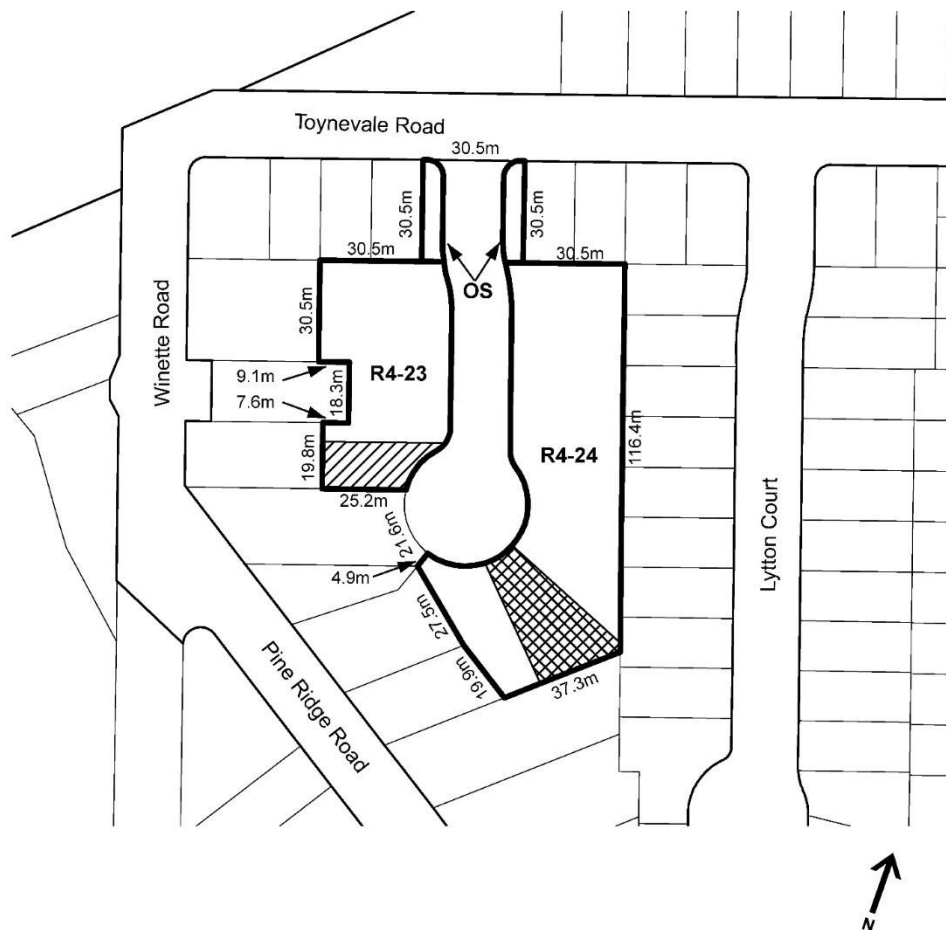
3. Special Provisions (“R4-23” and “R4-24” Zones)

a) Obstruction of Yards (maximum):

- i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of 2.0 metres into the required front yard;
- ii. uncovered decks and associated stairs not exceeding 2.0 metres in height above established grade may encroach a maximum of

- 2.0 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 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 or half the required interior side yard, whichever is less; and
- vii. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features may project 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.

4. Figure 1



Schedule I to By-Law 7916/22  
Passed This 28<sup>th</sup>  
Day of March 2022

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## 15.67 Exception Zone 67 (By-law 7793-20)

### 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) “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, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.
- e) “Dwelling, Detached Bungalow” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures that is limited to a maximum building height of one (1) storey.
- f) “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.
- 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) “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.
- i) “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.
- 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 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 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) "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.
- 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 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) "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.
- x) "Wall, Front" shall mean the wall of the dwelling closest to the front lot line.

2. Provisions

a) Uses Permitted ("S4-18" and "S4-19" Zone)

No person shall within the lands zoned "S4-18" and "S4-19", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Dwelling, Detached
- ii. Dwelling, Detached Bungalow

b) Zone Requirements ("S4-18" and "S4-19" Zones)

No person shall within the lands zoned "S4-18" and "S4-19", use any lot or erect, alter, or use any building except in accordance with the following provisions:

		"S4-18" Zone	"S4-19" Zone
(a)	Lot Frontage (minimum)	15.0 metres	12.2 metres
(b)	Lot Area (minimum)	500 square metres	
(c)	Front Yard Depth (minimum)	7.5 metres	6.0 metres
(d)	Side Yard Depth (minimum)	1.5 metres on both sides	1.2 metres on one side, and 0.6 of a metre on the other side
(e)	Flankage Yard Depth (minimum)	4.0 metres	
(f)	Rear Yard Depth (minimum)	7.5 metres	10.0 metres
(g)	Dwelling Depth (maximum)	17.7 metres	18.5 metres
(h)	Height of Front Entrance (maximum)	1.2 metres between established grade and the top of the floor immediately inside the front entrance	

		"S4-18" Zone	"S4-19" Zone
(i)	Building Height (maximum)	9.0 metres	
(j)	Lot Coverage (maximum)	33 percent	35 percent
(k)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit for resident, one of which must be provided within an attached private garage.	
(l)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of the private garage(s).	
(m)	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 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.	
(n)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 5.6 metres and a minimum depth of 6.0 metres; however, the width may include one interior step and the depth may include two interior steps.	
(o)	Garage Projection	A maximum 2.0 metres projection beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch 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.	

### 3. Special Provisions

The following special provisions shall apply to lands zoned "S4-18" and "S4-19":

#### a) Obstruction of Yards (maximum):

- i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of 2.0 metres into the minimum required front or flankage yard;
- ii. uncovered balconies, decks and associated stairs, not exceeding 1.5 metres in height above grade may encroach a maximum of 3.0 metres into the required rear yard, provided they are setback 0.6 metres from a side lot line;
- iii. balconies located above the first floor projecting or inset in the rear are prohibited;

- iv. 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 or half the required side yard, whichever is less; and
    - v. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features are permitted to project a maximum of 0.6 metres into any required yard and are required to be setback 0.6 metres from a side lot line.
  - b) Despite Section 2.46(c) of By-law 2511, as amended, the following definitions shall apply to the lands identified in a cross-hatched pattern on Figure 1:
    - i. “Front Lot Line” shall mean the most northerly lot line.
    - ii. “Rear Lot Line” shall mean the lot line running parallel to and opposite of the front lot line.
    - iii. “Side Lot Line” shall mean all other lot lines that are not a front lot line or rear lot line.
  - c) Despite Sections 2(b)(g), 2(b)(i) and 2(b)(j) of this By-law the following provisions shall apply for Dwellings, Detached Bungalow on lands zoned “S4-19”:
    - i. Building Height (maximum): 6.0 metres
    - ii. Dwelling Depth (maximum): 22.3 metres
    - iii. Lot Coverage (maximum): 42 percent
- 4. Provisions (“(H) S4-19” Zone)
  - a) Uses Permitted (“(H) S4-19” Zone)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the following:

    - i. Private Open Space
  - b) Zone Requirements (“(H) S4-19” Zone)

The “(H)” Holding Symbol shall be removed from the “S4-19” zone until the completion of the following:

    - i. Gillmoss Drive is extended further east to the satisfaction of the City.
- 5. Model Homes
  - a) Despite the provisions of Clause 6.1 of By-law 2511, a maximum of 2 model homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands subject to this By-law prior to the division of those lands by registrations of a plan of subdivision or enacting a by-law exempting those lands from the Part Lot Control provisions of the *Planning Act*.



- b) 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 I to By-Law 7793/20  
Passed This 23<sup>rd</sup>  
Day of November 2020

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

## 15.68 Exception Zone 68 (By-law 7724-19)

### 1. Definitions

- a) “Balcony” means an attached 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” 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.
- c) “Building 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 gabled, hip or gambrel roof, the mean height level between eaves and ridges.
- d) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from the building and from grade.
- e) “Driveway” means that portion of a lot used to provide vehicular access from a roadway to an off-street parking area or loading space located on the same lot as the principal use. On a lot containing a detached dwelling, semi-detached dwelling, street townhouse dwelling back-to-back townhouse dwelling or block townhouse dwelling, the driveway may contain a parking space.
- f) “Dwelling” means 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” 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;
- h) “Dwelling, Detached” means a single dwelling which is freestanding, separate, and detached from other main buildings or structures.
- i) “Floor Area – Residential” means the area of the floor surface contained within the outside walls of a storey or part of a storey.
- j) “Frontage” means that part of a lot that abuts a street measured along the street line.
- k) “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;

- l) “Lot Coverage” means the percentage of lot area covered by all buildings on the lot;
- m) “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.
- n) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- o) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building; a basement may be located under the porch.
- 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) “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;
- r) “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;
- s) “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;
- t) “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;
- u) “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;
- v) “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;
- w) “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;

- x) “Interior Side Yard” means a side yard.
- y) “Wall, Front” means the wall of the dwelling closest to the front lot line.

2. Provisions

a) Uses Permitted (“S4-17” Zone)

No person shall within the lands designated “S4-17”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached Dwelling

b) Zone Requirements (“S4-17” Zone)

No person shall within the lands designated “S4-17” use any lot or erect, alter or use any building except in accordance with the following provisions:

		“S4-17” Zone
(a)	Number of Lots (maximum)	2 lots
(b)	Lot Frontage (minimum)	10.0 metres
(c)	Lot Area (minimum)	305.0 square metres
(d)	Front Yard Depth (minimum)	6.0 metres
(e)	Side Yard Depth (minimum)	1.2 metres, and 0.6 of a metre on the other side
(f)	Rear Yard Depth (minimum)	7.5 metres
(g)	Building Height (maximum)	9.0 metres
(h)	Lot Coverage (maximum)	45 percent
(i)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit for resident, one of which must be provided within an attached private garage
(j)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of the private garage
(k)	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 front lot line
(l)	Interior Garage Size (minimum)	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
(m)	Garage Projection	A maximum of 1.5 metres projection beyond the wall containing the main entrance to the dwelling unit

c) Special Provisions

- i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, plasters, 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. Porches and associated stairs not exceeding 1.0 metres in height above established grade may encroach a maximum of 2.0 metres into the required front yard;
- iii. Balconies not exceeding 3.5 metres in height above grade may encroach a maximum of 2.0 metres into the required front and rear yard;
- iv. Decks and associated stairs not exceeding 1.0 metre in height above grade may encroach a maximum of 2.0 metres into the required front and rear yard provided they are setback 0.6 of a metre from a side lot line;
- v. A bay, box or bow window, with or without foundations, 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.

3. Section 37 Provisions

- a) An indexed cash contribution of \$40,000.00 to be paid to the City to be allocated towards the necessary upgrades to Balsdon Park;
- b) In the event the cash contribution referred to in Section 3(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;
- c) 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 subject to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Section 3(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;
- d) 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

- e) Despite Section 2(b)(a) of this By-law, an additional lot is permitted upon execution and registration on title of a Section 37 agreement pursuant to Section 3(c) of this By-law.

## 15.69 Exception Zone 69 (By-law 7675-19)

### 1. Definitions

- a) “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 the eaves and ridge. 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.
- b) “Business Offices” 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 public or private agency, a business, a brokerage, or a labour or fraternal organization, and shall include a bank, a data processing establishment, a newspaper publishing plant, a radio or television broadcasting station and related studios or theatres, and telegraph office, but shall not include a professional office, a retail store or any other use defined herein.
- c) “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 the dry cleaning or laundering elsewhere, and distributing articles, goods or fabrics which have been subjected to any such processes.
- d) “Dry Cleaning Establishment” shall mean a building or part of a building used for dry cleaning or laundering of articles, goods or fabrics, but does not include a laundromat.
- e) “Floor Area” shall mean the area of the floor surface or a storey or part of a storey.
- f) “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.
- g) “Frontage” or “Lot Frontage” shall mean the width of the lot between the side lot lines measured along a line parallel to and 6 metres distant from the front lot line.
- h) “Gross Floor Area” shall mean the aggregate of the floor areas of all storeys of a building or structure other than a private garage, an attic or a cellar.
- i) “Gross Leasable Floor Area” shall mean the total gross floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors if any, measured from the centre line of joint partitions and from outside wall faces.

- j) “Laundromat” shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.
- k) “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 and allied products other than the processing of wood pulp.
  - iv. The production of cosmetics, drugs and other pharmaceutical supplies.
  - 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.
- l) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as a 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 Area” shall mean the total horizontal area within the lot lines of the lot.
- n) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on a lot.
- o) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.
- p) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or a master plumber, but shall not include a retail store, a manufacturing plant, or any establishment used for the service or repair of vehicles.
- q) “Office-associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store.



- r) “Parking Space” shall mean a usable and accessible area, having a minimum width of 2.6 metres and a minimum length of 5.3 metres excluding aisle space and driveways to the parking lot, for the temporary parking of a vehicle.
- 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 a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 154 (2)(b) of the *Municipal Act*, S.O. 2001, Chapter 25, as amended from time-to-time, or any successor thereto.
- t) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting.
- u) “Restaurant” 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.
- v) “Sales Outlet” shall mean a building or a part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products.
- w) “Scientific or Medical Laboratory” shall mean a building or part of a building wherein scientific or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations are manufactured or otherwise prepared for use on the premises.
- x) “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, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels.
- y) “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, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.
- 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 the lot between the front lot line of the lot and the nearest wall of the nearest building or structure on the lot.
- bb) "Rear Yard" shall mean a yard extending across the full width of the 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 on the lot.
- cc) "Side Yard" shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest wall of the nearest building on the lot.
- dd) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.
- ee) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted ("MC-22" Zone)

No person shall, within the lands zoned "MC-22" , use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. Business Office
- ii. Dry Cleaning Depot
- iii. Dry Cleaning Establishment
- iv. Food Preparation Plant
- v. Light Manufacturing Plant
- vi. Merchandise Service Shop
- vii. Office-associated Commercial Establishment
- viii. Personal Service Shop
- ix. Printing Establishment
- x. Restaurant
- xi. Sales Outlet
- xii. Scientific or Medical Laboratory
- xiii. Vehicle Repair Shop
- xiv. Warehouse

b) Zone Requirements (“MC-22” Zone):

No person shall within the lands designated “MC-22” 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 (minimum) – 12 metres
- iv. Side Yard (minimum)
  - A. Interior Side Yard – 4.5 metres
  - B. Flankage Side Yard – 12 metres
- v. Rear Yard (minimum) – 7.5 metres
- vi. Lot Coverage (maximum) – 40 percent
- vii. Building Height (maximum) – 12 metres

c) Parking Requirements:

- i. There shall be provided and maintained on the lot a minimum of 3.4 parking spaces per 93 square metres of gross floor area for all uses.
- ii. Sections 5.21.2 (a) and 5.21.2 (b) of By-law 2511, as amended, shall not apply to the lands designated “MC-22”

3. Special Provisions:

- a) A sales outlet shall be permitted only if accessory to a food preparation plant, a light manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, provided the gross leasable floor area of the sales outlet does not exceed 20 percent of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, printing establishment or warehouse.
- b) A dry cleaning depot shall be permitted only if accessory to a dry cleaning establishment, provided the gross leasable floor area of the dry cleaning depot does not exceed 20 percent of the gross leasable floor area of the dry cleaning establishment.
- c) The maximum aggregate gross leasable floor area shall be:
  - i. for all office-associated commercial establishments on the lot: 500 square metres
  - ii. for all personal service shops on the lot: 500 square metres
  - iii. for all restaurants on the lot: 400 square metres

## **15.70 Exception Zone 70 (By-law 7404-15, as amended by By-law 7661-18, By-law 7735-20, Application P/CA 46/19 and Application P/CA 49/19)**

### 1. Definitions

- a) “Amphitheatre” shall mean an open-air venue used for entertainment and performances having tiers of seats arranged around a central area.
- b) “Arena” means a building or part thereof, in which the principal facilities provide for recreational activities such as curling, skating, hockey, lacrosse, broomball or other similar athletic activities, entertainment activities such as concerts, trade shows or other live performances, and which facilities may include dressing rooms, concession booths for the provision of food and refreshments, bleachers, equipment for making artificial ice and other such accessory facilities.
- c) “Art Gallery” means premises where paintings, sculptures, or other works of art are exhibited or sold.
- d) “Bake Shop” means an establishment where baked goods are made and sold to the public.
- e) “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.
- f) “Business Support Services” means an establishment used to provide support services to businesses which are characterized by one or more of the following features: the use of mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical Uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.
- g) “Commercial Fitness / Recreational Centre” means a commercial establishment in which indoor fitness and recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools, exercise classes and other indoor recreational facilities are provided and operated for gain or profit, but does not include an arena, stadium or place of amusement or entertainment as defined herein.
- h) “Commercial School” 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.

- i) “Community Centre” means a multi-purpose facility or part of that facility owned and operated by the City of Pickering, which offers a variety of programs and facilities of a recreational, cultural, community service, information or instructional nature.
- j) “Convenience Store” means a retail store with a maximum leasable floor area of 500 square metres where articles for sale are restricted to a limited range of goods, primarily food, toiletries, housewares, stationary and other similar daily household necessities, but does not include a supermarket.
- k) “Convention or Conference Centre” means a building or part of a building designed or intended to be used for such purposes as civic meetings, educational meetings, political meetings, conventions, conferences, trade shows, recreational activities or social activities and may include ancillary banquet facilities.
- l) “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.
- m) “Dry-Cleaner's Distributing Centre” 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.
- n) “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 are conducted.
- o) “Entertainment Complex” means a building or part of a building, or group of buildings and facilities designed and intended to be used for a variety of entertainment purposes, such as, but not limited to, major tourist establishment, nightclub, place of amusement, performance arts centre, or waterpark/wavepool.
- p) “Financial Institution” means a building, or part thereof, where money is deposited, withdrawn, kept, lent or exchanged.
- q) “Floor Area” means the total area of all floors of a building within the outside walls or outside finished furred partitions of the walls, but does not include a porch, non-walk-in bay window, attic, basement, enclosed or roofed walkways or loading dock.

- r) “Gaming Establishment” or “Casino” means an establishment which is used or intended to be used for gaming purposes, such as, but not limited to, the playing or operating games of chance or mixed chance and skill, on which money may be wagered, and includes, but is not limited to, arcades, casino halls, video lottery gaming and slot machine gaming, and where a license has been issued by the Ontario Lottery and Gaming Corporation.
- s) “Gross Floor Area” means the aggregate of all floor areas of a building or structure above or below established grade, which floor areas are 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.
- t) “Gross Leasable Floor Area” means the total gross floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors, if any, expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.
- u) “Ground Floor” means the floor of a building approximately at or first above grade.
- v) “Ground Floor Area” means the gross floor area only on the ground floor.
- w) “Height, Building” shall mean the vertical distance between the established grade, at the front of the building, 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.
- x) “Hotel” means a building, or group of buildings, each containing sleeping accommodation, catering primarily to the traveling public, for rent or hire for temporary lodging. Hotel may also include restaurant, public hall and ancillary services and retail uses, which are incidental and subordinate to the primary hotel function and oriented to serve the hotel patrons.
- y) “Landmark Building” means a building that is distinguished and recognized due to architectural excellence, prominent use, cultural importance or its positive contribution to the City of Pickering skyline and sense of place.
- z) “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 vehicle while merchandise or materials are being loaded or unloaded from such vehicles.
- aa) “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;

- bb) “Major Tourist Establishment” means a non-retail establishment which provides recreational, leisure, entertainment and tourist activities that is a major attraction due to its uniqueness, significant scale and appeal to visitors, but does not include any other use permitted by this by-law.
- cc) “Medical Office” means premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries which are limited to the requirements of Retail Sales, Ancillary definition, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.
- dd) “Nightclub” 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.
- ee) “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.
- ff) “Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.
- gg) “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.
- hh) “Parking Lot” means a lot or portion thereof provided for the parking of vehicles accessory or incidental to the main use.
- ii) “Parking Space” means an area of land or building that is accessible by a driveway or aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one vehicle.
- jj) “Personal Service Establishment” means a building, structure, or part thereof, where services are 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, laundromat and laundry depot.

- kk) “Place of Amusement” means premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public, and includes a cinema or other theatre, billiard or pool rooms, bowling alleys or, electronic games.
- ll) “Private Club” means a building, or part thereof, used for social, cultural, athletic or recreational activities by its members and guests or by a fraternal organization, which are not operated for profit.
- mm) “Performance Arts Centre” shall mean a building or part of a building used for the rehearsal and presentation of live entertainment such as, but not limited to, music, dance or theatre.
- nn) “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.
- oo) “Restaurant Plaza” means a complex of a minimum of three restaurants that are organized around a landscaped open space area.
- pp) “Retail Sales, Ancillary” means a retail store use which is associated with, but clearly subordinate to, a Permitted Principal or Secondary Use:
  - i. with a maximum gross leasable area of 15 percent of the building;
  - ii. with a maximum gross leasable area of 500 square metres per ancillary retail sales use; and,
  - iii. with a direct internal access to the Permitted Principal or Secondary Use.
- qq) “Retail Store” means premises in which goods and merchandise are offered or kept for retail sale or rental to the public. This definition shall not include any establishment otherwise defined in this By-law.
- rr) “Slot Machine Gaming” means a gaming device, mechanically, electronically or otherwise operated or intended to be operated for gaming purposes by means of insertion of money or cards or coins equivalent to money.
- ss) “Structure” means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure but excludes an in-ground swimming pool.
- tt) “Supermarket” means a building, or part thereof, containing a departmentalized food store, but does not include a convenience store.
- uu) “Vehicle Rental Establishment” means a building, or part thereof, where new or used vehicles are offered for rent and may include the storage and



display of vehicles and may include an associated vehicle repair shop for the repair of the rental vehicles only.

- vv) “Waterpark” or “Wave Pool” shall mean an indoor or outdoor premises where people may bathe, swim, or lounge within pools or tanks of water.

## 2. Provisions (“MTD” Zone)

### a) Permitted Principal Uses (“MTD” Zone)

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

- i. Amphitheatre
- ii. Arena
- iii. Convention or Conference Centre
- iv. Film Studio
- v. Gaming Establishment/Casino
- vi. Hotel
- vii. Medical Office
- viii. Major Tourist Establishment
- ix. Office
- x. Performance Arts Centre
- xi. Restaurant Plaza
- xii. Stadium
- xiii. Waterpark/Wave Pool

### b) Permitted Secondary Uses (“MTD” Zone)

No person shall, within the lands zoned “MTD”, use any lot or erect, alter or use any building or structure for any purpose except the following uses which are only permitted when a minimum of two Permitted Principal Use, as listed in Subsection 2(a) of this by-law have been constructed:

- i. Art Gallery
- ii. Banquet Facilities
- iii. Botanical Gardens
- iv. Cinema
- v. Commercial Fitness / Recreation Centre
- vi. Commercial Parking Lot and Commercial Parking Lot Structure
- vii. Community Centre
- viii. Community Gardens

- ix. Curling Rinks, Tennis Courts, Bowling Alleys or similar recreational facilities
- x. Financial Institution
- xi. Museum
- xii. Nightclub
- xiii. Spa

c) Permitted Support Uses (“MTD” Zone)

No person shall, within the lands zoned “MTD”, use any lot or erect, alter or use any building or structure for any purpose except the following uses which are only permitted when integrated within a Permitted Principal Use or Permitted Secondary Use, as listed in Subsections 2(a) and 2(b) of this By-law:

- i. Bake Shop
- ii. Business Support Services
- iii. Commercial School
- iv. Day Care Centre
- v. Dry-Cleaner’s Distribution Centre
- vi. Personal Service Establishment
- vii. Place of Amusement
- viii. Private Club
- ix. Retail Sales, Ancillary
- x. Restaurant
- xi. Travel Agent
- xii. Travel Information Centre
- xiii. Vehicle Rental Establishment

d) Zone Requirements (“MTD” Zone)

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

- i. Building Height (maximum): 25 storeys

e) Additional Requirements (“MTD” Zone)

- i. A gaming establishment/casino use is only permitted as part of a hotel, convention or conference centre, entertainment complex.
- ii. The total gross floor area of all existing or proposed Permitted Secondary Uses and Permitted Support Uses in the “MTD” Zone, as listed in Subsections 2(b) and 2(3) of this By-law shall not exceed 15

percent of the total gross floor area of all existing or proposed Permitted Principal Uses in the “MTD” Zone, as listed in Subsection 2 (a) of this By-law.

- iii. The total gross floor area of all Restaurant Plazas shall not exceed 15 percent of the total gross floor area of all uses within the “MTD” Zone.
  - iv. Despite Clause 2(e)(ii) the total gross floor area of all existing or proposed Restaurant Plazas in the “MTD” Zone, shall be excluded from the total gross floor area of all existing or proposed Permitted Principal Uses in the “MTD” Zone, as listed in Subsection 2(a) for the purpose of calculating total gross floor area of all existing or proposed Permitted Secondary Uses and Permitted Support Uses in the “MTD” Zone, as listed in Subsections 2(b) and 2(c) of this By-law.
  - v. The following Permitted Support Uses shall have a maximum gross leasable area of 500 square metres per individual use:
    - A. Dry-Cleaner’s Distribution Centre
    - B. Personal Service Establishment
    - C. Retail Sales, Ancillary
    - D. Travel Information Centre
  - vi. Despite Clause 2(d)(i) of this By-law, landmark buildings having a maximum height of 35 storeys, may be permitted on lands zoned “MTD”.
- f) Parking Requirements (“MTD” Zone)
- i. The minimum parking requirements for the lands designated “MTD” attached hereto, shall be the largest cumulative total number of spaces required for all uses for a Weekday – Morning, Weekday – Noon, Weekday – Afternoon, Weekday – Evening, Saturday – Morning, Saturday – Noon, Saturday – Afternoon, or Saturday – Evening parking period, derived by applying, for each existing and proposed use, the respective parking space rate set out in Clause 2(f)(ii) of this By-law and then applying the parking space reductions where applicable for each of the different parking periods, as set out in Subclause 2(f)(ii) (A) and (B), the Occupancy Rates - Percentage of Peak Period for Weekdays and Saturday Charts.
  - ii. The minimum parking rates for the uses permitted in a “MTD” Zones shall be provided in accordance with the following provisions:

(i)	Amphitheatre / Arena / Cinema / Stadium / Performance Arts Centre	1.0 space per 4 fixed seats, but where permanent fixed seating is open-style bench or pew, each 0.5 metres of bench or pew space is equal to one (1) seat for the purpose of calculating required parking
(ii)	Botanical Gardens / Community Garden	1.0 spaces per 100 square metres of gross leasable floor area of building on site
(iii)	Day Care Centre / Dry-Cleaner's Distributing Centre / Business Support Services / Office / Travel Agent / Travel Information Centre / Community Centre / Vehicle Rental Establishment	3.0 spaces per 100 square metres of gross leasable floor area
(iv)	Retail Sales, Ancillary	3.5 spaces per 100 square metres of gross leasable floor area
(v)	Art Gallery / Museum / Waterpark / Wave Pool / Major Tourist Establishment	4.0 spaces per 100 square metres of gross leasable floor area; or 1.0 space per 4 capacity, whichever is greater
(vi)	Commercial School / Financial Institution / Personal Service / Spa	4.5 spaces per 100 square metres of gross leasable floor area
(vii)	Commercial Fitness/Recreation Centre / Private Club / Place of Amusement	5.0 spaces per 100 square metres of gross leasable floor area
(viii)	Restaurant / Bake Shop	6.0 spaces per 100 square metres of gross leasable floor area
(ix)	Medical Office	6.5 spaces per 100 square metres of gross leasable floor area
(x)	Banquet Facilities / Convention or Conference Centre/ Nightclub	10.0 spaces per 100 square metres of gross leasable floor area

(xi)	Curling rinks, tennis courts, bowling alleys or similar recreational facilities	4 spaces per ice sheet, court or lane or similar recreational facility provided that, where facilities for a restaurant, nightclub or assembly hall are also provided, the greater parking requirement for either the recreational facilities or for the assembly floor area shall apply
(xii)	Gaming Establishment/Casino	0.7 space per gaming position
(xiii)	Hotel	0.8 space per guest room; plus 10.0 spaces per 100 square metres non-residential gross floor area used for public use including meeting rooms, conference rooms, recreational facilities, dining and lounge areas and other commercial facilities, but excluding bedrooms, kitchens, laundry rooms, washrooms, lobbies, hallways, elevators, stairways and recreational facilities directly related to the function of the overnight accommodation
(xiv)	All other uses	4.0 spaces per 100 square metres of gross leasable floor area
(xv)	Film Studio	0.7 spaces per 100 square metres of gross leasable floor area

iii. Shared Parking Permitted Reductions Calculation:

A. Occupancy Rate - Percentage of Peak Period (Weekday)

A		B	C	D	E
Type of Use		Occupancy Rate - Percentage of Peak Period (Weekday)			
		Morning	Noon	Afternoon	Evening
	Gaming Establishment/Casino	70	70	70	100
	Office/Medical Office/Financial Institution	100	90	95	10
	Banquet Facilities / Convention or Conference Centre	90	90	90	100

	A	B	C	D	E
	Performance Arts Centre / Arena	10	10	70	100
	Retail Store/Personal Service Establishment	80	90	90	90
	Restaurant	20	100	30	100
	Hotel	70	70	70	100

B. Occupancy Rate - Percentage of Peak Period (Saturday)

	A	B	C	D	E
	Type of Use	Occupancy Rate - Percentage of Peak Period (Saturday)			
		Morning	Noon	Afternoon	Evening
	Gaming Establishment/Casino	70	80	100	100
	Office/Medical Office/Financial Institution	10	10	10	10
	Banquet Facilities / Convention or Conference Centre	90	90	100	100
	Performance Arts Centre / Arena	10	70	90	100
	Retail Store/Personal Service Establishment	80	100	100	70
	Restaurant	20	100	50	100
	Hotel	70	70	70	100

iv. Special Parking Requirements:

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 2511, as amended, shall not apply to lands designated "MTD".

3. Provisions ("UR" Zone)

a) Uses Permitted ("UR" Zone)

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

- i. outdoor recreation uses without buildings or structures;
- ii. preservation and conservation of the natural environment, soil and wildlife; or
- iii. existing lawful uses, located on the land or in existing buildings or structures, provided such use continue in the same manner and for the same purpose for which they were used on January 19, 2015.

4. Provisions ("MTD (H3)" Zone)

a) Uses Permitted ("MTD (H3)" Zone)

Until such time as the "(H3)" Holding Provision is lifted, the lands may be used for any purpose permitted by the "MTD" zone of this by-law, provided the traffic generation rate of the existing and proposed uses does not exceed 1935 external primary weekday P.M. peak hour two-way vehicle trips calculated as per Figure 1 and as validated within a Transportation Impact Study prepared to the satisfaction of the City of Pickering, the Region of Durham and the Province of Ontario.

b) Zone Requirements ("MTD (H3)" Zone)

The "H3" Holding Symbol shall not be removed from the lands designated "MTD", until such time as:

- i. Appropriate arrangements and/or site plan agreements and/or development plan agreements have been made between the Owner of the lands and the City of Pickering, to the satisfaction of the City of Pickering, that all the requirements for the development in the Major Tourist Destination zone have been complied with, including but not limited to, compliance with the Master Development Agreement, including all financial matters;
- ii. Appropriate arrangements and/or agreements have been made between the Owner of the lands and the Region of Durham, prepared the satisfaction of the Region of Durham, for the provision of sanitary, water and Regional transportation, environmental and engineering requirements, including all financial matters; and;
- iii. Appropriate arrangements and/or agreements have been made between the Owner of the lands and the relevant agency having jurisdiction, to the satisfaction of the relevant agencies (being the City of Pickering, the Region of Durham and/or the Province of Ontario), for the construction of a new partial interchange on Highway 401 at Church Street, including all financial and Environmental Assessment matters.

5. Figure 1

For the purpose of this By-law, the amount of different land uses permitted on the lands zoned Major Tourist Development (MTD) for the lifting of the “(H)” – Holding provisions, is based on a calculation to establish the external primary weekday PM peak hour 2-way vehicle trips. This calculation is based on the type and amount of the different permitted land uses, then calculated using various traffic factors.

Table A, Table B and Table C attached hereto are part of Figure 1 to this By-law.

The following are the Column identifications from Table A:

Column A	Permitted Land Use from the MTD Zone	
Column B	Independent Variable	
Column C	Land Use Intensity	
Column D	2-way Trip Generation Rate	
Column E	G2TV	Gross 2-Way PM Peak Hour Traffic Volumes
Column F	Inbound %	Inbound Percent
Column G	G2TV - I	Gross 2-Way PM Peak Hour Traffic Volumes - Inbound
Column H	Outbound %	Outbound Percent
Column I	G2TV - O	Gross 2-Way PM Peak Hour Traffic Volumes - Outbound
Column J	TDMR%	Traffic Demand Management Reduction Percent
Column K	TDMRA	Traffic Demand Management Reduction Allowance Total
Column L	TDMRA - I	Traffic Demand Management Reduction Allowance - Inbound
Column M	TDMRA - O	Traffic Demand Management Reduction Allowance - Outbound
Column N	TUR %	Transit Use Reduction Percent
Column O	TURA	Transit Use Reduction Allowance Total
Column P	TURA - I	Transit Use Reduction Allowance - Inbound
Column Q	TURA - O	Transit Use Reduction Allowance - Outbound
Column R	NE2TV	Net External 2-way Traffic Volumes
Column S	A2TV	Adjusted 2-Way Traffic Volumes Total
Column T	A2TV - I	Adjusted 2-Way Traffic Volumes - Inbound
Column U	A2TV - O	Adjusted 2-Way Traffic Volumes - Outbound
Column V	TWITV	Two-Way Internal Traffic Volumes
Column W	Pass-By %	Pass – By Percent
Column X	PBV	Pass – By Volumes
Column Y	TTG	Total External Primary PM Peak Hour 2-Way Traffic Volumes

The process to calculate the External Primary Weekday PM Peak Hour 2-Way Traffic Volumes is listed below and is to be followed for each proposed lands use, and then the sum of these totals represents the External Primary Weekday PM Peak Hour 2-Way Traffic Volume for that amount of development in the “MTD” zone.



**Step 1:**

Gross 2-Way PM Peak Hour Traffic Volumes (G2TV) is calculated by:

- a) Find appropriate Permitted Use in Column A in Table A.
- b) From the development proposal determine the independent variable from Column B.
- c) Calculate the corresponding land use intensity and note in Column C.
- d) Multiply Column C by Column D to determine the G2TV (write down in Column E).
- e) Multiply Column E being the G2TV by Column F (Inbound %) = G2TV Inbound (write down G2TV inbound in Column G).
- f) Multiply Column E being the G2TV by Column H (Outbound %) = G2TV Outbound (write down G2TV outbound in Column I).

**Step 2:**

Traffic Demand Management Allowance Total (TDMRA) is calculated by:

- a) Multiply the G2TV (Column E) by Column J (TDM Reduction %).
- b) Equals = TDMRA (write down TDMRA in Column K).
- c) Multiply TDMRA (Column K) by Column F (Inbound %) = TDMRA Inbound (write down TDMRA-I in Column L).
- d) Multiply TDMRA (Column K) by Column H (Outbound %) = TDMRA - Outbound (write down TDMRA-O Column M).

**Step 3:**

Transit Use Reduction Allowance (TURA) is calculated by:

- a) Multiply G2TV (Column E) by Column N (Transit Use Reduction %).
- b) Equals = TURA (write down TURA in Column O).
- c) Multiply TURA (Column O) by Column F (Inbound %) = TURA-Inbound (write down TURA-I in Column P).
- d) Multiply TURA (Column O) by Column H (Outbound %) = TURA Outbound (write down TURA-O in Column Q).

**Step 4:**

Net External 2-way Traffic Volumes (NE2TV) is calculated by:

- a) G2TV (Column E) minus TURA (Column O) minus TDMRA (Column K).
- b) Equals = A2TV (write down in Column S).

- c)  $A2TV - TWITV$  ( $TWITV$  will be calculated in the next Step 5 calculations).
- d)  $Equals = NE2TV$  (write down in Column R).

Adjusted 2-Way Traffic Volumes ( $A2TV$ ) Inbound is calculated by:

- a)  $G2TV \text{ Inbound (Column G)} - TURA-I \text{ (Column P)} - TDMRA-I \text{ (Column L)}$ .
- b)  $Equals = A2TV-I$ , (write down in Column T).

Adjusted 2-Way Traffic Volume ( $A2TV$ ) Outbound is calculated by:

- a)  $G2TV-O \text{ (Column I)} - TURA-O \text{ (Column Q)} - TDMRA-O \text{ (Column M)}$ .
- b)  $Equals = A2TV-O$ , (write down in Column U).

**Step 5:**

Two-Way Internal Traffic Volumes ( $TWITV$ ) is calculated by:

- a) Use Table B and Table C. Table B is for internal inbound calculations. Table C is for internal outbound calculations.
- b) Utilize  $A2TV-I$  (Column T) values per land use with Table B.
- c) Utilize  $A2TV-O$  (Column U) values per land use with Table C.
- d) Create a matrix for the proposed land use pairings by multiplying the percentages found in Table B by  $A2TV-I$  (Column T) values.
- e) Create a second matrix for the same proposed land use pairings by multiplying the percentages found in Table C by  $A2TV-O$  (Column U) values.
- f) Create a third matrix by comparing matrices for Inbound and Outbound internal trips, and select the lower of the corresponding values for the appropriate land use pairings.
- g) Sum together the Inbound (i.e., volumes within rows) and Outbound (i.e., volumes within columns) for each land use.
- h)  $Equals = TWITV$  for each land use, write down in Column V.
- i) Calculate  $NE2TV$  (Column R):  $A2TV$  (Column S) minus  $TWITV$  (Column V) for each land use and (write down  $NE2TV$  in Column R).

**Step 6:**

Pass – By Volumes ( $PBV$ ) calculated by:

- a) Take NE2TV (Column R) and multiply by PB% (Column W) and write in Column X.

**Step 7:**

Total External Primary PM Peak Hour 2-Way Traffic Volumes (TTG) is calculated:

- a) Take PBV (Column X) and subtract it from NE2TV (Column R) for each land use.
- b) Write down in Column Y the Total External Primary PM Peak Hour 2-Way Traffic Volumes (TTG).

**Step 8:**

- a) Total all the TTG for the land uses with the existing and proposed development and record in the bottom Total Box. Compare the total box with the development threshold limit contained in the “(H)” – Holding provisions of the By-law.

Table A of Schedule II of By-law 7404/15

Traffic Generation Rates for Major Tourist Destination Uses

Permitted Use	Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O	Column P	Column Q	Column R	Column S	Column T	Column U	Column V	Column W	Column X	Column Y	
		Independent Variable	Land Use Intensity	2-way Trip Generation Rate	P.M. Peak Hour Trip Rate	Inbound %	Outbound %	TDM Reduction %	TDMRA	TDMRA-B	TDMRA-C	TDMRA-D	TDMRA-E	TDMRA-F	TDMRA-G	TDMRA-H	TDMRA-I	TDMRA-J	TDMRA-K	TDMRA-L	TDMRA-M	TDMRA-N	TDMRA-O	TDMRA-P	TDMRA-Q	
Amusement		per seats		0.14		65%	35%	0%																	0%	
Art gallery		per 100 Square metres - GFA		0.02		61%	39%	0%																		0%
Bookstore		per 100 Square metres - GFA		30.14		50%	50%	0%																		15%
Business Office		per # of parking spaces		0.36		89%	11%	0%																		0%
Business Office		per # of parking spaces		0.22		61%	39%	0%																		0%
Business Support Services		per 100 Square metres - GFA		$T = 1.12 \cdot (1.0793)^x + 78.45$		17%	83%	10%																		0%
Business Support Services		per 100 Square metres - GFA		2.96		45%	55%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA																								0%
Commercial Food/Service Centre		per # of Students		$LNT = 0.84 \cdot LNTx + 1.32$		63%	37%	10%																		0%
Commercial Food/Service Centre		per # of Students		8.65		91%	9%	0%																		0%
Commercial Food/Service Centre		per # of seats, tables, counters etc.		1.51		61%	39%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		13.28		47%	53%	0%																		50%
Commercial Food/Service Centre		per 100 Square metres - GFA		7.98		44%	56%	0%																		50%
Commercial Food/Service Centre		per 100 Square metres - GFA		0.89		50%	50%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		0.30		56%	44%	0%																		5%
Commercial Food/Service Centre		per Gaming Zones		0.61		59%	41%	0%																		0%
Commercial Food/Service Centre		per Gaming Zones		0.84		50%	50%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		$LNT = 0.80 \cdot LNTx + 1.53$		21%	79%	10%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		12.21		65%	35%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		$T = 1.12 \cdot (1.0793)^x + 78.45$		17%	83%	10%																		0%
Commercial Food/Service Centre		per # of Seats		1.96		86%	14%	0%																		0%
Commercial Food/Service Centre		per # of Seats		1.21		71%	29%	0%																		25%
Commercial Food/Service Centre		per # of Seats		0.40		83%	17%	0%																		0%
Commercial Food/Service Centre		per # of Seats		6.38		63%	37%	0%																		10%
Commercial Food/Service Centre		per 100 Square metres - GFA		$LNT = 0.67 \cdot LNTx + 3.31$		40%	60%	0%																		25%
Commercial Food/Service Centre		per 100 Square metres - GFA		$LNT = 0.92 \cdot LNTx + 4.3$		51%	49%	0%																		0%
Commercial Food/Service Centre		per # of Seats		3.57		57%	43%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		$100\% \cdot \text{International Trip Making Use}$		40%	60%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		$T = 1.91 \cdot (1.0793)^x + 23.74$		41%	59%	0%																		0%
Commercial Food/Service Centre		per 100 Square metres - GFA		2.19		48%	52%	0%																		0%

Notes:  
 x = Number of two-way automobile trips  
 y = Number of two-way automobile trips  
 L = Natural Logarithm

**Table B of Schedule II of By-law 7404/15**

**Internal PM Peak Hour Inbound Trip Percentages**

		Outbound (i.e., from Hotel, Casino, Cinema etc.)										
		Casino, Place of Amusement, Major Tourist Establishment	Cinema	Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre	Convention Centre, Museum	Hotel, Spa	Performance Arts Centre, Amphitheatre, Arena, Stadium	Restaurant Complex, Restaurant, Nightclub, Bake Shop	Waterpark/Wave Pool, Botanical Gardens, Community Gardens	Dry Cleaner's Dist'n Centre, Day Care	Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment	Total
Inbound (i.e., to Hotel, Casino, Cinema etc.)	Casino, Place of Amusement, Major Tourist Establishment		5%	5%	15%	15%		10%		5%		
	Cinema	5%				5%		10%				
	Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre							5%		5%	5%	
	Convention Centre, Museum	20%				20%		20%				
	Hotel, Spa	25%	5%		25%			10%	10%	5%		
	Performance Arts Centre, Amphitheatre, Arena, Stadium	10%						30%				
	Restaurant Complex, Restaurant, Nightclub, Bake Shop	20%	5%	10%	15%	5%			5%			
	Waterpark/Wave Pool, Botanical Gardens, Community Gardens					30%		25%				
	Dry Cleaner's Dist'n Centre, Day Care	20%		20%		10%						
	Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment			20%							20%	

**Table C of Schedule II of By-law 7404/15**

**Internal PM Peak Hour Outbound Trip Percentages**

		Inbound (i.e., to Hotel, Casino, Cinema etc.)										
		Casino, Place of Amusement, Commercial Major Establishment	Cinema	Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre	Convention Centre, Museum	Hotel, Spa	Performance Arts Centre, Amphitheatre, Arena, Stadium	Restaurant Complex, Restaurant, Nightclub, Bake Shop	Waterpark/Wave Pool, Botanical Gardens, Community Gardens	Dry Cleaner's Dist'n Centre, Day Care	Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment	Total
Outbound (i.e., from Hotel, Casino, Cinema, etc.)	Casino, Place of Amusement, Major Tourist Establishment		10%		10%	10%	5%	30%		20%		
	Cinema	20%				5%		10%				
	Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre	5%						10%		20%	10%	
	Convention Centre, Museum	20%				10%		30%				
	Hotel, Spa	25%	5%		5%			45%	10%	10%		
	Performance Arts Centre, Amphitheatre, Arena, Stadium											
	Restaurant Complex, Restaurant, Nightclub, Bake Shop	40%	5%		10%	10%	30%					
	Waterpark/Wave Pool, Botanical Gardens, Community Gardens					30%		20%				
	Dry Cleaner's Dist'n Centre, Day Care	5%		5%		5%						
	Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment										20%	

## **15.71 Exception Zone 71 (By-law 789-78, as amended by By-law 893-78)**

### 1. Definitions

- a) "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 public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use, a telegraph office, a bank, a data processing establishment, a newspaper publishing plant and a radio or television broadcasting station and related studios or theatres, but shall not include a medical or other professional office, a clinic, a retail store or any other use as defined herein.
- b) "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.
- c) "Manufacturing Plant" shall mean a building or structure or part thereof in which is carried on any activity or operation pertaining to the making of any article or part of an article, which shall include:
  - i. altering,
  - ii. assembling,
  - iii. repairing,
  - iv. ornamenting,
  - v. finishing,
  - vi. cleaning,
  - vii. polishing,
  - viii. washing,
  - ix. packing,
  - x. adapting for sale,
  - xi. breaking up,
  - xii. or demolishingthe said article.
- d) "Light Manufacturing Plant" shall mean a manufacturing plant used for:
  - i. the dry cleaning, pressing or laundering of garments;
  - ii. the production of apparel and finished textile products other than the production of synthetic fibres;
  - iii. printing or duplicating;

- iv. the manufacture of finished paper and allied products other than the processing of wood pulp;
  - v. the production of cosmetics, drugs and other pharmaceutical supplies;  
or
  - vi. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.
- e) "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, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

## 2. Permitted Uses

No person shall within any "M1-1" Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following "M1-1" uses, namely:

- a) Residential Uses:
  - i. Accessory Dwelling Units
- b) Non-Residential Uses:
  - i. business offices;
  - ii. food preparation plants;
  - iii. light manufacturing plants;
  - iv. public uses;
  - v. scientific or medical laboratories;
  - vi. warehouses.

## 3. Zone Requirements

No person shall within any M1-1 Zone 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 of a hectare
- b) LOT FRONTAGE  
(Minimum) - no minimum



c) FRONT YARD DEPTH

(Minimum) - 12 metres except that where the front lot line abuts a street on the opposite side of which is located a Residential Zone the minimum front yard depth shall be 30.5 metres

d) SIDE YARD WIDTH (Minimum)

- i. Interior Side Yard - 4.5 metres except that where the interior side lot line abuts a Residential Zone the minimum interior side yard width shall be 12 metres
- ii. Flankage Side Yard - 12 metres, except that where the flankage side lot line abuts a street on the opposite side of which is located a Residential Zone the minimum flankage side yard width shall be 22.5 metres.

e) REAR YARD DEPTH

(Minimum) 7.5 metres; except that:

- i. where the rear lot line abuts a railway, no rear yard shall be required, and
- ii. where the rear lot line abuts a Residential Zone or abuts a railway on the opposite side of which is located a Residential Zone, the minimum rear yard depth shall be 12 metres.

f) LOT COVERAGE

(Maximum) 50 percent, except that where building height exceeds 12 metres the maximum lot coverage shall be 33 per cent.

g) BUILDING HEIGHT

(Maximum) 20 metres, except that where lot coverage exceeds 33 percent the maximum building height shall be 12 metres.

h) OPEN STORAGE

No open storage shall be located in any yard.

i) ACCESSORY DWELLING UNITS PER LOT:

(Maximum) 1 only, except that no lot in any M1-1 Zone shall be used for an accessory dwelling unit unless such lot is served by a public water system and a sanitary sewer system.

j) DWELLING UNIT AREA

(Minimum) 55.5 square metres plus an additional 1.5 square metres for each bedroom.

k) LANDSCAPED OPEN AREA

- i. Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces or driveways shall be maintained as landscaped open area.
    - ii. Not less than 50% of any required front yard shall consist of landscaped open area.
  - l) SPECIAL RESTRICTIONS  
No loading spaces or electric transformers shall be located in any front yard.
  - m) BUILDING DESIGN REQUIREMENTS  
Every building erected in an M1-1 Zone shall be designed by a registered architect or a registered professional engineer.
  - n) NOXIOUS USES  
No use shall be permitted in any M1-1 Zone which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under the Public Health Act as amended from time to time or any regulations thereunder.
4. The provisions of section 21 of By-law 2511, as amended, shall apply to those lands designated G.

## **15.72 Exception Zone 72 (By-law 6514-05, as amended by By-law 6536-05 and By-law 6744-07)**

### 1. Definitions

- a) "Body Rub Parlour" includes any premises or part thereof where a body rub is preformed, 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 preformed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;
- b) "Body Rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;
- c) "Place of Religious Assembly" shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purpose of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof;

### 2. Provisions

In addition to the provisions of Section 17.1 of By-law 2511, the lands designated "M2" may be used for the purpose of a Body Rub Parlour in accordance with Section 17.2 provided that the following requirements are met:

- a) No more than one Body Rub Parlour shall be permitted and the aggregate gross leasable floor area of the Body Rub Parlour shall not exceed 310 square metres;
- b) A Body Rub Parlour shall be permitted to operate in only Unit 3 and/or Unit 4, within Durham Condominium Corporation 105;
- c) While a Body Rub Parlour use exists within Units 3 and 4, there shall be lease agreements or other arrangements satisfactory to the City securing 9 parking spaces dedicated exclusively for such use on the lands subject to this by-law or off such lands but in close proximity to Units 3 and 4; and
- d) Within a Body Rub Parlour, a maximum of 7 rooms shall be used for body rub services.

### 3. Provisions for a Place of Religious Assembly

In addition to the provision of Subsection 17.1 of By-law 2511, a Place of Religious Assembly is permitted on lands known as Part of Lot 19, B.F.C.

Range 3 (Durham Condominium Plan 105), in the City of Pickering, provided that the following requirements are met:

- a) The gross leasable floor area of all Places of Religious Assembly shall not exceed 170 square metres;

## 15.73 Exception Zone 73 (By-law 5949-02)

### 1. DEFINITIONS

- a) "Business Office" shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- b) "Dry Cleaning Establishment" shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
- c) "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 branch thereof;
- d) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below 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;
- e) "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;
- f) "Gross Leasable Floor Area" shall mean the aggregate 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;
- g) "Light Manufacturing Plant" shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, 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;
- 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) "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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;
- 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 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 by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to time, or any successor thereto;
- n) "Sales Outlet" shall mean a building or part of a building accessory to a food preparation plant, light manufacturing plant, merchandise service shop, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- o) "Scientific, Medical or Research Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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;
- p) "Vehicle Service and Repair Shop" shall mean an establishment containing facilities for the service and repair of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair

operations are performed, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

- 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, 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;
- 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 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;
- 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 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) "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

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

2. Provisions

a) Uses Permitted ("MC-16" Zones)

No person shall within the lands designated "MC-16", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. business office;
- ii. dry cleaning establishment;
- iii. food preparation plant;
- iv. light manufacturing plant;
- v. merchandise service shop;
- vi. professional office;
- vii. sales outlet;
- viii. scientific, medical or research laboratory;
- ix. vehicle service and repair shop;
- x. warehouse;

b) Zone Requirements ("MC-16" Zone)

No person shall within the lands designated "MC-16", 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): 12 metres
- iv. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres
- v. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres
- vi. REAR YARD DEPTH (minimum): 7.5 metres
- vii. LOT COVERAGE (maximum): 45 percent
- viii. BUILDING HEIGHT (maximum): 12 metres
- ix. OUTDOOR STORAGE:

Outdoor storage shall be permitted in any yard except the front yard so long as the area use for outdoor storage purposes does not exceed 30 percent of the area of the lot.

x. PARKING REQUIREMENTS:

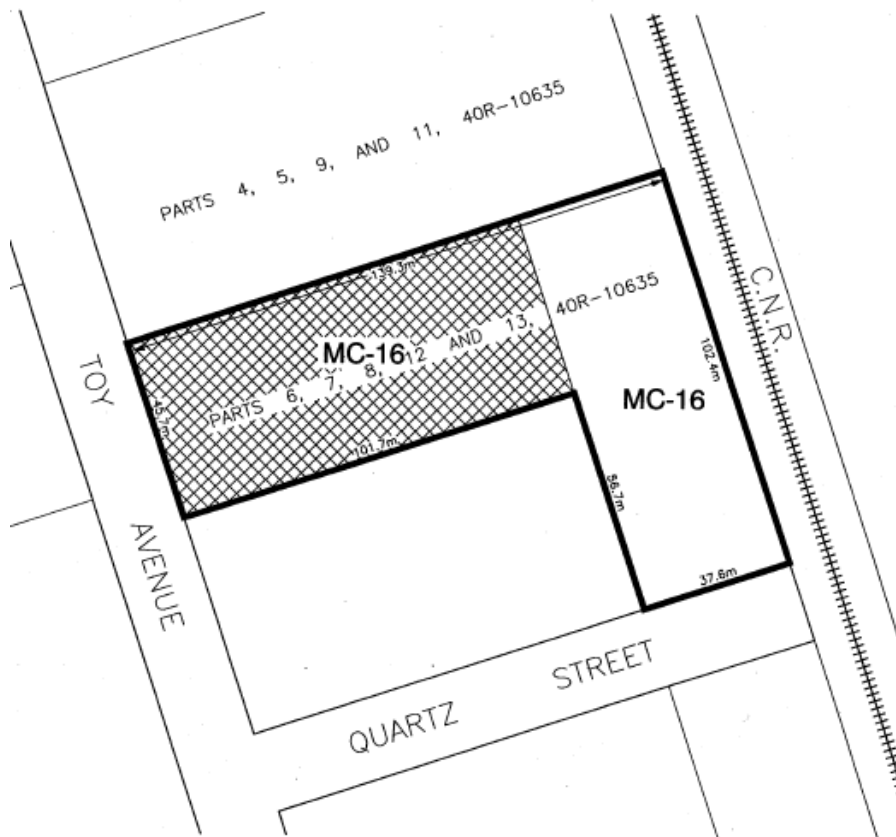
Section 5.21.2 (b) of By-law 2511 as amended shall not apply to the lands designated "MC-16".

xi. SPECIAL REGULATIONS:




- A. A sales outlet shall be permitted only if accessory to a food preparation plant, a light manufacturing plant, a merchandise service shop, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 20% of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, or warehouse;
- B. A vehicle service and repair shop shall be permitted only in the area hatched on Figure 1 attached to this By-law.

3. Figure 1



SCHEDULE I TO BY-LAW 5949/02  
PASSED THIS 4  
DAY OF February 2002

  
MAYOR

  
CLERK

## 15.74 Exception Zone 74 (By-law 5971-02)

### 1. Definitions

- a) “Automobile Service Station – Type F” shall mean an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical and / or one manual 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) “Build-to-Zone” shall mean an area of land within which all or part of a building or buildings are to be located;
- c) “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;
- d) “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;
- e) “Lot Area” shall mean the total horizontal area within the lot lines of a lot;
- f) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distance from the front lot line;
- g) “Manual Car Wash” shall mean an establishment where self service facilities are provided for the washing and cleaning of vehicles by hand labour methods using sprayers, vacuums and other similar devices;
- h) “Mechanical Car Wash” shall mean 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;
- i) “Restaurant - Type F” 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 which may include a drive-through order and pick-up service;
- 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 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 of the lot, or where there is no rear lot line, the junction point of the side lot lines;
- 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) “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
- s) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted (“CA(F)-1” Zone)

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

- i. automobile service station –Type F
- ii. restaurant - Type F

### b) Zone Requirements (“CA(F)-1” Zone)

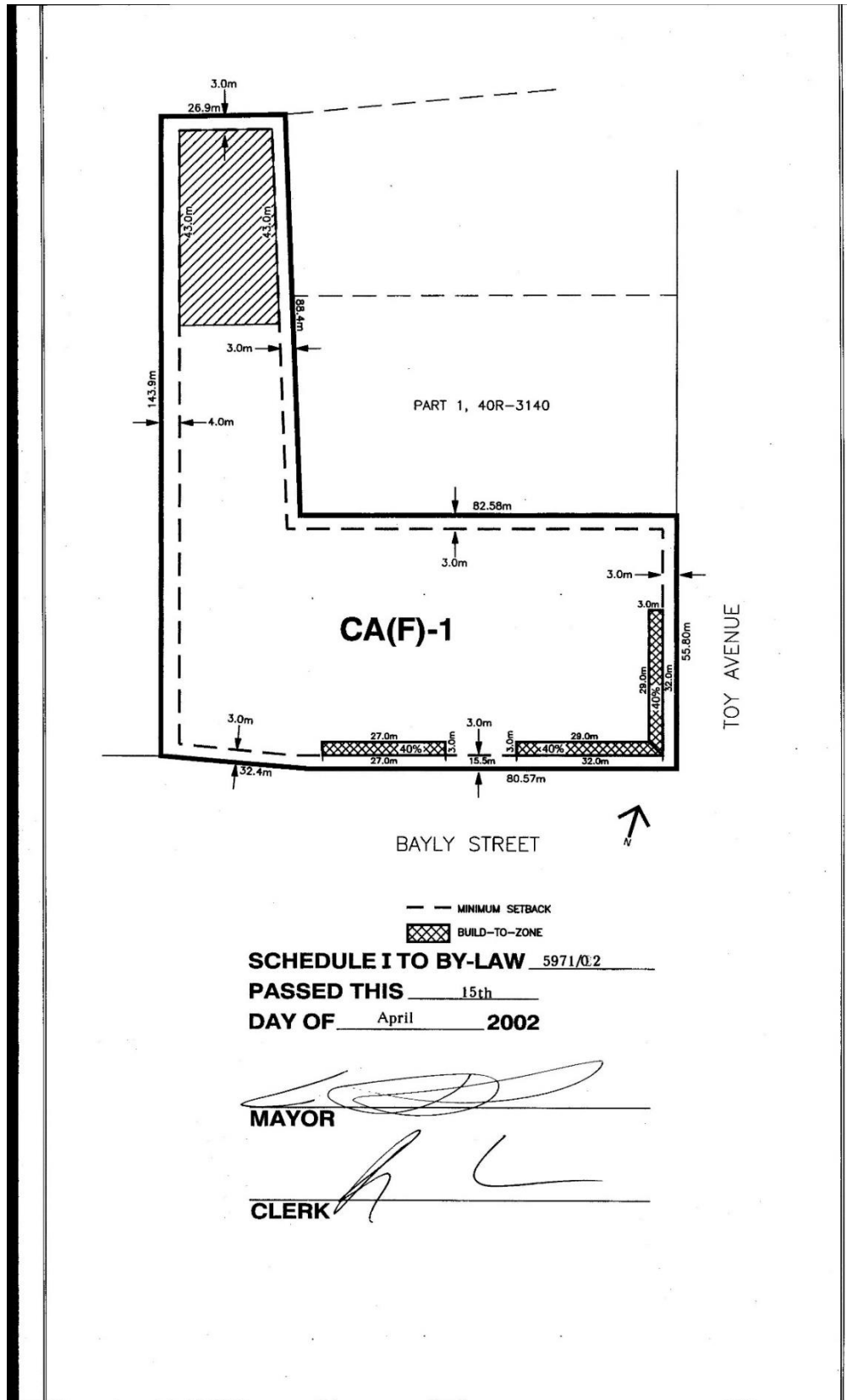
No person shall within the lands designated “CA(F)-1” use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. LOT AREA (minimum): 0.4 hectares

- ii. LOT FRONTAGE (minimum): 55.0 metres
- iii. BUILDING RESTRICTIONS:
  - A. Building Location and Setbacks:
    - 1) Buildings and structures shall comply with the minimum setbacks illustrated on Figure 1 attached hereto;
    - 2) A minimum of 40% of the length of the build-to-zones, as illustrated on Figure 1 attached hereto, shall contain a building or buildings, or part of a building or buildings;
    - 3) Despite paragraph (1) above, a manual car wash facility shall only be permitted on the lands diagonally hatched on Figure 1 attached hereto;
    - 4) Despite paragraph (1) above, a mechanical car wash facility shall be located a minimum of 6.0 metres from Bayly Street;
  - B. Building Height:
    - 1) maximum of 12.0 metres;
    - 2) minimum of 5.0 metres in any build-to-zone;
    - 3) Despite (2) above, the minimum building height for a mechanical car wash facility shall be 6.0 metres;
- iv. PARKING REQUIREMENTS:
  - A. There shall be provided and maintained on the lands designated “CA(F) 1”, a minimum of:
    - 1) 8.0 parking spaces per 93 square metres of gross leasable floor area provided for all restaurants - Type F;
    - 2) 10 parking spaces for any automobile service station – Type F;
  - B. Clauses 5.21.2a) to 5.21.2e), inclusive, of By-law 2511, as amended, shall not apply to the lands designated “CA(F)-1”;
  - C. Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;
- v. SPECIAL REGULATIONS:
  - A. The aggregate of the gross leasable floor area of all restaurants - Type F shall not exceed 300 square metres;
  - B. The maximum gross leasable floor area of any kiosk associated with the automobile service station - Type F shall not exceed 190 square metres;
  - C. A maximum of one automobile service station - Type F shall be permitted on the lands designated “CA(F)-1”;

- D. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display;
- E. Despite section 2(b)(v)(D) above, a maximum area of 10.0 square metres may be used for the outdoor storage or display of limited convenience items accessory to an automobile service station - Type F;
- F. Despite section 5.19(a) (provisions for accessory structure location) of By-law 2511, as amended, and section 2(b)(iii)(A)(1) of this By-law, one garbage enclosure not exceeding 15.0 square metres in size may be located in the interior side yard a minimum of 0 metres from that property line;

3. Figure 1



## **15.75 Exception Zone 75 (By-law 6070-02, as amended by By-law 6140-03)**

### 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 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) “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;
- d) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- e) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- 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 as defined herein;
- g) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;
- h) “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, an art school, a golf school or any other school operated for gain or profit;
- 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) “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 such processes;
- k) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
- l) “Exhibition Hall” shall mean a building or part of a building where the temporary exhibition of music, art, goods, wares, and the like are displayed and made available for sale and which may include a flea market use;
- m) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;
- n) “Flea Market” shall mean a building or part of a building in which stalls or sales areas are set aside and rented or otherwise provided where groups of individual sellers offer goods, new and used, for sale to the public;
- o) “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;
- p) “Gross Leasable Floor Area” shall mean the aggregate 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;
- q) “Light Machinery and Equipment Supplier” shall mean a building or part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesaler retail sale to industrial or commercial establishments;
- r) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plastic ware, 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;
- 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 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;

- 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) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- w) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;
- x) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;
- y) “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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;
- z) “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 theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, or an adult entertainment parlour as defined herein;
- aa) “Place of Assembly” shall mean a building or part of 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 as defined herein;

- bb) “Place of Worship” shall mean a building or part of building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre, or nursery school;
- cc) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- dd) “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 by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to time, or any successor thereto;
- ee) “Restaurant – Type F” 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 which may include a drive through, order and pick-up service;
- ff) “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;
- gg) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- hh) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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;
- ii) “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, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

- jj) “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 use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- kk) “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, 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;
- ll) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;
- mm) “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;
- nn) “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;
- oo) “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;
- pp) “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;
- qq) “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;
- rr) “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;
- ss) “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;
- tt) “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;

- uu) “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
- vv) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted (“MC-17” Zones)

No person shall within the lands designated “MC-17”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakery;
- ii. banquet facility;
- iii. business office;
- iv. club;
- v. commercial club;
- vi. commercial-recreational establishment;
- vii. commercial school;
- viii. convenience store;
- ix. dry cleaning depot;
- x. dry cleaning establishment;
- xi. exhibition hall;
- xii. financial institution;
- xiii. food preparation plant;
- xiv. light machinery and equipment supplier;
- xv. light manufacturing plant;
- xvi. merchandise service shop;
- xvii. office-associated commercial establishment;
- xviii. personal service shop;
- xix. place of amusement or entertainment;
- xx. place of assembly;
- xxi. place of worship;
- xxii. printing establishment;
- xxiii. professional office;
- xxiv. restaurant – Type F;
- xxv. sales outlet;

- xxvi. scientific, medical or research laboratory;
- xxvii. vehicle repair shop;
- xxviii. vehicle sales or rental establishment;
- xxix. warehouse;

b) Zone Requirements (“MC-17” Zone)

No person shall within the lands designated “MC-17”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING LOCATION AND SETBACKS (minimums):

- A. from Bayly Street and Squires Beach Road 7.5 metres;
- B. from the railway right-of-way 15.0 metres;
- C. from all other lot lines 3.0 metres;
- D. from the “OS-HL” Zone boundary 5.0 metres;

ii. BUILDING HEIGHT (maximum): 12.0 metres;

iii. OPEN STORAGE:

All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

iv. PARKING REQUIREMENTS:

- A. There shall be provided and maintained on the lot a minimum of 10.0 parking spaces for each 100 square metres or part thereof gross leasable floor area of the exhibition hall;
- B. There shall be provided and maintained on the lot a minimum of 1.0 parking space for each 56 square metres or part thereof gross floor area of all industrial uses;
- C. There shall be provided and maintained on the lot a minimum of 5.5 parking spaces for each 100 square metres of gross leasable floor area for all other uses;
- D. Sections 5.21.2(a) and 5.21.2(b) of By-law 2511 as amended shall not apply to the lands designated “MC-17”;
- E. Notwithstanding section 5.21.2(g) of By-law 2511, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

v. SPECIAL REGULATIONS:

- A. A sales outlet shall be permitted only if accessory to a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the bakery, food preparation plant,

light manufacturing plant, merchandise service shop, printing establishment, or warehouse;

- B. Notwithstanding Clause A above, a sales outlet may exceed 25% of the gross leasable floor area up to a maximum of 40% of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area that buildings;
- C. The maximum aggregate gross leasable floor area shall be:
  - 1) for all convenience stores on the lot: 325 square metres;
  - 2) for all office-associated commercial establishments on the lot: 325 square metres;
  - 3) for all personal services shops on the lot: 325 square metres;
  - 4) for all restaurants – Type F on the lot: 1,300 square metres;
- D. The maximum aggregate gross leasable floor area for all exhibition halls shall be 12,750 square metres;
- E. office-associated commercial establishment and convenience store uses shall be permitted only on the lands diagonally-hatched on Figure 1 attached hereto;
- F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated “MC-17”.

c) Uses Permitted (“OS-HL” Zone)

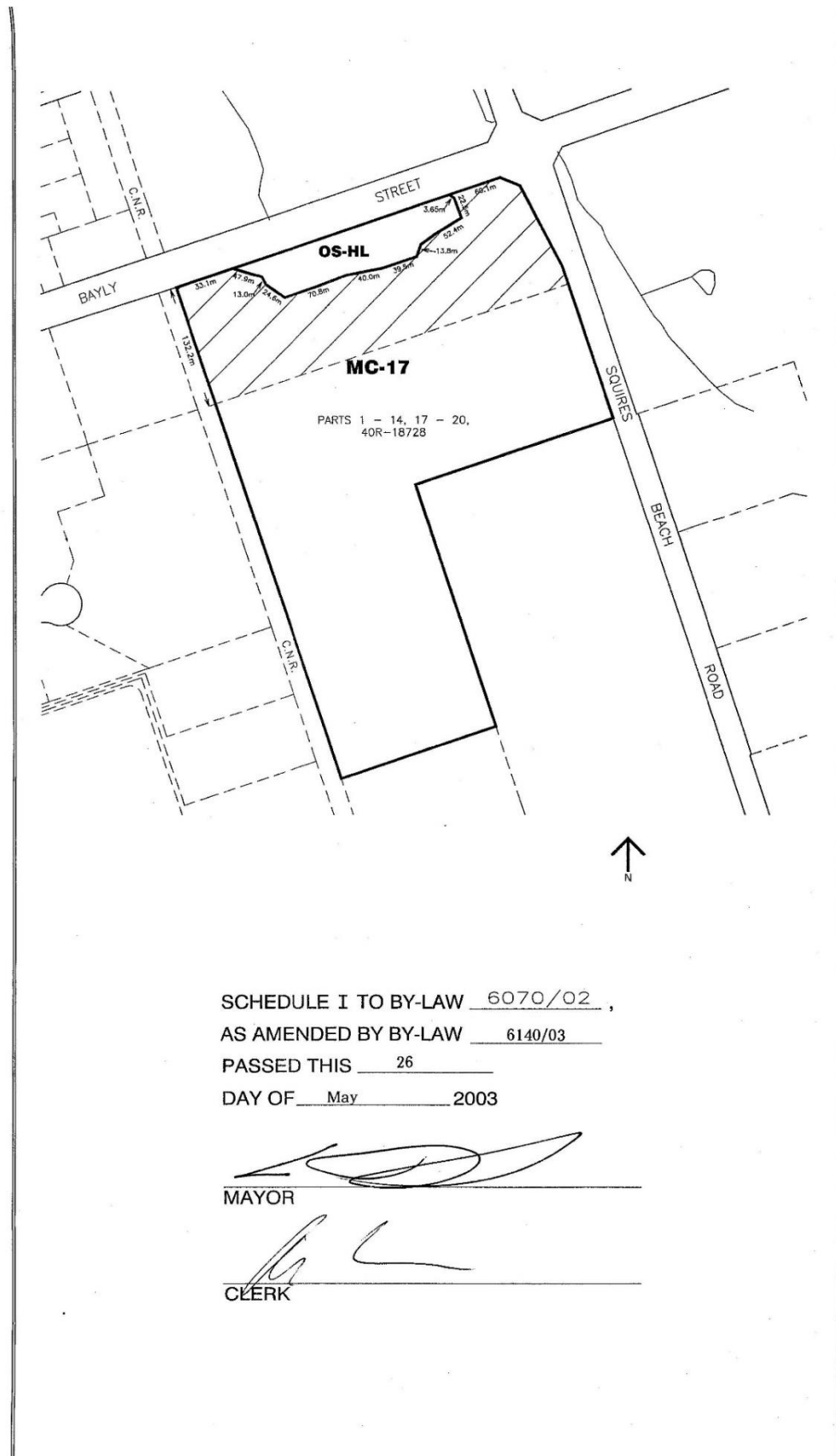
No person shall within the lands designated “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. preservation and conservation of the natural environment, soil and wildlife;
- ii. resource management;
- iii. pedestrian trails and walkways;

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, resource management, or pedestrian trail and walkway purposes.

3. Figure 1



SCHEDULE I TO BY-LAW 6070/02 ,  
AS AMENDED BY BY-LAW 6140/03  
PASSED THIS 26  
DAY OF May 2003

  
\_\_\_\_\_  
MAYOR

  
\_\_\_\_\_  
CLERK

## **15.76 Exception Zone 76 (By-law 6254-04)**

### 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 any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- d) “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 as defined herein;
- e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within 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, an art school, a golf school or any other 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 such processes;
- h) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
- i) “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;



- j) “Gross Leasable Floor Area” shall mean the aggregate 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) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, 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;
- 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 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) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- p) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;
- q) “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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

- r) “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 theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;
- s) “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 as defined herein;
- t) “Place of Worship” shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre or nursery school;
- u) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- 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, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, or any successor thereto;
- w) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;
- 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) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

- z) "Scientific, Medical or Research Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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) "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, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;
- bb) "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 use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- cc) "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, 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; and
- dd) "Waste Transfer and Management Facility" shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;
- ee) "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;
- ff) "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;
- gg) "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;
- hh) "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;
- ii) "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;

- jj) "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;
- kk) "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 ("MC-19" Zone)

No person shall within the lands designated "MC-19", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakery;
- ii. business office;
- iii. club;
- iv. commercial club;
- v. commercial-recreational establishment;
- vi. commercial school;
- vii. dry cleaning depot;
- viii. dry cleaning establishment;
- ix. food preparation plant;
- x. light manufacturing plant;
- xi. manufacturing plant;
- xii. merchandise service shop;
- xiii. personal service shop;
- xiv. place of assembly;
- xv. place of amusement or entertainment;
- xvi. place of worship;
- xvii. printing establishment;
- xviii. professional office;
- xix. rental establishment;
- xx. restaurant – Type A;
- xxi. sales outlet;
- xxii. scientific, medical or research laboratory;

- xxiii. vehicle repair shop;
- xxiv. vehicle sales or rental establishment;
- xxv. warehouse;

b) Zone Requirements ("MC-19" Zone)

No person shall within the lands designated "MC-19", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

Open storage shall not be permitted;

ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 15 metre

iii. SIDE YARD WIDTH REQUIREMENTS (minimum): 6.5 metres

iv. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

v. PARKING REQUIREMENTS (minimum):

A. 415 spaces

B. Sections 5.21.2 (a) and (b) of By-law 2511 shall not apply;

C. Notwithstanding section 5.21.2 (g) of By-law 2511, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof

vi. BUILDING SIZE (maximum aggregate, all buildings on the lands):  
23200 square metres

vii. BUILDING HEIGHT (maximum): 12 metres

viii. SPECIAL REGULATIONS:

A. A sales outlet, accessory to a permitted industrial operation, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial recreational establishments, dry cleaning depots, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – type A on the lots shall not exceed 50% of the gross leasable floor area of all buildings on the lot;

D. The maximum gross leasable floor area for any personal service shop, or restaurant – Type A shall be 325 square metres;

E. The maximum aggregate gross leasable floor area shall be:

- 1) for all personal service shops on the lands: 325 square metres
  - 2) for all restaurants – Type A on the lands: 325 square metres
- F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated “MC-19”.
- G. Despite Section 2(a)(xx), a restaurant – Type A shall not include a drive-thru component.

## **15.77 Exception Zone 77 (By-law 6255-04)**

### 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 any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;
- c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;
- d) “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 as defined herein;
- e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within 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, an art school, a golf school or any other 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 such processes;
- h) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;
- i) “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;

- j) “Gross Leasable Floor Area” shall mean the aggregate 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) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, 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;
- 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 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) “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, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- p) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;
- q) “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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;



- r) “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 theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;
- s) “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 as defined herein;
- t) “Place of Worship” shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre or nursery school;
- u) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;
- 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, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, or any successor thereto;
- w) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;
- 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) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

- z) "Scientific, Medical or Research Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or 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) "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, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;
- bb) "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 use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- cc) "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, 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; and
- dd) "Waste Transfer and Management Facility" shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;
- ee) "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;
- ff) "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;
- gg) "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;
- hh) "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;
- ii) "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;

- jj) "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;
- kk) "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;
- ll) "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;
- mm) "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
- nn) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. Provisions

### a) Uses Permitted ("MC-18" Zone)

No person shall within the lands designated "MC-18", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakery;
- ii. business office;
- iii. club;
- iv. commercial club;
- v. commercial-recreational establishment;
- vi. commercial school;
- vii. dry cleaning depot;
- viii. dry cleaning establishment;
- ix. food preparation plant;
- x. light manufacturing plant;
- xi. manufacturing plant;
- xii. merchandise service shop;
- xiii. personal service shop;
- xiv. place of assembly;
- xv. place of amusement or entertainment;
- xvi. place of worship;

- xvii. printing establishment;
- xviii. professional office;
- xix. rental establishment;
- xx. restaurant – Type A;
- xxi. sales outlet;
- xxii. scientific, medical or research laboratory;
- xxiii. vehicle repair shop;
- xxiv. vehicle sales or rental establishment;
- xxv. warehouse;

b) Zone Requirements ("MC-18" Zone)

No person shall within the lands designated "MC-18", use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. OUTDOOR STORAGE:
  - A. Open storage shall not be permitted;
- ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 15 metres
- iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 7.5 metres
- iv. FLANKAGE SIDE YARD WIDTH REQUIREMENTS (minimum): 15 metres
- v. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres
- vi. PARKING REQUIREMENTS (minimum):
  - A. 140 spaces
  - B. Sections 5.21.2 (a) and (b) of By-law 2511 shall not apply;
  - C. Notwithstanding section 5.21.2 (g) of By-law 2511, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof
- vii. BUILDING SIZE (maximum aggregate, all buildings on the lands): 6750 square metres
- viii. BUILDING HEIGHT (maximum): 12 metres
- ix. SPECIAL REGULATIONS:
  - A. A sales outlet, accessory to a permitted industrial operation, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;
  - B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable

floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

- C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial recreational establishments, dry cleaning depots, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – type A on the lots shall not exceed 25% of the gross leasable floor area of all buildings on the lot;
- D. The maximum gross leasable floor area for any personal service shop, or restaurant – Type A shall be 325 square metres;
- E. The maximum aggregate gross leasable floor area shall be:
  - 1) For all personal service shops on the lands: 325 square metres
  - 2) For all restaurants – Type A on the lands: 325 square metres
- F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated “MC-18”;
- G. Despite Section 2(a)(xx), a restaurant – Type A shall not include a drive-thru component.

## **15.78 Exception Zone 78 (By-law 5736-00)**

1. Notwithstanding the provisions of Section 14.1 of By-law 2511, the lands designated "C2-1" located in Part of Lot 20, Range 3, may be used only for the purpose of either an eating establishment as defined herein, or a place of religious assembly which 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, in accordance with the provisions of Sections 14.2 and 14.3 of By-law 2511.

## 15.79 Exception Zone 79 (By-law 6129-03)

### 1. Definitions

- a) "Commercial-Recreational Establishment" shall mean a commercial establishment in which recreational facilities such as bowling alleys, miniature golf courses, bingo facilities, gymnastics facilities, roller skating rinks, squash courts, swimming pools, batting cages, indoor skateboarding/in-line skate park, and other similar recreational facilities are provided, and which may include an athletic or recreational club, but shall not include a place of amusement or entertainment as defined herein, a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein or 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;
- b) "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;
- c) "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 room or area used for any video lottery terminal use as governed by the Gaming Services Act, and adult entertainment parlour as defined herein or 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;

### 2. Provisions

- a) In addition to the provisions of Section 17.1 of By-law 2511, the lands designated M2 may be used for the purpose of a Commercial-Recreational Establishment in accordance with Section 17.2 provided that the following requirements are met:
  - i. That despite the definition of a Commercial-Recreational Establishment, a Bingo Facility shall not be permitted;
  - ii. the gross leasable floor area of all Commercial-Recreational establishments shall not exceed 1600 square metres, and the parking ratio shall be 1 space per 56 square metres of gross leasable floor area, or portion thereof.

## **15.80 Exception Zone 80 (By-law 6673-06)**

### 1. Definitions

- a) "Body-Rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario;
- b) "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, licenced or registered so to do under the laws of the Province of Ontario;

### 2. Provisions for a Body-Rub Parlour

In addition to the provision of Subsection 16.1 of By-law 2511, a Body-Rub Parlour is permitted on lands known as South Part of Lot 19, Concession 1 (1630 1634 Bayly Street), in the City of Pickering, provided that the following requirements are met:

- a) No more than one body-rub parlour shall be permitted;
- b) The gross leasable floor area of the body-rub parlour shall not exceed 110 square metres;



## **15.81 Exception Zone 81 (By-law 6780-07)**

### 1. Provisions

- a) In addition to the provisions of Section 17.1 of By-law 2511, the lands designated "M-2" may be used for the purpose of a Gymnastics Facility, in accordance with Section 17.2 provided that the following requirements are met:
  - i. the parking ratio shall be, 4.0 spaces per 100 square metres of gross leasable floor area, or portion thereof.

## **15.82 Exception Zone 82 (By-law 7610-18)**

1. Notwithstanding, the provision for maximum building height in Subsection 10.2.7 of By-law 2511, lands subject to this By-law shall have a maximum building height of 9.5 metres.

## 15.83 Exception Zone 83 (By-law 6358-04)

### 1. DEFINITIONS

- a) "Business Office" shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization but shall not include a retail store;
- b) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment;
- 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 as a facility for the daytime care of children;
- 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 such processes;
- e) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;
- f) "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;
- g) "Gross Leasable Floor Area" shall mean the aggregate 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;
- 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) "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 section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

- l) "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 by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, or any successor thereto;
- m) "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;
- 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 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) "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; and
- w) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

## 2. PROVISIONS

### a) Uses Permitted ("LCA-11" Zone)

No person shall within the lands designated " LCA-11", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. business office;
- ii. commercial-recreational establishment;
- iii. day care facility;
- iv. dry cleaning depot;
- v. financial institution;
- vi. food store;
- vii. personal service shop;
- viii. professional office;
- ix. retail store;

### b) Zone Requirements ("LCA-11" Zone)

No person shall within the lands designated " LCA-11", use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. FRONT YARD DEPTH REQUIREMENTS (minimum): 4.0 metres
- ii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 1.0 metres
- iii. FLANKAGE SIDE YARD WIDTH REQUIREMENTS (minimum): 4.0 metres
- iv. REAR YARD DEPTH REQUIREMENTS (minimum): 1.0 metres
- v. BUILDING SIZE  
(maximum gross leasable floor area, all buildings on the lands) 2,800 square metres

### c) Parking Requirements (maximum)

- i. All parking areas and driving aisles shall be set back a minimum of 3.0 metres from any road allowance;
- ii. For all uses, there shall be provided and maintained on the lands a minimum of 5.5 parking spaces for every 100 square metres of gross leasable floor area or part thereof;

- iii. Notwithstanding section 5.21.2 (g) of By-law 2511, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;
- d) BUILDING HEIGHT (maximum): 15 metres
- e) SPECIAL REGULATIONS:
  - i. Despite any provision of By-law 2511, as amended, an outdoor garden centre having a maximum area of 400 square metres is permitted in association with a food store from April 1st to June 30th of every calendar year, while providing a minimum of 140 parking spaces on the subject property.
- f) Uses Permitted ("H") Holding Symbol)

Despite the provisions of Section (1) of this By-law, while the "H") Holding Symbol is in place preceding the "LCA-11" Zone designation, no person shall use any lands for any purpose other than those uses permitted in Section 9.1 of By-law 2511, as amended.
- g) Removal of the "H") Holding Symbol

Prior to an amendment to remove the "H") Holding Symbol preceding the "LCA-11" Zone, on the area so zoned, the owner shall:

  - i. provide proof to the City of Pickering that the road works for Whites Road and Granite Court that abut the subject property, including road widening and reconstruction have been initiated by the Region of Durham; and,
  - ii. enter into an appropriate agreement with the City and receive site plan approval to address, such matters as, site function (access/egress, traffic aisles, parking locations), site improvements (landscaping, paved surfaces, road improvements), and building placement.

## **15.84 Exception Zone 84 (By-law 6375-04, as amended by By-law 7201-12)**

### 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) "Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above-grade common wall.
- d) "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, 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 ("MD-S-SD" Zone)

No person shall within the lands designated "MD-S-SD" 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.

### b) Zone Requirements ("MD-S-SD" Zone)

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

### c) BUILDING REQUIREMENTS:

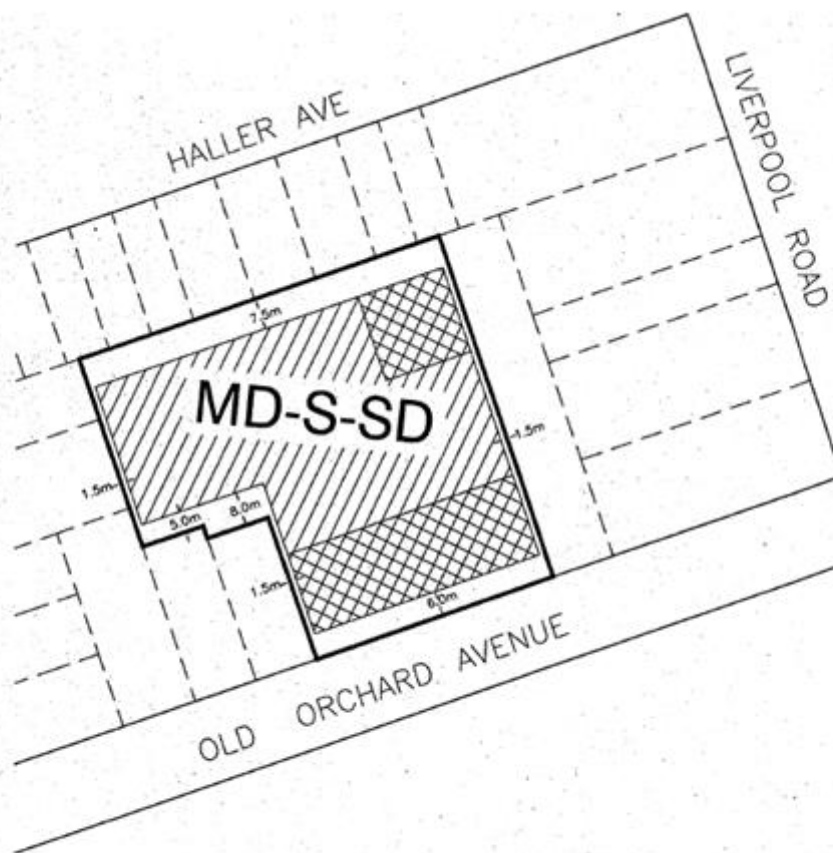
- i. Number of Dwelling Units (maximum) 16



- ii. Building Height (maximum) 9.0 metres
- iii. Number of dwelling units fronting Old Orchard Avenue 4
- iv. Dwelling Unit Requirements:
  - A. Maximum one dwelling unit per lot
  - B. Minimum gross floor area residential of 100 square metres;
- v. Building Location and Setbacks:
  - A. Buildings and structures shall be located entirely within the building envelope as illustrated on Figure 1 attached hereto.
- d) LOT COVERAGE (Maximum): 40 percent
  - i. Despite Section 2(d) above, where a single storey covered and unenclosed verandah or porch having no habitable space above it is attached to the wall containing the main front entrance to the dwelling unit, such porch shall be excluded from the calculation of lot coverage.
- e) PARKING REQUIREMENTS:
  - i. Minimum Parking Spaces (per dwelling unit): 2 spaces
  - ii. Minimum one private garage per lot
  - iii. Any vehicular entrance for a private garage shall be located a minimum of 6 metres from any lot line that abuts the street or private road that provides vehicle access to the private garage;
- f) BUILDING SEPERATION:
  - i. The horizontal distance between adjacent buildings shall not be less than 1.8 metres, except if such buildings are attached in whole or in part.
  - ii. Despite paragraph 2(f)(i) above, a horizontal distance between attached garages on adjacent lots shown in the cross hatched area in Figure 1 attached to this by-law shall not be less than 1.2 metres.
- g) SPECIAL REQUIREMENTS:
  - i. Accessory Buildings and Uses are permitted in accordance with By-law 2511 Section 5.19.
  - ii. 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 and the following provisions apply:
    - A. Semi Detached Dwelling
      - 1) Lot Area (minimum): 205 square metres
      - 2) Frontage (minimum): 7.0 metres

- 3) Front Yard Depth (minimum):
    - I. to front wall of dwelling: 4.5 metres
    - II. to garage: 6.0 metres
  - 4) Interior Side Yard Width (minimum):  
1.2 metres one side, 0.0 metres on the other
  - 5) Flanking side yard (minimum): 2.7 metres
  - 6) Rear yard Depth (minimum): 7.5 metres
  - 7) Building Height (maximum): 9.0 metres
  - 8) Garage Projection:
    - I. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey
  - 9) Driveway Width (maximum): 55 percent of lot frontage
- B. Detached Dwelling
- 1) Lot Area (minimum): 250 square metres
  - 2) Lot Frontage (minimum): 11.0 metres
  - 3) Front Yard Depth (minimum): 6.0 metres
  - 4) Interior Side Yard Width (minimum):
    - I. for inside lots: metres one side, 0.6 metres on the other
    - II. for corner lots: 0.6 metres
    - III. the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres except for lots in the cross hatched area in Figure 1 attached to this by-law, the horizontal distance between attached garages on adjacent lots shall be not be less than 1.2 metres
  - 5) Flankage Side Yard (minimum): 2.7 metres
  - 6) Rear Yard Depth: 7.5 metres
  - 7) Building Height (maximum): 9.0 metres
  - 8) Garage Projection:
    - I. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey
  - 9) Driveway Width (maximum): 55 percent of lot frontage

3. Figure 1



▨ BUILDING ENVELOPE  
▩ MINIMUM GARAGE SEPERATION OF 1.2 METRES



SCHEDULE I TO BY-LAW 7201/12  
PASSED THIS 26th  
DAY OF March 2012

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
D. Shields  
CLERK

## 15.85 Exception Zone 85 (By-law 6393-04)

### 1. Definitions

- a) “Body Shop” shall mean an establishment in which motor vehicle bodies are repaired and/or painted;
- 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 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) “Front Yard Depth” shall mean the shortest horizontal dimension of the front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- e) “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 or the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- f) “Vehicle Display Area” shall mean a specified area used specifically for the display of vehicles which are associated with a vehicle sales and service establishment;
- g) “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, but shall not include a body shop, as defined herein, or any establishment engaged in the retail sale of motor vehicle fuels;
- h) “Vehicle Sales and Service” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels, or a body shop as defined herein;

### 2. Provisions

#### a) Uses Permitted (“SC-36” Zone)

No person shall, within the lands zoned “SC-36”, use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. vehicle sales and service

b) Zone Requirements (“SC-36” Zone)

No person shall within the lands designated “SC-36” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS

A. Front Yard Depth:

- 1) Minimum: 22.0 metres
- 2) Maximum: 32.0 metres

B. Side Yard Width (minimum): 3.0 metres

C. Rear Yard Depth (minimum): 3.0 metres

D. Building Height (minimum): 6.0 metres

c) OUTDOOR STORAGE

- i. No outdoor storage is permitted in any yard;
- ii. Despite subclause 2(c)(i) above, the storage of automobiles in association with a vehicle sales and service use shall be permitted in any yard;

d) PARKING REQUIREMENTS

- i. For a vehicle sales or rental establishment use, there shall be provided and maintained on the subject lands a minimum of 3.0 spaces per 100 square metres of gross leasable floor area.
- ii. Despite clause 5.21.2d) of By-law 2511, as amended, a maximum of 3 vehicles may be located within the vehicle display area, which shall be located within the 3.0 metre parking area setback.
- iii. No parking space, as required by subclause 2(d)(i) above, may be used for the storage or display of automobiles;
- iv. Clauses 5.21.2a) to 5.21.2c) and 5.21.2e) inclusive, of By-law 2511, as amended, shall not apply to the lands zoned “SC-36”;
- v. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

## **15.86 Exception Zone 86 (By-law 7073-10)**

1. Despite the height requirement provision of Subsection 5.10 and the front yard requirement provision of Subsection 10.2.3 of By-law 2511, where any lot having frontage on Rougemount Drive on lands known as Part of Lot 44, Plan 350 in the City of Pickering, is used for a detached dwelling, the following provision shall apply:
  - a) Dwelling Height (maximum): 9.0 meters
  - b) Front Yard Depth (minimum): 10.0 meters

## **15.87 Exception Zone 87 (By-law 7307-13)**

1. Despite the height requirement provision of Subsection 5.10 and the front yard requirement provision of Subsection 10.2.3 of By-law 2511, where any lot having frontage on Rougemount Drive on lands known as Part of Lots 43, Plan 350, Part 1, Plan 40R-18460 in the City of Pickering, is used for a detached dwelling, the following provisions shall apply:
  - a) Dwelling Height (maximum): 9.0 metres
  - b) Front Yard Depth (minimum): 10.0 metres

## **15.88 Exception Zone 88 (By-law 2719)**

1. Notwithstanding anything contained in Section 19.1 of By-law 2511, the lands described subject to this exception may be used for, or have erected thereon a building or structure intended as a Community Centre. Such use, building or structure shall be predominantly recreational in nature and shall be operated by the Fairport Beach Ratepayers' Association.



## **15.89 Exception Zone 89 (By-law 6118-03)**

1. Notwithstanding subclause 9.1 or any other provision of By-law 2511, a detached dwelling unit on Plan 418, Part Block K, (40R-12933, Part 2) may include a second dwelling unit in the main dwelling.
2. A covered and unenclosed step or platform may project a maximum of 1.5 metres to the required flanking side yard;
3. Where a detached dwelling on Plan 418, Part Block K, (40R-12933, Part 2) contains a second dwelling unit, the following parking provisions will apply:
  - a) A minimum of three parking spaces shall be provided and maintained on that lot.
  - b) No vehicular access to the site from Cowan Circle

## **15.90 Exception Zone 90 (By-law 4444-94, as amended by By-law 5618-00)**

### 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 one or more persons are employed in the management, direction or conducting of a public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use;
- c) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;
- d) "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;
- e) "Dry-Cleaning Depot" shall mean a building or part thereof used for the purpose of receiving articles or goods or fabrics to be subjected to the process of dry-cleaning or laundering elsewhere and distribution of articles or goods which have been subjected to any such process;
- f) "Dry-Cleaning Establishment" shall mean a building where dry-cleaning, dry-dyeing, cleaning or pressing of articles or goods of fabric is carried on, but does not include a spotting and stain removing establishment, hand laundry, machine laundry or a wholesale dyeing plant;
- g) "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;
- h) "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, but excluding basements.
- i) "Gross Leasable 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 rooms or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors;

- j) "Light Manufacturing Plant" shall mean a manufacturing plant used for:
  - i. the dry cleaning, pressing or laundering of garments;
  - ii. the production of apparel and finished textile products other than the production of synthetic fibers;
  - iii. printing or duplicating;
  - iv. the manufacture of finished paper and allied products other than the processing of wood pulp;
  - v. the production of cosmetics, drugs and other pharmaceutical supplies;  
or
  - vi. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewelry, watches, precision instruments, radios and electronic components;
- 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) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;
- n) "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;
- o) "Private Club" shall mean an athletic, recreational or social club, and includes the premises of a fraternal organization;
- p) "Professional Office" shall mean a building or part of a building in which legal, medical or other professional service is performed, or consultation given, and may include a clinic, and the offices of a lawyer, an architect, an engineer, a chartered accountant, a real estate agent or an insurance agent but shall not include a body-rub parlour as defined in Section 368a(6)

of the Municipal Act, R.S.O. 1970, Chapter 284, 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" 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;
- s) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;
- t) "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 are manufactured or otherwise prepared for use on the premises;
- u) "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;
- v) "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold or both;
- w) "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, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;
- 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, 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.

## 2. Provisions

### a) Uses Permitted ("MC-9" Zone)

No person shall within the lands designated "MC-9" 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 recreation establishment
- v. dry cleaning depot
- vi. dry cleaning establishment
- vii. food preparation plant
- viii. light manufacturing plant
- ix. merchandise service shop
- x. place of assembly
- xi. private club
- xii. professional office
- xiii. public club
- xiv. restaurant - type A
- xv. sales outlet

- xvi. scientific, research or medical laboratory
- xvii. vehicle repair shop
- xviii. vehicle sales shop
- xix. warehouse

b) Zone Requirements ("MC-9 " Zone)

No person shall within the lands designated "MC-9" use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. FRONT YARD DEPTH (minimum): 9.0 metres
- ii. SIDE YARD WIDTH (minimum): 1.8 metres
- iii. REAR YARD DEPTH (minimum): 15 metres
- iv. LOT COVERAGE (maximum): 50 percent
- v. OUTDOOR STORAGE:  
No outdoor storage or display shall be permitted in any yard
- vi. BUILDING HEIGHT (maximum): 16 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 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 designated "MC-9", a minimum of 4.0 parking spaces per 100 square metres of building gross leasable floor area;
- viii. SPECIAL REGULATIONS:
  - A. The aggregate gross floor area of all buildings on the lot shall not exceed 2300 square metres;
  - B. The aggregate gross leasable floor area of all bakeries, commercial clubs, commercial recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, professional offices, public clubs, restaurant, sales outlets and vehicle sales shops shall not exceed 50 percent of the total gross leasable floor area of all buildings on the lot;
  - C. The aggregate gross leasable floor area of all Restaurants - type A, shall not exceed 25 percent of the total gross leasable floor area of all buildings on the lot;
  - D. No restaurants - type A shall include drive-through, order and pick-up service;
  - E. Sales outlets shall be permitted only if accessory to food preparation plants, light manufacturing plants, merchandise service

shops, warehouses or bakeries and provided that the gross leasable floor area of the outlet does not exceed 20 percent of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery;

- F. Dry-Cleaning depots shall be permitted only if accessory to dry-cleaning establishments and provided the gross leasable floor area of the dry cleaning depot does not exceed 20 percent of the gross leasable floor area of the dry cleaning establishment.

## 15.91 Exception Zone 91 (By-law 8021-23)

### 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) “Daylighting Triangle” shall mean an area free of buildings, structures, fences and hedges up to 0.9 metres in height.
- d) “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.
- e) “Dwelling” shall mean a building or part of a building containing one (1) or more dwelling units, but does not include a mobile home or trailer.
- f) “Dwelling, detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.
- g) “Dwelling Depth” shall mean the horizontal distance measured from the front wall of a dwelling to the rear wall of a dwelling, excluding any allowable projection.
- h) “First Floor” shall mean the floor of a building approximately at or first above grade.
- 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 of such building; and when used with reference to a structure, shall mean the average elevation of the finished level of the ground 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. A rooftop walkout that does not house mechanical equipment for a dwelling, and railings associated with a rooftop amenity area shall not be included in the calculation of building height. Roof structures that provide livable space, such as a penthouse, shall be included in the calculation of building height.
- 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 a lot measured at the level of the first floor and expressed as a percentage of the lot area, including covered platforms such as covered porches and covered decks, but excluding eaves, belt courses, chimney breasts, sills or cornice projections, and balconies.
- 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) “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.
- 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) “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.
- r) “Wall, Front” shall mean a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.
- s) “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.
- t) “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.

- u) “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.
  - v) “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.
  - w) “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.
  - x) “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.
  - y) “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.
  - z) “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.
  - aa) “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.
  - bb) “Interior Side Yard” shall mean a side yard other than a flankage side yard.
2. Permitted Uses and Zone Regulations (“R4-25”, “R4-26”, “R4-27”, “R4-28” Zones)
- a) Permitted Uses (“R4-25”, “R4-26”, “R4-27”, “R4-28” Zones)

No person shall, within the lands zoned “R4-25”, “R4-26”, “R4-27” or “R4-28”, use any lot or erect, alter or use any building or structure for any purpose except the following:

    - i. Detached dwelling
  - b) Zone Requirements (“R4-25”, “R4-26”, “R4-27”, “R4-28” Zones)

No person shall, within the lands zoned “R4-25”, “R4-26”, “R4-27” or “R4-28”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

		"R4-25"	"R4-26"	"R4-27"	"R4-28"
(a)	Lot Area (minimum)	500 square metres	350 square metres	400 square metres	350 square metres
(b)	Lot Frontage (minimum)	14.0 metres	11.0 metres	16.0 metres	12.0 metres
(c)	Front Yard Depth (minimum)	8.5 metres			5.0 metres
(d)	Side Yard Width (minimum)	(i) 1.5 metres on one side, 0.6 of a metre on the other side (ii) 1.5 metres where the other side yard is a flankage side yard			
(e)	Flankage Side Yard Width (minimum)	3.0 metres			
(f)	Rear Yard Depth (minimum)	7.5 metres			5.0 metres
(g)	Dwelling Depth (maximum)	(i) For lots with depths up to and including 40 metres: 17 metres (ii) For lots with depths greater than 40 metres: 20 metres			
(h)	Front Entrance (maximum elevation)	The maximum elevation of the front entrance shall be 1.2 metres above the average grade, which is measured along the front wall of the dwelling, to the top of the platform (covered or uncovered) immediately outside of the front entrance.			
(i)	Building Height (maximum)	9.6 metres			
(j)	Lot Coverage (maximum)	30 percent	38 percent	30 percent	38 percent
(k)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit, one of which must be provided within an attached private garage.			
(l)	Driveway Width (maximum)	6.0 metres			
(m)	Garage Requirements (minimum)	A minimum of 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 or flankage lot line.			

		"R4-25"	"R4-26"	"R4-27"	"R4-28"
(n)	Interior Garage 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. However, the width may include one interior step and the depth may include two interior steps.			
(o)	Rooftop Amenity Area (maximum)	52 square metres			

c) Special Provisions ("R4-25", "R4-26", "R4-27", "R4-28" Zones)

- i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of:
  - A. 1.5 metres into the required front yard within the lands zoned "R4 25", "R4-26" or "R4-27"; and
  - B. 3.2 metres into the required front yard within the lands zoned "R4 28";
- ii. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of 2.4 metres into the required flankage side yard;
- iii. uncovered and covered balconies may encroach a maximum of 2.0 metres into the required front yard, within the lands zoned "R4-28";
- iv. uncovered and covered decks and associated stairs not exceeding 3.0 metres in height above established grade may encroach a maximum of:
  - A. 4.0 metres into the required rear yard within the lands zoned "R4 25", "R4-26" or "R4-27"; and
  - B. 2.5 metres into the required rear yard within the lands zoned "R4 28";
- v. balconies located above the first floor projecting or recessed in the rear are prohibited, excluding a juliette balcony;
- 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 of metre into any required yard;
- vii. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features may project 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 daylighting triangle, the setback provisions shall be measured as if the daylighting triangle did not exist;
- ix. no parking space shall be permitted within 3.0 metres of a daylighting triangle; and
- x. Section 6.6 of By-law 2511, related to Corners Lots, shall not apply.

## 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.