

# **The Corporation of the City of Pickering**

## **Comprehensive Zoning By-law**

By-law No. XX – XXXX

Consolidation – XX

Adopted by Council on XX

First Draft – May 2022

## Preamble (How to Use this By-law)

This Preamble does not form a part of the Comprehensive Zoning By-law but is provided for context and convenience purposes only.

### 1. Overview of Zoning By-laws

A Zoning By-law is a detailed municipal by-law that regulates:

- a) The type of land uses and activities that may occur on a property or within buildings; and
- b) The height, location, massing and character of buildings and structures.

The specific matters that may be regulated by a Zoning By-law are outlined in Section 34 of the Ontario *Planning Act*, as amended. Zoning By-laws are used by most municipalities in Ontario to manage land use compatibility and manage the character and appearance of neighbourhoods and communities. Zoning By-laws are also prepared to implement the policies of a municipality's Official Plan, which establishes goals and policies respecting where permitted land uses are located within the municipality and their desired built form. The Zoning By-law is used to translate these policies into more specific permitted land uses, and requirements for lots and structures.

A Zoning By-law is primarily implemented through the Building Permit application process. Where an applicant proposes to construct a structure on their property, and applies for a Building Permit, the proposal must comply with the provisions of the Zoning By-law. If the proposal does not comply, the applicant can:

- a) Rework their proposal so that it complies with the Zoning By-law;
- b) Apply for a minor variance to seek relief from the provisions of the Zoning By-law; or
- c) Apply for a zoning by-law amendment to change their zone or seek relief from the provisions of the Zoning By-law.

### 2. Overview of the Zoning By-law for the City of Pickering

This is a Comprehensive Zoning By-law, meaning that it is a single zoning by-law that applies to all lands within the City of Pickering. This is a departure from the previous zoning approach used in Pickering where six (6) separate parent zoning by-laws existed, and, many properties were zoned through site-specific zoning by-laws.

Depending on the location of a property within the City, different parts of the Comprehensive Zoning By-law may apply. Specifically, properties within the Seaton Urban Area, as shown on **Schedule 1** with a "S" prefix, are subject only to the provisions in **Section 1, 2 and 14** of the Zoning By-law. Properties outside of the Seaton Urban Area are subject to all provisions outside **Section 14**.

The Zoning By-law for the City of Pickering contains the following components:

- a) Administrative provisions are outlined in **Section 1**. This section includes clauses to govern how the Zoning By-law is to be read and interpreted and measures for compliance with the By-law including penalties for contravention.
- b) **Section 2** defines the zones for the entire city, to be read alongside **Schedule 1**. All lands subject to the Zoning By-law are shown on **Schedule 1**. All lands are subject to a “zone” which defines permitted uses and lot and building requirements. These schedules are available in an online interactive format or as PDFs through the City of Pickering’s website. Hard copies can also be obtained by contacting the City.
- c) Definitions to assist in interpreting the Zoning By-law are contained in **Section 3** and are critical to ensuring the Zoning By-law is interpreted consistently and understood by all. These definitions apply to all zones outside of the Seaton Urban Area. Definitions applicable to the Seaton Urban Area are contained in **Section 14.9**.
- d) General regulations for all zones except for the Seaton Urban Area are provided in **Section 4**. General regulations for zones within the Seaton Urban Area are provided in **Section 14.1**. These regulations will apply depending on the proposed use, or on the characteristics and context of the lot. These provisions include detailed requirements for additional dwelling units, home occupations, accessory buildings (for example, detached garages), and many other contexts.
- e) Parking and loading requirements for all zones except for the Seaton Urban Area are outlined in **Section 5**. **Section 14.2** contains parking and loading requirements for zones within the Seaton Urban Area. Most permitted uses of a property require a certain number of parking spaces to be provided to accommodate vehicles. Some uses require loading spaces to accommodate deliveries. In this Zoning By-law, some uses may also require to provide and maintain a certain number of bicycle parking spaces.
- f) **Sections 6** through **13** describe the permitted uses, lot, and building requirements for the Residential, Commercial, Mixed-Use, City Centre, Employment, Environmental Protection and Open Space, Rural and Oak Ridges Moraine, and Institutional and Other zones, respectively, as delineated on **Schedule 1**.
- g) **Section 14** contains all the provisions which apply only to the zones with a “S” prefix in the Seaton Urban Area.
- h) **Section 15** contains site-specific provisions for all exceptions zones, which are denoted on **Schedule 1** by a dash and three (3) digit number after the zone code (for example, “RM2-013”).
- i) **Section 16** includes provisions that enact the Zoning By-law, bringing it into effect.

All provisions of the By-law are intended to be read in conjunction with one another. It is always important, when reading a Zoning By-law, to identify all provisions throughout the document that are applicable to a property.

### 3. Checking the Zoning and Applicable Provisions for a Property

Zoning By-law users are a diverse audience. Some readers will want to examine how the Zoning By-law addresses a certain issue or regulates a certain use (for example, how does the By-law regulate home occupations? In which zones are apartment buildings permitted?). Other users are responsible for administering the Zoning By-law and must understand it in great detail.

Most readers, however, will use a Zoning By-law in order to determine what they are permitted to do on their property. Following is an outline of the steps to determine what types of regulations apply to property:

- a) **Identify a property of interest on Schedule 1:** A good first step is to locate the property on **Schedule 1** (comprised of Schedules 1-1 to 1-108). To locate a property's zoning, start by identifying the applicable location and refer to the index map (**Schedule 1**) to identify which of the subsequent maps are likely to illustrate the zoning for the property.

Note that the provisions of **Section 2** will assist in reading and interpreting **Schedule 1**.

If the property of interest is not included within the defined area of this Zoning By-law, it is subject to By-law 3036, as amended, and is not subject to this Zoning By-law.

- b) **Make a note of what zoning applies to the property on Schedule 1:** The zones are identified within thick black boundaries and are also colour-coded in the legend. Make a note of the property's applicable zone symbol (for example, "R1").

In some cases, the property may have suffixes applying to the zone symbol (for example, a holding symbol (H) or an exception zone, as denoted by a dash followed by a three (3) digit number). Make a note of any suffixes that apply.

The property might also fall within an area subject to one (1) or more of the following schedules. These schedules, which are shown as overlays in the mapping, correspond to additional requirements or provisions outlined in **Section 4** or **Sections 6 through 13** of the Zoning By-law:

- i. **Schedule 1** shows the regulatory areas for the Toronto and Region Conservation Authority (TRCA) and the Central Lake Ontario Conservation Area (CLOCA). If the property is within a regulatory area, make note, and check the general regulations for the TRCA/CLOCA areas in **Section 4.10**.
- ii. **Schedule 1** shows the lands in the City of Pickering that fall within the Oak Ridges Moraine Conversation Plan area. Properties within the Oak Ridges Moraine may be subject to additional requirements, outlined in **Section 4.24**.
- iii. **Schedule 1** shows the lands within the area of influence of the Duffin Creek Water Pollution Control Plant, which are subject to the additional requirements under **Section 4.11**.

- iv. **Schedule 2** shows the lands in the City of Pickering that are affected by Minister's Zoning Orders (MZOs). These are orders issued under the *Planning Act* by the Ontario Minister of Municipal Affairs and Housing, which may be obtained through the Province of Ontario. In the event of a conflict between this Zoning By-law and an MZO, the MZO prevails.
- v. **Schedule 3** illustrates the areas of high aquifer vulnerability. If the property is within a "Significant Threat Area", make note, and check the general regulations for these areas in **Section 4.6**. The intent of **Schedule 3** is to implement Ontario's Clean Water Act and the applicable Source Protection Plans.
- vi. **Schedule 4** shows the lands that are within the Established Neighbourhood Precinct Overlay Zone. The lands will be subject to development standards and definitions to regulate infill and replacement dwellings, as defined in the Official Plan, in specific established neighbourhood precincts. This schedule is currently under appeal and not in effect.
- vii. **Schedules 5 to 8** illustrate zone regulations applicable to the City Centre zones, denoted with a "CC" prefix, as listed in Table 9.3 in **Section 9**.

- c) **Check the permitted uses and lot and building requirements applying to your zone in Sections 6 through 13:** Every property has a base zone applying to it (for example, "R1"), and each zone has a list of uses that are permitted on that property (for example, Detached Dwelling), as well as specified lot and building requirements like lot area, setbacks for buildings from property lines, and building heights.

Many properties are subject to a site-specific exception zone, as represented by a dash and a number (for example, "R1-004") on **Schedule 1**. If this is the case, the property has special provisions that apply. These provisions will supersede certain provisions of the Zoning By-law. To find the applicable special provisions, refer to **Section 15**, and locate the exception number that corresponds with the symbol shown on the property.

Some properties are also subject to a holding symbol, as represented by an "H" preceding the property's zone (for example, "H-R5-038") on **Schedule 1**. A holding symbol indicates that permitted uses and further development on the property will be limited until certain conditions have been met (for example, the connection of the property to municipal services). To determine the conditions required for the holding symbol to be lifted from a zone, refer to **Section 15**.

- d) **Understanding permitted uses, and lot and building requirements:** The permitted uses for each zone are organized in a table. The uses permitted on the property are represented by a dot corresponding with the applicable zone symbol. Similarly, the lot and building requirements are organized in a table. For each zone, various requirements for lot frontage, front yard setback, rear yard setback, maximum building height, and other requirements are identified.

For properties with a City Centre zone, some lot and building requirements (for example, FSI) are shown on **Schedules 5 to 8** rather than in the table.

It is important to read the definitions associated with the terminology used in this Zoning By-law. All of the uses permitted in this Zoning By-law are associated with a definition. Many technical terms are also defined, such as lot frontage, lot coverage, and front yard setback. Where a term is defined, you will see it appear in bold in the text for convenience.

- e) **Locate the other provisions that may apply:** The types of uses permitted, and lot and building requirements are principally regulated by the zone requirements. However, **Section 4** contains provisions that apply to certain permitted uses. For example, there are provisions that are specifically applicable to accessory buildings, home occupations, automobile service stations, and many other uses.
- f) **Consider the administrative provisions of the Zoning By-law: Section 1** of the Zoning By-law contains some provisions that can help the reader understand how to read and use the Zoning By-law and explain the penalties for contravention. The reader should be familiar with these provisions as they may be essential depending on the specific circumstance.

#### **4. Confirming with the City**

It is always a good idea to consult with the City about a construction project, as City staff will help determine whether a proposed project will comply with the applicable provisions of the Zoning By-law. For significant developments or redevelopments, consultation with the City is required.

#### **5. Relationship to Other By-laws, Regulations, Legislation, etc.**

The comprehensive Zoning By-law does not supersede or trump any other legislation, regulations or municipal by-laws. In fact, depending on the proposal or the use of your property, other laws may also apply. It is the property owner's responsibility to understand what laws will apply to their land use or their construction project.

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# 1 Administration

## 1.1 Title

1. This By-law may be cited as the “Comprehensive Zoning By-law for the City of Pickering”. Reference to “Zoning By-law” and “this By-law” within this document shall mean the “Comprehensive Zoning By-law for the City of Pickering”, unless otherwise specified.

## 1.2 Purpose

1. The purpose of this By-law is:
  - a) To regulate the **use** of land, **buildings** and **structures**, and to regulate the construction and alteration of **buildings** and **structures** by statutory authority granted by the *Planning Act*; and
  - b) To implement and conform to the policies within the City of Pickering Official Plan and all related urban design guidelines.

## 1.3 Severability

1. Should any section, clause, provision or Schedule of this By-law be held by a court of competent jurisdiction to be invalid, the validity of the remainder of the By-law shall not be affected.

## 1.4 Area of Application

1. This entire By-law applies to the entire City of Pickering, excepting the lands within the areas marked as “Brock Mixed Node” and “Kingston Road Corridor” on Schedule 1.

## 1.5 Conformity and Enforcement

### 1.5.1 Administration and Inspection

1. This By-law shall be administered under the authority of the Chief Building Official of the City of Pickering or by such employee of the City of Pickering as designated by the Chief Building Official.

### 1.5.2 Compliance with this By-law

1. No **person** shall **use** any land, **building** or **structure**, or erect any **building** or **structure**, except in accordance with the provisions of this By-law.



2. No **person** shall:
  - a) Change the purpose for which any land or **building** is used;
  - b) Erect any new **building** or addition to any **existing building**; or
  - c) Sever any lands from an **existing lot**,if the effect of such action is to cause the original adjoining or remaining **buildings** or lands to be in contravention of this By-law.
3. Notwithstanding Sections 1.5.2.1 and 1.5.2.2, where a **setback** distance for a building or **structure** is found to be in contravention of the minimum **setback** requirement by no more than 3.0 cm, the non-conforming **setback** shall be deemed to conform with the **yard** requirements of this By-law.

### 1.5.3 Compliance with Other Regulations

1. Nothing in this By-law exempts compliance with other by-laws, legislation or the requirement to obtain any license, permission, permit, authority or approval required by this By-law, any other by-law or any other legislation.

### 1.5.4 Penalties and Remedies

1. Any **person** who contravenes this By-law is guilty of an offence and, each day a breach of this By-law continues, constitutes a separate offence and on summary conviction, the offender is liable to discontinuation of land use and a fine as provided for under the *Planning Act*.

## 1.6 Legal Non-Conformity

1. No person shall use any land or erect or use any **building** or **structure** except in conformity with the provisions of this By-law respecting the **zone** in which such land, **building** or **structure** is or is to be located, unless:
  - a) Such **use** existed before the date of the passing of this By-law; and
  - b) Such **use** was in conformity with and not prohibited by an existing by-law in force at the date of passage of this By-law.

## 1.7 Legal Non-Compliance

1. A non-complying **building** or **structure** may be enlarged, repaired, renovated or reconstructed, provided that:
  - a) The **use** is permitted by this By-law;
  - b) The enlargement, repair, renovation or reconstruction does not cause further contravention of any aspect of this By-law this is not complied with; and
  - c) The enlargement, repair, renovation or reconstruction does not cause non-compliance with any other provision of this By-law.

2. Notwithstanding any other provision of this By-law, where a non-complying **lot** is created as a result of the acquisition of part of a **lot** by a **public authority**, a **building** or **structure** may be erected, altered or repaired and used on such **lot**, provided that such **building** or **structure** conforms with all other provisions of this By-law other than the reduced **lot frontage**, reduced **lot area**, **gross floor area** and **lot coverage** requirements. A **building** or **structure** may be erected, altered or repaired with reduced **lot coverage** and **gross floor area** as would have been allowed for the **lot** as it existed prior to such public acquisition or conveyance.

## 1.8 Interpretation

### 1.8.1 Examples, Diagrams and Illustrations

1. Any examples, diagrams, illustrations or other graphics in this By-law are for convenience only and form no legal part of the By-law, with the exception of figures, tables or maps that are explicitly marked with a Figure or Table number.

### 1.8.2 Certain Words

1. Unless otherwise defined by this By-law, the words and phrases used in this By-law shall have their normal and ordinary meaning according to the Oxford English Dictionary updated as of January 2022.
2. The word 'shall' and 'must' are mandatory.
3. The word 'use' when used as a verb, 'to use' or 'used' shall have corresponding meanings.
4. The word 'used' includes 'arranged, designed, or intended to be used'.
5. Words used in the present tense include the future tense and words used in the future tense include the present tense.

### 1.8.3 Abbreviations

1. The following abbreviations and terms, where used in this By-law, shall have the same meaning as if the word were printed in full:
  - a) 'cm' means centimetres;
  - b) 'm' means metres;
  - c) 'ha' means hectares;
  - d) 'm<sup>2</sup>' means square metres;
  - e) 'min.' means minimum;
  - f) 'max.' means maximum;
  - g) 'GLFA' means **gross leasable floor area**; and
  - h) 'FSI' means **floor space index**.

## 1.9 Transition

### 1.9.1 Existing Building Permits

1. Nothing in this By-law prevents the erection of a **building** or **structure** in accordance with a **building** permit application submitted prior to the date of passing of this By-law and deemed complete, provided the **building** permit is in accordance with all prior zoning by-laws that affected the **lot** before this By-law came into effect.
2. This By-law is deemed to be modified to the extent necessary to permit a **building** or **structure** that is erected in accordance with Section 1.9.1.1.

### 1.9.2 Existing Planning Applications

1. Nothing in this By-law prevents the erection of a **building** or **structure** in accordance with any minor variance or site plan that has been submitted and deemed complete by the City, or approved or conditionally approved by the relevant approval authority before the passing of this By-law, provided the application complies with all prior zoning by-laws that affected the **lot** before this By-law came into effect.
2. This By-law is deemed to be modified to the extent necessary to permit a **building** or **structure** that is erected in accordance with Section 1.9.2.1.

### 1.9.3 Lapse of Transition Provisions

1. Once a permit or approval referred to under Sections 1.9.1 and 1.9.2 has been granted, all provisions of this By-law shall apply to the subject property.
2. The provisions of Section 1.9 with the exception of Sections 1.9.1 1 and 1.9.1 2 shall be deemed to be repealed five (5) years from the effective date of this By-law. This provision shall not require an amendment to this By-law to take effect.

## 2 Establishment of Zones and Schedules

### 2.1 Establishment of Zones

1. The defined area of this By-law is divided into **zones**, which are established in Table 2.1 and the boundaries of which are shown on Schedule 1.
2. The various **zones** may be referred to by their **zone** name or symbol as established in Table 2.1.
3. For convenience only, the **zones** in Table 2.1 are organized into categories as Residential, Commercial, Mixed-Use, City Centre, Employment, Environmental Protection and Open Space, Rural and Oak Ridges Moraine, Institutional and Other, and **zones** in the Seaton Urban Area.

**Table 2.1: Establishment of Zones**

<b>Zone Name</b>	<b>Zone Symbol</b>
<b>Residential</b>	
Residential Cluster	RC1, RC2, RC3, RC4, RC5
Residential Estate	RE
Residential Hamlet	RH1, RH2, RH3
Residential General	R1, R2, R3, R4, R5, R6
Residential Single	RS1, RS2, RS3, RS4, RS5
Residential Multiple	RM1, RM2, RM3, RM4, RM5, RM6
<b>Commercial</b>	
Commercial General	C1
Commercial Automotive Service	C2
Commercial Highway	C3
Commercial Hamlet	CH
<b>Mixed-Use</b>	
Local Node	LN
Community Node	CN
Mixed-Use General	MU1
<b>City Centre</b>	
City Centre One	CC1
City Centre Two	CC2
City Centre Residential One	CCR1
City Centre Residential Two	CCR2

<b>Zone Name</b>	<b>Zone Symbol</b>
City Centre Civic	CCC
City Centre Open Space	CCOS
City Centre Natural Heritage System	CCNHS
<b>Employment</b>	
Employment General	E1
Employment Prestige	E2
Employment Commercial	E3
<b>Environmental Protection and Open Space</b>	
Environmental Protection	EP
Open Space	OS
Open Space Waterfront	OSW
Stormwater Management Facility	SWM
Golf Course	GC
<b>Rural and Oak Ridges Moraine</b>	
Agriculture	A
Quarry	Q
Oak Ridges Moraine – Agricultural	ORMA
Oak Ridges Moraine – Environmental Protection	ORMEP
Oak Ridges Moraine – Institutional	ORMI
Oak Ridges Moraine – Commercial	ORMC
Oak Ridges Moraine – Residential General	ORMR5, ORMR6
<b>Institutional and Other</b>	
Institutional General	I1
Urban Reserve	UR
Utility	UT
<b>Seaton Urban Area</b>	
Seaton Low Density Type 1	SLD1
Seaton Low Density Type 1 Heritage Lot	SLD1HL
Seaton Low Density Type 1 Townhouses	SLD1T
Seaton Low Density Type 2	SLD2
Seaton Low Density Type 2 Multiple	SLD2M
Seaton Medium Density Detached & Semi	SMDDS
Seaton Medium Density Multiple	SMDM

<b>Zone Name</b>	<b>Zone Symbol</b>
Seaton High Density	SH
Seaton Mixed Corridor Type 1	SMC1
Seaton Mixed Corridor Type 2	SMC2
Seaton Mixed Corridor Type 3	SMC3
Seaton Minor Commercial Cluster	SMCC
Seaton Local Node	SLN
Seaton Community Node	SCN
Seaton Community Node Pedestrian Predominant Area	SCNPP
Seaton Prestige Employment General	SPEG
Seaton Prestige Employment Node	SPEN
Seaton Prestige Employment Heritage Lot	SPEHL
Seaton Employment Service	SES
Seaton Community Use	SCU
Seaton District/Community Park	SDCP
Seaton Open Space	SOS
Seaton Utility	SUT

## 2.2 Zoning Maps

1. **Zones** are shown on the zoning maps on Schedule 1. The lands within each **zone** are subject to the provisions of that **zone**, as well as the general regulations of this By-law.

## 2.3 Zone Boundaries

1. If the **zone boundary** as shown on Schedule 1:
  - a) Is following a **street, lane**, right-of-way for a future roadway, railway right-of-way, electric transmission line right-of-way or watercourse, then the centre line of the **street, lane**, right of way for a future roadway, railway right-of-way, electric transmission line right-of-way, municipal boundary or watercourse is the boundary;
  - b) Is substantially following **lot lines** shown on a registered plan of subdivision, then the **lot lines** are the boundary; and
  - c) Is not in accordance with the above provisions, then the **zone boundary** shall be scaled from the zoning maps on Schedule 1.
2. In addition to the above, if the **zone boundary** separates a **lot** into portions, each portion of the **lot** shall be used in accordance with the provisions of this By-law for the applicable **zone**.

3. If the **zone boundary** separates a **lot** into portions, which includes an Environmental Protection (EP) or City Centre Natural Heritage System (CCNHS) zone, the **zone boundary** may be redefined through an Environmental Assessment or equivalent comprehensive evaluation. Where the EP or CCNHS **zone boundary** is reduced or removed the zoning of the land formerly within the EP or CCNHS zone shall be interpreted to be in accordance with the immediately abutting **zone**. Where the EP or CCNHS **zone boundary** is increased the land formerly within the abutting **zone** shall be interpreted to be in accordance with the EP or CCNHS **zone**.
4. Notwithstanding 2.5.3.1, the zone boundaries for the SCNPP **zone** shown on Schedule 1 are schematic and shall be delineated through site plan approval.

## 2.4 Multiple Zones

1. Where a **lot** falls into two (2) or more **zones**, each portion of that **lot** shall be subject to the applicable permitted **uses** and standards for the applicable **zone** applying to that portion of the **lot**.
2. Within the Seaton Urban Area, some properties, such as school sites, are dual zoned which means more than one (1) **zone** applies to the entirety of the property. Dual zoned sites are permitted to develop for the permitted uses in both **zones** subject to the **zone** requirements applicable to each specific permitted **use**.

## 2.5 Interpretation of Symbols

### 2.5.1 Zone Symbols

1. Schedule 1 to this By-law apply the **zones** for all lands within the City of Pickering, represented by a **zone** symbol as established by Table 2.1. All **lots** and lands are subject to at least one (1) **zone**. The lands within each **zone** are subject to the provisions of that **zone** (contained within Sections 6 to 14 of this By-law), as well as the general regulations of this By-law.

### 2.5.2 Holding Symbols

1. Where a **zone** shown on Schedule 1 is preceded by the symbol "H" and a hyphen, the lands shall be subject to a holding provision that shall apply until such time that the "H" symbol is lifted by an amendment to this By law, in accordance with Section 36 of the *Planning Act*.
2. The requirements for lifting the holding symbol "(H)" are indicated in the amending by-law, which are incorporated as an exception **zone** under Section 15 of this By-law. Prior to an amendment to remove the symbol "(H)" preceding the classification symbol, no new **building** or **structure** shall be erected or used in a Holding **zone**.
3. On any lands where a holding symbol is applicable, the permitted **uses**, **lot** and **building** requirements that apply while the holding symbol is in effect, and after the holding symbol is lifted, shall be in accordance with the applicable **zone** provisions.

### 2.5.3 Exception Zones

1. Where a **zone** symbol shown on Schedule 1 is followed by a dash (-) and a number, the affected lands shall be subject to the special provisions of the corresponding exception **zone** under Section 15. These site-specific provisions are found, when applicable, following the general provisions of that zone.



## 3 Definitions

The following definitions apply to the entire City of Pickering with the exception of the Seaton Urban Area, which is regulated by Section 14 of this By-law and the definitions included within that section.

### 3.1 Interpretation

1. Throughout this By-law, any bolded word will be defined in Section 3.2 to provide clarity and to ensure that the By-law and its intent are applied consistently.
2. Where a **use** is defined, it shall not be interpreted to include any other defined **use** unless it is stated in the definition to the contrary.

### 3.2 Defined Terms

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern unless a contrary intention appears:

**Accessory:** means a **use, building or structure** naturally or normally incidental to, subordinate to or exclusively devoted to a **principal use or building or structure** and located on the same **lot** as the **principal use, building, or structure**.

**Active at Grade Frontage:** means the **ground floor** of a **building** facing a **street line**, with transparent glazing and accessed from the street through a **primary entrance door** for **uses** such as **restaurants, food and retail stores and community uses**. Emergency access doors, garage doors, services doors and loading doors are not permitted along the **street line of an active at grade frontage**.

**Active Recreational Use:** means outdoor recreational facilities, with or without an **accessory building or structure**, including sport fields, **parks** and playgrounds, tracks, skateboard parks, and outdoor swimming pools, but shall not include a **golf course**.

**Adult Entertainment Establishment:** means any **premises** or part thereof used in the pursuance of a business, if:

- a) entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the **premises** or part of the **premises**, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or
- b) body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body are performed, offered or solicited in the **premises** or part of the **premises**, but does not include **premises** or part or them where body-rubs performed, offered or solicited are

for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

**Agriculture:** means growing crops, including nursery, biomass and horticultural crops, and **cannabis cultivation**; orchards; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; **aquaculture**; apiaries and mushroom farms; **agro-forestry**; maple syrup production; and the associated on-farm **buildings** and **structures**, including livestock facilities, manure storages, value-retaining facilities, greenhouses, and similar **accessory buildings** and **structures** related to the **use**.

**Agri-tourism Use:** means a farm-related tourism **use** that promotes the enjoyment, education or activities related to the principal farm operation on a **lot**, such as farm machinery and equipment exhibitions (on a temporary basis), farm tours, petting zoos, hay rides and sleigh rides, processing demonstrations, pick-your-own produce operations, small-scale farm theme playgrounds and small-scale educational establishments that focus on farming instruction.

**Air Conditioner:** means any mechanical equipment installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

**Aisle:** means an internal **vehicle** route immediately adjacent to a **parking space** or **loading space** which provides vehicular access to and from the **parking space** or **loading space** and is not a **driveway**.

**Amenity Area:** means the total passive or active recreational area provided on a **lot** for the personal, shared or communal **use** of the residents of a **building** or **buildings**, and includes **balconies**, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.

**Angular Plane:** means an imaginary flat surface projecting over a **lot**, at an inclined angle measured up from the horizontal.

**Aquaculture:** means the breeding or husbandry of fish.

**Area of High Aquifer Vulnerability:** means an **area of high aquifer vulnerability** as described by the Oak Ridges Moraine Conservation Plan, or successor thereto, and as delineated on Schedule 3 to this By-law.

**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, 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.

**Art Gallery/Studio:** means a **premises** used for the creation, exhibition, collection and/or preservation of works of art for public viewing and sale and may include educational classes.

**Assembly, Convention Centre or Conference Hall:** 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.

**Automobile Service Station:** means an establishment where **vehicle** fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include a **car washing establishment** and a **convenience store**, but shall not include a **vehicle body repair shop** or a **vehicle repair shop**.

**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**.

**Basement:** means a portion of a **building** below the **first storey**.

**Bay Window:** means a window with at least three panels set at different angles to create a projection from the outer wall of a **building**, and includes a bow window.

**Bed and Breakfast:** means the provision of lodging with or without meals for the traveling public within a **detached dwelling**. A **bed and breakfast** shall not include a **short-term rental**.

**Block:** means all land fronting on one (1) side of a **street** between the nearest **streets**, intersecting, meeting or crossing said **street**.

**Boat Mooring:** means docking facilities, mooring slips and **dry sail storage** areas.

**Build-to-zone:** means an area of a property within which all or part of one (1) or more **buildings or structures** is to be located.

**Building:** means a **structure** occupying an area greater than 10.0 m<sup>2</sup> and consisting of any combination of walls, roof and floor but shall not include a **mobile home**.

**Building, Mixed Use:** means a **building** containing **residential uses** and at least one (1) non-**residential use** permitted by this By-law.

**Cannabis:** means **cannabis** as defined in subsection 2(1) of the *Cannabis Act* (Canada), as amended.

**Cannabis Cultivation:** means the growing of **cannabis**, either within a wholly enclosed **building** or **structure** or in an open air setting, for medical or recreational purposes, subject to regulations under the *Cannabis Act* (Canada), as amended.

**Cannabis Production Facility:** means lands, **buildings**, or **structures** used for growing, producing, processing, testing, destroying, packaging and/or shipping of **cannabis** but does not include the in-store retail sale of **cannabis** authorized by a license issued by and/or registration/registered by the Federal Minister of Health, pursuant to the *Cannabis Act* (Canada) and its Regulations, as amended, or any successors thereto.

**Car Share Service:** means a service that provides **motor vehicles** solely for shared **use** and does not include **vehicle dealership**.

**Car Washing Establishment:** means an establishment for washing or cleaning **motor vehicles** for gain.

**Cemetery:** means the lands used or intended to be used for the interment of human remains.

**Cinema:** means a **premises** where motion pictures are exhibited for public viewing.

**Club:** means a **building** or part of a **building** used for a social, cultural, athletic or recreational **club**, fraternal organization or community or educational **uses**.

**Club House:** means a **building** or **structure** used for the purposes of dining and recreational facilities and may include a dining lounge.

**Commercial Fitness/Recreational Centre:** means a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit, but does not include an **adult entertainment establishment**, a casino or **place of amusement**.

**Commercial Use:** means any permitted **use** the primary purpose of which is to sell, lease or rent a product of service directly to the public, including but not limited to retail sales, entertainment services and personal or professional services, but shall exclude **residential uses**, an **adult entertainment establishment** and **dating/escort service**.

**Commercial Vehicle:** means a **motor vehicle** having permanently attached thereto, a truck or delivery body and may include but is not limited to a catering or canteen truck, bus, cube van, tow truck, tilt and load truck, dump truck, tractor trailer, ambulance, hearse, fire apparatus and tractor used for hauling purposes.

**Community Centre:** means a multi-purpose facility that offers a variety of programs or a recreational, cultural, day care, social, community service, informational or instructional in nature.

**Community Garden:** means a communal garden provided for the sole **use** of the public to produce flowers, herbs, fruits or vegetables and activities associated with gardening, but does not include any processing or packaging, commercial sales, or the raising of livestock or animals including poultry.

**Community Use:** means a **use** that has the primary purpose of serving the educational, recreational, or governmental needs of the general community, including but not limited to a **library, community centre, emergency service facility**, or post office.

**Conservation Use:** means a **use** which preserves, protects or improves any feature of the natural environment through a program of maintenance and management administered by a Conservation Authority, **public authority**, private groups or individuals.

**Construction Vehicle:** means a **vehicle** ordinarily used for **building** and construction purposes, such as a dump truck, bulldozer, back-hoe, or grader, and ancillary equipment used thereto.

**Contractor's Yard:** means a premise of any general contractor, builder or landscaper where equipment and/or materials are stored or where a contractor performs shop or assembly work.

**Convenience Store:** means a **retail store** 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 **food store**.

**Corner Rounding:** means a **lot line** of a **corner lot** at the intersection of two (2) **street lines** in the form of an arc that joins the **front lot line** to the **exterior side lot line** or the **rear lot line** to the **exterior side lot line**.

**Dating/Escort Service:** means a service providing companionship for and by individuals for profit or personal gain.

**Day Care Centre:** means:

- a) Indoor and outdoor **premises** where more than five (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
- b) 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.

**Daylight Triangle:** means an area free of **buildings, structures**, fences and hedges up to 0.9 m in **height** and which area is to be determined by measuring, from the point of intersection of **street lines** on a **corner lot**, the distance required by this By-law along each such **street line** and joining such points with a straight line. The triangular-shaped land between the intersecting **street lines** and the straight line joining the points the required distance along the **street lines** is the **daylight triangle**.

**Development Agreement:** means an executed contract between a developer/property owner and the City of Pickering that is required in order to implement development and may include a subdivision agreement, site plan agreement, or other similar agreements for development.

**District Energy Facility:** means a centrally located facility or linked facilities that generates and distributes thermal energy (steam and/or hot and cold water) to end users through an underground pipeline distribution system and generates electricity, including electricity for supply to the grid.

**Drive-through Facility:** means the land and **structures accessory** to a **principal use** that is used to provide a service to patrons while remaining in their **motor vehicle**.

**Driveway:** means a private way used to provide vehicular access from a roadway to an off-street parking or **loading space** or **aisle** located on the same **lot** as the **principal use**. On a **lot** containing a **detached, semi-detached** or **townhouse dwelling**, the **driveway** may contain one (1) or more **parking spaces**.

**Dry-Cleaning Distribution Centre:** means a **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**.

**Dry-Cleaning Establishment:** means a **premises** in which the business of laundry or dry-cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods is conducted.

**Dry Sail Storage:** means the temporary open storage of watercraft on land during the normal boating season, but shall not include winter storage.

**Dwelling:** means a **building** containing one (1) or more **dwelling units**.

**Dwelling, Apartment:** means a **residential use building** containing four (4) or more principal **dwelling units** where the units are connected by a common corridor or vestibule, other than a **townhouse dwelling** or **stacked townhouse dwelling**.

**Dwelling, Back-to-Back Townhouse:** means a **residential use building** containing four (4) or more attached **principal dwelling units** divided vertically where each unit is divided by common walls, including a common rear wall without a **rear yard setback**, and whereby each unit has an independent entrance to the unit from the outside accessed through the **front yard** or **exterior side yard**.

**Dwelling, Block Townhouse:** means a **residential use building** containing three (3) or more attached **principal dwelling units** divided vertically, and where all **dwelling units** are located on one (1) **lot** and accessed from a **private street**, laneway or common condominium aisle.

**Dwelling, Detached:** means a **residential use building** that contains only one (1) **principal dwelling unit**.

**Dwelling, Duplex:** means a **building** divided by a horizontal above-**grade** common wall into two (2) separate **dwelling units**, each of which has an independent entrance.

**Dwelling, Fourplex:** means a multiple **dwelling** containing four (4) separate **dwelling units**, each unit being connected to two (2) or more other units, and generally arranged with two (2) units adjacent to the **front lot line** and the other two (2) units at the rear thereof.

**Dwelling, Live Work:** means a townhouse **dwelling** or **stacked townhouse dwelling**, where the **ground floor** only, or part thereof, may be used for **commercial use** as permitted by this By-law, except that the **basement** may be used for storage for the **commercial use**, and where the commercial and residential components can be accessed by a common internal entrance.

**Dwelling, Semi-detached:** means a residential **building** containing two (2) attached **principal dwelling units** that are divided vertically, with each unit having **frontage** on a **street**, except where located within a planned unit development.

**Dwelling, Stacked Townhouse:** means a residential **building** of four (4) or fewer **storeys in height** containing three (3) or more **principal dwelling units** where the units are divided horizontally and/or vertically, and in which each **dwelling unit** has an independent entrance to the interior.

**Dwelling, Street Townhouse:** means a residential **building** containing three (3) or more attached principal **dwelling units** divided vertically and where all **dwelling units** are located on a **street**.

**Dwelling, Triplex:** means a **building** divided by one (1) or more horizontal above-**grade** common walls into three (3) separate **dwelling units**, each of which has an independent entrance.

**Dwelling Unit:** means a residential unit that:

- a) Consists of a self-contained set of rooms located in a **building** or **structure**;
- b) Is used or intended for **use** as a residential **premises**;
- c) Contains kitchen and bathroom facilities that are intended for the **use** of the unit only; and
- d) Is not a **mobile home** or any **vehicle**.

**Dwelling Unit, Accessory:** means a **dwelling unit** that is **accessory** to a non-residential use on a lot.

**Dwelling Unit, Additional:** means a self-contained unit in a house, or **building** accessory to a **principal dwelling**, that consists of one (1) or more rooms that are designed, occupied or intended for **residential use**, including occupancy, by one (1) or more persons as an independent and separate residence in which a facility for cooking, sleeping facilities and sanitary facilities are provided for the exclusive **use** of such person or persons.

**Emergency Service Facility:** means fire, ambulance, police and similar facilities operated by a **public authority**.

**Existing:** means **existing** as of the date of the enactment of the provisions that contains the word **existing** or the final passing of this By-law, whichever is first.

**Farm Implement Sales and Service Establishment:** Means **premises** where farm implements and related equipment are serviced and repaired.

**Farmers' Market:** means a **building**, part of a **building** or open area, on a temporary or permanent basis, where a majority of the vendors shall be primary producers of agricultural products grown within the Province of Ontario that are offered for sale directly to the general public, but may also feature other vendors who offer prepared foods and artisan crafts as well as provide entertainment and community information.

**Farm Vacation Home:** means an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive **use** of guests) for the traveling or vacationing public in up to three (3) guest rooms within a **detached dwelling** that is located on a farm and is the principal residence of the proprietor of the establishment.

**Farm Winery, Microbrewery, Distillery or Cidery:** means **premises** used on a farm for the making of beers, spirits, ciders and wines from grains, hops, crops, and fruit grown primarily as part of the principal **agriculture use**, and may include a tasting and hospitality area, facilities for food preparation and serving, and retail sales of the products produced on site.

**Film Studio:** means premises used for producing motion pictures, live or recorded broadcasts, or audio or video recordings or transmissions.

**Financial Institution:** means a **building** or portions of a **building** used for the purposes of administering or providing financial services to the public, other than exclusively through an automated banking machine.

**Floor Area:** means the total area of all floors of a **building** within the outside walls.



**Floor Area, Net:** means the total area of all floors of a **building** measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:

- a) **Motor vehicle** parking and bicycle parking below **average grade**;
- b) **Motor vehicle** parking and bicycle parking at or above **average grade**;
- c) **Loading spaces** and related corridors used for loading purposes;
- d) Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;
- e) Indoor **amenity area** space required by this By-law;
- f) Elevator, garbage and ventilating shafts;
- g) Mechanical penthouse;
- h) **Porches**, non-walk-in bay windows, attics, **basements**, enclosed or roofed walkways; and
- i) Stairwells in the **building**.

**Floor Space Index (FSI):** means the total **net floor area** of all **buildings** on a **lot** divided by the total **lot area**.

**Food Preparation Plant:** means 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.

**Food Store:** means a **premises** that sells food and other non-food items, primarily on a self-service basis.

**Forestry:** means the management of woodlands, including **accessory uses** such as the construction and maintenance of forest access roads and maple syrup production facilities:

- a) For the production of wood and wood products, including maple syrup;
- b) To provide outdoor recreation opportunities;
- c) To maintain, and where possible improve or restore, conditions and wildlife; and
- d) To protect water supplies.

**Front Wall:** means the closest point, measured at **grade** level, of the wall of a **building** facing or most nearly facing the **street** from which the **building** has its **primary entrance door**.

**Frontage:** means that part of a **lot** that abuts a **street** measured along the **street line**.

**Fuel Depot:** means a **premises** where petroleum, gasoline, fuel oil, gas propane or other fuels are stored in tanks for wholesale distribution or bulk sales but does not include facilities for the sale of fuels for private **motor vehicles**.

**Funeral Home:** means a **building**, or part of a **building**, used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of bodies for interment or cremation and may include visitation rooms, spaces for religious or non-religious services, and administrative offices.

**Garage, Private:** means a **building, structure** or part thereof, including a carport, used for the parking of **motor vehicles** having adequate access to a **driveway**.

**Garden Centre:** means a retail establishment devoted primarily to the sale of nursery stock and may also include the sale of related **accessory** supplies.

**Golf Course:** means a **premises** operated for the purpose of playing golf, and includes a **golf course**, driving range, miniature golf facilities and such **accessory uses** as a **restaurant**, banquet facility, **retail store**, fitness centre and other **buildings** or **structures** devoted to the maintenance and operation of the **golf course**.

**Grade or Average Grade:** means when used with reference to a **building**, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building; and when used with reference to a **structure**, shall mean the average elevation of the finished level of the ground surrounding such **structure**, exclusive in both cases of any artificial embankment. **Grade** or **average grade** shall also mean when used with reference to lands within a City Centre **zone**, the average elevation of the finished level of the ground adjoining all exterior walls of a **building**. When used with reference to **street townhouse dwellings** within a City Centre **zone**, average elevation is measured at the front of such **building**.

**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.

**Gross Leasable Floor Area (GLFA):** means the total **floor area** designed for tenant occupancy and exclusive **use**, including **basements**, mezzanines and upper **floor areas** if any; expressed in square metres (m<sup>2</sup>) and measured from the centre line of joint partitions and from outside wall faces.

**Ground Floor:** means the floor of a **building** at or first above **grade**.

**Ground Floor Area:** means the **gross floor area** only on the **ground floor**.

**Group Home:** means a **dwelling** occupied by not more than 10 persons exclusive of staff, who live as a **single housekeeping unit** because they require a supervised

group living arrangement, in a facility licensed, approved and supervised in accordance with the requirements of the Province.

**Hazardous Lands:** means property or lands that could be unsafe for development due to naturally occurring processes. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

**Hazardous Sites:** means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. Naturally occurring hazards may include, without limiting the generality of the foregoing, unstable soils, such as sensitive clays, organic soils, or unstable bedrock, for example.

**Hazardous Substances:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Height:** This definition shall apply to all non-residential uses within the City of Pickering and residential uses within City Centre zones. **Height** shall mean 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**. When the regulation establishes **height** in **storeys**, means the number of **storeys**. The **height** requirements of this By-law shall not apply to roof top mechanical penthouses.

**Height, Dwelling:** This definition shall apply to all residential uses outside of the City Centre. **Dwelling height** shall mean the vertical distance between the **average grade** as measured along the **front wall** of the dwelling, 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. Ornamental fixtures such as a cupola or antenna shall not be included in calculating the height of a dwelling. Any other roof structure, such as to house the mechanical equipment of the dwelling or penthouse, shall be included in calculating the **dwelling height**.

**Home Industry:** means an **accessory use** for gain or profit that is **accessory** to a **dwelling unit** or **agricultural use** which shall be conducted wholly within a **building** or **structure**, and may include **uses** such as a carpentry shop, metal working shop, welding shop, electrical shop, or blacksmith shop, but shall not include a paint shop, furniture stripping, **vehicle body repair shop** or **vehicle repair shop**.

**Home Occupation:** means the **accessory use** of a **dwelling unit** for an occupation or business, where the **dwelling unit** is the **principal** residence of the business operator.

**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. A **hotel** may also include **restaurant**, public hall and **ancillary retail uses** which are incidental and subordinate to the primary **hotel** function and oriented to serve the **hotel** patrons.

**Housekeeping Unit, Single:** means a **dwelling unit** where the occupants have collective **use** of the **dwelling**. A **rooming home** is not a single housekeeping unit.

**Inoperative Vehicle:** means a **motor vehicle** that is mechanically inoperative, and/or is in a state that precludes immediate **use**.

**Kiosk:** means a **building** or **structure** with a maximum **floor area** of 12.0 m<sup>2</sup> that provides complementary **uses** in a public or private operated open space **zone**.

**Landscaped Area:** means an outdoor area on a **lot** comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements including patios of any material not exceeding 20 m above grade, excluding **aisles** and areas for loading, parking or storing of **vehicles**.

**Lane:** means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a **lot** where the **lot** also fronts or flanks onto a **street**, or where a **lot** fronts onto public or private open space. The **lane** may be maintained by a condominium corporation as a private road condominium or by a public authority.

**Library:** means a **building** or portion of a **building** containing an organized collection of information resources that are publicly accessible and provided by the City of Pickering.

**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 (1) **commercial vehicle** while merchandise or materials are being loaded or unloaded from such **vehicles**.

**Long-Term Care Home:** means a facility which provides care and services for persons who are no longer able to live independently or who require on-site nursing care, 24-hour supervision or personal support and licensed under the *Long-Term Care Homes Act, 2007*, as amended.

**Lot:** means a parcel of land fronting on a **street**, whether or not occupied by a **building** or **structure**.

**Lot Area:** means the total horizontal area of a **lot** within a **lot** boundary.

**Lot Coverage:** means the total horizontal area of the part of the **lot area** covered by all **buildings** above ground level.

**Lot, Corner:** means a **lot** situated at the intersection of two (2) or more **streets** or upon two (2) parts of the same **street** having an angle of intersection not exceeding 135 degrees.

**Lot Depth:** means the horizontal distance between the front and **rear lot lines**. If the **front** and **rear lot lines** are not parallel, the **lot depth** shall be measured by a straight line joining the mid-point of the **front lot line** with the mid-point of the **rear lot line**. Where there is no **rear lot line**, the **lot depth** shall be measured by a straight line joining the mid-point of the **front lot line** with the apex of the triangle formed by the **side lot lines**.

**Lot Frontage:** means the horizontal distance between the **side lot lines** of a **lot** measured at along a line parallel to and 6.0 m distant from the **front lot line**.

**Lot Line:** means a line delineating any boundary of a **lot**.

**Lot Line, Exterior Side:** means the **side lot line**, which separated a **lot** from the **street** adjacent to it.

**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**.

**Lot Line, Interior Side:** means a **side lot line**, which is not adjacent to a **street**.

**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.

**Lot Line, Side:** means all **lot lines**, which join both a **front lot line** and a **rear lot line**.

**Lot, Through:** means a **lot** bounded on opposite sides by a **street**.

**Main Wall:** means a primary exterior front, rear, or side wall of a **building**, not including permitted projections.

**Manufacturing Facility, Heavy:** means a **building** or part of a **building** used for the purpose of large-scale manufacturing, assembly, printing, duplicating, processing, altering, treating, or repair of products, materials or goods, and which may include outdoor storage as an **accessory use**, and which may involve noise, vibration or emissions provided they are in accordance with the Province's guidelines. A **heavy manufacturing facility** may also include a **cannabis production facility**.

**Manufacturing Facility, Light:** means a **building** or part of a **building** used for the purposed of small-scale manufacturing, assembly, printing, duplicating, processing, altering, treating, or repair of products, materials or goods, provided that all activities are conducted within a wholly enclosed **building**, and that the operations do not involve any furnaces or machinery that emit noxious fumes or gases, discharge dirt, dust or particle matter into the air or result in noise or vibration. A **light manufacturing facility** may also include a **cannabis production facility**.

**Marina:** means a commercial operation, publicly or privately owned, catering to the recreational boating public. A **marina** may include: **parking areas**, **boat moorings**, launching ramps, tennis courts, picnic areas, **parks**, playgrounds, swimming pools, beaches, locker and locker room facilities, enclosed storage areas, winter storage areas, a **marine service station**, marine railway equipment, **restaurants**, refreshment stands, repair facilities, sales and display offices, a boat livery, and **retail stores**.

**Marine Service Station:** means a place of business constructed and operated at a location bordering on a waterway to supply gasoline, oil, batteries, lubricants and accessories to boats and ships only, and where only minor emergency repairs are made.

**Mobile Home:** means a prefabricated **building** that is designed to be made mobile and is intended to provide permanent residence but does not include any trailer otherwise defined in this By-law.

**Motel:** means a **building** or part of a **building** on the same site used to accommodate the travelling public for gain or profit, by supplying them with sleeping accommodation, with or without meals. The guest rooms of a **motel** are accessed directly from the outside and may or may not be accessed from common corridors. A **motel** does not include any other **use** otherwise defined in this By-law.

**Motor Vehicle:** means an automobile, motorcycle, **recreational vehicle**, **trailer**, and any other **vehicle** propelled, towed or driven otherwise than by muscular power.

**Museum:** means **premises** used for the exhibition, collection and/or preservation of objects of cultural, historical or scientific interest for public viewing.

**Nightclub:** means a place where food or drink may be served, and where the 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, but does not include a **restaurant** or an **adult entertainment establishment**.

**Oak Ridges Moraine Area:** means the area of land designated by Ontario Regulation under the *Oak Ridges Moraine Conservation Act* as being the **Oak Ridges Moraine Area**.

**Obnoxious:** means a **use** which, by its very nature or operation, creates or is liable to create a nuisance in the form of vibration, emissions, fumes, dust, contaminants or objectional odours, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, **waste** or other material, and, without limiting the generality of the foregoing, is deemed to be an **obnoxious** or offensive trade, business, or manufacture as so declared by a **public authority**, as the case may be.

**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** or **vehicle sales and rental establishment**.

**Office, Medical:** means a **premises** designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.

**Outdoor Display Area:** means an area, covered or uncovered, located outside of a **building** and on the same **lot** as a **commercial use** for the purpose of displaying finished merchandise for sale.

**Outdoor Display Area, Seasonal:** means an area, covered or uncovered, located outside of a **building** and on the same **lot** as a **commercial use** for the purpose of displaying seasonally related finished merchandise, goods or materials for sale during a limited period within the calendar year.

**Outdoor Patio:** means an outdoor area, covered or uncovered, where seating accommodation can be provided and/or where meals or refreshments may be served to the public for consumption.

**Outdoor Storage:** means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or **inoperable vehicles**.

**Park:** means an area of land that is designed or maintained for **active** or **passive recreational uses**.

**Parking Area:** means one (1) or more **parking spaces**, including related **aisles**, for the parking or storage of **vehicles**.

**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**.

**Parking Lot:** means a **lot** or portion thereof provided for the parking of **motor vehicles accessory** or incidental to the **main use**.

**Parking Lot, Public:** means a **parking area** that is the **principal use** of a **lot** and is operated to provide public parking whether or not for gain or profit.

**Parking Space:** means an unobstructed area of land that is accessible by an **aisle**, having access to a **street** or **lane** that is reserved for the purpose of the temporary parking or storage of one (1) **motor vehicle**.

**Parking Space, Bicycle:** means an area used exclusively for parking or storing a bicycle.

**Parking Structure:** means a **building** or portion thereof, containing one (1) or more **parking spaces**.

**Parking Structure, Bicycle:** means a **structure**, either covered or uncovered, containing one (1) or more **bicycle parking spaces**.

**Passive Recreational Use:** means outdoor recreational activities such as walking or hiking trails, passive **parks, shelters**, or natural observation that require minimum facilities or development and that have a minimal impact on the environment.

**Person:** means an individual, association, firm, partnership or incorporated company.

**Personal Service Shop:** means a **building, structure**, or part thereof, where services area provided and administered to individual and personal needs and where retail sale of goods **accessory** to the service provided is permitted and include, but is not limited to, hair care, aesthetics, health and beauty treatment, dressmaking, tailoring, shoe shinning and repair, laundromat, and dog self-wash centre.

**Pit or Quarry:** means an operation, other than a **wayside pit or quarry**, conducted under a license or permit under the *Aggregate Resources Act*, used in the extraction, storage transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products, and includes any including associated or **accessory** facilities or **buildings**.

**Pit or Quarry, Wayside:** means a temporary **pit or quarry** opened and used by a **public authority** solely for the purpose of a particular project or contract of road construction.

**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 such as a billiard or pool rooms, bowling alleys, electronic games, indoor playground, miniature golf courses or roller skating rinks.

**Place of Worship:** means a facility the **principal use** of which is the practice of religion, but which may include **accessory uses** subordinate and incidental to the **principal use** such as classrooms for religious instruction, programs for community social benefit, assembly areas, kitchens, offices and a residence for the faith group leader. Other than a **day care centre** which shall be permitted, a **place of worship** shall not include a **private school** or **residential** or **commercial uses**.

**Podium:** means the base of a **building, structure** or part thereof located at or above **average grade** that projects or is proud of the **tower** portion of the **building**.

**Porch:** means a covered or uncovered deck, portico or other **structure** with direct access to the ground that is attached to the exterior wall of a **building**. A **basement** may be located under the **porch**.



**Premises:** means the whole or part of lands, **buildings** or **structures**, or any combination of these.

**Primary Entrance Door:** means the **principal** entrance by which the public enters or exits a **building** or individual retail/commercial unit, or the resident enters or exits a **dwelling unit**.

**Primary Window:** means all windows except bathroom, hallway, closet or kitchen windows.

**Principal or Main:** means the land, **buildings** or **structures** occupied, used or intended to be occupied or used.

**Private Home Daycare:** means a **premises** used for the temporary care of five (5) children or less where such care is provided in a **dwelling unit**, other than the **dwelling unit** of a parent or guardian of any such child, for a continuous period not exceeding 24 hours.

**Public Authority:** means Federal, Provincial, or Municipal agencies, and includes any commission, board, authority or department established by such agency.

**Public Use:** means a **use** of land, **buildings** or **structures** for infrastructure by or on behalf of a **public authority**. Without limiting the generality of the foregoing, a public **use** may include **uses** such as public highways, railways and related facilities, gas and oil pipelines, public sewage and water service systems and lines, bridges, interchanges, stations, public works **yards**, and related **buildings** and **structures**, above or below ground, that are required for the facilities listed above, and associated rights-of-way, and may include **stormwater management facilities** but does not include any land or **building** used by any local school board, university or college.

**Recreational Vehicle:** means a specially designed **vehicle** used for recreation purposes, whether or not it is required to be licensed or is jacked up or its running gear removed, including an all-terrain **vehicle**, a snowmobile, a camper, a motor home, a boat or trailer. A **recreational vehicle** may provide temporary living, sleeping, or eating accommodation for travel, vacation, seasonal camping, farm help, or recreational **use**.

**Research and Development Facility:** means 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**.

**Residential Use:** means the **use** of land, **buildings** or **structures** for human habitation.

**Restaurant:** means a **building** or part of a **building** where the **principal** business is the preparation of food and drinks for retail sale to the public for immediate consumption on or off the **premises**, or both on and off the **premises** but shall not include a **nightclub**.

**Retail, Ancillary:** means the part of a **building** or **structure** used for the accessory retail sale of goods or merchandise produced on the **premises** in accordance with the provisions of this By-law.

**Retail Store:** means **premises** in which goods and merchandise are offered or kept for retail sale or rental to the public.

**Retirement Home:** means a **building** or part of a **building** providing accommodation primarily for retired persons where each private bedroom or living unit does not include a stove top and oven, does have a separate entrance from a common hall, and where common facilities and services may be provided for the residents including personal services, the preparation and consumption of food, nursing services, common lounges, recreation rooms and ancillary support offices.

**Riding Stable or Equestrian Centre:** means **premises** used for the boarding of horses, exercising of horses, the training of horses and riders, and the staging of equestrian events, but shall not include the racing of horses.

**Rooming Home:** means a **dwelling** containing no less than three (3) but no more than 10 individual rooms rented for accommodation and includes communal but not individual cooking facilities, and where the occupants do not constitute a single **housekeeping unit**. The **use** shall not provide respite care or provide accommodation to the traveling public and does not include a **group home, long-term care home, retirement home, hotel, or short-term rental**.

**School, Commercial:** means a **building**, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a **commercial fitness/recreational centre** or a **post-secondary school**.

**School, Elementary or School, Secondary:** means a place of instruction maintained and operated under the jurisdiction of a **public authority**, and may also include a **day care centre** as an **accessory use**.

**School, Post-Secondary:** means a **building** or part of a **building** where educational facilities are provided for the instruction of college or university education, and that is operated under jurisdiction of a **public authority** and may include **accessory** residential facilities, including cafeterias, but does not include a **commercial school**.

**School, Private:** means a place of instruction (excepting a **commercial school** or private career college) offering curriculum equivalent to those customarily offered in an **elementary school** or **secondary school**, and may include a **day care centre**.

**Seasonal Farm Help Dwelling:** means a **building** or **structure** for the temporary housing of farm employees of the **main** agricultural **use** for no more than eight (8) months per seasonal worker, but in no event shall be used for year-round occupancy.

**Seasonal Farm Stand:** means a **structure** that is **accessory** to an **agriculture use** and is used for the display and sale of produce, flowers, or other related **agriculture** products, but where all products shall originate and be sourced from the same **lot** as the **principal use**.

**Self-Storage Facility:** means a **building** consisting of individual self-contained units that are leased or owned for the storage of personal property and/or household goods.

**Sensitive Land Use:** means a **building**, amenity area or outdoor space where routine or normal activities occurring at reasonably expected times would experience one (1) or more adverse effect(s) from contaminant discharges generated by a nearby major industrial facility. The **sensitive land use** may be a part of the natural or built environment. Depending upon the particular facility involved, a **sensitive land use** and associated activities may include one (1) or a combination of:

- a) residences or facilities where people sleep;
- b) a permanent structure for non-facility related **use**, particularly of an institutional nature;
- c) certain outdoor recreational uses deemed by a municipality or other level of government to be sensitive;
- d) certain agricultural operations; and/or
- e) bird/wildlife habitats or sanctuaries.

**Service and Repair Shop:** means a **premises** for the servicing, repairing or renting, of articles, goods or materials but shall not include any **motor vehicle** or boats.

**Setback:** means the distance between a **building** or **structure** and a **lot line**. In calculating the **setback** the horizontal distance from the respective **lot line** shall be used.

**Shelter:** means a **building** or **structure** used solely for the purposes of providing temporary **shelter** and shall not be used for human habitation.

**Shopping Centre:** means **premises** consisting of a **building** or group of **buildings** that are managed as a unit by a single owner or tenant, or by a group of owners or tenants, and contain at least three (3) commercial units.

**Storey:** means that portion of a **building** other than a **basement**, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

**Storey, First:** means the **storey** with its floor closest above **grade** and having its ceiling more than 1.8 m above **grade**.

**Stormwater Management Facility:** means an end-of-pipe, detention or retention basin, which may include a permanent pool, that temporarily stores and treats collected stormwater runoff and releases it at a controlled rate or redirects it for an intended reuse.

**Street:** means a public highway but does not include a **lane** or a Queen's Highway (Highway 401). Where a 0.3 m reserve abuts a **street**, or where a **daylight triangle** abuts a **street**, for the purposes of determining **setbacks** the **street** shall be deemed to include the 0.3 m reserve and/or the **daylight triangle**, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 m reserve or as an assumption of the 0.3 m reserve as a public highway for maintenance purposes under the *Municipal Act*.

**Street Line:** means the dividing line between a **lot** and a **street**.

**Street, Private:** means:

- a) A right-of-way or roadway that is used by **vehicles** and is maintained by a condominium corporation;
- b) A private road condominium, which provides access to individual freehold **lots**;
- c) A roadway maintained by a corporation to provide vehicular and pedestrian access to **parking lots** and individual retail/commercial units; or
- d) A private right-of-way over private property, that affords access to **lots** abutting a private road; but is not maintained by a public body and is not a **lane**.

**Structure:** means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include **buildings**, walls or any sign, but does not include fences below 1.8 metres in **height** or inground swimming pools.

**Tandem Parking Space:** means two (2) or more **parking spaces** abutting each other end to end with only one (1) having access to an **aisle**.

**Taxi Station:** means **premises** used for the parking, cleaning, and minor maintenance of a taxi or **car share service** fleet, and which may include a taxi dispatch **office**.

**Temporary Sales Office:** means all or part of a **building, structure, facility or trailer** used for the sole purpose of the sale or leasing of **dwelling units** associated with a draft plan of subdivision, draft plan of condominium or an approved site plan.

**Theatre:** means a **premises** used for the rehearsal or performance of the performing arts, such as music, dance or **theatre**.

**Tower:** means the **storeys** within that portion of a **building or structure** or part thereof located above the **podium**.

**Tower, Point:** means a compact and slender **building** form that may or may not include a **podium** at its base.

**Tower Floor Plate:** means the average **floor area** of all **storeys** within that portion of a **building** or **structure** or part thereof located above the **podium**, measured to the exterior faces of exterior walls of each **storey** of a **building** or **structure**.

**Trailer:** means any **vehicle** so constructed that it is suitable for being attached to a **motor vehicle** for the purpose of being drawn or propelled by said **motor vehicle**, and capable of being used for living, sleeping, or eating accommodation, or the transportation of a boat, snowmobile, tent, or materials, and shall be considered a separate **vehicle** and not part of the **motor vehicle** by which it is drawn. Any items or materials placed on a **trailer** for the purpose of transport are to be considered as part of the **trailer**.

**Transport Cartage or Transport Depot:** means a **building** or **structure** and **lot** where transport **vehicles** are kept for hire, rented or leased, or stored or parked for remuneration, or from which transport **vehicles** are dispatched for hire as common carriers and may include a **warehouse**, but shall not include any other **use** or activity otherwise defined or classified in this By-law.

**Uncovered Platform:** means an attached or freestanding **structure** not covered by a roof, which is located on the same level as or lower than the **first storey** of the **building** associated with the platform.

**Use:** when used as a noun, means the purpose for which a **lot** or **building** or **structure** or any combination thereof, is designed, arranged, intended, occupied or maintained and “**uses**” shall have a corresponding meaning. “**Use**,” when used as a verb, or “to **use**,” shall have corresponding meanings.

**Utility:** means an essential public service such as electricity, gas, television or communications/telecommunications that is provided by a regulated company or **public authority**.

**Vehicle:** means a car, truck, **trailer**, recreational **vehicle** including boats, van, motorcycle, snowmobile, or any other **vehicle** required to be licensed.

**Vehicle Body Repair Shop:** means a **building** or part of a **building** used for the care, repair or modifications to the body of **motor vehicles**.

**Vehicle Repair Shop:** means a **building** or part of a **building** used for retail sale of **motor vehicle** accessories and used for the repair, equipping, maintenance, or servicing of **motor vehicles**.

**Vehicle Sales or Rental Establishment:** means a **building** or part of a **building** where **vehicles** are displayed and/or offered for sale, rent or lease including the outdoor storage and display of **vehicles** and may include an associated **vehicle repair shop**.

**Veterinary Clinic:** means a **building** or part of a **building** providing the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

**Warehouse:** means a **building** or part of a **building** used for the indoor housing or storage of goods, wares, merchandise, food-stuffs, substances, articles, or things before wholesale distribution to a retailer.

**Waste:** means a material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a useable product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process.

**Waste, Hazardous:** means any substance or material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

**Waste Processing Station:** means a facility within an enclosed **building** whose primary purpose is the sorting and processing of **waste** to create a new product or raw material on site.

**Waste Transfer Station:** means a facility within an enclosed **building** whose primary purpose is the collection and storage of **waste** or **hazardous waste** for shipment, and which may include limited sorting or preparation of that **waste** to facilitate its shipment for final disposal or to a **waste processing station**, but does not include salvage **yards** or scrap metal **yards**.

**Watercourse:** means a natural channel for a stream and, for the purpose of this By-law, includes a natural channel for an intermittent stream.

**Wholesaling Facility:** means a **building, structure** or part thereof used for the distribution of goods, wares, merchandise, food-stuffs, substances, articles, or things, in large quantities, to a business or retailer for eventual or further distribution, processing, assembly, or retail sale.

**Yacht Clubs:** means a non-profit association of persons, who are bona fide members paying annual dues, which owns, hires or leases a **building** and/or property; the **use** of such **premises** being restricted to members, affiliated members and guests. A yacht **club** may include: **parking areas**, a **club house**, **boat moorings**, launching ramps, tennis courts, picnic areas, **parks**, playgrounds, locker and locker room facilities, enclosed storage areas, **restaurants**, refreshment stands, swimming pools and beaches.

**Yard:** means any open, uncovered, unoccupied space appurtenant to a **building**.

**Yard, Exterior Side:** means a side **yard** adjacent to a **street**.

**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.

**Yard, Interior Side:** means a **side yard** not adjacent to a **street**.

**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** or **structure** on the **lot** for which the **yard** is required.

**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.

**Zone:** means a designated area of land **use** shown on Schedule 1 and established and designated by this Bylaw for the purposes of a specific **use** or group of **uses** that are erected and maintained in accordance with the provisions of this By-law.

**Zone Boundary:** means the spatial extent of a **zone**, as shown on Schedule 1 to this By-law.

## 4 General Regulations

The following general regulations apply to the entire City of Pickering with the exception of the Seaton Urban Area, which is regulated by Section 14 of this By-law and the general regulations included within that section.

### 4.1 Accessory Dwelling Unit

#### 4.1.1 General

Where permitted by this By-law, an **accessory dwelling unit** shall be in accordance with the following provisions:

1. A maximum of one (1) **accessory dwelling unit** shall be permitted per **lot**.
2. An **accessory dwelling unit** shall be permitted in a separate **accessory building**, provided that:
  - a) The **building** shall be located no closer than 3.0 m to any other non-**residential building** on the **lot**.
  - b) The **building** shall be located in accordance with the **setback** requirements for the **main building** on the **lot**, as established in the **zone** provisions under Sections 1 to 13.
3. An **accessory dwelling unit** shall be permitted as part of the **main building** on the **lot**, provided that **accessory dwelling unit** shall be located either on the second **storey** of the **main building**, or at the rear of such **building** if the **accessory dwelling unit** is located within the **first storey**.
4. The **accessory dwelling unit** shall have separate washroom and kitchen facilities from those of the non-**residential use**.
5. The **accessory dwelling unit** shall have a separate **parking space** as provided in the parking requirements in Section 5.
6. The **accessory dwelling unit** shall have an independent **building** entrance that is separate from the **building** entrance provided for the non-**residential use**.
7. The **gross floor area** of the **accessory dwelling unit** shall not exceed 50% of the **gross floor area** of all other non-**residential uses** on the **lot**.

#### 4.1.2 Accessory Dwelling Units in Employment General (E1) Zones

1. One (1) **accessory dwelling unit** for caretaking and/or security shall be permitted **accessory** to a permitted **use** contained in Table 10.2 of this By-law.
2. Notwithstanding the provisions of Section 4.1.1, an **accessory dwelling unit** in an Employment General (E1) **zone** shall have a maximum **residential gross floor area** of 70.0 m<sup>2</sup>.



## 4.2 Accessory Uses, Buildings and Structures

### 4.2.1 General

1. **Accessory uses, buildings and structures** are permitted on a **lot** where a **main building** housing a **principal permitted use**, already exists or is under construction.
2. **Accessory buildings or structures** shall not be used for human habitation, except where specifically permitted by this By-law.
3. A **building or structure** shall not be considered **accessory** if attached to the **main building**. For clarity, and without limiting the generality of the foregoing, an attached **private garage** shall be considered part of the **main building** and therefore shall be subject to the **lot and building** requirements for the **main building**, as provided in the **zone** provisions.
4. Unless otherwise specifically provided by this By-law, the **accessory use, building or structure** shall be located on the same **lot** as the **principal use**.

### 4.2.2 Location of Accessory Buildings and Structures

1. Unless specifically provided by this By-law, **accessory buildings and structures**, excluding **bicycle parking structures**, are only permitted to be erected in the **rear yard and interior side yard**.
2. **Elementary school or secondary school** class room portables may be permitted within an **interior side yard** subject to an approved site plan.
3. **Accessory buildings and structures** must be **setback** a minimum of 1.0 m from all **lot lines**, except that the **setback** from the **interior side or rear lot line** may be reduced to 0.6 m if there are no doors or windows on the wall of the **accessory building or structure** facing the **interior side or rear lot line**.

### 4.2.3 Height

1. No **accessory building** shall exceed a **building height** of 3.5 m except for:
  - a) **Elementary school or secondary school** class room portables, which shall not exceed a **building height** of 4.5 m; or
  - b) A detached **private garage**, which for a flat roof shall not exceed a **building height** of 3.5 m and for a pitched roof shall not exceed a **building height** of 4.5 m.

### 4.2.4 Lot Coverage

1. The total **lot coverage** of all **accessory buildings**, excluding detached **private garages**, shall not exceed 5% of the **lot area**. Where a detached **private garage** is also provided on the **lot**, the total **lot coverage** of all **accessory buildings** and detached **private garages** shall not exceed 15% of the **lot area**. Where **elementary school or secondary school** class room portables are provided, the total **lot coverage** of all **accessory buildings** shall not exceed 15% of the **lot area**.

### 4.3 Additional Dwelling Units

Where permitted by this By-law, an **additional dwelling unit** shall be in accordance with the following provisions:

1. In any **zone** that permits a **detached dwelling**, a **semi-detached dwelling** or a **street townhouse dwelling**, a maximum of two (2) **additional dwelling units** shall be permitted per **lot**.
2. Where two (2) **additional dwelling units** are permitted on the same **lot**, one (1) shall be permitted within the same **building** as the **principal dwelling unit** and one (1) shall be permitted within an **accessory building** to the **principal dwelling unit**.
3. An **additional dwelling unit** shall be permitted in accordance with requirements of the applicable **zone**.
4. An **additional dwelling unit** located in an **accessory building** shall be in accordance with the provisions for **accessory buildings** as established by Section 4.2.
5. An **additional dwelling unit** within the same **building** as the **principal dwelling** shall not exceed 45% of the **gross floor area** of the **principal dwelling**.
6. An **additional dwelling unit** shall be accessed from the **street** via a walkway or **driveway**.
7. An **additional dwelling unit** shall not be permitted in conjunction with a **bed and breakfast use** in the same **detached dwelling**.
8. An **additional dwelling unit** or part thereof shall be prohibited in lands identified as **hazardous lands** or **hazardous sites**, as determined by the Municipality in consultation with CLOCA or TRCA.
9. Each **additional dwelling unit** shall have one (1) additional **parking space** provided in addition to the minimum number of **parking spaces** for the **principal dwelling** on the **lot** established in Section 5 of this By-law.

### 4.4 Air Conditioners

1. **Air conditioners** are permitted on a **lot** provided they are located in the **rear yard** or **interior side yard** or on a **balcony** or roof. In addition, such units shall not be located any closer than 0.6 m to an **interior lot line** and shall not be located on any easements in favour of the City.
2. Notwithstanding Section 4.4.1, **air conditioners** are permitted in the **front yard** of **back-to-back townhouse dwellings** and **stacked back-to-back townhouse dwellings**.

## 4.5 Ancillary Retail

Where permitted by this By-law, an **ancillary retail use** shall be permitted in accordance with the following provisions:

1. The **ancillary retail** and display of goods shall include only products, materials or goods which are manufactured, processed, fabricated or repaired as part of the **principal use**.
2. The maximum **gross floor area** of the **ancillary retail use** shall be a maximum of 10% of the **gross floor area** of the **principal use**. However, in no case shall the maximum **gross floor area** of the **ancillary retail use** exceed 500.0 m<sup>2</sup>.
3. Parking for the **ancillary retail use** shall be provided in accordance with the provisions of Section 5 of this By-law, in addition to the parking required for the **principal use** of the **lot**.

## 4.6 Areas of High Aquifer Vulnerability

Notwithstanding any other provision of this By-law, with the exception of those **uses** legally **existing** on November 15, 2001, which may continue until the **use(s)** ceases, the following **uses** are prohibited on lands identified as **areas of high aquifer vulnerability** on Schedule 3.

1. Generation and storage of **hazardous waste** or liquid industrial **waste**.
2. Waste disposal facilities, organic soil conditioning sites, and snow storage and disposal facilities.
3. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device.
4. Storage of a contaminant listed on Schedule 3 (Severely Toxic Contaminants) to *Regulation 347 of the Revised Regulations of Ontario, 1990* or its successor.

## 4.7 Automobile Service Station

Where permitted by this By-law, an **automobile service station** shall be in accordance with the following provisions:

1. No portion of any fuel pump associated with an **automobile service station** shall be located closer than 4.5 m from any **front lot line** or **exterior lot line** and 12.0 m from any other **lot line**.
2. A weather canopy associated with the fuel pumps of an **automobile service station** shall be permitted to encroach into the required minimum **front yard** and **exterior side yard** by up to 3.0 m.
3. The maximum width of a **driveway** at the **street line** shall be not more than 10.5 m and the minimum width not less than 7.5 m.
4. The minimum **setback** of an underground fuel storage tank to the nearest point of any **lot line** shall be 4.5 m.

5. The area included between **driveways** or between **driveways** and a **street line** or any **lot line** as required by this By-law shall not be used for any purpose other than a **landscaped area**.
6. All other requirements of the applicable **zone** shall apply, including the required minimum required **yards**.

#### 4.8 Bed and Breakfast

Where permitted by this By-law, a **bed and breakfast** shall be in accordance with the following provisions:

1. A **bed and breakfast** shall only be permitted in a **detached dwelling**.
2. The **bed and breakfast** shall be operated by the person or persons whose **principal** residence is in the **detached dwelling**.
3. Parking shall be provided in accordance with Section 5.
4. A **bed and breakfast** shall be limited to a maximum of five (5) guest rooms.

#### 4.9 Below Grade Entrances to Dwelling Units

1. Where permitted by this By-law, below grade entrances to a **basement dwelling unit** shall be **setback** 0.6 m from a **lot line**, and if the below grade entrance is located within an area regulated by a Conservation Authority, as shown on Schedule 1, approval from that Conservation Authority is required.

#### 4.10 CLOCA and TRCA Regulated Areas

Schedule 1 includes an approximation of the areas regulated by the Central Lake Ontario Conservation Authority (CLOCA) and the Toronto and Region Conservation Authority (TRCA). These areas are subject to the applicable regulation under Section 28 of the *Conservation Authorities Act*, as amended, for any development (including site alteration), any interference with wetlands and alterations to shorelines and **watercourses**. In this regard, CLOCA, or TRCA must be contacted prior to any such work taking place in the regulated area.

Development in the *Conservation Authorities Act*, as amended, is defined as (a) the construction, reconstruction, erection or placing of a **building** or **structure** of any kind; (b) any change to a **building** or **structure** that would have the effect of altering the **use** or potential **use** of the **building** or **structure**, increasing the size of the **building** or **structure** or increasing the number of **dwelling units** in the **building** or **structure**; (c) site grading; or (d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The regulated area may differ from the area delineated on Schedule 1, as it may be subject to changes resulting from new environmental information obtained by the CLOCA or TRCA over time. The final boundaries of the Regulated Area shall be determined by CLOCA or TRCA as applicable.

Further, if there is a conflict between the description of regulated areas in the text of the regulation and the areas as shown on the regulated area mapping (as shown on Schedule 1) the description of areas in the regulation prevails.

The following provisions shall apply to all lands within the Regulated Area (on Schedule 1 or to lands that meet the description of regulated areas in the regulation by CLOCA or TRCA, as applicable):

1. Development (as defined above) is subject to CLOCA or TRCA review, as appropriate, and may require a permit pursuant to the applicable regulation, prior to any works taking place.
2. The Regulated Area shown on Schedule 1 may be subject to change. The final boundaries of the Regulated Area shall be determined by CLOCA or TRCA, as appropriate.
3. The following **uses** shall be prohibited in lands identified as **hazardous lands** or **hazardous sites**, as determined by the Municipality in consultation with CLOCA or TRCA, as appropriate:
  - a) Institutional **uses** including hospitals, **long-term care homes, retirement homes, day care centres**, childcare centres and schools;
  - b) Essential **emergency service facilities** including fire, police, ambulance stations and electrical substations; and
  - c) **Uses** associated with disposal, manufacture, treatment or storage of **hazardous substances**.

#### 4.11 Duffin Creek Water Pollution Control Plant

Notwithstanding any other provision of this By-law, no new or expanded **sensitive land use** shall be permitted through development or redevelopment of a **lot** located within the **minimum separation distance** (150.0 m) of the Duffin Creek Water Pollution Control Plant as delineated on Schedule 1.

#### 4.12 Environmental Protection (EP) and City Centre Natural Heritage System (CCNHS) Zone Setback

1. Notwithstanding any other provision of this By-law, any **building, structure, parking space, loading space, or aisle** located above **average grade** shall be **setback** a minimum of 4.0 m from an Environmental Protection (EP) or City Centre Natural Heritage System (CCNHS) **zone boundary**.

#### 4.13 Frontage on a Street

1. Notwithstanding any other provisions in this By-law, no person shall be permitted to erect any **building** or **structure** on any **lot** in any **zone** unless the **lot** has **frontage** on a **street**.

## 4.14 Group Homes

Where permitted by this By-law, a **group home** shall be in accordance with the following provisions:

1. A **group home** shall be permitted in a **detached dwelling, semi-detached dwelling, and street townhouse dwelling** in all **zones** where **residential uses** are permitted.
2. Parking shall be provided based on the **dwelling** type of the **group home** in accordance with the requirements of Section 5.
3. The **group home** shall comprise the sole **use** of the **dwelling**.
4. The **group home** shall be in accordance with the provisions of the applicable **zone**.
5. The **group home** shall be subject to Provincial approval or licensing as may be required.

## 4.15 Height and Dwelling Height Exceptions

1. The **height** and **dwelling height** requirements of this By-law shall not apply to:
  - a) A belfry;
  - b) A chimney;
  - c) A flagpole;
  - d) A clock tower;
  - e) Ornamental architectural features such as, but not limited to a dome or skylight;
  - f) A cupola;
  - g) A water storage tank;
  - h) A wireless or transmitting antenna; and
  - i) A windmill, silo or other **accessory buildings** and **structures** that are **accessory** to a permitted **agriculture use**, provided that the **accessory building** or **structure** is not used for human habitation.
2. Section 4.34 shall apply to the **height** of rooftop mechanical equipment and rooftop mechanical penthouses.

## 4.16 Highway 401 Corridor Setback

1. Notwithstanding any other provision of this By-law, no **building, structure, parking space, loading space, aisle** or **stormwater management facility** shall be located above or below **grade**, within 14.0 m of any **lot line** abutting the boundary of the Highway 401 Corridor.

## 4.17 Home Industries

Where permitted by this By-law, a **home industry** shall be subject to the following provisions:

1. A **home industry** shall have a maximum of three (3) employees, where at least one (1) employee shall be a resident of the **premises**.
2. A **home industry** may be located in part of a **dwelling** or in any **accessory building** located on a **lot** on which a **dwelling** is in existence, provided the total **gross floor area** utilized by the **home industry** does not exceed a maximum of 140.0 m<sup>2</sup>.
3. No display shall be permitted, other than a non-illuminated sign having a maximum surface area of 1.0 m<sup>2</sup>.
4. **Outdoor storage** and an **outdoor display area accessory** to a **home industry** shall be prohibited.
5. Only **motor vehicles** associated with the **home industry** may be parked or stored on the **lot** in an **interior side** or **rear yard**.
6. A boarding kennel shall not be permitted as a **home industry**.
7. A **home industry use** that includes an **obnoxious use** shall be prohibited.

## 4.18 Home Occupations

Where permitted by this By-law, a **home occupation** shall be in accordance with the following provisions:

1. The following specific uses are permitted in a **home occupation**:
  - a) **Art Gallery/Studio**;
  - b) **Personal Services Shop**, excluding a laundromat or dog-washing establishment;
  - c) **Private Home Daycare**;
  - d) **Office**;
  - e) **Medical Office**; or
  - f) Instruction, including personal fitness, music, dance, math/science/language tutoring or instruction, cooking, and similar activities.
2. A **home occupation** may be permitted in an **accessory building** or **structure** or a **private garage**, provided it does not prevent the parking of the number of **vehicles** the **private garage** or **accessory building** or **structure** was designed to accommodate.
3. The **home occupation** shall not occupy an area greater than 25% of the **gross floor area** of the **dwelling**, or have a total area greater than 50.0 m<sup>2</sup>, whichever is less.

4. The **home occupation** shall be operated by the resident of the **dwelling unit** and the resident is either a sole proprietor, partner, shareholder, or officer of the company operating the **home occupation**, or an employee who **uses** their **dwelling unit** as their **principal** place of business.
5. The **home occupation** shall employ at least one (1) individual who resides in the **dwelling unit** and shall not employ more than one (1) other individual who does not reside in the **dwelling unit**.
6. The **home occupation** shall not create noise, vibration, fumes, odour, dust, glare or radiation which is beyond the normal **use** of the **dwelling** or which becomes offensive or **obnoxious** or creates a nuisance.
7. No **outdoor storage** or visible display relating to a **home occupation** is permitted.
8. Customer or client parking is not required to be provided on the **lot**.
9. External changes or alterations required for or relating to a **home occupation** which would change the overall residential character of the **dwelling unit** are not permitted.
10. The selling of products assembled or developed on the **premises** is a permitted **use** in a **home occupation**, and the sale and distribution of catalogue items is a permitted **use** in a **home occupation** provided that no catalogue items are stored on the **premises**.

#### 4.19 Human Habitation not within Main Buildings

1. Except where explicitly permitted, no truck, bus, coach, street car body, railway car, **mobile home**, trailer or other **vehicle** shall be used for human habitation whether or not the same is mounted on wheels or other forms of mounting or foundations.

#### 4.20 Live Work Dwelling

1. The following specific **uses** are permitted in a **live work dwelling**:
  - a) **Art gallery/studio**;
  - b) **Dry-cleaning distribution centre**;
  - c) **Dwelling unit**;
  - d) **Medical office**;
  - e) **Office**;
  - f) **Personal service shop**;
  - g) **Restaurant**; or
  - h) **Retail store**.
2. For any permitted **use** listed in Section 4.20.1, the minimum **floor area** within a **dwelling unit** is 50.0 m<sup>2</sup>.



## 4.21 Lots in Residential Zones - Unserviced

1. Nothing in this By-law shall prevent the erection of a **detached dwelling** on any **existing lot** located in any residential **zone** provided that the **dwelling** to be so erected complies in **floor area** with the requirements of that particular **zone**, but where there is neither a municipal sewer nor piped municipal water supply available then such **lot area** shall not be less than 1,390 m<sup>2</sup>.

## 4.22 Minimum Distance Separation (MDS)

1. Notwithstanding any other **yard** or **setback** provisions of this By-law, to the contrary, no residential, institutional, commercial, or industrial **use**, located on a separate **lot** and permitted within an **agriculture zone** or any **zone** in which **agriculture uses** are permitted, shall be erected or altered unless it complies with the Minimum Distance Separation One (MDS I) **setback** from a livestock facility or anaerobic digester, calculated using the formulas published by the Province, as may be amended from time to time. This provision shall not apply to:
  - a) A **dwelling** on the same property as the livestock facility or anaerobic digester;
  - b) Additions or renovations to **existing dwellings** or **buildings** or **structures accessory** to a **dwelling** on **lots** that existed prior to March 1, 2017; or
  - c) **Structures** accessory to a dwelling, including, but not limited to: decks, garages, gazebos, greenhouses, outbuildings, patios, picnic areas and sheds.
2. Notwithstanding any other **yard** and **setback** provisions of this By-law to the contrary, no **building** or **structure** used or intended to be used for the raising, breeding or keeping of livestock or manure storage, or anaerobic digestion, shall be established or enlarged on a **lot** except in accordance with the requirements of the Minimum Distance Separation Two (MDS II) **setback**, calculated using the formulas published by the Province, as may be amended from time to time.

## 4.23 Number of Detached Dwelling Units on One (1) Lot

1. Not more than one (1) **detached dwelling** shall be erected on any **lot** unless otherwise explicitly permitted in accordance with the provisions of this By-law.

## 4.24 Oak Ridges Moraine Area Special Provisions

### 4.24.1 Existing Uses within the Oak Ridges Moraine Area

1. The provisions of this Section are established in accordance with the *Oak Ridges Moraine Conservation Act* and the Oak Ridges Moraine Conservation Plan, or successor thereto. Where there is a conflict between this By-law and the Oak Ridges Moraine Conservation Plan, or successor thereto, with respect to any lands included in the **Oak Ridges Moraine Area**, the requirements of the Oak Ridges Moraine Conservation Plan, or successor thereto, shall prevail.

#### 4.24.2 Lots Having Reduced Lot Area and/or Reduced Lot Frontage within the Oak Ridge Moraine Area

1. **Lots** may be used and a **building** or **structure** may be constructed, altered or used on a **lot** having a lesser **lot area** and/or a lesser **lot frontage** than required by this By-law, provided that the **lot** has been held under distinct and separate ownership from the abutting **lots** or was legally created prior to the passing of this By-law, or created as a result of expropriation.
2. The **building**, **structure** and **use** must conform to all other applicable provisions and regulations of this By-law. **Lots** that have been increased in size following the date of this By-law shall also be subject to this provision.

#### 4.24.3 Non-Conforming Buildings and Uses in the Oak Ridges Moraine Area

1. For the purposes of interpreting the provisions of Section 4.24, notwithstanding the definition of **existing** as contained in Section 3 of this By-law, **existing** shall mean lawfully in existence on November 15, 2001 and for greater certainty does not include a **use**, **building** or **structure** that was in existence on that date without being lawful.
2. Nothing in this By-law shall prevent the **use** of any land, **building** or **structure** used for a purpose prohibited by this By-law if the land, **building** or **structure** was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose. Where the **use** ceases to exist for a period of two (2) years, the **use** will be deemed to have been discontinued.
3. Nothing of this By-law shall prevent the erection or **use** for a purpose prohibited by this By-law of a **building** or **structure** for which a permit has been issued under subsection 8(2) of the *Building Code Act*, 1992, as amended, on or before November 15, 2001 if:
  - a) The permit has not been revoked under subsection 8(10) of the *Building Code Act*, 1992, as amended; or
  - b) The **building** or **structure** when erected is used and continues to be used for the purpose for which it was erected.
4. Any **dwelling unit** on the same **lot** that is not permitted within the **zone** in which it is located but that legally existed on November 15, 2001, shall be permitted to expand on lands that are located no closer than 90.0 m from the Oak Ridges Moraine Environmental Protection (ORMEP) **zone** by a maximum of an additional 100 m<sup>2</sup> in **gross floor area** after the date of the passing of this By-law, in accordance with requirements of Section 12 of this By-law.
5. A non-residential **building** or **structure** on the same **lot** that is not permitted within the **zone** in which it is located, but that legally existed on November 15, 2001, shall be permitted to expand on lands that are located no closer than 90.0 m from the Oak Ridges Moraine Environmental Protection (ORMEP) **Zone**, by a maximum of an additional 10% of the **existing gross floor area** after the date of the passing of this By-law, in accordance with the provisions of the appropriate zoning ORM category of this By-law.

6. Nothing in this By-law shall prevent the repair or reconstruction, within the same location and dimensions, of an **existing building or structure** to a safe condition provided that such repair or reconstruction does not represent an intensification of the **existing use**, and does not increase the legal non-conforming footprint of the **building or structure** and that the **building or structure** continues to be used for the same purpose.
7. Nothing in this By-law shall prevent the conversion of an **existing use** to a similar **use**, if the applicant demonstrates to the City's satisfaction that the conversion:
  - a) Will bring the **use** into closer conformity with the provisions of this By-law that are applicable to the **zone** in which it is located, and
  - b) Will not adversely affect the ecological integrity of the **Oak Ridges Moraine Area**.

#### 4.24.4 Previously Authorized by Zoning in the Oak Ridges Moraine Area

1. Nothing of this By-law shall prevent the **use**, erection, or location of a **detached dwelling** (which shall, for the purposes of this Section 4.24.4, include **accessory buildings or structures**) provided:
  - a) The proposed **dwelling** is located on an open public road allowance maintained on a year-round basis and subject to the provisions of the Zoning By-law; and
  - b) The **use**, erection and location of such **detached dwelling** would have been permitted by the applicable Zoning By-law on November 15, 2001.

#### 4.24.5 Special Setbacks within ORM Zones

1. In addition to the other provisions of this By-law, within the area of the Oak Ridges Moraine as shown on the schedules of the City of Pickering's Official Plan document, and within **zones** having an ORM prefix the following **setbacks** shall apply, along with the minimum areas of influence and requirements thereto as set out in the Official Plan:
  - a) **Watercourses**: All **buildings or structures** shall be located a minimum of 30.0 m from the meander belt of any permanent or intermittent stream, river or creek.
  - b) **Significant Valleylands**: All **buildings or structures** shall be located a minimum of 30.0 m from the stable top of bank.
  - c) **Wetlands**: All **buildings and structures** shall be located a minimum of 30.0 m from any part of feature.
  - d) **Significant Woodlands**: All **buildings and structures** shall be located a minimum of 30.0 m from the base of the outermost tree trunks within a woodland.
  - e) **Fish Habitat**: All **buildings and structures** shall be located a minimum of 30.0 m from any part of feature.
  - f) **Seepage Areas and Springs**: All **buildings and structures** shall be located a minimum of 30.0 m from any part of feature.

#### 4.24.6 Lots Having Split Zoning within ORM Zones

1. Where a **lot** is divided into more than one (1) **zone**, each separately zoned portion of the **lot** shall be used in accordance with the provisions of that **zone** as if each separately zoned portion was a **lot**. However, where a **lot** is divided into more than one (1) **zone** and a **use** is permitted in each **zone**, the zoning provisions of the most restrictive **zone** shall apply to the entire **lot**. No **lot** shall have more than one (1) **building** containing a **dwelling** on the **lot** except as specifically permitted by this By-law.

#### 4.24.7 Utilities and Public Service Facilities

1. New transportation, infrastructure and **utility uses** are only permitted in the **Oak Ridges Moraine Area** subject to Section 41 of the Oak Ridges Moraine Conservation Plan, or successor thereto, and corresponding policies of the City of Pickering Official Plan, as amended.

### 4.25 On-farm Diversified Uses

Where permitted by this By-law, an on-farm diversified **use** shall be in accordance with the following provisions:

1. The on-farm diversified **use** is **accessory** to an **agriculture use** located on the same **lot**.
2. The area of operation for an on-farm diversified **use** shall not exceed a combined total of 1.0 ha (10,000 m<sup>2</sup>) or 2% of the **lot area** on which the **use** is proposed, whichever is less.
  - a) In calculating the area of operation, 100% of the area needed for **parking spaces** and **outdoor storage** for the on-farm diversified **use** shall be included; and
  - b) In calculating the area of operation, where an on-farm diversified **use uses** an **existing** access laneway, or **parking area**, the area of the laneway or **parking area** shall not be included.
3. All **outdoor storage** for an on-farm diversified **use** shall be in accordance with the **outdoor storage** provisions of this By-law.
4. Services required for the proposed on-farm diversified **use** shall be provided on the same **lot**, to the satisfaction of the Municipality and shall not have any negative impact on neighbouring and surrounding land **uses**.
5. On-farm diversified **uses** that include **agri-tourism uses** shall be directly related to the principal agricultural **use**.
6. Large-scale, recurring events that are beyond the scale of **agri-tourism uses** and occur more than two (2) times per calendar year shall only be permitted on a temporary basis by way of a temporary **use** by-law pursuant to Section 39 of the *Planning Act*.

## 4.26 Outdoor Display Area

Where permitted by this By-law, an **outdoor display area** shall be permitted in accordance with the following provisions:

1. An **outdoor display area** shall only be permitted on the same **lot** as the principal **use**.
2. An **outdoor display area** shall not occupy more than 35% of the **lot area**.
3. An **outdoor display area** shall not be located within:
  - a) A required **yard** or minimum **setback**;
  - b) A required **landscaped area**;
  - c) A required **parking space**;
  - d) A required **loading space**;
  - e) A **driveway** access or **aisle**;
  - f) A stacking lane; or
  - g) A **daylight triangle**.
4. An **outdoor display area** shall have a minimum **setback** of 12.0 m from any **lot line** abutting a **residential use**.
5. Where an **outdoor display area** is **accessory** to **vehicle sales or rental establishment** and is located in the front **yard** or exterior side **yard**, the maximum area of an **outdoor display area** shall be 50% of the **yard** in which the **outdoor display area** is located.

## 4.27 Outdoor Patios

1. **Outdoor patios** are not permitted in any **yard** abutting a City Centre Residential One (CCR1) **zone** and City Centre Residential Two (CCR2) **zone**.
2. **Outdoor patios** are not permitted on a **balcony** on any **lot** abutting a **residential use**.
3. **Outdoor patios** shall not be considered as **floor area** and **gross leasable floor area** when calculating **floor area** and **gross leasable floor area** for the **use** it serves.

## 4.28 Outdoor Storage

Where permitted by this By-law, **outdoor storage** shall be permitted in accordance with the following provisions:

1. **Outdoor storage** shall only be permitted as an **accessory use** where it is permitted by this By-law. For the purposes of clarity and without limiting the generality for the foregoing, **outdoor storage** shall not be permitted on a vacant **lot**.

2. **Outdoor storage** shall be only permitted within a **rear yard** and not closer than 9.0 m to any **street line**, provided that such storage area shall be so located that it is not visible from a **street** along any line that is perpendicular to such **street**.
3. **Outdoor storage** shall not exceed over 30% of the **lot area** and such area shall be exclusive of **parking spaces** required by Section 5 and shall not exceed the **ground floor area** of **buildings** upon the **lot**.
4. **Outdoor storage** can be used for only:
  - a) The temporary storage of products manufactured, assembled or used on the **premises**;
  - b) The storage of tanks and containers of liquids, gases or other similar materials used in the commercial or manufacturing process; or
  - c) The storage of materials used in the industrial operation but excluding bulk open storage of sand, gravel, stone, coal and construction material or other similar materials or products.
5. **Outdoor storage** areas shall be screened on all sides with an opaque fence or landscaping or a combination of both not less than 2.0 m in **height**.

## 4.29 Permitted Encroachments

1. No part of any required **yard** or **setback** shall be obstructed except as follows:
  - a) Projections such as awnings, canopies, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required **setback**, provided that no such feature projects into the required **setback** more than 0.6 m or half the distance of the minimum required **setback**, whichever is less;
  - b) Any stairs to a **porch** or **uncovered platform** and any unenclosed ramp for wheelchair access may encroach into any required **setback** provided it is no closer than 0.3 m from a **lot line**;
  - c) A **balcony**, **porch** or **uncovered platform** may encroach into any required **setback** to a maximum of 2.0 m or half the distance of the minimum required **setback**, whichever is less; or
  - d) A bay, box or bow window, with or without foundation, having a maximum width of 4.0 m may encroach into any required **setback** to a maximum of 0.6 m or half the distance of the minimum required **setback**, whichever is less.

## 4.30 Prohibited Uses

1. With respect to any lands to which this By-law applies, all **uses** are prohibited unless specifically permitted in this By-law.

2. Notwithstanding any provision of this By-law, with the exception of those **uses existing** on November 15, 2001, which may continue until the **use(s)** ceases, new rapid infiltration basins and new rapid infiltration columns are prohibited on lands within the **Oak Ridges Moraine Area**.

### 4.31 Public Uses Permitted in All Zones

1. Notwithstanding anything else in this By-law, a **public authority**, may, for the purposes of public service, **use** any land or erect or **use** any **building** or **structure** in any **zone**.
2. This exemption for **public uses** in any **zone** shall not:
  - a) Permit **buildings** or **structures** in the Environmental Protection (EP) or City Centre Natural Heritage System (CCNHS) **zone** except for linear infrastructure and the **uses** otherwise permitted in the EP or CCNHS **zone**;
  - b) Permit any **outdoor storage**, or a **waste** processing or **waste transfer station**;  
or
  - c) Permit any land or **building** used by any local School Board, University or College.

### 4.32 Restoration to a Safe Condition

1. Nothing in this By-law shall prevent the strengthening or restoration to a safe condition of any **building** or **structure** provided such alteration or repair does not increase the **height**, or volume, or change the **use** of such **building** or **structure**, except in accordance with this By-law.

### 4.33 Restrictions on the Parking and Storage of Vehicles

No person shall, in any Residential **zone** or in any **zone** in the City Centre, **use** any **lot**, **building** or **structure** for the parking or storage of a **commercial vehicle**, **recreational vehicle**, **trailer** or similar **vehicle** except in accordance with the following provisions:

1. A maximum of four (4) **vehicles**, only one (1) of which may be a **trailer**, are permitted to **park** on the **driveway** of any **lot** provided the following provisions are met:
  - a) For those **vehicles** parked on any **lot**, the maximum permitted **height** shall be 2.6 m, and the maximum permitted length shall be 6.7 m;
  - b) Notwithstanding Section 4.33.1 a), one (1) **vehicle** parked on a **driveway** in a **side** or **rear yard** can be of a size up to a maximum permitted **height** of 3.5 m, and a maximum permitted length of 8.0 m;
  - c) **Height** shall be measured from the **average grade** immediately beside the **vehicle** up to the **vehicle's** highest point, which excludes lights, antennas and other such items ancillary to the **vehicle's** body; and

- d) No part of any **front** or **exterior yard** except a **driveway** shall be used for the parking or storage of **vehicles** and no **vehicle** shall encroach onto any road allowance.
2. The parking or storage of an **inoperative vehicle** shall not be permitted on any **lot**, unless it is entirely within a fully enclosed **building** or **structure**.
3. The parking or storage of a **construction vehicle** shall not be permitted on any **lot**, unless it is entirely within a fully enclosed **building** or **structure**.
4. A **vehicle** that exceeds the maximum permissible **vehicle** size provisions of Section 4.33.1, shall be permitted to **park** temporarily on a **lot** for the sole purpose of delivering to, servicing, **building** or constructing the **premises** on that **lot**.
5. Where one (1) or more **commercial vehicles**, **recreational vehicles**, **trailers** or similar **vehicles** are kept, stored or parked on a **lot** in a residential **zone** in accordance with the provisions of this Section, the minimum number of required **parking spaces** as applicable in accordance with Section 5 shall be maintained.

#### 4.34 Rooftop Mechanical Equipment and Mechanical Penthouses

1. Rooftop mechanical equipment, including any appurtenances thereto, that exceed a maximum **height** of 2.0 m shall be fully enclosed within a mechanical penthouse.
2. Rooftop mechanical equipment shall be set back a minimum of 5.0 m from all edges of a roof.
3. Notwithstanding Section 4.34.2, no **setback** is required if rooftop mechanical equipment is fully enclosed within a mechanical penthouse or screened by an architectural feature.

#### 4.35 Rooming Homes

1. **Rooming homes** shall be permitted wherever **residential uses** are permitted in this By-law, subject to the following additional provisions:
  - a) The **rooming home** is required to meet a **dwelling** format that is permitted in the applicable **zone**;
  - b) The **rooming home** is subject to the parking provisions in Section 5;
  - c) The number of bedrooms shall not exceed 10, and no cooking facilities shall be permitted in any bedroom or room other than a kitchen;
  - d) There will be a minimum of one (1) washroom facility (water closet, washbasin, and bathtub and/or shower) per five (5) bedrooms; and
  - e) The **rooming home** shall be subject to City licensing as may be required.



### 4.36 Satellite Dish Antenna

1. Satellite dish antennae are permitted in any **zone** provided that:
  - a) The satellite dish does not exceed a maximum diameter of 1.3 m; and
  - b) The satellite dish is not attached to the front façade of the **main building** or any **accessory building** or **structure** in the **front yard**.

### 4.37 Seasonal Farm Help Dwelling

Where permitted by this By-law, a **seasonal farm help dwelling** shall be subject to the following provisions:

1. The **lot** and **building** requirements of the applicable **zone** shall apply to the **seasonal farm help dwelling**.
2. A **seasonal farm help dwelling** shall only be permitted as **accessory** to an **agricultural use**.
3. The minimum **floor area** of a **seasonal farm help dwelling** shall be 58.0 m<sup>2</sup>.
4. The maximum **floor area** of a **seasonal farm help dwelling** shall be 80.0 m<sup>2</sup>.
5. The **use** of a **seasonal farm help dwelling** shall not exceed an aggregate total of eight (8) months per seasonal worker in each calendar year.
6. A **seasonal farm help dwelling** shall not be permitted in the principal residence of the owner or operator of the **agricultural use**.
7. A **seasonal farm help dwelling** may be accommodated in more than one (1) **building**.
8. A **mobile home** or **recreational vehicle** may be used for a **seasonal farm help dwelling**.
9. Access to a **seasonal farm help dwelling** shall be from a shared **driveway**.
10. A minimum distance of 6.0 m shall be required between a **seasonal farm help dwelling** and the nearest point of any other **building** or **structure**.
11. Parking shall be provided in accordance with Section 5 of this By-law.
12. A **seasonal farm help dwelling** shall be subject to an approved site plan.

### 4.38 Seasonal Outdoor Display Area

Where permitted by this By-law, a **seasonal outdoor display area** shall be permitted subject to the following provisions:

1. A **seasonal outdoor display area** shall not obstruct a minimum required **parking space, driveway, aisle, or loading space**.
2. A **seasonal outdoor display area** shall not require any additional **motor vehicle** or bicycle parking to be provided while it is in operation.

3. A **seasonal outdoor display area** shall be permitted in any **yard** that does not abut a **Residential zone**.
4. A **seasonal outdoor display area** shall be in accordance with the minimum **setback** requirements of the applicable zone.
5. A **seasonal outdoor display area** shall occupy a maximum of 20% of the **lot area**.
6. A **seasonal outdoor display area** shall not be permitted for more than 120 days cumulatively within any single calendar year.
7. Any **buildings** or **structures** associated with the **seasonal outdoor display area** shall not be subject to the provisions of Section 4.2, but shall be subject to the provisions of this Section.

### 4.39 Services

1. No **dwelling unit** or **accessory dwelling unit** shall be permitted on any **lot** within the area affected by this By-law, unless such a **lot** is served either by a public water system and a sanitary sewer system or by a private water and effluent disposal system that has been approved by the Region of Durham Health Unit.

### 4.40 Swimming Pools

1. Notwithstanding any other provisions of this By-law, an unenclosed, outdoor swimming pool, or hot tub may be permitted as an **accessory use** to a residential **use** in accordance with the following provisions:
  - a) Such **accessory** swimming pool, or hot tub shall only be located in a **rear yard**;
  - b) Any swimming pool, hot tub, or associated water circulating, heating or treatment equipment shall be set back 1.2 m from any **side** or **rear lot line**;
  - c) Any deck associated with an aboveground pool, or hot tub to a maximum **height** of 1.2 m will be in accordance with the provisions of Section 4.29 of this By-law;
  - d) Any recreational equipment, including slides, associated with a swimming pool, or hot tub shall not exceed a maximum **height** of 2.4 m;
  - e) An **accessory** outdoor swimming pool shall not be included in **lot coverage** calculations provided that no part of the swimming pool, or hot tub wall protrudes more than 1.2 m above grade.

### 4.41 Temporary Construction Uses Permitted

1. Nothing in this By-law shall prevent the **use** of land or the **use** or erection of a **building** or **structure** for:
  - a) A scaffold or other temporary **building** or **structure** incidental to construction in progress on **premises** for which a **building** permit has been granted, until such time as the work has been finished or abandoned; or

- b) A sign having an area of not more than 4.7 m<sup>2</sup> incidental to construction in progress on **premises** for which a **building** permit has been granted, until such time as the work has been finished or abandoned.

#### 4.42 Temporary Sales Office

1. **A temporary sales office** for the sale of **lots** or units shall be permitted in all **zones**, subject to the following additional provisions:
  - a) A **temporary sales office** shall not be permitted until an applicable plan of subdivision or condominium has received draft plan approval or the property is in a **zone** that permits the proposed development.
  - b) A **temporary sales office** shall only be permitted for such period that work within a relevant plan of subdivision or condominium remains in progress, having not been finished or discontinued for 60 days.
  - c) A **temporary sales office** shall only be permitted if it complies with requirements of the **zone** in which the **lot** is located.
  - d) **Parking spaces** for a **temporary sales office** are to be located to the side and rear of the **temporary sales office**.
  - e) Notwithstanding Section 9.3 of this By-law, a minimum **building height** does not apply to a **temporary sales office** within the City Centre.

#### 4.43 Through Lots

1. Where a **lot** which is not a **corner lot** has **frontage** on more than one (1) **street**, such **lot** shall have a **front yard** on each **street** in accordance with the provisions of the **zone** or **zones** in which each **front yard** is located.

#### 4.44 Trailer Parks and Private Recreational Uses

1. The establishment of **trailer parks**, **mobile home parks**, camping establishments or private recreational **parks** shall be prohibited within the area covered by this By-law, save and except where such are specifically permitted.

#### 4.45 Utilities Permitted in All Zones

1. Notwithstanding anything else in this By-law, a **utility** company providing services in the form of communication/telecommunication, gas, hydro and cable television and other similar **utility** company, may **use** any land or erect or **use** any **building** or **structure** in any **zone** for the purpose of a **utility** service.
2. This exemption for **utilities** in any **zone** shall not apply to:
  - a) Permit **buildings** or **structures** in the Environmental Protection (EP) or City Centre Natural Heritage System (CCNHS) zone except for **structures** directly related to the **utility** and **uses** otherwise permitted in the EP or CCNHS **zones**;

- b) Permit any **outdoor storage** or **contractor's yard**; or
- c) Permit any land or **building** to be used for administrative offices, retail purposes, or vehicular or equipment maintenance.

#### 4.46 Yards Abutting Daylight Triangles

1. Where a **lot** abuts a **daylight triangle**, the **setback** provisions shall be measured as if the **daylight triangle** did not exist, provided all **buildings** are **setback** 0.6 m from the **daylight triangle** with the exception of window sills, belt courses, cornices, eaves, and eave troughs which may project to within 0.3 m of the **daylight triangle**.

#### 4.47 Waste Management

1. **Waste** shall be stored within a fully enclosed **building, structure** or partially in ground **structure** and shall not be located:
  - a) Between the **main wall** of a **building** and any **street line**; and
  - b) Within any **landscaped area** required by this By-law.
2. Notwithstanding Section 4.47.1 a), **waste** storage temporarily provided for any construction, demolition or site alteration works is permitted anywhere on a **lot**.

#### 4.48 Wayside Pits or Quarries

1. Notwithstanding the general zoning provisions of this By-law, the operation of temporary **wayside pits or quarries**, may be permitted for a period not exceeding six (6) months upon application to, and approval of, the Council of the Corporation of the City of Pickering.
2. An amendment to this By-law shall be required to permit a **wayside pit or quarry** if:
  - a) The **use** is within 120 m of an Environmental Protection (EP) **zone**; and/or
  - b) The **use** is in any **zone** except the Agriculture (A) or Quarry (Q) **zones**.

## 5 Parking, Stacking, and Loading Regulations

### 5.1 General Provisions

#### 5.1.1 Application

1. This Section applies to the entire City of Pickering with the exception of the Seaton Urban Area, which is regulated by Section 14.

#### 5.1.2 Parking Off-Site

1. Required **parking spaces** for any non-**residential use** may be located on another **lot** within the lands/covered by this By-law, where a legal easement or an agreement exists.

### 5.2 Parking Space Requirements

1. Every **building** or **structure** erected, enlarged or used in accordance with the provisions of this By-law shall be provided with the minimum required number of **parking spaces** specified in Table 5.1 on the same **lot**.

**Table 5.1: Minimum Parking Requirements**

Use	City Centre	Other Areas of the City
<b>Residential Uses</b>		
<b>Apartment Dwelling</b>	0.80 resident spaces per unit plus 0.15 visitor spaces per unit	1.25 resident spaces per unit plus 0.25 visitor spaces per unit
<b>Back-to-Back Townhouse Dwelling</b>	1.75 resident spaces per unit plus 0.15 visitor spaces per unit	2.0 resident spaces per unit plus 0.25 visitor spaces per unit
<b>Block Townhouse Dwelling</b>	1.75 resident spaces per unit plus 0.15 visitor spaces per unit	2.0 resident spaces per unit plus 0.25 visitor spaces per unit
<b>Detached Dwelling</b>	2.0 spaces per unit plus 0.15 visitor spaces per unit	2.0 spaces per unit plus 0.25 visitor spaces per unit
<b>Duplex Dwelling</b>	-	2.0 spaces per unit
<b>Fourplex Dwelling</b>	-	2.0 spaces per unit
<b>Live Work Dwelling</b>	1.5 resident spaces per unit plus 3.0 spaces per 100 m <sup>2</sup> GLFA of <b>commercial use</b>	2.0 spaces per unit

<b>Use</b>	<b>City Centre</b>	<b>Other Areas of the City</b>
<b>Rooming Home</b>	0.20 resident spaces per bedroom plus 0.05 visitor spaces per bedroom	0.30 resident spaces per bedroom plus 0.05 visitor spaces per bedroom
<b>Stacked Townhouse Dwelling</b>	1.25 resident spaces per unit plus 0.15 visitor spaces per unit	1.25 resident spaces per unit plus 0.25 visitor spaces per unit
<b>Street Townhouse Dwelling</b>	2.0 spaces per unit plus 0.15 visitor spaces per unit	2.0 spaces per unit plus 0.25 visitor spaces per unit
<b>Triplex Dwelling</b>	2.0 spaces per unit plus 0.15 visitor spaces per unit	2.0 spaces per unit plus 0.25 visitor spaces per unit
<b>Commercial Uses</b>		
<b>Arena</b>	-	18.0 spaces per 100 m <sup>2</sup> area used for assembly plus 5.5 spaces per 100 m <sup>2</sup> floor area used for sports, entertainment, <b>restaurant</b> (excluding snack bar) and other ancillary <b>uses</b>
<b>Art Gallery/Studio</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	4.0 spaces per 100 m <sup>2</sup> GLFA
<b>Assembly, Convention Centre or Conference Hall</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	10.0 spaces per 100 m <sup>2</sup> GLFA
<b>Automobile Service Station</b>	-	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Boat Mooring</b>	-	1.2 spaces per mooring
<b>Car Washing Establishment</b>	-	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Cinema</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	10.0 spaces per 100 m <sup>2</sup> GLFA
<b>Commercial Fitness/ Recreation Centre</b>	4.5 spaces per 100 m <sup>2</sup> GLFA	5.0 spaces per 100 m <sup>2</sup> GLFA
<b>Commercial School</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Convenience Store</b>	-	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Dry-Cleaning Distributing Centre</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA

<b>Use</b>	<b>City Centre</b>	<b>Other Areas of the City</b>
<b>Dry-Cleaning Establishment</b>	-	4.5 space per 100 m <sup>2</sup> GLFA
<b>Financial Institution</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Food Store</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	5.0 spaces per 100 m <sup>2</sup> GLFA
<b>Funeral Home</b>	-	5.5 spaces per 100 m <sup>2</sup> GLFA
<b>Garden Centre</b>	-	3.2 spaces per 100 m <sup>2</sup> GLFA for retail sales and display of products and/or <b>office</b> ; and 1.1 spaces per 100 m <sup>2</sup> GLFA for warehousing and/or wholesaling
<b>Hotel</b>	0.85 space per guest room plus an additional 10.0 spaces per 100 m <sup>2</sup> GLFA	1.0 space per guest room plus an additional 10.0 spaces per 100 m <sup>2</sup> GLFA
<b>Marina</b>	-	1.0 space per 4 persons capacity or 3.5 spaces per 100 m <sup>2</sup> GLFA, whichever is greater, plus 7 waterfront parking spaces per launching ramp
<b>Medical Office</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	5 spaces per 100 m <sup>2</sup> GLFA
<b>Motel</b>	-	1.0 space per guest room plus 3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Nightclub</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	10.0 spaces per 100 m <sup>2</sup> GLFA
<b>Office</b>	2.0 spaces per 100 m <sup>2</sup> GLFA	3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Personal Service Shop</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Place of Amusement</b>	4.5 spaces per 100 m <sup>2</sup> GLFA	5.5 spaces per 100 m <sup>2</sup> GLFA
<b>Restaurant</b>	5.0 spaces per 100 m <sup>2</sup> GLFA	6.0 spaces per 100 m <sup>2</sup> GLFA
<b>Retail Store</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Self-Storage Facility</b>	-	0.25 spaces per 100 m <sup>2</sup> GLFA

<b>Use</b>	<b>City Centre</b>	<b>Other Areas of the City</b>
<b>Service and Repair Shop</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Shopping Centre</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Taxi Station</b>	2.0 spaces per 100 m <sup>2</sup> GLFA	3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Theatre</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	10.0 spaces per 100 m <sup>2</sup> GLFA
<b>Vehicle Body Repair Shop</b>	-	4.0 spaces per repair bay
<b>Vehicle Sales or Rental Establishment</b>	-	3.0 spaces per 100 m <sup>2</sup> GLFA
<b>Vehicle Repair Shop</b>	-	4.0 spaces per repair bay
<b>Veterinary Clinic</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	4.5 spaces per 100 m <sup>2</sup> GLFA
<b>Yacht Club</b>	-	1.0 space per 4 persons capacity or 3.5 spaces per 100 m <sup>2</sup> GLFA, whichever is greater, plus 7 waterfront parking spaces per launching ramp
<b>Employment Uses</b>		
<b>Contractor's Yard</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 3,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 3,000 m <sup>2</sup> GLFA
<b>Film Studio</b>	-	3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Food Preparation Plant</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 3,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 3,000 m <sup>2</sup> GLFA
<b>Fuel Depot</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 2,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 2,000 m <sup>2</sup> GLFA
<b>Heavy Manufacturing Facility</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 3,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 3,000 m <sup>2</sup> GLFA



Use	City Centre	Other Areas of the City
<b>Light Manufacturing Facility</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 3,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 3,000 m <sup>2</sup> GLFA
<b>Research and Development Facility</b>	-	3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Transport Cartage or Transport Depot</b>	-	0.5 spaces per 100 m <sup>2</sup> GLFA
<b>Waste Processing Station</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 3,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 3,000 m <sup>2</sup> GLFA
<b>Waste Transfer Station</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 2,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 2,000 m <sup>2</sup> GLFA
<b>Warehouse</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 2,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 2,000 m <sup>2</sup> GLFA
<b>Wholesaling Facility</b>	-	3.2 spaces per 100 m <sup>2</sup> GLFA for retail sales and display of products and/or <b>office</b> ; and 1.1 spaces per 100 m <sup>2</sup> GLFA for warehousing and/or wholesaling
<b>Community Uses</b>		
<b>Cemetery</b>	-	1.0 space per 100 m <sup>2</sup> GLFA
<b>Club</b>	4.5 spaces per 100 m <sup>2</sup> GLFA	5.0 spaces per 100 m <sup>2</sup> GLFA
<b>Community Centre</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	1.0 space per 4 persons capacity or 3.5 spaces per m <sup>2</sup> GLFA, whichever is greater
<b>Community Garden</b>	-	-
<b>Day Care Centre</b>	1.0 space per employee plus 3.0 spaces and an additional 1.0 space per classroom	3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Elementary School</b>	1.3 spaces per classroom	1.5 spaces per classroom plus <b>day care centre</b> requirements, if applicable

Use	City Centre	Other Areas of the City
<b>Emergency Service Facility</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Library</b>	2.5 spaces per 100 m <sup>2</sup> GLFA	3.0 spaces per 100 m <sup>2</sup> GLFA
<b>Long-Term Care Home</b>	1.0 space per 3 beds	1.0 space per 3 beds
<b>Museum</b>	3.5 spaces per 100 m <sup>2</sup> GLFA	4.0 spaces per 100 m <sup>2</sup> GLFA
<b>Park</b>	-	-
<b>Place of Worship</b>	10.0 per 100 m <sup>2</sup> GLFA for any assembly area	10.0 per 100 m <sup>2</sup> GLFA for any assembly area
<b>Post-Secondary School</b>	1.0 space per 100 m <sup>2</sup> GLFA	15.0 spaces per classroom
<b>Private School</b>	1.3 spaces per classroom	3.0 spaces per classroom
<b>Retirement Home</b>	0.20 resident spaces per unit plus 0.05 visitor spaces per unit	0.30 resident spaces per unit plus 0.05 visitor spaces per unit
<b>Secondary School</b>	1.3 spaces per classroom	3.0 spaces per classroom
<b>Other Uses</b>		
<b>Agricultural Products Processing Establishment</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 3,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 3,000 m <sup>2</sup> GLFA
<b>Agricultural Use</b>	-	No requirement. Where applicable, parking for a <b>detached dwelling</b> shall be provided
<b>Farm Implement Sales and Service Establishment</b>	-	1.0 space per 100 m <sup>2</sup> GLFA up to 3,000 m <sup>2</sup> GLFA plus 0.5 spaces per 100 m <sup>2</sup> GLFA over 3,000 m <sup>2</sup> GLFA
<b>Farmers' Market</b>	-	3.2 spaces per 100 m <sup>2</sup> GLFA for retail sales and display of products; and 1.1 spaces per 100 m <sup>2</sup> GLFA for warehousing and/or wholesaling
<b>Farm Vacation Home</b>	-	1 space per guest room plus parking requirement for the principal <b>dwelling unit</b>

Use	City Centre	Other Areas of the City
<b>Farm Winery, Microbrewery, Distillery or Cidery</b>	-	3.2 spaces per 100 m <sup>2</sup> GLFA for retail sales and display of products; and 1.1 spaces per 100 m <sup>2</sup> GLFA for other areas
<b>Golf Course</b>	-	50 spaces for every 9 holes
<b>Pit or Quarry</b>	-	-
<b>Riding Stable or Equestrian Centre</b>	-	-
<b>Specified Accessory Uses</b>		
<b>Accessory Dwelling Unit</b>	-	1.0 space per unit
<b>Additional Dwelling Unit</b>	1.0 space per <b>additional dwelling unit</b> , plus the minimum required parking for the <b>principal dwelling</b>	1.0 space per <b>additional dwelling unit</b> , plus the minimum required parking for the <b>principal dwelling</b>
<b>Ancillary Retail</b>	-	3.5 spaces per 100 m <sup>2</sup> GLFA
<b>Bed and Breakfast</b>	-	1.0 spaces per guest room plus the minimum required parking for the <b>principal dwelling</b>
<b>Home Industry</b>	-	1.0 space for each employee of the <b>home industry</b> plus the minimum required parking for the <b>dwelling unit</b>
<b>Home Occupation, including a Private Home Daycare</b>	-	-
<b>Outdoor Display Area</b>	-	-
<b>Outdoor Patio</b>	No additional parking required if associated with a restaurant	No additional parking required if associated with a restaurant
<b>Seasonal Outdoor Display Area</b>	-	-

## 5.3 Calculation of Required Parking Spaces

### 5.3.1 Rounding Provisions

1. In all other areas of the City, where **parking spaces** are calculated **by gross leasable area**, or similar calculation, and the required parking is a fraction, the number of **parking spaces** shall be rounded down to the nearest whole number.

### 5.3.2 Multiple Uses on a Lot

1. Notwithstanding Section 5.5, where a **use** is subject to a minimum parking requirement, and there is more than one (1) **use** on a **lot**, the total required **parking spaces** shall be the sum of the required **parking spaces** applicable to each **use** on the **lot**.

## 5.4 Accessible Parking Requirements

1. To be provided on-site in accordance with the requirements of the Traffic and Parking By-law 6604/05 as amended, or any successor thereto.

## 5.5 Shared Parking

1. A shared parking formula may be used for the calculation of required parking for multiple **uses** on a **lot**.
2. Shared parking is to be calculated in compliance with Table 5.2.
3. All required **parking spaces** must be accessible to all **uses** participating in the shared parking arrangement and may not be reserved for specific users.
4. The initial step in determining required parking for multiple **uses** on a **lot** is to calculate the parking requirement for each **use** in the development as if these **uses** were free-standing **buildings**. The parking requirement for each **use** is then multiplied by the percent of the peak period for each time period (i.e. noon), contained in Table 5.2. Each column is totaled for weekday and weekend. The highest figure obtained from all time periods shall become the required parking for the development.

Table 5.2: Shared Parking Formula

Type of Use	Percentage of Peak Period (Weekday)			
	Morning	Noon	Afternoon	Evening
Financial Institution/Office/ Medical Office	100	90	95	10
Food Store/Personal Service Shop/Retail Store	65	90	90	90
Restaurant	20	100	30	100
Cinema/Theatre	20	40	70	100
Hotel	70	70	70	100
Residential – Visitor	20	20	60	100

Type of Use	Percentage of Peak Period (Saturday)			
	Morning	Noon	Afternoon	Evening
Financial Institution/Office/Office, Medical	10	10	10	0
Food Store/Personal Service Shop/Retail Store	80	100	100	70
Restaurant	20	100	50	100
Cinema/Theatre	20	60	80	100
Hotel	70	70	70	100
Residential – Visitor	20	20	60	100

## 5.6 Size of Parking Spaces and Aisles

1. **Parking Space:** parking spaces shall be a minimum of 2.6 m in width and 5.3 m in length, exclusive of any land used for access, manoeuvring, **driveway** or similar purpose.
2. **Parking Space, Parallel:** parallel parking space shall be a minimum of 2.6 m in width and 6.4 m in length for an interior space, and 5.5 m in length for an end space.
3. **Parking Space within a Private Garage:** parking space within a **private garage** shall be a minimum of 2.9 m in width and 6.0 m in length, however, the minimum required width may include one (1) interior step, and the minimum required depth may include two (2) interior steps.
4. **Parking Space, Bus:** bus parking space shall have an accessible area of not less than 37.0 m<sup>2</sup> for the parking and storage of a bus.
5. **Parking Space, Waterfront:** A waterfront parking space (vehicular) shall have an accessible area of not less than 28 m<sup>2</sup>, exclusive of **driveways** or **aisles**, for the temporary parking or storage of **vehicles** with **trailers**.
6. **Aisle: parking lot aisles** shall be a minimum of 3.8 m in width for one-way traffic and a minimum of 6.5 m in width for two-way traffic.
7. **Drive-through Lane:** A drive-through lane shall be a minimum of 3.0 m in width.

## 5.7 Tandem Parking

1. The required parking spaces for a **dwelling unit**, **live work dwelling** or a **bed and breakfast** on an individual lot may be provided in a tandem configuration.

## 5.8 Location of Parking Spaces and Lots

1. No parking lot or parking space within a parking lot shall be permitted within 3.0 m of a **street line** or within any **daylight triangle**.

2. No **parking lot** or **parking space** shall be permitted within 3.0 m of a property line abutting a Residential **zone**.
3. Notwithstanding Section 5.8.1 and 5.8.2, individual **parking spaces** for a **detached dwelling, semi-detached dwelling, street townhouse dwelling, duplex dwelling, triplex dwelling, fourplex dwelling** and **back-to-back townhouse dwelling** may be located:
  - a) Within 3.0 m of a **street line** but not within a **daylight triangle**;
  - b) In a rear **yard** of a Residential **zone** a minimum of 1.0 m from the nearest **rear lot line** except where the **rear lot line** abuts a **lane** in which case the **parking space** shall be set back a minimum of 0.6 m; and
  - c) In an **interior side yard** of a residential **zone** to a minimum of 0.6 m to the nearest **interior side lot line**, except where the **driveway** is a mutual **driveway** in which case no **setback** is required to the **interior side lot line**.

## 5.9 Surface Parking Spaces in the City Centre

1. Notwithstanding Section 5.8, the following surface parking provisions are required for on-site parking and access to drive **aisles** in the City Centre:
  - a) All surface parking shall be located in the rear or interior side **yards** of **buildings**; and
  - b) A minimum 3.0 m wide **landscaped area** shall be required and permanently maintained between any **street line, daylight triangle** or **existing** residential development and the **parking spaces** or **aisles**.

## 5.10 Parking Structures

1. Parking **structures** located adjacent to any **street line** shall comply with the provisions for the **main building** in accordance with this By-law.
2. Parking **structures** constructed completely below **average grade** are permitted to encroach below public and private rights-of-way and public parkland.
3. Stairs and air vents associated with a **parking structure** are not permitted in a front or exterior side **yard**.
4. Air vents constructed in association with an underground **parking structure** are permitted to project to a maximum of 1.2 m above **average grade** no closer than 4.0 m to a **street line**.
5. The parking of **motor vehicles** is prohibited in the **first storey** of an above **grade parking structure** for the first 9.0 m of the depth of the **parking structure** measured in from the **lot line** along a **street line** with required **active at grade frontages**, as shown on Schedule 8 to this By-law.
6. Above ground **parking structures** that front onto a **street line** shall have a minimum **ground floor height** of 4.5 m.

## 5.11 Bicycle Parking Space Requirements

### 5.11.1 General Provisions for Bicycle Parking Spaces

1. Bicycle **parking spaces** should be located on the same **lot** as the **use** or **building** for which they are required, or may be located off-site within 100 metres from the building for which they are required.
2. A maximum of 50% of the required **bicycle parking spaces** may be vertical spaces; the rest of the required spaces must be horizontal spaces.
3. Where the number of **bicycle parking spaces** exceeds 50 spaces, a minimum of 25% of the total required must be located within:
  - a) A **building** or **structure**;
  - b) A secure area such as a supervised **parking lot** or enclosure; or
  - c) Bicycle lockers.
4. Where four (4) or more **bicycle parking spaces** are provided in a common **parking area**, each space must contain a bicycle parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.

### 5.11.2 Bicycle Parking Space Dimensions

1. If located in a horizontal position (on the ground), a **bicycle parking space** shall have a minimum length of 1.8 m and a minimum width of 0.6 m.
2. If located in a vertical position (on the wall), a **bicycle parking space** shall have a minimum length of 1.5 m and a minimum width of 0.5 m.

### 5.11.3 Minimum Bicycle Parking Space Rates

1. The minimum number of required **bicycle parking spaces** applicable to all **zones** shall be:
  - a) For **Apartment Dwelling**: 0.5 **bicycle parking spaces** per **dwelling unit**;
  - b) For **Stacked Townhouse Dwelling**: 1.0 **bicycle parking space** per **dwelling unit**;
  - c) For **Long-Term Care Facility** and **Retirement Home**: a minimum of five (5) **bicycle parking spaces**; and
  - d) For non-residential uses: the greater of 2.0 or 1.0 **bicycle parking space** for each 1,000 m<sup>2</sup> of **gross leasable floor area** or portion thereof.

## 5.12 Loading Space Requirements

### 5.12.1 General Provisions for Loading Spaces

1. For every **building** or **structure** to be erected for, altered for, or its **use** converted to a commercial or industrial **use**, involving the frequent shipping, loading or unloading of persons, animals, goods, wares or merchandise, off-street **loading spaces** shall be provided and maintained upon the same **lot** on which the principal **use** is located and in accordance with the following:

2. Any required off-**street loading space** shall:
  - a) Not be used for the purpose of offering commodities for sale or display;
  - b) Provide for the temporary parking of one (1) **commercial vehicle**;
  - c) Not be upon or partly upon any **street, lane** or alley; and
  - d) Have adequate access to permit ingress and egress of a **commercial vehicle** from a **street** by means of **driveways, aisles**, maneuvering areas or similar areas, no part of which access is to be used for the temporary parking or storage of any **motor vehicle**.

#### 5.12.2 Loading Space Dimensions

1. The minimum dimensions of a **loading space** shall be 3.5 m in width and 12.0 m in length, with a minimum vertical clearance of 4.2 m.

#### 5.12.3 Location of Loading Spaces

1. No **loading space** shall be permitted in the **front yard** of any **zone**.
2. A **loading space** shall abut the **building** for which the **loading space** is provided.
3. An unenclosed **loading space** located above **average grade** shall be set back a minimum of 10.0 m from a **street line**.
4. An enclosed **loading space** located above **average grade** shall comply with the building setbacks from a street line regulations applicable to the City Centre zones as listed in Table 9.3 in Section 8 of this By-law.



## 6 Residential Zone Regulations

### 6.1 List of Residential Zones

- For convenience purposes, the Residential **zones**, as established in Section 2 of this By-law, are also shown in Table 6.1.

**Table 6.1: Residential Zones**

Zone Name	Zone Symbol
Residential Cluster	RC1, RC2, RC3, RC4, RC5
Residential Estate	RE
Residential Hamlet	RH1, RH2, RH3
Residential General	R1, R2, R3, R4, R5, R6
Residential Single	RS1, RS2, RS3, RS4, RS5
Residential Multiple	RM1, RM2, RM3, RM4, RM5, RM6

### 6.2 Residential Cluster Zones

#### 6.2.1 Permitted Uses

- No person shall use any **lot, building or structure** in any Residential Cluster **zone** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 6.2. **Uses** permitted in the Residential Cluster **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 6.2.

**Table 6.2: Uses Permitted in the Residential Cluster Zones**

Permitted Use	RC1	RC2	RC3	RC4	RC5
<b>Residential Uses</b>					
Detached Dwelling	●	●	●	●	●
Rooming Home <sup>(1)</sup>	●	●	●	●	●
<b>Specified Accessory Uses</b>					
Home Occupation <sup>(1)</sup>	●	●	●	●	●
Home Industry <sup>(1)</sup>					●

**Notes:**

- This **use** is subject to special provisions under Section 4 of this By-law.

## 6.2.2 Lot and Building Requirements

1. No person shall within any Residential Cluster **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 6.3.

**Table 6.3: Lot and Building Requirements for the Residential Cluster Zones**

Requirement	RC1	RC2	RC3	RC4	RC5
Minimum <b>Lot Area</b> (m <sup>2</sup> )	1,390	2,000	3,000	6,000	1,390
Minimum <b>Lot Frontage</b> (m)	22.0	30.0	30.0	75.0	22.0
Minimum <b>Front Yard</b> (m)	12.0 <sup>(1)</sup>	12.0 <sup>(1)</sup>	12.0 <sup>(1)</sup>	12.0 <sup>(1)</sup>	9.0
Minimum <b>Interior Side Yard</b> (m)	3.0	3.0	3.0	3.0	2.4
Minimum <b>Exterior Side Yard</b> (m)	3.0 <sup>(1)</sup>	3.0 <sup>(1)</sup>	3.0 <sup>(1)</sup>	3.0 <sup>(1)</sup>	2.4
Minimum <b>Rear Yard</b> (m)	12.0	12.0	12.0	12.0	9.0
Maximum <b>Lot Coverage</b> (%)	20	20	20	20	20
Maximum <b>Dwelling Height</b> (m)	12.0	12.0	12.0	12.0	12.0
Minimum <b>Gross Floor Area</b> (m <sup>2</sup> )	95.0	95.0	95.0	95.0	95.0

**Notes:**

1. Except where such **yard** abuts Highway No.7 in which case the minimum **setback** shall be 14.0 m.

## 6.3 Residential Estate Zone

### 6.3.1 Permitted Uses

1. No person shall use any **lot, building or structure** in the Residential Estate **zone** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 6.4. **Uses** permitted in the Residential Estate **zone** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 6.4.

**Table 6.4: Uses permitted in the Residential Estate Zone**

Permitted Use	RE
<b>Residential Uses</b>	
<b>Detached Dwelling</b>	●
<b>Specified Accessory Uses</b>	
<b>Home Occupation<sup>(1)</sup></b>	●

**Notes:**

1. This **use** is subject to special provisions under Section 4 of this By-law.

### 6.3.2 Lot and Building Requirements

1. No person shall within the Residential - Estate **zone use** any **lot**, or erect, alter, or **use** any **building or structure** except in accordance with Table 6.5.

**Table 6.5: Lot and Building Requirements for the Residential Estate Zones**

Requirement	RE
Minimum <b>Lot Area</b> (m <sup>2</sup> )	6,000
Minimum <b>Lot Frontage</b> (m)	30.0
Minimum <b>Front Yard</b> (m)	15.0
Minimum <b>Interior Side Yard</b> (m)	7.5
Minimum <b>Exterior Side Yard</b> (m)	7.5
Minimum <b>Rear Yard</b> (m)	15.0
Maximum <b>Lot Coverage</b> (%)	20.0
Maximum <b>Dwelling Height</b> (m)	12.0
Minimum <b>Gross Floor Area</b> (m <sup>2</sup> )	140.0
<b>Accessory Structure</b> Requirements	All <b>accessory structures</b> , except a detached <b>private garage</b> , which is not part of the <b>main building</b> , shall be erected in the <b>rear yard</b> only, and shall be not less than 1.0 m from any <b>side</b> or <b>rear lot line</b> .

## 6.4 Residential Hamlet Zones

### 6.4.1 Permitted Uses

1. No person shall use any **lot, building or structure** in any Residential Hamlet **zone** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 6.6. **Uses** permitted in the Residential Hamlet **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 6.6.

**Table 6.6: Uses Permitted in the Residential Hamlet Zones**

Permitted Use	RH1	RH2	RH3
<b>Residential Uses</b>			
<b>Detached Dwelling</b>	●	●	●
<b>Rooming Home<sup>(1)</sup></b>	●	●	●
<b>Specified Accessory Uses</b>			
<b>Home Industry<sup>(1)</sup></b>	●	●	●
<b>Home Occupation<sup>(1)</sup></b>	●	●	●

**Notes:**

1. This **use** is subject to special provisions under Section 4 of this By-law.

### 6.4.2 Lot and Building Requirements

1. No person shall within any Residential - Hamlet **zone** use any **lot**, or erect, alter, or use any **building or structure** except in accordance with Table 6.7.

**Table 6.7: Lot and Building Requirements for the Residential – Hamlet Zones**

Requirement	RH1	RH2	RH3
Minimum <b>Lot Area</b> (m <sup>2</sup> )	4,000	3,000	3,000
Minimum <b>Lot Frontage</b> (m)	30.0	30.0	30.0
Minimum <b>Front Yard</b> (m)	9.0	9.0	9.0
Minimum <b>Interior Side Yard</b> (m)	2.4	2.4	2.4
Minimum <b>Exterior Side Yard</b> (m)	2.4	2.4	2.4
Minimum <b>Rear Yard</b> (m)	9.0	9.0	9.0
Maximum <b>Lot Coverage</b> (%)	20	20	20
Maximum <b>Dwelling Height</b> (m)	12.0	12.0	12.0
Minimum <b>Gross Floor Area</b> (m <sup>2</sup> )	95.0	95.0	95.0

## 6.5 Residential General

### 6.5.1 Permitted Uses

- No person shall use any **lot, building or structure** in any Residential General **zone** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 6.8. **Uses** permitted in the Residential General **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 6.8.

**Table 6.8: Uses Permitted in the Residential General Zones**

Permitted Use	R1	R2	R3	R4	R5	R6
<b>Residential Uses</b>						
Detached Dwelling	●	●	●	●	●	●
Duplex Dwelling					●	
Rooming Home <sup>(1)</sup>	●	●	●	●	●	●
Semi-detached Dwelling					●	
<b>Community Uses</b>						
Community Centre					●	
Elementary School					●	
Library					●	
Long-Term Care Home					●	
Place of Worship					●	
Private School					●	
Retirement Home					●	
Secondary School					●	
<b>Specified Accessory Uses</b>						
Home Occupation <sup>(1)</sup>	●	●	●	●	●	●

**Notes:**

- This **use** is subject to special provisions under Section 4 of this By-law.

## 6.5.2 Lot and Building Requirements

1. No person shall within any Residential General **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 6.9.

**Table 6.9: Lot and Building Requirements for the Residential General Zones**

<b>Requirement</b>	<b>R1</b>	<b>R2</b>	<b>R3</b>	<b>R4</b>	<b>R5</b>	<b>R6</b>
<b>Minimum Lot Area (m<sup>2</sup>)</b>	740.0	1,390	550.0	460.0	-	3,000
<b>Residential Uses</b>	-	-	-	-	1,390	-
<b>Community Uses</b>	-	-	-	-	4,000	-
<b>Minimum Lot Frontage (m)</b>	21.0	30.0	18.0	15.0	-	22.0
<b>Residential Uses</b>	-	-	-	-	22.0	-
<b>Community Uses</b>	-	-	-	-	45.0	-
<b>Minimum Front Yard (m)</b>	9.0	9.0	7.5 <sup>(1)</sup>	7.5	9.0	9.0
<b>Minimum Side Yard (m)</b>	One side 1.8 m and other side 3.0 m	3.0	One side 1.8 m and other side 3.0 m	One side 1.5 m and other side 2.4 m	-	1.8
<b>Residential Uses</b>	-	-	-	-	1.8	-
<b>Community Uses</b>	-	-	-	-	3.0	-
<b>Minimum Exterior Side Yard (m)</b>	-	-	-	-	-	2.7
<b>Minimum Rear Yard (m)</b>	7.5	7.5	7.5	7.5	9.0	9.0
<b>Maximum Lot Coverage (%)</b>	33	-	33	33	-	20
<b>Residential Uses</b>	-	-	-	-	20	-
<b>Community Uses</b>	-	-	-	-	25	-
<b>Minimum Lot Coverage (%)</b>	-	20	-	-	-	-
<b>Minimum Ground Floor Area (m<sup>2</sup>)</b>	100.0	100.0	74.0	60.0	-	-
<b>Minimum Floor Area (m<sup>2</sup>)</b>	139.0	139.0	100.0	95.0	-	95.0
<b>Residential Uses</b>	-	-	-	-	97.0	-
<b>Community Uses</b>	-	-	-	-	-	-
<b>Maximum Dwelling Height (m)</b>	-	-	9.0	9.0	-	12.0

## 6.6 Residential Single

### 6.6.1 Permitted Uses

1. No person shall use any **lot, building or structure** in any Residential Single **zone** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 6.10. **Uses** permitted in the Residential Single **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 6.10.

**Table 6.10: Uses Permitted in the Residential Single Zones**

Permitted Use	RS1	RS2	RS3	RS4	RS5
<b>Residential Uses</b>					
Detached Dwelling	●	●	●	●	●
Rooming Home <sup>(1)</sup>	●	●	●	●	●
Semi-detached Dwelling					●
<b>Specified Accessory Uses</b>					
Home Occupation <sup>(1)</sup>	●	●	●	●	●

**Notes:**

1. This **use** is subject to special provisions under Section 4 of this By-law.

### 6.6.2 Lot and Building Requirements

1. No person shall within any Residential Single **zone** use any **lot**, or erect, alter, or use any **building or structure** except in accordance with Table 6.11.

**Table 6.11: Lot and Building Requirements for the Residential Single Zones**

Requirement	RS1	RS2	RS3	RS4	RS5
Minimum Lot Area (m <sup>2</sup> )	450.0	450.0	350.0	250.0	275.0
Minimum Lot Frontage (m)	15.0	13.5	12.0	9.0	9.0
Minimum Front Yard (m)	4.5	4.5	4.5	4.5	4.5
Minimum Interior Side Yard (m)	1.2	1.2	1.2	1.2	1.2 <sup>(2)</sup>
Minimum Exterior Side Yard (m)	2.7	2.7	2.7	2.7	2.7
Minimum Rear Yard (m)	1.2	7.5	7.5	7.5	7.5
Maximum Lot Coverage (%)	35	35	35	35	33
Maximum Dwelling Height (m)	12.0	12.0	12.0	12.0	12.0

Requirement	RS1	RS2	RS3	RS4	RS5
Minimum <b>Gross Floor Area</b> (m <sup>2</sup> )	100.0	100.0	100.0	100.0	97.5
Minimum <b>Ground Floor Area</b> (m <sup>2</sup> )	-	-	-	-	1 storey – 111.0 1 ½ - 74.0 2 storey – 65.0
<b>Private Garage Requirements</b>	-	1 <sup>(1)</sup>	1 <sup>(1)</sup>	1 <sup>(1)</sup>	1 <sup>(1)</sup>

**Notes:**

1. Minimum of one (1) **private garage** per **lot** attached to **main building**, any vehicular entrance of which shall be located not less than 6.0 m from **front lot line** and not less than 6.0 m from any **side lot line** immediately adjoining or abutting a reserve on the opposite side of which is a **street**.
2. For **semi-detached dwellings**:
  - 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 (1) of those **dwellings** has an extension of that common wall that extends along the common **interior side lot line**, no **interior side yard** setback 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 (1) of those **dwellings** has an existing extension of that common wall along the **interior side lot line** with **no setback from the interior side lot line**, for a subsequent extension of the common wall a minimum 1.2 m **interior side yard** setback shall be provided adjacent to the subsequent extension of the common wall on the **lot** abutting that which that extended **dwelling** is located; or
  - d) Where **dwellings** on abutting **lots** share a common wall and one (1) of those **dwellings** has an existing extension of that common wall setback a minimum of 0.6 m from **the interior side lot line**, the extension to be provided shall be setback a minimum 0.6 m from the **interior side yard** adjacent to the existing extension.



## 6.7 Residential Multiple

### 6.7.1 Permitted Uses

1. No person shall use any **lot, building or structure** in any Residential Multiple **zone** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 6.12. **Uses** permitted in the Residential Multiple **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 6.12.

**Table 6.12: Uses Permitted in the Residential Multiple Zones**

Permitted Use	RM1	RM2	RM3	RM4	RM5	RM6
<b>Residential Uses</b>						
Apartment Dwelling				●	●	●
Back-to-Back Townhouse Dwelling			●	●	●	
Block Townhouse Dwelling			●	●		
Detached Dwelling	●			●	●	
Duplex Dwelling	●			●		
Fourplex Dwelling						
Retirement Home						●
Rooming Home <sup>(1)</sup>	● <sup>(2)</sup>			● <sup>(2)</sup>		
Semi-detached Dwelling	●			●	●	
Street Townhouse Dwelling		●		●	●	
<b>Specified Accessory Uses</b>						
Home Occupation <sup>(1)</sup>	●	●	●	●	●	●

**Notes:**

1. This **use** is subject to special provisions under Section 4 of this By-law.
2. Permitted in **detached dwellings** only.

**6.7.2 Lot and Building Requirements (RM1, RM2, RM3 Zones)**

1. No person shall within any RM1, RM2, or RM3 **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 6.13.

**Table 6.13: Lot and Building Requirements for the RM1, RM2, and RM3 Zones**

Requirement	RM1	RM2	RM3
Minimum <b>Lot Area</b> (m <sup>2</sup> )	-	-	-
<b>Detached Dwelling</b>	464.0	-	-
<b>Semi-detached Dwelling</b>	325.0/unit	-	-
<b>Duplex Dwelling</b>	325.0/unit	-	-
<b>Street Townhouse Dwelling</b>	-	150.0/unit <sup>(1)</sup>	-
		140.0/unit <sup>(2)</sup>	
<b>Block Townhouse Dwelling</b>	-	-	-
<b>Back-to-Back Townhouse Dwelling</b>	-	-	70.0/unit
Minimum <b>Lot Frontage</b> (m)	-	-	-
<b>Detached Dwelling</b>	15.0	-	-
<b>Semi-detached Dwelling</b>	10.5/unit	-	-
<b>Duplex Dwelling</b>	10.5/unit	-	-
<b>Street Townhouse Dwelling</b>	-	6.0/unit <sup>(3)</sup>	-
<b>Block Townhouse Dwelling</b>	-	-	50.0
<b>Back-to-Back Townhouse Dwelling</b>	-	-	5.5/unit
Minimum <b>Front Yard</b> (m)	-	-	-
<b>Detached Dwelling</b>	7.5	-	-
<b>Semi-detached Dwelling</b>	7.5	-	-
<b>Duplex Dwelling</b>	7.5	-	-
<b>Street Townhouse Dwelling</b>	-	Minimum: 3.0 <sup>(4)</sup>	-
		Maximum: 4.5	
<b>Block Townhouse Dwelling</b>	-	-	3.0
<b>Back-to-Back Townhouse Dwelling</b>	-	-	4.5
Minimum <b>Side Yard</b> (m)	-	-	-
<b>Detached Dwelling</b>	1.5 one side, 2.5 other side	-	-

<b>Requirement</b>	<b>RM1</b>	<b>RM2</b>	<b>RM3</b>
<b>Semi-detached Dwelling</b>	2.5 <sup>(6)</sup>	-	-
<b>Duplex Dwelling</b>	2.5	-	-
<b>Minimum Interior Side Yard (m)</b>	-	-	-
<b>Street Townhouse Dwelling</b>	-	0.9 <sup>(6)</sup>	-
<b>Block Townhouse Dwelling</b>	-	-	1.2 <sup>(6)</sup>
<b>Back-to-Back Townhouse Dwelling</b>	-	-	1.2 <sup>(6)</sup>
<b>Minimum Exterior Side Yard (m)</b>	-	-	-
<b>Street Townhouse Dwelling</b>	-	2.4	-
<b>Block Townhouse Dwelling</b>	-	-	2.4
<b>Back-to-Back Townhouse Dwelling</b>	-	-	2.4
<b>Minimum Rear Yard (m)</b>	-	-	-
<b>Detached Dwelling</b>	7.5	-	-
<b>Semi-detached Dwelling</b>	7.5	-	-
<b>Duplex Dwelling</b>	7.5	-	-
<b>Street Townhouse Dwelling</b>	-	6.0 <sup>(5)</sup>	-
<b>Block Townhouse Dwelling</b>	-	-	6.0
<b>Maximum Lot Coverage (%)</b>	-	-	-
<b>Detached Dwelling</b>	33	-	-
<b>Semi-detached Dwelling</b>	33	-	-
<b>Duplex Dwelling</b>	33	-	-
<b>Street Townhouse Dwelling</b>	-	40	-
<b>Block Townhouse Dwelling</b>	-	-	40
<b>Back-to-Back Townhouse Dwelling</b>	-	-	40
<b>Maximum Dwelling Height (m)</b>	-	-	-
<b>Detached Dwelling</b>	12.0	-	-
<b>Semi-detached Dwelling</b>	12.0	-	-
<b>Duplex Dwelling</b>	12.0	-	-
<b>Street Townhouse Dwelling</b>	-	11.0	-
<b>Block Townhouse Dwelling</b>	-	-	11.0

<b>Requirement</b>	<b>RM1</b>	<b>RM2</b>	<b>RM3</b>
Minimum <b>Gross Floor Area</b> per unit (m <sup>2</sup> )	-	-	-
<b>Detached Dwelling</b>	95.0 (1 storey or split level building)	-	-
	69.0 (1 ½ storey building)		
	60.0 (2 storey building)		
<b>Semi-detached Dwelling</b>	95.0	-	-
<b>Duplex Dwelling</b>	95.0	-	-
<b>Street Townhouse Dwelling</b>	-	95.0	-
<b>Block Townhouse Dwelling</b>	-	-	95.0
<b>Back-to-Back Townhouse Dwelling</b>	-	-	95.0
Minimum <b>Amenity Area</b> (m <sup>2</sup> )	-	-	-
<b>Detached Dwelling</b> accessed from a <b>lane</b> with detached or attached <b>private garage</b>	35.0 with a minimum 5.0 m separation between <b>private garage</b> and <b>dwelling</b>	-	-
<b>Semi-detached Dwelling</b> accessed from a <b>lane</b> with detached or attached <b>private garage</b>	30.0/unit	-	-
<b>Street Townhouse Dwelling</b> with integrated <b>private garage</b> facing the <b>front lot line</b> )	-	-	-
<b>Street Townhouse Dwelling</b> with detached <b>private garage</b> from a <b>lane</b>	-	30.0/unit	-
<b>Street Townhouse Dwelling</b> with integrated <b>private garage</b> accessed from a <b>lane</b>	-	11.0/unit	-
<b>Back-to-Back Townhouse Dwelling</b>	-	-	11.0/unit

Requirement	RM1	RM2	RM3
<b>Block Townhouse Dwelling</b>	-	-	-
Minimum <b>Landscaped Area</b> (% of <b>gross floor area</b> )	-	-	-
<b>Block Townhouse Dwelling</b>			25 <sup>(7)</sup>

**Notes:**

1. With integrated **private garage** facing the **front lot line** or with detached **private garage** accessed from a **lane**.
2. With integrated **private garage** accessed from a **lane** or accessed from a **street** abutting the **rear lot line** on a **through lot**.
3. For **street townhouse dwellings** at the end of a row, the required **lot frontage** shall be 7.5 m.
4. Attached **private garages** associated with a **residential use** that are accessed only by a driveway from a **street** are subject to the following requirements:
  - a) Permitted locations and setbacks from **lot lines**:
    - i) a minimum distance from a **side lot line** equal to the minimum **side yard** requirement for the **main building**;
    - ii) no closer than 6.0 metres to the **lot line** abutting the **street** where the wall of the **private garage** containing the opening for vehicular access faces the **lot line** abutting the **street**; and
    - iii) no closer than 3.0 metres to the **lot line** abutting the **street** where the wall of the **private garage** containing the opening for vehicular access faces an **interior side lot line**.
5. With integrated **private garage** facing the **front lot line**.
6. For **semi-detached, street townhouse, block townhouse, back-to-back townhouse, and fourplex dwellings**:
  - 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 (1) of those **dwellings** has an extension of that common wall that extends along the common **interior side lot line**, no **interior side yard** setback 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 (1) of those **dwellings** has an existing extension of that common wall along the **interior side lot line** with no setback from the **interior side lot line**, for a subsequent extension of the common wall of a minimum 1.2 m **interior side yard** setback shall be provided adjacent to the subsequent extension of the common wall on the **lot** abutting that which that extended **dwelling** is located;
  - d) Where **dwellings** on abutting **lots** share a common wall and one (1) of those **dwellings** has an existing extension of that common wall setback a minimum of 0.6 m from the **interior side lot line**, the extension to be provided shall be setback a minimum 0.6 m from the **interior side yard** adjacent to the existing extension.
7. Front **landscaped area** shall be measured from the front main wall of the **building** to the edge of the **private street**.

### 6.7.3 Lot and Building Requirements (RM4, RM5, and RM6 zones)

1. No person shall within any RM4, RM5, or RM6 **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 6.14.

**Table 6.14: Lot and Building Requirements for the Residential Multiple Zones**

Requirement	RM4	RM5	RM6
Minimum <b>Lot Area</b> (m <sup>2</sup> )	-	-	-
<b>Detached Dwelling</b>	464.0	-	-
<b>Semi-detached Dwelling</b>	325.0/unit	185.0/unit	-
<b>Duplex Dwelling</b>	325.0/unit	-	-
<b>Street Townhouse Dwelling</b>	220.0/unit	150.0/unit <sup>(1)</sup>	-
		125.0/unit <sup>(2)</sup>	
		105.0/unit <sup>(3)</sup>	
<b>Block Townhouse Dwelling</b>	220.0/unit	-	-
<b>Back-to-Back Townhouse Dwelling</b>	70.0/unit	70.0/unit	-
<b>Fourplex Dwelling</b>	-	180.0/unit	-
<b>Apartment Dwelling/Retirement Home</b>	1,100	2,500	-
Minimum <b>Lot Frontage</b> (m)	-	-	-
<b>Detached Dwelling</b>	15.0	-	-
<b>Semi-detached Dwelling</b>	15.0	7.5/unit	-
<b>Duplex Dwelling</b>	15.0	-	-
<b>Street Townhouse Dwelling</b>	6.0/unit	6.0/unit <sup>(1)</sup>	-
		5.0/unit <sup>(2)(3)</sup>	
<b>Block Townhouse Dwelling</b>	30.0	50.0	-
<b>Back-to-Back Townhouse Dwelling</b>	5.5/unit	5.5/unit	-
<b>Fourplex Dwelling</b>	-	24.0	-
<b>Apartment Dwelling/Retirement Home</b>	27.0	45.0	45.0
Minimum <b>Front Yard</b> (m)	-	-	-
<b>Detached Dwelling</b>	7.5	-	-
<b>Semi-detached Dwelling</b>	7.5	3.0	-
<b>Duplex Dwelling</b>	7.5	-	-
<b>Street Townhouse Dwelling</b>	7.5	Minimum: 3.0	-
		Maximum: 4.5	

Requirement	RM4	RM5	RM6
<b>Block Townhouse Dwelling</b>	7.5	Minimum: 3.0	-
		Maximum: 5.5	
<b>Back-to-Back Townhouse Dwelling</b>	7.5	Minimum: 3.0	-
		Maximum: 4.5	
<b>Fourplex Dwelling</b>	-	4.5 <sup>(4)</sup>	-
<b>Apartment Dwelling/Retirement Home</b>	7.5	Minimum: 2.0	2.0
		Maximum: 4.5	
Minimum <b>Side Yard</b> (m)	-	-	-
<b>Detached Dwelling</b>	1.5 one side, 2.5 other side	-	-
<b>Semi-detached Dwelling</b>	2.4 <sup>(5)</sup>	0.9	-
<b>Duplex Dwelling</b>	2.4	-	-
<b>Street Townhouse Dwelling</b>	6.0, or one-fifth of the length of the <b>building</b> , whichever is greater <sup>(5)</sup>	Interior: 0.9 for end unit	-
		Exterior 2.4 for end unit	
<b>Block Townhouse Dwelling</b>	6.0, or one-fifth of the length of the <b>building</b> whichever is greater <sup>(5)</sup>	-	-
<b>Back-to-Back Townhouse Dwelling</b>	-	-	-
<b>Fourplex Dwelling</b>	-	-	-
<b>Apartment Dwelling/Retirement Home</b>	Minimum one-half the <b>height</b> of the <b>building</b> ; or, one-tenth the length of the <b>building</b> ; or, 3.5 m, whichever is the greater	-	-
Minimum <b>Interior Side Yard</b> (m)	-	-	-
<b>Detached Dwelling</b>	-	-	-

Requirement	RM4	RM5	RM6
<b>Semi-detached Dwelling</b>	-	0.9 <sup>(5)</sup>	-
<b>Duplex Dwelling</b>	-	-	-
<b>Street Townhouse Dwelling</b>	-	0.9 <sup>(5)</sup>	-
<b>Block Townhouse Dwelling</b>	-	1.2	-
<b>Back-to-Back Townhouse Dwelling</b>	-	1.2 <sup>(2)</sup>	-
<b>Fourplex Dwelling</b>	-	2.0 <sup>(2)</sup>	-
<b>Apartment Dwelling/Retirement Home</b>	-	6.0	6.0 <sup>(6)</sup>
<b>Minimum Exterior Side Yard (m)</b>	-	-	-
<b>Detached Dwelling</b>	-	-	-
<b>Semi-detached Dwelling</b>	-	2.4	-
<b>Duplex Dwelling</b>	-	-	-
<b>Street Townhouse Dwelling</b>	-	2.4	-
<b>Block Townhouse Dwelling</b>	-	2.4	-
<b>Back-to-Back Townhouse Dwelling</b>	-	2.4	-
<b>Fourplex Dwelling</b>	-	2.4	-
<b>Apartment Dwelling/Retirement Home</b>	-	Minimum: 0.0 <sup>(6)(7)</sup>	Minimum: 2.0 <sup>(6)(7)</sup>
		Maximum: 2.0 <sup>(6)(7)</sup>	Maximum: 4.5 <sup>(6)(7)</sup>
<b>Minimum Rear Yard (m)</b>	-	-	-
<b>Detached Dwelling</b>	7.5	-	-
<b>Semi-detached Dwelling</b>	7.5	6.0	-
<b>Duplex Dwelling</b>	7.5	-	-
<b>Street Townhouse Dwelling</b>	7.5	6.0 <sup>(1)</sup>	-
<b>Block Townhouse Dwelling</b>	7.5	6.0	-
<b>Back-to-Back Townhouse Dwelling</b>	-	-	-
<b>Fourplex Dwelling</b>	-	4.5	-
<b>Apartment Dwelling/Retirement Home</b>	7.5	7.5 <sup>(6)</sup>	7.5 <sup>(6)</sup>
<b>Maximum Lot Coverage (%)</b>	-	-	-
<b>Detached Dwelling</b>	33	-	-



Requirement	RM4	RM5	RM6
<b>Semi-detached Dwelling</b>	33	40	-
<b>Duplex Dwelling</b>	33	-	-
<b>Street Townhouse Dwelling</b>	25 <sup>(8)</sup>	40	-
<b>Block Townhouse Dwelling</b>	25 <sup>(8)</sup>	40	-
<b>Back-to-Back Townhouse Dwelling</b>	25 <sup>(8)</sup>	40	-
<b>Fourplex Dwelling</b>	-	60	-
<b>Apartment Dwelling/Retirement Home</b>	35 <sup>(9)</sup>	40	40
Maximum <b>Dwelling Height</b> (m)	-	-	-
<b>Detached Dwelling</b>	12.0	-	-
<b>Semi-detached Dwelling</b>	12.0	12.5	-
<b>Duplex Dwelling</b>	12.0	-	-
<b>Street Townhouse Dwelling</b>	12.0	12.5	-
<b>Block Townhouse Dwelling</b>	12.0	10.5	-
<b>Back-to-Back Townhouse Dwelling</b>	12.0	-	-
<b>Fourplex Dwelling</b>	12.0	12.0	-
<b>Apartment Dwelling/Retirement Home</b>	-	Minimum: 10.5	63.0
		Maximum: 20.0	
Minimum <b>Gross Floor Area</b> per unit (m <sup>2</sup> )	-	-	-
<b>Detached Dwelling</b>	95.0 (1 storey or split level building)	-	-
	69.0 (1 ½ storey building)		
	60.0 (2 storey building)		
<b>Semi-detached Dwelling</b>	95.0	95.0	-
<b>Duplex Dwelling</b>	95.0	-	-
<b>Street Townhouse Dwelling</b>	95.0	95.0	-
<b>Block Townhouse Dwelling</b>	95.0	95.0	-
<b>Back-to-Back Townhouse Dwelling</b>	95.0	95.0	-

Requirement	RM4	RM5	RM6
<b>Fourplex Dwelling</b>	-	95.0	-
<b>Apartment Dwelling</b>	-	-	-
Minimum <b>Landscaped Area</b> (% of <b>gross floor area</b> )	-	-	-
<b>Street Townhouse Dwelling</b>	25 <sup>(10)</sup>	25 <sup>(10)</sup>	-
	50 <sup>(11)</sup>	50 <sup>(11)</sup>	
<b>Block Townhouse Dwelling</b>	25 <sup>(12)</sup>		
<b>Apartment Dwelling</b>	18 m <sup>2</sup> of landscaping for each 80 m <sup>2</sup> of <b>gross floor area</b>	18 m <sup>2</sup> of landscaping for each 80 m <sup>2</sup> of <b>gross floor area</b>	18 m <sup>2</sup> of landscaping for each 80 m <sup>2</sup> of <b>gross floor area</b>
Minimum <b>Amenity Area</b> (m <sup>2</sup> )	-	-	-
<b>Detached Dwelling</b> accessed from a <b>lane</b> with detached or attached <b>private garage</b>	35.0 with a minimum 5.0 m separation between <b>private garage</b> and <b>dwelling</b>	-	-
<b>Semi-detached Dwelling</b> accessed from a <b>lane</b> with detached or attached <b>private garage</b>	30.0/unit	30.0/unit	-
<b>Street Townhouse Dwelling</b> with integrated <b>private garage</b> facing the <b>front lot line</b> )	-	-	-
<b>Street Townhouse Dwelling</b> with detached <b>private garage</b> from a <b>lane</b>	30.0/unit	30.0/unit	-
<b>Street Townhouse Dwelling</b> with integrated <b>private garage</b> accessed from a <b>lane</b>	11.0 /unit	11.0 /unit	-
<b>Back-to-Back Townhouse Dwelling</b>	11.0 /unit	11.0 /unit	-
<b>Block Townhouse Dwelling</b>	-	-	-
<b>Apartment Dwelling/Retirement Home</b>	Indoor: 2.0/ unit Outdoor: 2.0/unit	-	Indoor: 2.0/unit Outdoor: 2.0/unit

**Notes:**

1. With integrated **private garage** facing the **front lot line**.
2. With detached **private garage** accessed from a **lane**.
3. With integrated **private garage** accessed from a **lane**.
4. For **fourplex dwellings**:
  - a) The required **front yard** for rear units shall be 0.0 m.
  - b) The required **rear yard** for front units shall be 0.0 m.
5. For **semi-detached, street townhouse, block townhouse, back-to-back townhouse, and fourplex dwellings**:
  - 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 (1) of those **dwellings** has an extension of that common wall that extends along the common **interior side lot line**, no **interior side yard** setback 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 (1) of those **dwellings** has an existing extension of that common wall along the **interior side lot line** with no setback from the **interior side lot line**, for a subsequent extension of the common wall a minimum 1.2 m **interior side yard** setback shall be provided adjacent to the subsequent extension of the common wall on the **lot** abutting that which that extended **dwelling** is located;
  - d) Where **dwellings** on abutting **lots** share a common wall and one (1) of those **dwellings** has an existing extension of that common wall setback a minimum of 0.6 m from the **interior side lot line**, the extension to be provided shall be setback a minimum 0.6 m from the **interior side yard** adjacent to the existing extension.
6. Except that for an underground garage the minimum **yard** is 0 m.
7. 25% of the **building** facing the **street** can have a greater **yard**.
8. Includes all **buildings** except **private garages**.
9. Includes all **buildings**.
10. Accessed from a **street** abutting the **front lot line** or **exterior side lot line**.
11. Accessed from a **lane**.
12. Front **landscaped area** shall be measured from the front main wall of the **building** to the edge of the **private street**.

## 7 Commercial Zone Regulations

### 7.1 List of Commercial Zones

- For convenience purposes, the Commercial **zones**, as established in Section 2 of this By-law, are also shown in Table 7.1.

**Table 7.1: Commercial Zones**

Zone Name	Zone Symbol
Commercial General	C1
Commercial Automotive Service	C2
Commercial Highway	C3
Commercial Hamlet	CH

### 7.2 Permitted Uses

- No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 7.2. **Uses** permitted in the Commercial **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 7.2.

**Table 7.2: Uses Permitted in the Commercial Zones**

Permitted Use	C1	C2	C3	CH
<b>Residential Uses</b>				
Detached Dwelling				●
<b>Commercial Uses</b>				
Arena	●			
Art Gallery/Studio	●		●	●
Assembly, Convention Centre or Conference Hall	●			
Automobile Service Station <sup>(1)</sup>	● <sup>(2)</sup>	●	●	●
Car Washing Establishment	● <sup>(2)</sup>	●	●	● <sup>(3)</sup>
Cinema	●			
Commercial Fitness/Recreational Centre	●			
Commercial School	●			●
Convenience Store	●	● <sup>(3)</sup>	●	●
Dry-Cleaning Distribution Centre	●			●
Dry-Cleaning Establishment	●			

Permitted Use	C1	C2	C3	CH
Financial Institution	•			•
Food Store	•			•
Funeral Home	•			
Garden Centre	•			
Hotel	•		•	
Medical Office	•			•
Motel			•	
Nightclub	•		•	
Office	•			•
Personal Service Shop	•		•	•
Place of Amusement	•			
Restaurant	•	• <sup>(3)</sup>	•	•
Retail Store	•		•	•
Self-Storage Facility	•			
Service and Repair Shop	•		•	•
Shopping Centre	•		•	
Taxi Station	•		•	
Theatre	•			
Vehicle Body Repair Shop	• <sup>(2)</sup>		• <sup>(2)</sup>	
Vehicle Repair Shop	•		•	
Vehicle Sales or Rental Establishment	•		•	
Veterinary Clinic	•			•
<b>Community Uses</b>				
Club	•			•
Community Centre	•			•
Community Garden	•		•	•
Day Care Centre	•		•	•
Emergency Service Facility	•			•
Farmers' Market	•		•	•
Library	•			•
Museum	•			•
Park				•

Permitted Use	C1	C2	C3	CH
Place of Worship	•			•
Public Parking Lot	•		•	
Retirement Home			•	
<b>Specified Accessory Uses</b>				
Accessory Dwelling Unit <sup>(1)</sup>				•
Outdoor Display Area <sup>(1)</sup>	•	•		•
Seasonal Outdoor Display Area <sup>(1)</sup>	•			•

**Notes:**

1. This **use** is subject to special provisions under Section 4 of this By-law.
2. Only legally **existing uses** shall be permitted.
3. Permitted only accessory to an Automobile Service Station.

### 7.3 Lot and Building Requirements

1. No person shall within any Commercial **zone** use any **lot**, or erect, alter, or **use** any **building** or **structure** except in accordance with Table 7.3.

**Table 7.3: Lot and Building Requirements for the Commercial Zones**

Requirement	C1	C2	C3	CH
Minimum <b>Lot Frontage</b> (m)	20.0	35.0	20.0	18.0
Maximum <b>Front Yard</b> (m)	3.0	3.0	3.0	3.0
Minimum <b>Interior Side Yard</b> (m)	-	4.5	-	-
Minimum <b>Interior Side Yard</b> abutting a <b>lot</b> in any Residential, Institutional, or Open Space <b>zone</b> (m)	7.5	7.5	7.5	4.5
Minimum <b>Exterior Side Yard</b> (m)	4.5	4.5	4.5	4.5
Minimum <b>Rear Yard</b> (m)	7.5	7.5	7.5	7.5
Maximum <b>Lot Coverage</b> (%)	50	30	50	25
Maximum <b>Building Height</b> (m)	18.0	12.0	18.0	12.0
Minimum <b>Landscaped Area</b> (%)	10	10	10	10

## 8 Mixed-Use Zone Regulations

### 8.1 List Mixed-Use Zones

- For convenience purposes, the Mixed-Use **zones**, as established in Section 2 of this By-law, are also shown in Table 8.1.

**Table 8.1: Mixed-Use Zones**

Zone Name	Zone Symbol
Local Node	LN
Community Node	CN
Mixed-Use General	MU1

### 8.2 Permitted Uses

- No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 8.2. **Uses** permitted in the Mixed-Use **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 8.2.

**Table 8.2: Uses Permitted in the Mixed-Use Zones**

Permitted Use	LN	CN	MU1
<b>Residential Uses</b>			
Apartment Dwelling			●
Back-to-Back Townhouse Dwelling			●
Block Townhouse Dwelling			●
Live Work Dwelling			●
Stacked Townhouse Dwelling			●
<b>Commercial Uses</b>			
Art Gallery/Studio		●	●
Bed and Breakfast <sup>(1)</sup>			●
Commercial Fitness/Recreational Centre		●	●
Convenience Store	●	●	●
Dry-Cleaning Distribution Centre	●	●	●
Financial Institution	●	●	●
Food Store	●	●	●

Permitted Use	LN	CN	MU1
Medical Office	•	•	•
Office	•	•	•
Personal Service Shop	•	•	•
Restaurant	•	•	•
Retail Store	•	•	•
Shopping Centre	•	•	•
Veterinary Clinic		•	•
<b>Community Uses</b>			
Club	•	•	•
Community Centre		•	•
Community Garden	•	•	•
Day Care Centre	•	•	•
Emergency Service Facility		•	•
Farmers' Market	•	•	•
Library		•	•
Long-Term Care Home			•
Museum		•	•
Place of Worship			•
Public Parking Lot		•	•
<b>Specified Accessory Uses</b>			
Outdoor Display Area <sup>(1)</sup>		•	•
Seasonal Outdoor Display Area <sup>(1)</sup>	•	•	•
Short-term Rental <sup>(1)</sup>			•

**Notes:**

1. This **use** is subject to special provisions under Section 4 of this By-law.



### 8.3 Lot and Building Requirements

1. No person shall within any Mixed-Use zone use any lot, or erect, alter, or use any building or structure except in accordance with Table 8.3.

**Table 8.3: Lot and Building Requirements for the Mixed-Use Zones**

Requirement	LN	CN	MU1
Minimum Lot Frontage (m)	15.0	30.0	30.0
Maximum Front Yard (m)	3.0	3.0	-
Required Build-to-zone (m)	-	-	0.0 - 3.0 <sup>(1)(2)</sup>
Minimum Interior Side Yard (m)	-	-	-
Minimum Exterior Side Yard (m)	-	-	-
Minimum Rear Yard (m)	7.5	7.5	7.5
Minimum Setback for Below Grade Parking Structures (m)	-	-	-
Maximum Lot Coverage (%)	35	35	-
Minimum Ground Floor Height (m)	-	-	4.5
Minimum Building Height (m)	-	-	10.5
Maximum Building Height (m)	12.0	15.0	62.0
Building Height adjacent to a Residential zone	-	-	Building height shall be limited by a 45-degree angular plane measured 7.5 m from a property line abutting a residential use at a height of 10.5 m above grade
Minimum Height of a Podium <sup>(4)</sup>	-	-	10.5
Maximum Height of a Podium <sup>(4)</sup>	-	-	20.0
Maximum Tower Floor Plate (m <sup>2</sup> )	-	-	850.0
Minimum Gross Leasable Floor Area (m <sup>2</sup> )	-	-	1,000 <sup>(3)</sup>
Maximum Gross Leasable Floor Area (m <sup>2</sup> )	10,000	20,000	-
Maximum Floor Space Index	2.0	2.5	2.5
Minimum Building Separation (m)	-	-	11.0 m, except that the separation may be reduced to 3.0 m if there are

Requirement	LN	CN	MU1
			no <b>primary windows</b> or <b>balconies</b> on the wall facing the adjacent flanking <b>building</b>
	-	-	18.0 m, for any portion of a <b>building</b> greater than 25.5 m in <b>height</b> , except that the separation may be reduced to 11.0 m if there are no <b>primary windows</b> or <b>balconies</b> on the wall facing the adjacent flanking <b>building</b>
	-	-	25.0 m for any portion of a <b>building</b> greater than 37.5 m in <b>height</b>
Minimum <b>Main Wall</b> Stepback for <b>Buildings</b> equal to or less than 37.5 m in <b>Height</b> (m)	-	-	1.5 m between 4.5 m and 15.0 m in <b>height</b> on any <b>building</b> face abutting a <b>street line</b>
Minimum <b>Main Wall</b> Stepback for <b>Buildings</b> greater than 37.5 m in <b>Height</b> (m)	-	-	3.0 m from the <b>main wall</b> of a <b>point tower</b> and the <b>main wall</b> of a <b>podium</b> on any <b>building</b> face abutting a <b>street line</b>
	-	-	3.0 m between the top 6.0 m and 18.0 m of a <b>point tower</b> for <b>buildings</b> equal to and greater than 73.5 m

Requirement	LN	CN	MU1
Minimum Continuous Length of <b>Buildings</b> along a <b>Street Line</b> (%)	-	-	60% of the <b>street frontage</b> of a <b>lot</b> must be occupied by a <b>building</b>
Minimum <b>Landscaped Area</b> (%)	10	10	10
Required <b>Active at Grade Frontage</b>	-	-	40% of the <b>first storey</b> of a non- <b>residential building</b> along any <b>street line</b> shall be comprised of openings and transparent glazing
Location of a <b>Primary Entrance Door</b>	-	-	A <b>primary entrance door</b> with direct and unobstructed access open to the public shall be incorporated into the wall of a <b>building</b> facing the <b>street line</b>
Minimum <b>Balcony</b> Depth (m)	-	-	1.5 <sup>(5)</sup>
Minimum <b>Amenity Area</b> (m <sup>2</sup> )	-	-	-
<b>Apartment Dwelling</b>	-	-	Indoor: 2.0/unit Outdoor: 2.0/unit <sup>(6)</sup>
<b>Back-to-Back Townhouse Dwelling</b>	-	-	11.0/unit
<b>Block Dwelling</b>	-	-	-
<b>Live Work Dwelling</b>	-	-	11.0/unit
<b>Stacked Townhouse Dwelling</b>	-	-	11.0/unit

**Notes:**

1. The **build-to-zone** shall apply to a minimum of 60% of the **street frontage**. On any other portion of the lot, only the minimum setback indicated shall apply. Notwithstanding this requirement, on any **corner lot**, a minimum of 70% shall apply.
2. **Driveways** and walkways shall be permitted within the **build-to-zone**, provided the cumulative total does not exceed 25% of the total **build-to-zone** requirement.
3. Includes all non-**residential uses** in an **apartment building**.
4. **Podium** requirements are only applicable for **buildings** greater than 37.5 m.

5. Notwithstanding the minimum required depth of a **balcony**, **balconies** are not permitted to project beyond the **main wall** less than 10.5 m in **height** above **grade**.
6. A minimum contiguous area of 40.0 m<sup>2</sup> must be provided in a common location.

## 9 City Centre Zone Regulations

### 9.1 List of City Centre Zones

- For convenience purposes, the City Centre **zones**, as established in Section 2 of this By-law, are also shown in Table 9.1.

**Table 9.1: City Centre Zones**

Zone Name	Zone Symbol
City Centre One	CC1
City Centre Two	CC2
City Centre Residential One	CCR1
City Centre Residential Two	CCR2
City Centre Civic	CCC
City Centre Open Space	CCOS
City Center Natural Heritage System	CCNHS

### 9.2 Permitted Uses

- No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 9.2. **Uses** permitted in the City Centre **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 9.2.

**Table 9.2: Uses Permitted in the City Centre Zones**

	CC1	CC2	CCR1	CCR2	CCC	CCOS	CCNHS
<b>Residential Uses</b>							
<b>Apartment Dwelling</b>	●	●		●			
<b>Back-to-Back Townhouse Dwelling</b>	● <sup>(1)</sup>	● <sup>(1)</sup>	●	●			
<b>Block Townhouse Dwelling</b>	● <sup>(1)</sup>	● <sup>(1)</sup>	●	●			
<b>Live Work Dwelling</b>	●	●		●			
<b>Stacked Townhouse Dwelling</b>	● <sup>(1)</sup>	● <sup>(1)</sup>		●			
<b>Street Townhouse Dwelling</b>	● <sup>(1)</sup>	● <sup>(1)</sup>	●	●			
<b>Commercial Uses</b>							

	CC1	CC2	CCR1	CCR2	CCC	CCOS	CCNHS
<b>Art Gallery/Studio</b>	•	•			•		
<b>Assembly, Convention Centre or Conference Hall</b>	•				•		
<b>Cinema</b>	•				•		
<b>Commercial Fitness/Recreational Centre</b>	•	•		• <sup>(2)</sup>	•		
<b>Commercial School</b>	•	•					
<b>Dry-Cleaning Distribution Centre</b>	•	•		• <sup>(2)</sup>			
<b>Financial Institution</b>	•	•					
<b>Food Store</b>	•	•			•		
<b>Hotel</b>	•	•					
<b>Kiosk</b>	•	•		•	•	•	
<b>Nightclub</b>	•						
<b>Medical Office</b>	•	•					
<b>Office</b>	•	•	•	•	•		
<b>Personal Service Shop</b>	•	•	•	•			
<b>Place of Amusement</b>	•						
<b>Restaurant</b>	•	•					
<b>Retail Store</b>	•	•					
<b>Service and Repair Shop</b>	•	•					
<b>Theatre</b>	•				•		
<b>Veterinary Clinic</b>	•	•					
<b>Community Uses</b>							
<b>Club</b>	•	•					
<b>Community Centre</b>	•	•			•	•	
<b>Community Garden</b>	•	•	•	•	•		•
<b>Day Care Centre</b>	•	•		• <sup>(2)</sup>	•		
<b>Elementary or Secondary School</b>	•	• <sup>(3)</sup>					
<b>Library</b>	•	•			•		

	CC1	CC2	CCR1	CCR2	CCC	CCOS	CCNHS
Long-Term Care Home	•	•		•			
Museum	•	•			•		
Park	•	•	•	•	•	•	• <sup>(4)</sup>
Place of Worship	•						
Post-Secondary School	•	•					
Private School	•	•					
Retirement Home	•	•		•			
<b>Other Uses</b>							
District Energy Facility	•	•			•		
Parking Garage / Structure	•	•					
<b>Specified Accessory Uses</b>							
Additional Dwelling Unit <sup>(5)</sup>	•	•	•	•			
Home Occupation <sup>(5)</sup>	•	•	•	•			
Private Home Daycare	•	•	•	•			

**Notes:**

1. **Use** shall be prohibited in areas designated as **Active at Grade frontages** on Schedule 8 to this By-law.
2. **Use** shall be limited to the first two (2) **storeys** of a **building**.
3. Maximum one (1) located within this **zone**.
4. No **buildings** and **structures** shall be permitted.
5. This **use** is subject to special provisions under Section 4 of this By-law.

### 9.3 Lot and Building Requirements

1. No person shall within any City Centre **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 9.3.

**Table 9.3: Lot and Building Requirements for the City Centre Zones**

<b>Requirement</b>	<b>CC Zones</b>
Minimum <b>Floor Space Index</b>	As shown on Schedule 5
Maximum <b>Floor Space Index</b>	5.75
Maximum <b>Building Height</b> (m)	As shown on Schedule 6
Minimum <b>Building Height</b> (m)	As shown on Schedule 7
<b>Building Height</b> Adjacent to <b>Grade Related Dwellings</b> (m)	<b>Building height</b> shall be limited by a 45-degree <b>angular plane</b> measured 7.5 m from the property line of adjacent <b>detached, semi-detached and street townhouse dwellings</b> at a <b>height</b> of 10.5 m above <b>grade</b>
Minimum <b>Building Setback</b> from <b>Street Line</b> (m)	1.0
Maximum <b>Building Setback</b> from <b>Street Line</b> (m)	4.0 <sup>(1)(2)</sup>
Minimum <b>Setback</b> for Below <b>Grade Parking Structures</b> (m)	0.0
Minimum <b>Podium Height</b> Requirements for <b>Buildings</b> Greater than 37.5 m in <b>Height</b> (m)	10.5
Maximum <b>Podium Height</b> Requirements for <b>Buildings</b> Greater than 37.5 m in <b>Height</b> (m)	20.0
Maximum <b>Tower Floor Plates</b> – Residential <b>Building</b> (m <sup>2</sup> )	850.0
Minimum <b>Building</b> Separation (m)	11.0 m, except where the separation may be reduced to 3.0 m if there are no <b>primary windows</b> or <b>balconies</b> on the wall facing the adjacent flanking <b>building</b>
	18.0 m, for any portion of a <b>building</b> greater than 25.5 m in <b>height</b> , except where the separation may be reduced to 11.0 m if there are no <b>primary windows</b> or <b>balconies</b> on the wall facing the adjacent flanking <b>building</b>
	25.0 m for any portion of a <b>building</b> greater than 37.5 m in <b>height</b>
Minimum <b>Main Wall</b> Stepback for <b>Buildings</b> equal to or less than 37.5 m in <b>Height</b> (m)	1.5 m between 4.5 m and 15.0 m in <b>height</b> on any <b>building</b> face abutting a <b>street line</b>



Requirement	CC Zones
Minimum <b>Main Wall Stepback</b> for <b>Buildings</b> greater than 37.5 m in <b>Height</b> (m)	Minimum <b>main wall</b> stepback - 3.0 m from the <b>main wall</b> of a <b>point tower</b> and the <b>main wall</b> of a <b>podium</b> on any <b>building</b> face abutting a <b>street line</b>
	Minimum <b>main wall</b> stepback - 3.0 m between the top 6.0 m and 18.0 m of a <b>point tower</b> for <b>buildings</b> equal to and greater than 73.5 m
<b>Balcony</b> Requirements	Minimum depth – 1.5 m
	Notwithstanding Section 4.29.1 c), <b>balconies</b> are not permitted to project beyond the <b>main wall</b> less than 10.5 m in <b>height</b> above <b>grade</b> along any <b>street line</b> with required <b>Active At Grade Frontages</b> , as shown on Schedule 8 to this By-law
Minimum Continuous Length of <b>Buildings</b> along a <b>Street Line</b> (%)	60% of the <b>street frontage</b> of a <b>lot</b> must be occupied by a <b>building</b>
<b>Buildings</b> Requiring <b>Active At Grade Frontages</b>	Minimum – 40% of the <b>first storey</b> of a non- <b>residential building</b> along any <b>street line</b> with required <b>Active At Grade Frontages</b> , as shown on Schedule 8 to this By-law, shall be comprised of openings and transparent glazing
	A <b>primary entrance door</b> with direct and unobstructed access open to the public shall be incorporated into the wall of a <b>building</b> facing the <b>street line</b>
	Minimum <b>ground floor height</b> – 4.5 m
Minimum <b>Landscaped Area</b> <sup>(3)</sup>	10% of the area of a <b>lot</b>
Minimum <b>Amenity Area</b> (m <sup>2</sup> )	<b>Apartment Dwelling</b> Indoor: 2.0/unit Outdoor: 2.0/unit <sup>(4)</sup>
	<b>Back-to-Back Townhouse Dwelling</b> 11.0/unit
	<b>Block Dwelling</b> -
	<b>Live Work Dwelling</b> 11.0/unit
	<b>Stacked Townhouse Dwelling</b> 11.0/unit
	<b>Street Townhouse Dwelling</b> With integrated <b>private garage</b> facing the <b>front lot line</b> : N/A
	With detached <b>private garage</b> from a lane: 30.0/unit With integrated <b>private garage</b> accessed from a lane: 11.0/unit

**Notes:**

1. For residential **buildings** located outside the required **Active at Grade Frontages**, as shown on Schedule 8 to this By-law, the maximum **setback** from **street line** shall be 6.0 m.
2. The maximum **setback** may be increased up to an additional 5.0 m where the entire **setback** is used for publicly-accessible open space, in the form of a plaza or courtyard, and does not include parking or **loading spaces**.
3. The minimum **landscaped area** requirement is to be calculated as follows:
  - a) To qualify for any minimum **landscaped area** requirement of this By-law, an individual area of landscaping provided on a **lot** shall have a minimum dimension of 3.0 m by 3.0 m; and
  - b) Landscaping provided on a roof of a **building** shall be included in the calculation of required **landscaped area** on the **lot**, provided it meets the requirements of subsection a) above.
4. A minimum contiguous area of 40.0 m<sup>2</sup> must be provided in a common location.

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# 10 Employment Zone Regulations

## 10.1 List of Employment Zones

- For convenience purposes, the Employment **zones**, as established in Section 2 of this By-law, are also shown in Table 10.1.

**Table 10.1: Employment Zones**

Zone Name	Zone Symbol
Employment General	E1
Employment Prestige	E2
Employment Commercial	E3

## 10.2 Permitted Uses

- No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 10.2. **Uses** permitted in the Employment **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 10.2.

**Table 10.2: Uses Permitted in the Employment Zones**

Permitted Uses	E1	E2	E3
<b>Commercial Uses</b>			
Assembly, Convention Centre or Conference Hall			●
Commercial School		●	●
Dry-Cleaning Distribution Centre			●
Financial Institution		●	●
Hotel		●	●
Office	●	●	●
Service and Repair Shop	●	●	
Vehicle Body Repair Shop	●	● <sup>(1)</sup>	
Vehicle Repair Shop	●	● <sup>(1)</sup>	
Vehicle Sales and Rental Establishment		● <sup>(1)</sup>	● <sup>(1)</sup>
<b>Employment Uses</b>			
Contractor's Yard	●		
Dry-Cleaning Establishment	●	●	●

Permitted Uses	E1	E2	E3
Film Studio	•	•	
Food Preparation Plant	•	•	•
Fuel Depot	•		
Heavy Manufacturing Facility	•		
Light Manufacturing Facility	•	•	•
Research and Development Facility	•	•	•
Transport Cartage or Transport Depot	•		
Warehouse	•	•	•
Wholesaling Facility	•	•	
Waste Processing Station	• <sup>(1)</sup>		
Waste Transfer Station	• <sup>(1)</sup>		
<b>Community Uses</b>			
Day Care Centre		•	•
Emergency Service Facility	•	•	•
Public Parking Lot	•	•	
<b>Specified Accessory Uses</b>			
Accessory Office <sup>(2)</sup>	•	•	
Accessory Personal Service Establishment <sup>(2)</sup>	• <sup>(3)</sup>	• <sup>(3)</sup>	•
Accessory Restaurant <sup>(2)</sup>	• <sup>(3)</sup>	• <sup>(3)</sup>	• <sup>(3)</sup>
Accessory Dry-Cleaning Distribution Centre <sup>(2)</sup>			• <sup>(4)</sup>
Ancillary Retail <sup>(2)</sup>	•	•	•
Outdoor Display Area <sup>(2)</sup>		•	•
Outdoor Storage <sup>(2)</sup>	•		

**Notes:**

1. Only legally **existing uses** shall be permitted.
2. This **use** is subject to special provisions under Section 4 of this By-law.
3. The maximum **gross floor area** of the accessory **use** shall be a maximum of 10% of the **gross floor area** of the **principal use**. However, in no case shall the maximum **gross floor area** of the **accessory use** exceed 500.0 m<sup>2</sup>.
4. Permitted only if **accessory** to a **dry-cleaning establishment** and providing the **gross floor area** of the **dry-cleaning distribution centre** does not exceed 20% of the **gross floor area** of the **dry-cleaning establishment**.

## 10.3 Lot and Building Requirements

1. No person shall within any Employment **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 10.3.

**Table 10.3: Lot and Building Requirements for the Employment Zones**

Requirement	E1	E2	E3
Minimum <b>Lot Area</b> (ha)	-	-	0.4
Minimum <b>Lot Frontage</b> (m)	30.0	30.0	30.0
Minimum <b>Front Yard</b> (m)	6.0	4.5	4.5
Minimum <b>Interior Side Yard</b> (m)	7.5	4.5	4.5
Minimum <b>Exterior Side Yard</b> (m)	7.5	4.5	4.5
Minimum <b>Rear Yard</b> (m)	7.5 <sup>(1)</sup>	7.5	7.5
Minimum <b>setback</b> of any <b>building</b> or <b>structure</b> abutting a Residential or Open Space <b>zone</b> (m)	30.0	20.0	15.0
Maximum <b>Lot Coverage</b> (%)	-	-	40.0
Maximum <b>Building Height</b> (m)	18.0	15.0	12.0
Minimum <b>Landscaped Area</b> (%)	5	5	5
Minimum <b>Landscaped Area</b> abutting a <b>lot</b> in any Residential, Institutional, or Open Space <b>zone</b> (width in m)	7.5	7.5	7.5
Minimum <b>Landscape Area</b> abutting any <b>street line</b> (width in m)	3.0	3.0	3.0
Minimum <b>Landscaped Area</b> abutting any other <b>lot line</b> (width in m)	4.5	4.5	4.5

**Notes:**

1. A **rear yard** is not required where a **rear lot line** abuts a railway right-of-way.

# 11 Environmental Protection and Open Space Zone Regulations

## 11.1 List of Environmental Protection and Open Space Zones

- For convenience purposes, the Environmental Protection and Open Space **zones**, as established in Section 2 of this By-law, are also shown in Table 11.1.

**Table 11.1: Environmental Protection and Open Space Zones**

Zone Name	Zone Symbol
Environmental Protection	EP
Open Space	OS
Open Space - Waterfront	OSW
Stormwater Management Facility	SWM
Golf Course	GC

## 11.2 Permitted Uses

- No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 11.2. **Uses** permitted in the Environmental Protection and Open Space **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 11.2.

**Table 11.2: Uses Permitted in the Environmental Protection and Open Space Zones**

Permitted Use	EP	OS	OSW	SWM	GC
<b>Agriculture Uses</b>					
Agriculture <sup>(1)</sup>	●	●			
Aquaculture			● <sup>(2)</sup>		
<b>Commercial Uses</b>					
Golf Course					●
Marina			●		
Yacht Club			●		
<b>Community Uses</b>					
Active Recreational Use		●	●		
Club		●			
Community Centre		●	●		
Community Garden		●			

Permitted Use	EP	OS	OSW	SWM	GC
Conservation Use	•	•	•		
Passive Recreational Use	•	•	•		
Park	•	•	•		
Stormwater Management Facility	• <sup>(1)(3)</sup>	• <sup>(3)</sup>	•	• <sup>(3)</sup>	
<b>Specified Accessory Uses</b>					
<b>Buildings or structures</b> designed to be used in connection with parks and recreational purposes and conservation uses.	•	•	•		
<b>Outdoor Storage</b> <sup>(4)</sup>			•		

**Notes:**

1. Only legally **existing uses** are permitted.
2. Only **aquaculture** and other related **uses** as part of an **agricultural use** shall be permitted.
3. 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 to be used for the purposes of **stormwater management facilities** and **uses accessory** thereto.
4. This **use** is subject to special provisions under Section 4 of this By-law.

### 11.3 Lot and Building Requirements

1. No person shall within any Environmental Protection and Open Space **zone** use any **lot**, or erect, alter, or use any **building or structure** except in accordance with Table 11.3.

**Table 11.3: Lot and Building Requirements for the Environmental Protection and Open Space Zones**

Requirement	EP	OS	OSW	SWM	GC
Minimum <b>Lot Area</b> (ha)	-	-	0.4	-	4.0
Minimum <b>Frontage</b> (m)	-	-	30.0	-	150
Minimum <b>Water Frontage</b> (m)	-	-	45.0	-	-
Minimum <b>Front Yard</b> (m)	22.0	9.0 <sup>(1)</sup>	-	-	15.0
Minimum <b>Interior Side Yard</b> (m)	15.0	9.0 <sup>(1)</sup>	-	-	6.0
Minimum <b>Exterior Side Yard</b> (m)	15.0	9.0 <sup>(1)</sup>	-	-	7.5
Minimum <b>Rear Yard</b> (m)	22.0	9.0 <sup>(1)</sup>	-	-	15.0

<b>Requirement</b>	<b>EP</b>	<b>OS</b>	<b>OSW</b>	<b>SWM</b>	<b>GC</b>
Minimum <b>Yard</b> requirements from all <b>lot lines</b> except where abutting a Navigable Waterway	-	-	7.5 - Enclosed Storage Areas; <b>Marine Service Station</b> ; Sales and Display Offices; Boat Livery; Retail Outlets  9.0 – <b>Club House</b> ; <b>Restaurant</b>  18.0 – Repair Facilities  30.0 m from any <b>street line</b> , 60.0 m from any residential property line, and 7.5 m from all other <b>lot lines</b> – <b>Outdoor Storage</b>  60.0 – Swimming Pool	-	-
Minimum <b>Setback to Water</b> <sup>(2)</sup> (m)	-	18.0 m to the high water level, the spring flood limits or the top of the bank of any river, creek or lake	-	-	-
Maximum <b>Lot Coverage</b> (%)	5	-	-	-	20
Maximum <b>Height</b> (m)	-	-	-	-	12.0

**Notes:**

1. Except where a **lot line** abuts a lake or river no **yard** shall be required on the side that so abuts.
2. The provision does not apply to **public uses** as considered appropriate by the Committee of Adjustment upon specific application thereto.



# 12 Rural and Oak Ridges Moraine Zone Regulations

## 12.1 List of Rural and Oak Ridges Moraine Zones

- For convenience purposes, the Rural and Oak Ridges Moraine **zones**, as established in Section 2 of this By-law, are also shown in Table 12.1.

**Table 12.1: Rural and Oak Ridges Moraine Zones**

Zone Name	Zone Symbol
Agriculture	A
Quarry	Q
Oak Ridges Moraine – Agricultural	ORMA
Oak Ridges Moraine – Environmental Protection	ORMEP
Oak Ridges Moraine – Institutional	ORMI
Oak Ridges Moraine – Commercial	ORMC
Oak Ridges Moraine – Residential General	ORMR5, ORMR6

## 12.2 Rural Zones

### 12.2.1 Permitted Uses

- No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 12.2. **Uses** permitted in the Rural **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 12.2.

**Table 12.2: Uses Permitted in the Rural Zones**

Permitted Use	A	Q
<b>Residential Uses</b>		
Detached Dwelling	● <sup>(1)</sup>	
<b>Agricultural Uses</b>		
Agriculture	●	● <sup>(2)</sup>
Community Garden	●	
Riding Stable or Equestrian Centre	●	
Seasonal Farm Help Dwelling	● <sup>(3)</sup>	
<b>Agriculture-Related Uses</b>		
Farm Implement Sales Outlet	●	

Permitted Use	A	Q
Farmer’s Market	● <sup>(4)</sup>	
Farm Winery, Microbrewery, Distillery or Cidery	●	
Seasonal Farm Stand	●	
<b>On-Farm Diversified Uses</b>		
Agri-tourism Use	●	
Bed and Breakfast	●	
Farm Vacation Home	●	
<b>Community Uses</b>		
Active Recreational Use	●	
Cemetery	●	
Community Centre	●	
Conservation Use	●	
Elementary or Secondary School	●	
Park	●	
Place of Worship	●	
Private School	●	
<b>Specified Accessory Uses</b>		
Accessory Dwelling Unit	●	●
Home Occupation	●	
<b>Other Uses</b>		
Forestry	●	●
Pit or Quarry		●

**Notes:**

1. A new residential **dwelling** will be permitted on a vacant **lot**, provided that within the Greenbelt Plan Area the **lot** was zoned as of December 16, 2004, and within the Duffins Rouge Agricultural Preserve Area the vacant **lot** existed on May 3, 2006.
2. Facilities for the raising of fur-bearing animals, kennels, and swill-fed pigs will not be permitted.
3. Only permitted on a **lot** with a minimum **lot area** of 40.0 ha. A maximum of one (1) temporary **detached dwelling** shall be permitted per **lot**; provided it is used by persons employed on the farm. Where a **detached dwelling** exists, the maximum distance between the **detached dwelling** and a temporary **detached dwelling** shall be 50.0 m, and the temporary **detached dwelling** shall not be located in the **front yard**.
4. Only open-air **farmer’s markets** will be permitted, and only as a secondary use to a primary **agricultural use**.

## 12.2.2 Lot and Building Requirements

1. No person shall within any Rural **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 12.3.

**Table 12.3: Lot and Building Requirements for the Rural Zones**

<b>Requirement</b>	<b>A</b>	<b>Q</b>
Minimum <b>Lot Area</b> (ha)	0.8	-
<b>Pit or Quarry</b>	-	0.4
<b>Agricultural Uses</b>	-	4.0
<b>Specified Accessory Uses</b>	-	0.009
Minimum <b>Frontage</b> (m)	60.0 <sup>(1)</sup>	-
<b>Pit or Quarry</b>	-	30.0
<b>Agricultural Uses</b>	-	150.0
<b>Specified Accessory Uses</b>	-	229.0
Minimum <b>Lot Line</b> (m)	-	15.0
Abutting Creeks, Lakes or Rivers	-	15.0
Abutting Residential <b>Dwellings</b> or Residential <b>zones</b>	-	60.0 in horizontal distance and 15.0 <b>setback</b> from <b>lot line</b> in horizontal distance
Minimum <b>Front Yard</b> (m)	-	-
<b>Residential Uses</b>	12.0	12.0
<b>Agricultural Uses</b>	15.0	15.0
<b>Specified Accessory Uses</b>	15.0	15.0
Minimum <b>Interior Side Yard</b> (m)	-	-
Minimum <b>Exterior Side Yard</b> (m)	-	-
Minimum <b>Side Yard</b> (m)	-	-
<b>Residential Uses</b>	3.0	3.0
<b>Agricultural Uses</b>	6.0	3.0
<b>Specified Accessory Uses</b>	6.0	6.0
Minimum <b>Rear Yard</b> (m)	-	-
<b>Residential Uses</b>	12.0	12.0
<b>Agricultural Uses</b>	15.0	15.0
<b>Specified Accessory Uses</b>	15.0	15.0
Minimum <b>Gross Floor Area</b> (m <sup>2</sup> )	-	-
<b>Accessory Dwelling Unit</b>	110.0	69.0

Requirement	A	Q
<b>Detached Dwelling</b>	139.0	-
Maximum <b>Lot Coverage</b> (%)	-	-
<b>Residential Uses</b>	10	-
<b>Agricultural Uses</b>	20	20

**Notes:**

1. Minimum **lot frontage** for **existing lots** in the Agriculture (A) **zone** shall be 20.0 m.

## 12.3 Oak Ridge Moraine Zones

### 12.3.1 Permitted Uses

1. No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 12.4. **Uses** permitted in the Oak Ridges Moraine **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 12.4.

**Table 12.4: Uses Permitted in the Oak Ridge Moraine Zones**

Permitted Use	ORMA	ORMEP	ORMI	ORMC	ORMR5	ORMR6
<b>Residential Uses</b>						
<b>Detached Dwelling</b>	● <sup>(1)</sup>	● <sup>(2)</sup>			●	●
<b>Agricultural Uses</b>						
<b>Agriculture</b>	●					
<b>Community Garden</b>	●					
<b>Riding Stable or Equestrian Centre</b>	●					
<b>Seasonal Farm Help Dwelling</b>	● <sup>(3)</sup>					
<b>Agriculture-Related Uses</b>						
<b>Farm Implement Sales Outlet</b>	●					
<b>Farmer’s Market</b>	● <sup>(4)</sup>					
<b>Farm Winery, Microbrewery, Distillery or Cidery</b>	●					
<b>Seasonal Farm Stand</b>	●					
<b>On-farm Diversified Uses</b>						
<b>Agri-tourism Use</b>	●					
<b>Bed and Breakfast</b>	●					

Permitted Use	ORMA	ORMEP	ORMI	ORMC	ORMR5	ORMR6
Farm Vacation Home	•					
<b>Commercial Uses</b>						
Automobile Service Station				•		
Commercial Garage				•		
Dry-Cleaning Distribution Centre				•		
Financial Institution				•		
Hotel				•		
Office				•		
Medical Office				•		
Personal Service Shop				•		
Place of Amusement				•		
Restaurant				•		
Retail Store				•		
Taxi Station				•		
<b>Community Uses</b>						
Active Recreational Use			•			
Cemetery			•			
Community Centre			•			
Conservation Use	•	•				
Day Care Centre			•	•		
Elementary or Secondary School			•			
Golf Course			•			
Park			•			
Place of Worship			•			
Private School			•			
Public Parking Lot				•		
<b>Specified Accessory Uses</b>						
Accessory Dwelling Unit	•			•		
Home Occupation	•				•	•

**Notes:**

1. Only permitted on **lots** less than 4.0 ha in size.
2. **Detached dwelling** on vacant **lot** of record where the **detached dwelling** would have been permitted November 15, 2001, and **accessory uses** thereto.
3. Only permitted on a **lot** with a minimum **lot area** of 40.0 ha. A maximum of one (1) temporary **detached dwelling** shall be permitted per **lot**; provided it is used by persons employed on the farm. Where a **detached dwelling** exists, the maximum distance between the **detached dwelling** and a temporary **detached dwelling** shall be 50.0 m, and the temporary **detached dwelling** shall not be located in the **front yard**.
4. Only open-air **farmer's markets** will be permitted, and only as a secondary use to a primary **agricultural use**.

**12.3.2 Lot and Building Requirements**

1. No person shall within any Oak Ridges Moraine **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 12.5.

**Table 12.5: Lot and Building Requirements for the Oak Ridges Moraine Zones**

<b>Requirement</b>	<b>ORMA</b>	<b>ORMEP</b>	<b>ORMI</b>	<b>ORMC</b>	<b>ORMR5</b>	<b>ORMR6</b>
Minimum <b>Lot Area</b> (ha)	> 4 ha: 4.0 < 4 ha: 0.8	0.8	0.4	-	1390m <sup>2</sup>	0.3
Minimum <b>Frontage</b> (m)	> 4 ha: 150.0 < 4 ha: 60.0	60.0	45.0	-	22.0	22.0
Minimum <b>Front Yard</b> (m)	> 4 ha: 15.0 < 4 ha: 12.0	12.0	9.0	-	9.0	9.0
Minimum <b>Interior Side Yard</b> (m)	> 4 ha: 6.0 < 4 ha: 3.0	3.0	3.0	-(2)	1.8	1.8
Minimum <b>Exterior Side Yard</b> (m)	> 4 ha: 7.5 < 4 ha: 6.0	6.0	4.5	18.0	4.5	2.7
Minimum <b>Side Yard</b> (m)	-	-	-	-	-	-
Minimum <b>Rear Yard</b> (m)	> 4 ha: 15.0 < 4 ha: 12.0	12.0	9.0	7.5	9.0	9.0
Maximum <b>Lot Coverage</b> (%)	> 4 ha: 20 < 4 ha: 10	10	25	33	20	20
Maximum <b>Building Height</b> (m)	12.0	12.0	12.0	12.0	12.0	12.0

Requirement	ORMA	ORMEP	ORMI	ORMC	ORMR5	ORMR6
Minimum Dwelling Unit Gross Floor Area (m <sup>2</sup> )	139.0	139.0	-	-	100.0	100.0
Maximum Building Ground Floor Area (m <sup>2</sup> )	500.0	-(1)	-	-	-	
Minimum Landscaped Area (%)	-	-	10	50	-	
Minimum Landscape Buffer (m)	-	-	In any <b>yard</b> abutting a Residential <b>zone</b> , a planting strip of at least 3.0 m shall be required.	In any <b>yard</b> abutting a Residential <b>zone</b> , a planting strip of at least 3.0 m shall be required.	-	

**Notes:**

1. No **accessory buildings** and/or **structures** shall exceed 10.0 m<sup>2</sup> in area.
2. Where the **interior side yard** abuts a Residential **zone**, the **setback** shall be 7.5 m.

## 13 Institutional and Other Zone Regulations

### 13.1 List of Institutional and Other Zones

- For convenience purposes, the Institutional and Other **zones**, as established in Section 2 of this By-law, are also shown in Table 13.1.

**Table 13.1: Institutional and Other Zones**

Zone Name	Zone Symbol
Institutional General	I1
Urban Reserve	UR
Utility	UT

### 13.2 Permitted Uses

- No person shall use any **lot, building or structure** for any purpose except for one (1) or more of the **uses** as permitted in accordance with Table 13.2. **Uses** permitted in the Institutional and Other **zones** are denoted by the symbol “●” in the column applicable to that **zone** and corresponding with the row for a permitted **use** in Table 13.2.

**Table 13.2: Uses Permitted in the Institutional and Other Zones**

Permitted Use	I1	UR	UT
<b>Community Uses</b>			
Active Recreational Use	●	● <sup>(1)</sup>	
Cemetery	● <sup>(1)</sup>		
Community Centre	●		
Conservation Use		● <sup>(1)</sup>	●
Day Care Centre	●		
Elementary or Secondary School	●		
Emergency Service Facility	●		
Library	●		
Long Term Care Facility	●		
Park	●		
Parking Lot			●
Passive Recreational Use	●	●	●
Place of Worship	●		



Permitted Use	I1	UR	UT
Post Office	•		
Private School	•		
Retirement Home	•		
Stormwater Management Facility			•

**Notes:**

1. Only legally existing **uses** as of the effective date of this By-law shall be permitted, subject to site-specific zoning requirements and the general regulations of this By-law.

### 13.3 Lot and Building Requirements

1. No person shall within any Institutional or Other **zone** use any **lot**, or erect, alter, or use any **building** or **structure** except in accordance with Table 13.3.

**Table 13.3: Lot and Building Requirements for the Institutional and Other Zones**

Requirement	I1	UR	UT
Minimum <b>Lot Area</b> (ha)	0.5	-(1)	-
Minimum <b>Lot Frontage</b> (m)	60.0	-(1)	-
Minimum <b>Front Yard</b> (m)	4.0	-(1)	-
Minimum <b>Interior Side Yard</b> (m)	3.0 <sup>(1)</sup>	-(1)	-
Minimum <b>Exterior Side Yard</b> (m)	3.0 <sup>(1)</sup>	-(1)	-
Minimum <b>Rear Yard</b> (m)	9.0 <sup>(1)</sup>	-(1)	-
Maximum <b>Lot Coverage</b> (%)	33.0	-(1)	-
Maximum <b>Building Height</b> (m)	12.0	-(1)	-

**Notes:**

1. Legally **existing uses** are permitted.

## 14 Seaton Urban Area

### 14.1 General Regulations

#### 14.1.1 Prohibited Uses

1. With respect to any lands to which this By-law applies, all uses are prohibited unless specifically permitted in this By-law.

#### 14.1.2 Human Habitation not within Main Buildings

1. No truck, bus, coach, street car body, railway car, **mobile home, trailer** or other **vehicle** shall be used for human habitation whether or not the same is mounted on wheels or other forms of mounting or foundations.

#### 14.1.3 Frontage on a Street

1. No **lot** shall have built upon it a **building** for any purpose in any zone unless the **lot** abuts a **street** for a minimum of 4.0 m. However, where a **lot** is separated from a **street** by land owned by the City, the Region of Durham or the Province of Ontario which land is held by such public agency for future road widening purposes or as a 0.3 m reserve, a **building** may be **erected** upon such **lot** if registered rights-of-way giving access to a **street** have been granted and such access scheme is part of a **development agreement** pursuant to the *Planning Act*.
2. Where a **building** is developed abutting a **driveway** constituting a common area or common element as part of a condominium registered under the *Condominium Act* such **driveway** shall be deemed to be a **street** for purposes of applying the provisions of this By-law.

#### 14.1.4 Public Uses Permitted in all Zones

1. Notwithstanding anything else in this By-law, the City or Region of Durham or any of their local boards as defined in the Municipal Act, any communications or transportation system owned or operated by or for the City or Region of Durham, and any agency of the Federal or Provincial Government, may, for the purposes of the public service, use any land or **erect** or use any **building** or **structure** in any zone subject to the use or **building** or **structure** being in compliance with the most restrictive regulations contained in such zone for the use and the parking requirements of Section 14.2 of this By-law, for such use.
2. Any **buildings erected** or used in a Residential zone under the provisions of this Section, shall be designed so as not to intrude into the residential character of the area.

3. This exemption for use in any zone shall not apply to:
  - a) The Seaton Natural Heritage System (SNHS) zone except for linear infrastructure and the uses otherwise permitted in the SNHS zone;
  - b) Permit any outdoor storage, or a **waste transfer** or **waste processing facility**;  
or
  - c) Any land or **building** used by any local School Board, University or College.

#### 14.1.5 Linear Utilities Permitted in all Zones

1. Notwithstanding anything else in this By-law, a utility company including Veridian, Bell, Rogers, Telus, Hydro One, Enbridge and other similar utility company may use any land or **erect** or use any **building** or **structure** in any zone for the purpose of a linear utility subject to the **building** or **structure** being in compliance with the most restrictive regulations contained in such zone for the use and the parking requirements of Section 14.2 of this By-law, for such use. Any **building** or **structure erected** or used in a Residential zone under the provisions of this Section, shall be designed so as not to intrude into the residential character of the area.
2. This exemption for use in any zone shall not apply to:
  - a) Permit **buildings** or **structures** in the Seaton Natural Heritage System (SNHS) zone except for **structures** directly related to the linear utility and uses otherwise permitted in the SNHS zone;
  - b) Permit any outdoor storage or works/maintenance **yards**; or
  - c) Permit any land or **building** to be used for administrative offices, retail purposes, or vehicular or equipment maintenance.

#### 14.1.6 Permitted Yard Encroachments

1. No part of any required **yard** shall be obstructed except as follows:
  - a) 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 m or half the distance of the required **yard**, whichever is less;
  - b) A fire escape or exterior staircase may encroach into a required **side yard** or **rear yard** 1.5 m or half the distance of the required **yard**, whichever is less;
  - c) An unenclosed ramp for wheelchair access may encroach into any required **yard** provided it is no closer than 0.3 m from a **lot line**;
  - d) A **porch** or **deck** may encroach into any required **front yard** or **flankage yard** to a maximum of 2.0 m or half the distance of the required **yard**, whichever is less;
  - e) A **porch** or **deck** may encroach into any required **rear yard** to a maximum of 2.0 m;
  - f) A **porch** may encroach into an **interior side yard** to within 0.6 m of the **side lot line**;

- g) Stairs to a **porch** or **deck** may encroach to within 0.3 m of the **front lot line** or **flankage lot line**; to within 1.0 m of a **rear lot line** and to within 0.6 m of an **interior side lot line**;
- h) A **balcony** may encroach into any required **yard** to a maximum of 1.2 m, except into a required **side yard** where it shall encroach not more than 1.2 m or one-third of the distance of the required **yard**, whichever is less;
- i) Where a **balcony** is located on the roof of a **porch** or **deck** or above a **driveway**, it may encroach to the maximum permitted for the **porch** or **deck** in subsection d) and e); and
- j) A **bay, box or bow window**, with or without foundation, having a maximum width of 4.0 m may encroach into any required **yard** to a maximum of 0.6 m or half the distance of the required **yard**, whichever is less.

#### 14.1.7 Legal Non-Conforming Uses

- 1. A legal **non-conforming** use is a use of land and/or **building** that legally **existed** on the date this By-law came into effect under the Planning Act. To be legal, the use must have been permitted on the lands in the zoning by-law that was in effect before this By-law came into effect or if it was established before the first By-law for the City of Pickering or the By-law for the original Township was passed.
- 2. This By-law shall not prevent the of any land, **building** or **structure** for any purpose prohibited by this By-law if such land, **building** or **structure** was lawfully used for such purpose on the day of passing of this By-law, and provided that such land, **building** or **structure** continues to be used for that purpose.

#### 14.1.8 Legal Non-Complying Buildings or Structures

- 1. A legal **non-complying building** or **structure** is a **building** or **structure** that was legally **erected** in a location it was in when this By-law came into effect under the Planning Act. To be legal, the location of the **building** or **structure** must have been authorized on the lands in the zoning bylaw that was in effect before this By-law came into effect, or if it was **erected** before the first by-law for the City of Pickering or the by-law for the original Township was passed.
- 2. A **non-complying building** or **structure** which **existed** legally prior to the passing of this By-law may be enlarged, repaired, renovated or reconstructed provided that the enlargement, repair, renovation or reconstruction:
  - a) Does not further increase the extent of a non-compliance; and
  - b) Complies with all other applicable provisions of this By-law.

#### 14.1.9 Legal Non-Complying Lots

- 1. A **lot** which existed legally prior to the effective date of this By-law, and that does not meet the **lot area** and/or **lot frontage** requirements of the applicable Zone, shall be deemed to conform to this By-law. Such **lots** may be used and **buildings** may be **erected**, enlarged, repaired or renovated on the **lot** provided that the use and the **buildings** or **structures** comply with all other provisions of this By-law.

#### 14.1.10 Air Conditioners

1. **Air conditioners** are permitted on a **lot** provided they are located in the **rear yard** or **interior side yard** or on a **balcony** or roof. In addition, such units shall not be located any closer than 0.6 m to an **interior lot line** and shall not be located on any easements in favour of the City.

#### 14.1.11 Swimming Pools

1. Notwithstanding any other provisions of this By-law, an unenclosed, outdoor swimming pool, or hot tub may be permitted as an **accessory** use to a residential use in accordance with the following provisions:
  - a) Such **accessory** swimming pool, or hot tub shall only be located in a **rear yard**;
  - b) Any swimming pool, hot tub, or associated water circulating, heating or treatment equipment shall be set back 1.2 m from any side or **rear lot line**;
  - c) Any **deck** associated with an aboveground pool, or hot tub to a maximum **height** of 1.2 m will be in accordance with the provisions of Section 14.1.6 of this By-law;
  - d) Any recreational equipment, including slides, associated with a swimming pool, or hot tub shall not exceed a maximum **height** of 2.4 m;
  - e) An **accessory** outdoor swimming pool shall not be included in **lot coverage** calculations provided that no part of the swimming pool, or hot tub wall protrudes more than 1.2 m above the **established grade**.

#### 14.1.12 Satellite Dish Antenna

1. Satellite dish antennae are permitted in any zone provided that:
  - a) It does not exceed a diameter of 1.3 m; and
  - b) It is not attached to the front façade of the **principal building** or any **accessory structure** or **building** in the **front yard**.

#### 14.1.13 Additional Dwelling Unit

1. Despite any provision in this By-law to the contrary, in any zone that permits a **detached dwelling**, **semi-detached dwelling** or a **townhouse dwelling**, an **additional dwelling unit** is permitted within the **detached dwelling**, **semi-detached dwelling** or **townhouse dwelling** provided:
  - a) a total of three (3) **parking spaces** are provided on the property where the **additional dwelling unit** is located;
  - b) the maximum **floor area** of an **additional dwelling unit** shall be 100.0 m<sup>2</sup>; and
  - c) a **home occupation** is prohibited in either **dwelling unit** of a **dwelling** containing an **additional dwelling unit**.
2. An **additional dwelling unit** may be permitted within a **coach house** on a **lot** containing a **detached dwelling**, **semi-detached dwelling** or a **street townhouse dwelling** provided there is only one (1) **additional dwelling unit** on the **lot** and the requirements of Section 14.1.13.1 are met.

#### 14.1.14 Home Occupations

1. A **home occupation** is permitted within a **dwelling unit** provided the **home occupation** is used by the resident of the **dwelling unit** and the resident is either a sole proprietor, partner, shareholder, or officer of the company operating the **home occupation**, or an employee who uses their **dwelling unit** as their principal place of business.
2. The following specific uses are prohibited in a **home occupation**:
  - a) **Adult entertainment establishment;**
  - b) **Animal hospital/veterinarian clinic;**
  - c) **Assembly, convention or conference hall;**
  - d) **Automobile body shop;**
  - e) **A commercial fitness / recreation centre;**
  - f) **Contractor's yard;**
  - g) **Dating/escort service;**
  - h) **Funeral home;**
  - i) **Heavy machinery repair, sales, service;**
  - j) **Kennel/animal boarding service;**
  - k) **Nightclub;**
  - l) **Place of amusement;**
  - m) **Public bath/whirlpool;**
  - n) **Restaurant;**
  - o) **Retail store;**
  - p) **Taxi service;**
  - q) **Vehicle dealership;**
  - r) **Vehicle repair shop;**
  - s) **Warehousing;** and
  - t) **Wholesaling.**
3. In addition, any use which constitutes a nuisance, or any use which is offensive or obnoxious in any way, including but not limiting the generality of the foregoing, any use which creates an **adverse effect** through the generation of traffic, parking, noise, vibration, dust, fumes, gas, odour, **waste, hazardous waste**, emissions, smoke, glare, radiation, electrical interference, or any use involving the use or storage of hazardous, toxic, or contaminant substances which constitutes a threat to public health and safety, or any combination thereof, is prohibited in a **home occupation**.

4. The maximum combined **floor area** that all **home occupations** within one (1) **dwelling unit** may occupy is 25% of the finished **floor area** of that **dwelling unit** to a maximum of 50.0 m<sup>2</sup>.
5. No use or activity relating to a **home occupation** is permitted in a **private garage** or **accessory building** or **structure**, however, limited storage relating to a **home occupation** is permitted to the extent that it does not prevent the parking of the number of **vehicles** the **private garage** or **accessory building** or **structure** was designed to accommodate.
6. No outdoor storage or visible display relating to a **home occupation** is permitted.
7. Customer or client parking is not required to be provided on the **lot**.
8. External changes or alterations required for or relating to a **home occupation**, which would change the overall residential character of the **dwelling**, are not permitted.
9. Despite the uses prohibited in a **home occupation** as specified in Section 14.1.14.2, the selling of products assembled or developed on the premises is a permitted use in a **home occupation**, and the sale and distribution of catalogue items is a permitted use in a **home occupation** provided that no catalogue items are stored on the premises.

#### 14.1.15 Accessory Buildings and Structures

1. **Accessory buildings** and **structures** are permitted on a **lot** where a **principal building** housing a principal permitted use, already exists or is under construction.
2. Except as may be provided **herein**, **accessory buildings** and **structures** are only permitted to be **erected** in the **rear yard**.
3. **Elementary school** or **secondary school** class room portables may be permitted within an **interior side yard** subject to an approved site plan.
4. **Accessory buildings** and **accessory structures** must be set back a minimum of 1.2 m from all **lot lines** except that the **setback** from the **interior side lot line** may be reduced to 0.6 m if there are no doors or windows on the wall facing the **interior side lot line**.
5. No **accessory building** shall exceed a **building height** of 3.5 m except for:
  - a) **Elementary school** or **secondary school** class room portables, which shall not exceed a **building height** of 4.5 m; and
  - b) A detached **private garage**, which for a flat roof shall not exceed a **building height** of 3.5 m and for a pitched roof shall not exceed a **building height** of 4.5 m.

6. The total **lot coverage** of all **accessory buildings**, excluding detached **private garages**, shall not exceed 5% of the **lot area**. Where a detached **private garage** is also provided on the **lot**, the total **lot coverage** of all **accessory buildings** and detached **private garages** shall not exceed 15% of the **lot area**. Where **elementary school** or **secondary school** class room portables are provided, the total **lot coverage** of all **accessory buildings** shall not exceed 15% of the **lot area**.
7. Human Habitation is not permitted in an **accessory building** or **accessory structure** except for a **coach house**.

#### 14.1.16 Standards for Detached Private Garages Accessed by a Driveway from a Street

Detached **private garages** associated with a residential use that are accessed only by a **driveway** from a **street** are subject to the following requirements.

1. Permitted locations and **setbacks** from **lot lines**:

Detached **private garages** accessed only by a private **driveway** from a **street** shall be located:

  - a) A minimum distance from an exterior **lot line** equal to the **flankage yard** requirement for the **main building**;
  - b) A minimum of 1.2 m from the **interior side lot line**, but notwithstanding this provision:
    - i) The **setback** from the **interior side lot line** may be reduced to 0.6 m if there are no doors or windows on the wall facing the **interior side lot line**; and
    - ii) A detached **private garage** may share a common wall with another detached **private garage** on an abutting **lot** and no **setback** from the **interior side lot line** is required on that side of the **lot**;
  - c) A minimum of 0.6 m from the **rear lot line** except on a **through lot** in which case Section 14.1.16.1 d) applies;
  - d) No closer than 6.0 m to the **lot line** abutting the **street** where the wall of the **private garage** containing the opening for vehicular access faces the **lot line** abutting the **street**;
  - e) Where the **private garage** faces the **front lot line**, no closer than 2.0 m to the **main building** on the **lot** other than a **private garage** connected to the **main building** by an enclosed or covered walkway; and
  - f) Where the **private garage** faces the **rear lot line** on a **through lot**, no closer than 5.0 m to the **main building** on the **lot**. The parking of **motor vehicles** is not permitted between the **private garage** and the **main building**.
2. **Driveway** width:
  - a) The maximum **driveway** width accessed from a **street** abutting the **front lot line** shall:



- i) For **lots** having a **lot frontage** of less than 15.0 m, be no more than 6.0 m and tapered so that the maximum width is 3.0 m at the **street line**;
  - ii) For **lots** having a **lot frontage** between 15.0 m and less than 18.0 m, be no more than 6.0 m; and
  - iii) For **lots** greater than 18.0 m, be no wider than the width of the garage door and tapered so that the maximum width is 6.0 m at the **street line**.
- b) The maximum **driveway** width accessed from a **street** abutting the **rear lot line** on a **through lot** shall:
- i) For **lots** having a **lot frontage** of less 6.0 m, be no more than 3.0 m;
  - ii) For **lots** having a **lot frontage** between 6.0 and 9.0 m, be no more than 4.6 m;
  - iii) For **lots** between 9.0 m and less than 15.0 m, be no more than 6.0 m; and
  - iv) For **lots** greater than 15.0 m, be no more than 9.0 m and tapered so that the maximum width is 6.0 m at the **street line**.
3. Garage door width:
- a) The total width of all garage doors shall be no wider than the permitted width of the **driveway**.

#### 14.1.17 Standards for Detached Private Garages Accessed by a Lane

Detached **private garages** associated with residential uses that are accessed only by a **lane** are subject to the following requirements.

1. Permitted locations and **setbacks** from **lot lines**:  
Detached **private garages** are permitted in a **rear yard** and **interior side yard** only, and shall be located:
  - a) A minimum distance of 0.6 m from the **rear lot line**;
  - b) A minimum of 1.2 m from the **interior side lot line**, but notwithstanding this provision:
    - i) The **setback** from the **interior side lot line** may be reduced to 0.6 m if there are no doors or windows on the wall facing the **interior side lot line**; and
    - ii) A detached **private garage** may share a common wall with another detached **private garage** on an abutting **lot** and no **setback** from the **interior side lot line** is required on that side of the **lot**; and
  - c) No closer than 5.0 m to the **main building** on the **lot**. The parking of **motor vehicles** is not permitted in the **setback** area.
2. **Driveway** width:
  - a) The maximum **driveway** width that faces a **lane** shall be no wider than the total width of all garage doors.

#### 14.1.18 Standards for Attached Private Garages on Lots Accessed by Lanes

Attached **private garages** associated with a residential use that are only accessed by a **lane** are subject to the following requirements.

1. Permitted locations and **setbacks** from **lot lines**:

Attached **private garages**, which are deemed to be part of the **main building** on the **lot**, are permitted provided that the wall of the **private garage** facing the **lane**:

- a) Is located no further than 7.5 m from the **rear lot line**; and
- b) Is located no closer than 0.6 m to the **rear lot line**.

2. **Driveway** width:

- a) The maximum **driveway** width that faces a **lane** shall be no wider than the total width of all garage doors.

#### 14.1.19 Standards for Attached Private Garages Accessed by a Driveway from a Street

Attached **private garages** associated with a residential use that are accessed only by a **driveway** from a **street** are subject to the following requirements.

1. Permitted locations and **setbacks** from **lot lines**:

Attached **private garages** accessed only by a **driveway** from a **street** shall be located:

- a) A minimum distance from a **side lot line** equal to the minimum **side yard** requirement for the **main building**;
- b) No closer than 6.0 m to the **lot line** abutting the **street** where the wall of the **private garage** containing the opening for vehicular access faces the **lot line** abutting the **street**; and
- c) no closer than 3.0 m to the **lot line** abutting the **street** where the wall of the **private garage** containing the opening for vehicular access faces an **interior side lot line**.

2. Projections of **private garages**:

No part of a **private garage** shall project beyond the **front wall** of the **first storey** of the **dwelling** except:

- a) Where a **porch** is provided, in which case the **private garage** shall not project beyond the front of the **porch**;
- b) On a **corner lot** where the wall of the **dwelling** facing the **flankage lot line** is treated as the **front wall** of the **dwelling** and the **private garage** projects no more than 1.5 m beyond the remainder of the wall facing the **front lot line**; and
- c) Where the wall of the **private garage** containing the opening for vehicular access faces an **interior side lot line**.

3. **Driveway** width:

The maximum **driveway** width shall:

- a) For **lots** having a **lot frontage** of less than 9.0 m, be no more than 3.0 m;
  - b) For **lots** having a **lot frontage** between 9.0 m and less than 11.0 m, be no more than 4.6 m;
  - c) For **lots** between 11.0 m and less than 18.0 m, be no more than 6.0 m;
  - d) For **lots** greater than 18.0 m, be no wider than the width of the garage door and tapered so that the maximum width is 6.0 m at the **street line**; and
  - e) For **lots** greater than 15.0 m, where the wall of a **private garage** containing the opening for vehicular access faces an **interior side lot line**, be no wider than 7.5 m and tapered so that the maximum width is 6.0 m at the **street line**.
4. Garage door width:
- a) The total width of all garage doors shall be no wider than the permitted width of the **driveway**.

#### 14.1.20 Coach Houses

1. A **coach house** shall be permitted on a **corner lot** with a **lot frontage** of 10.0 m or greater where the **corner lot** has access to a rear **lane** or on a **through lot** with a **lot frontage** of 10.0 m or greater provided there is not an **additional dwelling unit** in the detached, **semi-detached** or **street townhouse dwelling** and provided the **coach house**:
  - a) Is located a minimum distance of 0.6 m from the **rear lot line**;
  - b) Is located a minimum of 1.2 m from the **interior side lot line**;
  - c) Is **setback** a minimum of 5.0 m from the **main building** on the **lot**. The parking of **motor vehicles** is not permitted in the **setback** area; and
  - d) Has a maximum **height** of 8.0 m.

#### 14.1.21 Live Work Unit

1. The following specific uses are permitted in a **live work unit**:
  - a) **Dwelling unit**;
  - b) **Art gallery**;
  - c) **Café**;
  - d) **Restaurant**;
  - e) **Medical office**;
  - f) **Convenience store**;
  - g) **Dry-cleaner's distribution station**;
  - h) **Office**;
  - i) **Personal service establishment**; and
  - j) **Retail store**.

**14.1.22 Model Homes**

1. Up to 10% of the homes proposed in a plan of subdivision to a maximum of 20 **model homes** together with not fewer than two **parking spaces** per may be constructed on each draft plan of subdivision submitted to the City of Pickering, prior to registration of that plan of subdivision.

**14.1.23 Lots on Public and Private Streets**

1. Where the **lot** and **setback** requirements in a zone apply to freehold **lots** abutting a **street**, such provisions shall equally apply to freehold **lots** abutting a **private street**.

**14.1.24 Yards abutting Daylighting Triangles**

1. Where a **lot** abuts a **daylighting triangle**, the **setback** provisions and minimum **front landscaped open space** provisions shall be measured as if the **daylighting triangle** did not exist provided all **buildings** are **setback** 0.6 m from the **daylighting triangle** with the exception of window sills, belt courses, cornices, eaves, and eave troughs which may project to within 0.3 m of the **daylighting triangle**.

**14.1.25 Primary Entrance Door Location on a Through Lot**

1. For a **detached dwelling**, **semi-detached dwelling**, **street townhouse dwelling**, or **duplex dwelling** on a **through lot**, the **primary entrance door** shall face or nearly face the **front lot line** or in the case of a **corner lot** the **flankage lot line**.

## 14.2 Parking Regulations

### 14.2.1 Parking Space Requirements

1. Every **building or structure erected**, enlarged or used in accordance with the provisions of this By-law shall be provided with the minimum required number of **parking spaces** specified in Table 14.1 on the same **lot**.

**Table 14.1: Minimum Parking Requirements**

Use	Requirement
<b>Residential Uses</b>	
<b>Additional Dwelling Unit</b>	1.0 space per <b>dwelling unit</b>
<b>Apartment Dwelling</b>	1.25 spaces per <b>dwelling unit</b> for residents and 0.25 of a space per <b>dwelling unit</b> for visitors
<b>Back-to-Back Townhouse Dwelling</b>	2.0 spaces per <b>dwelling unit</b>
<b>Bed and Breakfast Establishment</b>	2.0 spaces per <b>dwelling unit</b> plus 1.0 <b>parking space</b> per guest room
<b>Block Townhouse Dwelling</b>	2.0 spaces per <b>dwelling unit</b> plus 0.25 of a space per <b>dwelling unit</b> for visitors
<b>Detached Dwelling</b>	2.0 spaces per <b>dwelling unit</b>
<b>Duplex Dwelling</b>	2.0 spaces per <b>dwelling unit</b>
<b>Live Work Unit</b>	2.0 spaces per <b>live work unit</b>
<b>Multiple Attached Dwelling</b>	1.25 spaces per <b>dwelling unit</b> for residents and 0.25 of a space per <b>dwelling unit</b> for visitors
<b>Nursing Home or Long-Term Care</b>	1.0 spaces per 3 resident beds
<b>Retirement Home</b>	0.3 spaces per living unit for residents and 0.05 spaces per living unit for visitors
<b>Semi-Detached Dwelling</b>	2.0 spaces per <b>dwelling unit</b>
<b>Street Townhouse Dwelling</b>	2.0 spaces per <b>dwelling unit</b>
<b>Commercial Uses</b>	
<b>Animal Care Establishment</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Arena</b>	1.0 space per 4 fixed seats, but where permanent fixed seating is open-style bench or pew, each 0.5 m of bench or pew space is equal to one (1) seat for the purpose of calculating required parking
<b>Art Gallery</b>	4.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Assembly Hall, Convention Hall or Conference Hall</b>	10.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Bake Shop</b>	6.0 spaces per 100 m <sup>2</sup> of GLFA

Use	Requirement
<b>Café</b>	6.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Car Washing Establishment</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Commercial Fitness/Recreation Centre</b>	5.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Commercial School</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Convenience Store</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Day Care Centre</b>	3.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Dry-Cleaner's Distributing Station</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Financial Institution</b>	5.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Funeral Home</b>	5.5 spaces per 100 m <sup>2</sup> of GLFA
Garden Centre	3.2 spaces per 100 m <sup>2</sup> of GLFA for retail sales and display of products and/or <b>office</b> ; and 1.1 spaces per 100 m <sup>2</sup> of GLFA for <b>warehousing</b> and/or <b>wholesaling</b>
<b>Gas bar</b> , including an <b>Accessory Convenience Store</b> and/or <b>Café</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Home Improvement Centre</b>	3.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Hotel</b>	1.0 space per guest room; plus 10.0 spaces per 100 m <sup>2</sup> non-residential <b>gross floor area</b> 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
<b>Medical Office</b>	6.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Nightclub</b> and <b>Tavern/Bar/Pub</b>	10.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Office</b>	3.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Personal Service Establishment</b>	5.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Place of Amusement</b> other than a bowling alley	5.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Place of Worship</b>	1.0 space per 5 fixed seats or 4.0 m of bench space, or 10.0 spaces per 100 m <sup>2</sup> of GLFA of assembly floor area whichever is the greater
<b>Private Club</b>	5.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Retail Store</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Restaurant</b>	6.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Service and Repair Shop</b> (non-vehicle)	4.5 spaces per 100 m <sup>2</sup> of GLFA

Use	Requirement
<b>Supermarket</b>	5.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Vehicle Dealership</b>	3.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Vehicle Repair Shop</b>	4.0 spaces per repair bay
<b>Veterinary Clinic</b>	4.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Industrial Uses</b>	
<b>Ancillary retail sales</b>	3.5 spaces per 100 m <sup>2</sup> of GLFA
Business services: such as industrial supply, industrial equipment repair, contractor shop, <b>service and repair shop</b>	3.5 spaces per 100 m <sup>2</sup> of GLFA
Data and communications: such as film, radio and television studio, call centre, data centre, programming and software development, phone, phone and internet provider	3.5 spaces per 100 m <sup>2</sup> of GLFA
Educational: such as community college, university, trade school, training centre, adult education	15.0 spaces per classroom
Food processing: such as industrial bakery, dairy, cannery, distillery, brewery, meat processor	1.0 space per 100 m <sup>2</sup> of GLFA up to 3,000 m <sup>2</sup> of GLFA plus 0.5 spaces per 100 m <sup>2</sup> of GLFA over 3,000 m <sup>2</sup> of GLFA
Graphics and design: such as printing, publishing, graphic design, web design	3.5 spaces per 100 m <sup>2</sup> of GLFA
Light manufacturing: such as assembly, processing, packaging and fabricating wholly within an enclosed <b>building</b>	1.0 space per 100 m <sup>2</sup> of GLFA up to 3,000 m <sup>2</sup> of GLFA plus 0.5 spaces per 100 m <sup>2</sup> of GLFA over 3,000 m <sup>2</sup> of GLFA
Research/laboratory and research and development facility	3.5 spaces per 100 m <sup>2</sup> of GLFA
Storage and <b>warehousing</b> as an <b>accessory</b> use	1.0 space per 100 m <sup>2</sup> of GLFA up to 2,000 m <sup>2</sup> of GLFA plus 0.5 spaces per 100 m <sup>2</sup> of GLFA over 2,000 m <sup>2</sup> of GLFA
<b>Community/Open Space Uses</b>	
<b>Community Centre</b>	1.0 space per 4 <b>persons</b> capacity or 3.5 m <sup>2</sup> of GLFA, whichever is greater
Community Gardens	1.0 space per garden plot
Curling rinks, tennis courts, bowling alleys or similar recreational facilities	4.0 spaces per ice sheet, court or lane or similar recreational facility provided that, where facilities for a tavern/bar/pub or assembly hall are provided, the greater parking requirement for either the recreational facilities or for the assembly floor area shall apply

Use	Requirement
Emergency Service Facility	3.5 spaces per 100 m <sup>2</sup> of GLFA
<b>Elementary School</b>	1.5 spaces per classroom plus <b>day care centre</b> requirements if applicable
<b>Golf Course</b>	50 spaces for every 9 holes
Library	3.0 spaces per 100 m <sup>2</sup> of GLFA
<b>Private School</b>	3 spaces per classroom
<b>Secondary School</b>	3 spaces per classroom

#### 14.2.2 Part Spaces

- Where **parking spaces** are calculated by **gross floor area**, or similar calculation, and the required parking is a fraction, the number of **parking spaces** shall be rounded up to the nearest whole number.

#### 14.2.3 Parking for Multiple Uses on One Lot

- Despite Section 14.2.1, where there are multiple retail, service commercial and personal service uses on a **lot** within a Seaton Minor Commercial Cluster “SMCC”, Seaton Local Node “SLN”, Seaton Community Node “SCN”, Seaton Community Node Pedestrian Predominant Area “SCNPP”, Seaton Mixed Corridor Type 2 “SMC2”, Seaton Mixed Corridor Type 3 “SMC3” and Seaton Employment Service “SES” zone, the minimum required parking shall be as follows:
  - on a **lot** with less than 2,800 m<sup>2</sup> **gross leasable area**: 4.5 spaces per 100.0 m<sup>2</sup> of **gross leasable floor area** provided that where a **restaurant, supermarket, nightclub, tavern/bar/pub or assembly hall, convention hall or conference hall** occupies 10% or more of the **gross leasable floor area**, the individual parking requirements for that use shall apply to the **gross leasable floor area** devoted that that;
  - on a **lot** with between 2,800 m<sup>2</sup> to 28,000 m<sup>2</sup> of **gross leasable floor area**: 4.5 spaces per 100.0 m<sup>2</sup> of **gross leasable floor area**;
  - on a **lot** with more than 28,000 m<sup>2</sup> of **gross leasable floor area**: 5.0 spaces per 100.0 m<sup>2</sup> of **gross leasable floor area**.
- For all other uses in all other zones, where more than one (1) use is being used on a **lot**, the required **parking space** will be the sum of the parking required for all uses on the **lot**.

#### 14.2.4 Size of Parking Spaces and Aisles

- Parking spaces** shall be a minimum of 2.6 m in width and 5.3 m in length, exclusive of any land used for access, manoeuvring, **driveway** or similar purpose.
- Parking lot aisles** shall be a minimum of 3.8 m in width for one (1) way traffic and a minimum of 6.5 m in width for two way traffic.



#### 14.2.5 Setbacks of Parking Spaces and Lots

1. No **parking lot** or **parking space** shall be permitted within 3.0 m of a **street line** or within any **daylighting triangle**.
2. No **parking lot** or **parking space** shall be permitted within 3.0 m of a property line abutting a Residential zone.
3. Notwithstanding Section 14.2.5.1 and 14.2.5.2, individual **parking spaces** for a **detached dwelling, semi-detached dwelling, street townhouse dwelling, duplex dwelling, multiple attached dwelling, and back-to-back townhouse dwelling** may be located:
  - a) within 3.0 m of a **street line** but not within a **daylighting triangle**;
  - b) in a **rear yard** of a Residential zone a minimum of 1.0 m from the nearest **rear lot line** except where the **rear lot line** abuts a **lane** in which case the **parking space** shall be set back a minimum of 0.6 m; and
  - c) in an **interior side yard** of a Residential zone to a minimum of 0.6 m to the nearest **interior side lot line**, except where the **driveway** is a mutual **driveway** in which case no **setback** is required to the **interior side lot line**.

#### 14.2.6 Standards for Parking Pads

1. One **parking pad** shall be permitted on a **lot** instead of, or in addition to, a detached **private garage** where:
  - a) an attached **private garage** does not form part of the **dwelling** on the **lot**; and
  - b) the **parking pad** is located in accordance with the regulations for detached **private garages**.
2. In addition, one (1) **parking pad** shall be permitted in addition to an attached or detached **private garage** on a **lot** accessed by a **lane** and can be located in the **yard** adjacent to the **private garage** provided the **parking pad** is located in accordance with the regulations for detached and attached **private garages** accessed by a **lane**.
3. A **driveway** leading to a **parking pad** shall be no wider than the **parking pad**.

#### 14.2.7 Parking and Loading within Yards

1. In the Seaton Community Node Pedestrian Predominant Area “SCNPP” zone, no **parking lot** shall be located in the **front yard** or between a **building** and the **street line** or between a **building** and the edge of a **private street**.
2. No **loading space** shall be permitted in the **front yard** of any zone.

#### 14.2.8 Parking Space Uses

1. The storage of goods, including for sale or display, is not permitted within required **parking spaces**. The storage of **motor vehicles** for sale and display is not exempt from this provision.

### 14.2.9 Restrictions on Vehicles in a Residential Zone

1. No **person** shall, in any Residential zone, use any **lot**, **building** or **structure** for the parking or storage of **vehicles** except in accordance with the following provisions:
2. Number of **Vehicles**
  - a) A maximum of four (4) **vehicles**, only one (1) of which may be a **trailer**, are permitted to park on the **driveway** of any **lot** in a Residential zone.
3. Size of **Vehicles**
  - a) For those **vehicles** parked on any **lot**, the maximum permissible **height** is 2.6 m, and the maximum permissible length is 6.7 m;
  - b) Notwithstanding subsection (a), one (1) **vehicle** parked on a **driveway** in a **side yard** or **rear yard** can be of a size up to a maximum permissible **height** of 3.5 m, and a maximum permissible length of 8.0 m; and
  - c) Height is measured from the **established grade** immediately beside the **vehicle** up to the **vehicle's** highest point, which excludes lights, antennas and other such items ancillary to the **vehicle's** body.
4. Location of **Vehicles**
  - a) No part of any **front yard** or **flankage yard** except a **driveway** is to be used for the parking or storage of **vehicles** and no **vehicle** is to encroach onto any road allowance.
5. **Inoperative Vehicles**:
  - a) The parking or storage of an **inoperative vehicle** is not permitted on any **lot** in a residential zone, unless it is entirely within a fully enclosed **building** or **structure**.
6. Construction **Vehicles**
  - a) The parking or storage of a **construction vehicle** or a **commercial vehicle** is not permitted on any **lot** in a Residential zone, unless it is entirely within a fully enclosed **building** or **structure**.
7. Oversize **Vehicles**:
  - a) A **vehicle** that exceeds the maximum permissible **vehicle** size provisions of Section 14.2.9.3, is permitted to park temporarily on a **lot** in a residential zone for the sole purpose of delivering to, servicing or constructing the premises on that **lot**.

#### 14.2.10 Loading Standards

1. For every **building** or **structure** to be **erected** for, altered for, or its use converted to a commercial or industrial use, involving the frequent shipping, loading or unloading of **persons**, animals, goods, wares or merchandise, **off-street loading spaces** shall be provided and maintained upon the same **lot** on which the principal use is located and in accordance with the following:
  - a) Any required **off-street loading space** shall:
    - i) Not be used for the purpose of offering commodities for sale or display;
    - ii) Provide for the temporary parking of one (1) **commercial vehicle**;
    - iii) Not be not less than 3.5 m in width nor less than 9.0 m in length, nor less than 4.5 m in clear and unobstructed **height**, exclusive of any land used for access, maneuvering, **driveway** or a similar purpose;
    - iv) Not be upon or partly upon any **street, lane** or alley; and
    - v) Have adequate access to permit ingress and egress of a **commercial vehicle** from a **street** by means of **driveways**, aisles, maneuvering areas or similar areas, no part of which access is to be used for the temporary parking or storage of any **motor vehicle**.

#### 14.2.11 Tandem Parking

1. The required **parking spaces** for a **dwelling unit, live work unit** and / or a **bed and breakfast establishment** on an individual **lot** may be provided in a tandem configuration.

#### 14.2.12 Private Garage Parking Size

1. Each **parking space** within a **private garage** shall have a minimum width of 2.9 m and a minimum depth of 6.0 m provided, however, that the minimum required width may include one (1) interior step, and the minimum required depth may include two (2) interior steps.

## 14.3 Seaton Residential Zone Regulations

### 14.3.1 Uses Permitted

- The following Table 14.2 establishes the uses permitted in the Seaton Low Density Type 1 (SLD1), Seaton Low Density Type 1 – Townhouse (SLD1T), Seaton Low Density Type 1 – Heritage Lot (SLD1HL), Seaton Low Density Type 2 (SLD2), Seaton Low Density Type 2 – Multiple (SLD2M), Seaton Medium Density – Detached & Semi (SMDDS), Seaton Medium Density – Multiple (SMDM) and Seaton High Density (SHD) zones.

**Table 14.2: Uses Permitted in the Seaton Residential Zones**

Permitted Use	SLD1	SLD1T	SLD1HL	SLD2	SLD2M	SMDDS	SMDM	SHD
<b>Residential Uses</b>								
Detached Dwelling	●		●	●		●		
Semi-Detached Dwelling	●			●		●		
Street Townhouse Dwelling		●			●		●	● <sup>(1)</sup>
Duplex Dwelling		●			●		●	
Multiple Attached Dwelling					●		●	● <sup>(1)</sup>
Block Townhouse Dwelling					●		●	
Back-to-Back Townhouse Dwelling					●		●	
Apartment Dwelling							●	●
<b>Commercial Uses</b>								
Retail Store								● <sup>(2)</sup>
Convenience Store								● <sup>(2)</sup>
Personal Service Establishment								● <sup>(2)</sup>
Bake Shop								● <sup>(2)</sup>
Café								● <sup>(2)</sup>
Restaurant								● <sup>(2)</sup>
Office								● <sup>(3)</sup>
Day Care Centre								● <sup>(3)</sup>
Medical Office								● <sup>(3)</sup>

Permitted Use	SLD1	SLD1T	SLD1HL	SLD2	SLD2M	SMDDS	SMDM	SHD
<b>Additional Dwelling Unit</b>	•	•	•	•	•	•	•	
<b>Model Home</b>	•	•	•	•	•	•	•	•

**Notes:**

1. Permitted provided an **apartment building** is the **principal building** on the **lot**.
2. Permitted on the ground floor of an **apartment dwelling**.
3. Permitted within the first three (3) floors of a base / **podium building**.

**14.3.2 Seaton Low Density Type 1 (SLD1) Zone Provisions**

**14.3.2.1 Lot and Building Requirements by Building Type**

1. The following Table 14.3 establishes the zone standards that apply to the Seaton Low Density Type 1 (SLD1) zone.

**Table 14.3: Lot and Building Requirements for the Seaton Low Density Type 1 (SLD1) Zone**

Building Requirement	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Yard Landscaped Open Space	Max. Building Height
<b>Detached Dwelling – accessed from a street abutting the front lot line or flankage lot line</b>										
with attached private garage	225.0 m <sup>2</sup>	9.0 m	3.0 m <sup>(3)</sup>	-	1.2 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	11.0 m
with detached private garage	275.0 m <sup>2</sup>	11.0 m	3.0 m	-	2.75 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	11.0 m
<b>Detached Dwelling – accessed from a lane<sup>(4)</sup></b>										
with detached private garage	210.0 m <sup>2</sup>	8.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	-	40.0 m <sup>2</sup> <sup>(1)</sup>	50%	11.0 m
with attached private garage	210.0 m <sup>2</sup>	8.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	-	40.0 m <sup>2</sup>	50%	11.0 m

Building Requirement	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Yard Landscaped Open Space	Max. Building Height
<b>Semi-detached Dwelling – accessed from a street abutting the front lot line or flankage lot line</b>										
with attached private garage	185.0 m <sup>2</sup> / unit	7.5 m / unit	3.0 m <sup>(3)</sup>	-	0.9 m <sup>(2)</sup>	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	22%	11.0 m
<b>Semi-detached Dwelling – accessed from a lane<sup>(4)</sup></b>										
with detached private garage	175.0 m <sup>2</sup> / unit	7.0 m / unit	3.0 m	4.5 m	0.9 m <sup>(2)</sup>	2.4 m	-	35.0 m <sup>2</sup> <sup>(1)</sup>	50%	11 m
with attached private garage	175.0 m <sup>2</sup> / unit	7.0 m / unit	3.0 m	4.5 m	0.9 m <sup>(2)</sup>	2.4 m	-	35.0 m <sup>2</sup>	50%	11 m

**Notes:**

1. With a minimum 5.0 m separation between private garage and dwelling.
2. Where semi-detached dwellings on abutting lots share a common wall, no interior side yard shall be required, but where the dwellings do not share a common wall, a setback of 0.9 m shall be required.
3. The front yard setback of a private garage shall meet the requirements of Section 14.1.19.1.
4. Or accessed from a street abutting the rear lot line on a through lot.

#### 14.3.2.2 Additional Provisions

1. No **person** shall **erect** more than one (1) **detached dwelling** on any **residential lot**.
2. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
3. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **detached dwelling** or **semi-detached dwelling** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

#### 14.3.3 Seaton Low Density Type 1 Heritage Lot (SLD1HL) Zone Provisions

1. On lands zoned SLD1HL the minimum **lot area** and minimum **lot frontage** shall be the **lot area** and **lot frontage existing** on the date this By-law came into effect.
2. 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 site plan application.



### 14.3.4 Seaton Low Density Type 1 Townhouse (SLD1T) Zone Provisions

#### 14.3.4.1 Lot and Building Requirements by Building Type

- The following Table 14.4 establishes the zone standards that apply to the Seaton Low Density Type 1 Townhouse (SLD1T) zone.

**Table 14.4: Lot and Building Requirements for the Seaton Low Density Type 1 Townhouse (SLD1T) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Street Townhouse Dwelling</b>										
with integrated <b>private garage</b> facing the <b>front lot line</b>	150.0 m <sup>2</sup>	6.0 m / unit	3.0 m <sup>(2)</sup>	-	0.9 m for end unit	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	11.0 m
with detached <b>private garage</b> accessed from a <b>lane</b> <sup>(3)</sup>	150.0 m <sup>2</sup>	6.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	30.0 m <sup>2</sup> <sup>(1)</sup>	50%	11.0 m
with integrated <b>private garage</b> accessed from a <b>lane</b> <sup>(3)</sup>	140.0 m <sup>2</sup>	6.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup>	50%	11.0 m
<b>Duplex Dwelling</b>	360.0 m <sup>2</sup>	12.0 m	3.0 m	4.5 m	3.0 m & 0.6 m	2.4 m	6.0 m / 5.0 m	-	35%	11.0 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
							adjacent to SNHS zone			

**Notes:**

1. With a minimum 5.0 m separation between **private garage** and **dwelling**.
2. The front **yard setback** of a **private garage** shall meet the requirements of Section 14.1.19.1.
3. Or accessed from a **street** abutting the **rear lot line** on a **through lot**.

**14.3.4.2 Additional Provisions**

1. Maximum number of **street townhouse dwellings** in a **street townhouse building** shall be eight (8).
2. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
3. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **street townhouse dwelling** or **duplex dwelling** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

### 14.3.5 Seaton Low Density Type 2 (SLD2) Zone Provisions

#### 14.3.5.1 Lot and Building Requirements by Building Type

1. The following Table 14.5 establishes the zone standards that apply to the Seaton Low Density Type 2 (SLD2) zone.

**Table 14.5: Lot and Building Requirements for the Low Density Type 2 (SLD2) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Detached Dwelling – accessed from a street abutting the front lot line or flankage lot line</b>										
with attached private garage	225.0 m <sup>2</sup>	9.0 m	3.0 m <sup>(3)</sup>	-	1.2 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	22%	11.0 m
with detached private garage	275.0 m <sup>2</sup>	11.0 m	3.0 m	-	2.75 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	11.0 m
<b>Detached Dwelling – accessed from a lane<sup>(4)</sup></b>										
with detached private garage	185.0 m <sup>2</sup>	7.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	-	35.0 m <sup>2</sup> <sup>(1)</sup>	50%	11.0 m
with attached private garage	185.0 m <sup>2</sup>	7.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	-	35.0 m <sup>2</sup>	50%	11.0 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Semi-detached Dwelling – accessed from a street abutting the front lot line or flankage lot line</b>										
with attached private garage	185.0 m <sup>2</sup>	7.5 m / unit	3.0 m <sup>(3)</sup>	-	0.9 m <sup>(2)</sup>	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	30%	11.0 m
<b>Semi-detached Dwelling – accessed from a lane<sup>(4)</sup></b>										
with detached private garage	165.0 m <sup>2</sup>	6.7 m / unit	3.0 m	4.5 m	0.9 m <sup>(2)</sup>	2.4 m	-	30.0 m <sup>2</sup> <sup>(1)</sup> / unit	50%	11.0 m
with attached private garage	165.0 m <sup>2</sup>	6.7 m / unit	3.0 m	4.5 m	0.9 m <sup>(2)</sup>	2.4 m	-	30.0 m <sup>2</sup> / unit	50%	11.0 m

**Notes:**

1. With a minimum 5.0 m separation between **private garage** and **dwelling**.
2. Where **semi-detached dwellings** on abutting **lots** share a common wall, no **interior side yard** shall be required, but where the **dwellings** do not share a common wall, a **setback** of 0.9 m shall be required.
3. The **front yard setback** of a **private garage** shall meet the requirements of Section 14.1.19.1.
4. Or accessed from a **street** abutting the **rear lot line** on a **through lot**.

**14.3.5.2 Additional Provisions**

1. No **person** shall **erect** more than one (1) **detached dwelling** on any **residential lot**.
2. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
3. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **detached dwelling** or **semi-detached dwelling** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

### 14.3.6 Seaton Low Density Type 2 Multiple (SLD2M) Zone Provisions

#### 14.3.6.1 Lot and Building Requirements by Building Type

- The following Table 14.6 establishes the zone standards that apply to the Seaton Low Density Type 2 Multiple (SLD2M) zone.

**Table 14.6: Lot and Buildings Requirements for the Seaton Low Density Type 2 Multiple (SLD2M) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Street Townhouse Dwelling</b>										
with integrated <b>private garage</b> facing the <b>front lot line</b>	150.0 m <sup>2</sup>	6.0 m / unit	3.0 m <sup>(3)</sup>	-	0.9 m for end unit	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	11.0 m
with detached <b>private garage /parking space</b> accessed from a <b>lane</b> <sup>(4)</sup>	125.0 m <sup>2</sup>	5.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	30.0 m <sup>2</sup> <sup>(1)</sup> / unit	50%	12.0 m
with integrated <b>private garage</b> accessed from a <b>lane</b> <sup>(4)</sup>	105.0 m <sup>2</sup>	5.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup> / unit	50%	12.0 m
<b>Duplex Dwelling</b>	300.0 m <sup>2</sup>	12.0 m	3.0 m	4.5 m	3.0 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent	-	35%	11.0 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
							to SNHS zone			
<b>Multiple Attached Building</b>	450.0 m <sup>2</sup>	27.0 m	3.0 m	4.5 m	0.9 m	2.4 m	-	11.0 m <sup>2</sup> / unit	40%	16.0 m
<b>Back-to-Back Townhouse Dwelling</b>	70.0 m <sup>2</sup>	5.5 m / unit	3.0 m <sup>(3)</sup>	-	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup> / unit	22%	12.0 m
<b>Block Townhouse Building</b>	-	50.0 m	3.0 m	-	1.2 m	2.4 m	6.0 m / 5.0 m adjacent to NHS zone	-	25% <sup>(2)</sup>	11.0 m

**Notes:**

1. With a minimum 5.0 m separation between **private garage** and **dwelling**.
2. Front **landscaped open space** shall be measured from the **front wall** of the **building** to the edge of the **private street**.
3. The front **yard setback** of a **private garage** shall meet the requirements of Section 14.1.19.1.
4. Or accessed from a **street** abutting the **rear lot line** on a **through lot**.

#### 14.3.6.2 Additional Provisions

1. Minimum depth of a **lot** for **back-to-back townhouse dwellings** shall be 13.0 m.
2. Maximum number of **street townhouse dwellings** in a **street townhouse building** shall be eight (8).
3. Maximum number of **back-to-back townhouse dwellings** in a **back-to-back townhouse building** shall be 16.
4. The minimum separation between **block townhouse buildings** on the same **lot** shall be 1.2 m for a side wall to side wall condition, 12.0 m for a rear wall to rear wall condition, and 13.5 m for a **front wall** to **front wall** condition.
5. No **private streets** shall be permitted between the **front wall** of a **block townhouse building** and a **street**.
6. **Block townhouse buildings** adjacent to a **street** shall have their **primary entrance doors** oriented to the **street**.
7. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
8. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **street townhouse dwelling, duplex dwelling, multiple attached building, back to back townhouse dwelling** or **block townhouse building** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.



### 14.3.7 Seaton Medium Density Detached & Semi (SMDDS) Zone Provisions

#### 14.3.7.1 Lot and Building Requirements by Building Type

- The following Table 14.7 establishes the zone standards that apply to the Seaton Medium Density Detached & Semi (SMDDS) zone.

**Table 14.7: Lot and Building Requirements for the Seaton Medium Density Detached Single & Semi (SMDDS) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Detached Dwelling – accessed from a street abutting the front lot line or flankage lot line</b>										
with attached private garage	200.0 m <sup>2</sup>	8.0 m	3.0 m <sup>(3)</sup>	-	1.2 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	30%	12.5 m
<b>Detached Dwelling – accessed from a lane<sup>(4)</sup></b>										
with detached private garage	175.0 m <sup>2</sup>	7.0 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	-	35.0 m <sup>2</sup> <sup>(1)</sup>	50%	12.5 m
with attached private garage	175.0 m <sup>2</sup>	7.0 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	-	35.0 m <sup>2</sup>	50%	12.5 m
<b>Semi-detached Dwelling – accessed from a street abutting the front lot line or flankage lot line</b>										
with attached private garage	185.0 m <sup>2</sup>	7.5 m / unit	3.0 m <sup>(3)</sup>	-	0.9 m <sup>(2)</sup>	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	12.5 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Semi-detached Dwelling – accessed from a lane<sup>(4)</sup></b>										
with detached <b>private garage</b>	150.0 m <sup>2</sup>	6.0 m / unit	3.0 m	4.5 m	0.9 m <sup>(2)</sup>	2.4 m	-	30.0 m <sup>2</sup> <sup>(1)</sup> / unit	50%	12.5 m
with attached <b>private garage</b>	150.0 m <sup>2</sup>	6.0 m / unit	3.0 m	4.5 m	0.9 m <sup>(2)</sup>	2.4 m	-	30.0 m <sup>2</sup> / unit	50%	12.5 m

**Notes:**

1. With a minimum 5.0 m separation between **private garage** and **dwelling**.
2. Where **semi-detached dwellings** on abutting **lots** share a common wall, no **interior side yard** shall be required, but where the **dwellings** do not share a common wall, a **setback** of 0.9 m shall be required.
3. The front **yard setback** of a **private garage** shall meet the requirements of Section 14.1.19.1.
4. Or accessed from a **street** abutting the **rear lot line** on a **through lot**.

**14.3.7.2 Additional Provisions**

1. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
2. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **detached dwelling** or **semi-detached dwelling** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

### 14.3.8 Seaton Medium Density Multiple (SMDM) Zone Provisions

#### 14.3.8.1 Lot and Building Requirements by Building Type

1. The following Table 14.8 establishes the zone standards that apply to the Seaton Medium Density Multiple (SMDM) zone.

**Table 14.8: Lot and Buildings Requirements for the Seaton Medium Density Multiple (SMDM) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Street Townhouse Dwelling</b>										
with integrated <b>private garage</b> facing the <b>front lot line</b>	150.0 m <sup>2</sup> / unit	6.0 m / unit	3.0 m <sup>(5)</sup>	-	0.9 m for end unit	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	12.5 m
with detached <b>private garage</b> accessed from a <b>lane</b> <sup>(6)</sup>	125.0 m <sup>2</sup> / unit	5.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	25.0 m <sup>2</sup> <sup>(1)</sup> / unit	50%	12.5 m
with integrated <b>private garage</b> accessed from a <b>lane</b> <sup>(6)</sup>	105.0 m <sup>2</sup> / unit	5.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup> / unit	50%	12.5 m
<b>Duplex Dwelling</b>	300.0 m <sup>2</sup>	12.0 m	3.0 m	4.5 m	3.0 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	35%	12.5 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Multiple Attached Building</b>	450.0 m <sup>2</sup>	27.0 m	3.0 m	4.5 m	0.9 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	11.0 m <sup>2</sup> / unit	40%	16.0 m
<b>Back-to-Back Townhouse Dwelling</b>	70.0 m <sup>2</sup> / unit	5.5 m / unit	3.0 m <sup>(5)</sup>	-	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup> / unit	22%	12.5 m
<b>Apartment Building</b>	-	45.0 m	2.0 m	4.5 m <sup>(2)(3)</sup>	6.0 m <sup>(3)</sup>	0.0 m min / 2.0 m <sup>(2)(3)</sup> max	7.5 m <sup>(3)</sup>	-	-	10.5 m min / 20 m max
<b>Block Townhouse Building</b>	-	50.0 m	3.0 m	5.5 m	1.2 m	2.4 m	6.0 m	-	25% <sup>(4)</sup>	10.5 m

**Notes:**

1. With a minimum 5.0 m separation between **private garage** and **dwelling**.
2. 25% of the **building** facing the **street** can have a greater **yard**.
3. Except that for an underground garage the minimum **setback** is 0.0 m.
4. Front **landscaped open space** shall be measured from the **front wall** of the **building** to the edge of the **private street**.
5. The **front yard setback** of a **private garage** shall meet the requirements of Section 14.1.19.1.
6. Or accessed from a **street** abutting the **rear lot line** on a **through lot**.

#### 14.3.8.2 Additional Provisions

1. Minimum depth of a **lot** for **back to back townhouse dwellings** shall be 13.0 m.
2. Maximum number of **street townhouse dwellings** in a **street townhouse building** shall be 8.
3. Maximum number of **back-to-back townhouse dwellings** in a **back-to-back townhouse building** shall be 16.
4. The minimum separation between **block townhouse buildings** on the same **lot** shall be 1.2 m for a side wall to side wall condition, 12.0 m for a rear wall to rear wall condition, and 13.5 m for a **front wall** to **front wall** condition.
5. No **private streets** shall be permitted between the **front wall** of a **block townhouse building** and a **street**.
6. **Block townhouse buildings** adjacent to a **street** shall have their **primary entrance doors** oriented to the **street**.
7. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
8. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **street townhouse dwelling, duplex dwelling, multiple attached building, back to back townhouse dwelling** or **block townhouse building** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

#### 14.3.8.3 Additional Apartment Provisions

1. The minimum net density shall be 40 units per hectare.
2. The maximum net density shall be 80 units per hectare.
3. Minimum **balcony** depth: 1.5 m
4. Minimum **ground floor height** where **ground floor** commercial uses are provided: 4.5 m (floor to floor)
5. Maximum **building** width: 60 m
6. A minimum **pedestrian perception step-back** of 1.5 m shall be required above the 4<sup>th</sup> **storey**.
7. Where the **rear yard** or **side yard** of a **lot** containing an **apartment building** abuts a property in the Low Density or Medium Density zone, the **building height** above 12.0 m shall be limited by a 45-degree **angular plane** measured from a **height** of 12.0 m at the 7.5 m **setback** from adjoining Low Density or Medium Density zones.

### 14.3.9 Seaton High Density (SH) Zone Provisions

#### 14.3.9.1 Lot and Building Requirements by Building Type

- The following Table 14.9 establishes the zone standards that apply to the Seaton High Density (SH) zone.

**Table 14.9: Lot and Building Requirements for the Seaton High Density (SH) zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Depth	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Min. Building Height	Max. Building Height
<b>Apartment Building</b>	-	45.0 m	2.0 m	4.5 m <sup>(1)(2)</sup>	6.0 m <sup>(2)</sup>	2.0 m min / 4.5 m max <sup>(1)(2)</sup>	45 m	7.5 m <sup>(2)</sup>	-	-	20.0 m	63.0 m
<b>Multiple Attached Building</b>	-	45.0 m	3.0 m	4.5 m	0.9 m	2.4 m	-	6.0 m	11.0 m <sup>2</sup> / unit	40%	-	16.0 m
<b>Block Townhouse Building</b>	-	45.0 m	3.0 m	4.5 m	1.2 m	2.4 m	-	6.0 m	-	25% <sup>(3)</sup>	-	10.5 m

**Notes:**

- 25% of the **building** facing the **street** can have a greater **yard**.
- Except that for an underground garage the minimum **setback** is 0.0 m.
- Front **landscaped open space** shall be measured from the **front wall** of the **building** to the edge of the **private street**.

#### 14.3.9.2 Additional Provisions

1. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **multiple attached building** or **block townhouse building** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

#### 14.3.9.3 Additional Apartment Provisions

1. The minimum net density shall be 140 units per hectare.
2. The maximum net density shall be 250 units per hectare.
3. Minimum **balcony** depth: 1.5 m
4. Minimum **ground floor height** where **ground floor** commercial uses are provided: 4.5 m (floor to floor)
5. Maximum **building** width: 60.0 m
6. **Buildings** taller than 12 **storeys** shall have a **podium** and a **tower** component to the **building**, which shall meet the following requirements:
  - a) The minimum **height** of a **podium**: 3 **storeys** / 10.5 m
  - b) The maximum **height** of a **podium**: 5 **storeys** / 16.0 m
  - c) Minimum **setback** from a **podium** to a **tower**: 5.0 m
  - d) Maximum **tower floor plate**: 800 m<sup>2</sup>
7. For **buildings** 12 **storeys** and less, a minimum **pedestrian perception step-back** of 1.5 m shall be required between the 4<sup>th</sup> **storey** and the 8<sup>th</sup> **storey**. An additional **pedestrian perception step-back** of 1.5 m shall be required above the 8<sup>th</sup> **storey** between 80% and 90% of the **building height**.
8. Where the **rear yard** or **side yard** of a **lot** containing an **apartment building** abuts a **lot** in the Low Density or Medium Density zone, the **building height** above 12.0 m shall be limited by a 45-degree **angular plane** measured from a **height** of 12.0 m at the 7.5 m **setback** from adjoining Low Density or Medium Density zones.

### 14.3.10 Exceptions

1. The following Table 14.10 establishes the permitted use exceptions that apply to the Residential zones.

**Table 14.10: Permitted Use Exceptions**

Zone	#	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
SLD1	1	Whitevale Road <b>frontage</b> , west of Sideline 26 SP-2009-01, Lots 137 and 138 SP-2009-05, Lots 249-251 and Lots 259-262 SP-2009-07, Lots 1-8, Lots 210-213 and Lot 215		<b>Detached dwelling</b>	

2. The following Table 14.11 establishes the **lot** and **building** and **structure** exceptions that apply to the Residential zones.

**Table 14.11: Lot and Building and Structure Exceptions**

Zone	#	Address	Description of Special Provision
SLD1	1	Whitevale Road <b>frontage</b> , west of Sideline 26 SP-2009-01, Lots 137 and 138 SP-2009-05, Lots 249-251 and Lots 259-262 SP-2009-07, Lots 1-8, Lots 210-213 and Lot 215	Minimum <b>lot</b> frontage: 16.0 m Minimum <b>lot area</b> : 430 m <sup>2</sup> Minimum <b>front yard</b> where a <b>front yard</b> abuts Whitevale Road: 6.0 m Minimum <b>interior side yard</b> where an <b>interior side yard</b> abuts Whitevale Road: 1.8 m Minimum <b>flankage yard</b> : 6.0 m
SLD1	2	SP-2009-05, Street K, east of Sideline 28, Lots 233-235	Minimum <b>rear yard</b> : 7.5 m
SLD1	3	SP-2008-11, Street S and N, Lots 313-316 and Lots 384-387	The <b>lot line</b> facing the SOS zone shall be deemed to be the <b>front lot line</b> . The <b>primary entrance door</b> shall face the <b>front lot line</b> . The zone standards in Table 14.3 shall apply as if the <b>lots</b> were <b>through lots</b> . For detached <b>private garages</b> , the <b>private garage</b> and <b>driveway</b> requirements of Section 14.1.16 would apply as if the <b>lots</b> were <b>through lots</b> .



<b>Zone</b>	<b>#</b>	<b>Address</b>	<b>Description of Special Provision</b>
SLD1	4	SP-2009-01, Whitevale Road, east of Sideline 26, Lots 303 and 304	Minimum <b>lot frontage</b> : 22.0 m Minimum <b>front yard</b> for Lot 303: 10.0 m
SLD1	5	SP-2008-12, Whitevale Road, east of Street P, Lots 121-125)	Minimum <b>setback</b> for <b>private garages</b> and <b>coach houses</b> from Whitevale Road: 6.0 m
SLD1	6	SP-2009-02, Street 3, Lot 38 SP-2009-03, Street 2, Lot 28	Minimum <b>rear yard</b> : 1.2 m Minimum <b>interior side yard</b> : 1.2 m and 6.0 m
SLD2	1	SP-2009-13, Street 3, Blocks 36 and 37, Street 11, Blocks 33, 34 and 35 and Street 13, Block 38 where they abut the Trans-northern pipeline	Any <b>building, porch</b> or <b>deck</b> shall have a minimum 5.0 m. <b>setback</b> from the <b>lot line</b> abutting the SUT zone.
SLD2M	1	SP-2009-01, Sideline 26/ Whites Road, Blocks 229 to 236	Minimum <b>lot frontage</b> : 4.0 m Minimum <b>amenity area</b> : 9 m <sup>2</sup> Minimum <b>lot area</b> : 100 m <sup>2</sup>
SLD2M	2	SP-2009-01, Sideline 26/ Whites Road, Block 375	For attached <b>private garages</b> accessed by a <b>lane</b> , the wall of the <b>private garage</b> facing the <b>lane</b> is located no further than 12.0 m from the <b>rear lot line</b> .
SLD2M	3	SP-2009-01, Street 10, Blocks 369 and 370	Minimum <b>lot frontage</b> : 4.0 m Minimum <b>amenity area</b> : 9 m <sup>2</sup> Minimum <b>lot area</b> : 100 m <sup>2</sup> The <b>lot line</b> facing the SOS zone shall be deemed to be the <b>front lot line</b> . The <b>primary entrance door</b> shall face the <b>front lot line</b> . The zone standards in Table 14.3 shall apply as if the <b>lots</b> were <b>through lots</b> . For detached <b>private garages</b> , the <b>private garage</b> and <b>driveway</b> requirements of Section 14.1.16 would apply as if the <b>lots</b> were <b>through lots</b> .
SMDDS	1	SP-2009-04, Street 1, Lot 22 SP-2009-02, Street 30, Lot 395	Minimum <b>rear yard</b> : 1.2 m Minimum <b>interior side yard</b> : 1.2 m and 6.0 m
SMDM	1	SP-2009-01, Sideline 26/ Whites Road, Blocks 225 to 228, 237 to 240 and 380. SP-2009-02, Sideline 26/ Whites Road, Blocks 1, 2, 10, 11, 291 to 299, 446, 447	Minimum <b>lot frontage</b> : 4.0 m Minimum <b>amenity area</b> : 9 m <sup>2</sup> Minimum <b>lot area</b> : 100 m <sup>2</sup>

Zone	#	Address	Description of Special Provision
SMDM	2	SP-2009-05, Street Q, Block 380 SP-2009-06, Street N and Whitevale By-pass, Blocks 365 to 374	Minimum <b>front yard</b> : 2.4 m
SMDM	3	SP-2009-07, Blocks 216 and 217	<p>The <b>lot line</b> facing the SOS zone shall be deemed to be the <b>front lot line</b>.</p> <p>The <b>primary entrance door</b> shall face the <b>front lot line</b>.</p> <p>The zone standards in Table 14.8 shall apply as if the <b>lots</b> were <b>through lots</b>.</p> <p>For detached <b>private garages</b>, the <b>private garage</b> and <b>driveway</b> requirements of Section 14.1.16 would apply as if the <b>lots</b> were <b>through lots</b>.</p> <p>The minimum <b>lot frontage</b> abutting the SOS zone for most westerly end <b>lot</b> in Block 216: 2.8 m</p>

## 14.4 Seaton Mixed Use Zone Regulations

### 14.4.1 Uses Permitted

- The following Table 14.12 establishes the uses permitted in the Seaton Mixed Corridor Type 1 (SMC1), Seaton Mixed Corridor Type 2 (SMC2), Seaton Mixed Corridor Type 3 (SMC3), Seaton Minor Commercial Cluster (SMCC), Seaton Local Node (SLN), Seaton Community Node (SCN) and Seaton Community Node Pedestrian Predominant Area (SCNPP) zones.

**Table 14.12: Uses Permitted in the Seaton Mixed Use Zones**

Permitted Use	SMC1	SMC2	SMC3	SMCC	SLN	SCN	SCNPP
<b>Residential Uses</b>							
Street Townhouse Dwelling	●	●					
Duplex Dwelling	●	●					
Multiple Attached Dwelling	●	●					
Block Townhouse Building	●	●	● <sup>(1)</sup>		● <sup>(1)</sup>	● <sup>(1)</sup>	
Back-to-Back Townhouse	●	●	● <sup>(1)</sup>		● <sup>(1)</sup>	● <sup>(1)</sup>	
Apartment Dwelling	●	●	●	●	●	●	●
Live Work Unit		●	● <sup>(1)</sup>	●	● <sup>(1)</sup>	● <sup>(1)</sup>	●
Additional Dwelling Unit	●	●					
Nursing Home or Long-Term Care		●	●		●	●	
Retirement Home		●	●		●	●	
Model Home	●	●	●	●	●	●	
<b>Commercial Uses</b>							
Animal Care Establishment		●	●		●	●	● <sup>(2)</sup>
Art Gallery		●	●	●	●	●	●
Assembly, Convention Or Conference Halls		●	●		●	●	
Arena		●	●		●	●	
Bake Shop		●	●	●	●	●	●
Financial Institution		●	●		●	●	●
Café / Restaurant		●	●	●	●	●	●
Medical Office		●	●	●	●	●	● <sup>(2)</sup>

Permitted Use	SMC1	SMC2	SMC3	SMCC	SLN	SCN	SCNPP
Commercial Fitness / Recreation Centre		•	•		•	•	• <sup>(2)</sup>
Commercial School	•	•	•		•	•	
Convenience Store		•	•	•	•	•	•
Day Care Centre	•	•	•	•	•	•	• <sup>(2)</sup>
Drive-Through Facility		•	•		•	•	
Dry-Cleaner's Distributing Station		•	•	•	•	•	•
Funeral Home		•	•		•	•	
Gas Bar		•	•		•	•	
Home Improvement Centre						•	
Home Occupation	•	•		•			
Hotel		•	•			•	
Nightclub		•	•		•	•	•
Tavern/Bar/Pub		•	•		•	•	•
Office		•	•	•	•	•	• <sup>(2)</sup>
Personal Service Establishment		•	•	•	•	•	*
Place Of Amusement		•	•		•	•	
Place Of Worship	•	•	•		•	•	
Private Club		•	•		•	•	• <sup>(2)</sup>
Retail Store		•	•	•	•	•	•
Service And Repair Shop		•	•		•	•	
Supermarket			•		•	•	
Vehicle Dealership		•	•				
Vehicle Repair Shop		•	•				
Veterinary Clinic		•	•		•	•	• <sup>(2)</sup>

**Notes:**

1. In combination with an **apartment dwelling** on the same site.
2. Not permitted on the **ground floor**.

#### 14.4.1.2 Additional Use Provisions

1. Within a SMC2, SMC3, SLN or SCN zone, a **drive-through facility** and associated stacking lanes shall not be permitted between a **building** and a **street line** for any **building** located within 15.0 m of a **street**.
2. A **car washing establishment** shall only be permitted by site-specific by-law.

### 14.4.2 Seaton Mixed Corridor Type 1 (SMC1) Zone Provisions

#### 14.4.2.1 Lot and Building Requirements by Building Type

- The following Table 14.13 establishes the zone standards that apply to the Seaton Mixed Corridor Type 1 (SMC1) zone.

**Table 14.13: Lot and Building Requirements for the Seaton Mixed Corridor Type 1 (SMC1) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Street Townhouse Dwelling</b>										
with integrated <b>private garage</b> facing the <b>front lot line</b>	150.0 m <sup>2</sup>	6.0 m / unit	3.0 m <sup>(5)</sup>	-	0.9 m for end unit	2.4 m	6.0 m / 5.0 m adjacent SNHS zone	-	25%	12.5 m
with detached <b>private garage</b> accessed from a <b>lane</b> <sup>(6)</sup>	135.0 m <sup>2</sup>	5.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	25.0 m <sup>2(1)</sup> / unit	50%	12.5 m
with integrated <b>private garage</b> accessed from a <b>lane</b> <sup>(6)</sup>	110.0 m <sup>2</sup>	5.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup> / unit	50%	12.5 m
<b>Duplex Dwelling</b>	300.0 m <sup>2</sup>	12.0 m	3.0 m	4.5 m	3.0 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent	-	35%	12.5 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
							SNHS zone			
<b>Multiple Attached Building</b>	450.0 m <sup>2</sup>	27.0 m	3.0 m	4.5 m	0.9 m	2.4 m	-	11.0 m <sup>2</sup> / unit	40%	16.0 m
<b>Back-to-Back Townhouse Dwelling</b>	70.0 m <sup>2</sup>	5.5 / unit	3.0 m <sup>(5)</sup>	-	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup> / unit	22%	12.5 m
<b>Apartment Building / Nursing Home or Long-Term Care</b>	-	45.0 m	0.0 m	4.5 m <sup>(2)(3)</sup>	6.0 m <sup>(3)</sup>	0.0 m min / 2.0 m <sup>(2)(3)</sup> max	7.5 m <sup>(3)</sup>	-	-	10.5 m min / 20.0 m max
<b>Block Townhouse Building</b>	-	50.0 m	3.0 m	5.5 m	1.2 m	2.4 m	6.0 m	-	25% <sup>(4)</sup>	10.5 m

**Notes:**

1. With a minimum 5.0 m separation between garage and **dwelling**.
2. 25% of the **building** facing the **street** can have a greater **yard**.
3. Except that for an underground garage the minimum **setback** is 0.0 m.
4. Front **landscaped open space** shall be measured from the **front wall** of the **building** to the edge of the **private street**.
5. The **front yard setback** of a **private garage** shall meet the requirements of Section 14.1.19.1.
6. Or accessed from a **street** abutting the **rear lot line** on a **through lot**.

#### 14.4.2.2 Additional Provisions

1. Minimum depth of a **lot** for **back-to-back townhouse dwellings** shall be 13.0 m.
2. Maximum number of **street townhouse dwellings** in a **street townhouse building** shall be eight (8).
3. Maximum number of **back-to-back townhouse dwellings** in a **back-to-back townhouse building** shall be 16.
4. The minimum separation between **block townhouse buildings** on the same **lot** shall be 1.2 m for a side wall to side wall condition, 12.0 m for a rear wall to rear wall condition, and 13.5 m for a **front wall** to **front wall** condition.
5. No **private streets** shall be permitted between the **front wall** of a **block townhouse building** and a **street**.
6. **Block townhouse buildings** adjacent to a **street** shall have their **primary entrance doors** oriented to the **street**.
7. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
8. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **street townhouse dwelling, duplex dwelling, multiple attached building, back to back townhouse dwelling** or **block townhouse building** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

#### 14.4.2.3 Additional Apartment Standards

1. The minimum net density shall be 40 units per hectare and 1.0 **FSI**.
2. The maximum net density shall be 140 units per hectare and up to and including 2.5 **FSI**.
3. Minimum **balcony** depth: 1.5 m
4. Minimum **ground floor height** where **ground floor** commercial uses are provided: 4.5 m (floor to floor)
5. Maximum **building** width: 60 m
6. A minimum **pedestrian perception step-back** of 1.5 m shall be required above the 4<sup>th</sup> **storey**.
7. Where the **rear yard** or **side yard** of a **lot** containing an **apartment building** abuts a **lot** in the Low Density or Medium Density zone, the **building height** above 12.0 m shall be limited by a 45-degree **angular plane** measured from a **height** of 12.0 m at the 7.5 m **setback** from adjoining Low Density or Medium Density zones.



### 14.4.3 Seaton Mixed Corridor Type 2 (SMC2) Zone Provisions

#### 14.4.3.1 Lot and Building Requirements by Building Type

- The following Table 14.14 establishes the zone standards that apply to the Seaton Mixed Corridor Type 2 (SMC2) zone.

**Table 14.14: Lot and Building Requirements for the Seaton Mixed Corridor Type 2 (SMC2) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Street Townhouse Dwelling</b>										
with integrated <b>private garage</b> facing the <b>front lot line</b>	150.0 m <sup>2</sup>	6.0 m / unit	3.0 m <sup>(6)</sup>	-	0.9 m for end unit	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	25%	12.5 m
with detached <b>private garage</b> accessed from a <b>lane</b> <sup>(7)</sup>	125.0 m <sup>2</sup>	5.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	25.0 m <sup>2(1)</sup> / unit	50%	12.5 m
with integrated <b>private garage</b> accessed from a <b>lane</b> <sup>(7)</sup>	100.0 m <sup>2</sup>	4.0 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	-	9.0 m <sup>2</sup> / unit	50%	12.5 m
<b>Duplex Dwelling</b>	300.0 m <sup>2</sup>	12.0 m	3.0 m	4.5 m	3.0 m & 0.6 m	2.4 m	6.0 m / 5.0 m adjacent to SNHS zone	-	35%	12.5 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<b>Multiple Attached Building</b>	450.0 m <sup>2</sup>	27.0 m	3.0 m	4.5 m	0.9 m	2.4 m	-	11.0 m <sup>2</sup> / unit	40%	16.0 m
<b>Back-to-Back Townhouse Dwelling</b>	65.0 m <sup>2</sup>	5.0 m / unit	3.0 m <sup>(6)</sup>	-	0.9 m for end unit	2.4 m	-	11.0 m <sup>2</sup> / unit	22%	12.5 m
<b>Live Work Unit</b>	125.0 m <sup>2</sup>	5.0 m / unit	0.0 m	3.0 m	0.9 m for end unit	2.0 m	-	25.0 m <sup>2</sup> / unit	-	9.0 m min / 12.5 m max
<b>Apartment Building / Nursing Home or Long-Term Care / Retirement Home</b>	-	45.0 m	0.0 m	3.0m <sup>(2)(3)</sup>	6.0 m <sup>(3)</sup>	0.0 m min / 2.0 m <sup>(2)(3)</sup> max	7.5 m <sup>(3)</sup>	-	-	20.0 m min / 63.0 m max
<b>Building With Sole Retail / Commercial Uses</b>	-	30.0 m	0.0 m	3.0 m <sup>(2)</sup>	0.0 or 7.5m <sup>(4)</sup>	0.0 m min / 2.0 m max	9.0 m	-	-	5.0 m min / 63.0 m max
<b>Block Townhouse Building</b>	-	50.0 m	3.0 m	5.5 m	1.2 m	3.0 m	6.0 m	-	25% <sup>(5)</sup>	10.5 m

**Notes:**

1. With a minimum 5.0 m separation between garage and **dwelling**.
2. 25% of the **building** facing the **street** can have a greater **yard**.

3. Except that for an underground garage the minimum **setback** is 0.0 m.
4. Adjacent to the other commercial uses, the minimum **side yard** shall be 0.0 m. Adjacent to residential uses, the minimum **side yard** shall be 7.5 m.
5. Front **landscaped open space** shall be measured from the **front wall** of the **building** to the edge of the **private street**.
6. The **front yard setback** of a **private garage** shall meet the requirements of Section 14.1.19.1.
7. Or accessed from a **street** abutting the **rear lot line** on a **through lot**.

#### 14.4.3.2 Additional Provisions

1. Minimum depth of individual **dwelling units** in a **back-to-back townhouse dwelling**: 13.0 m.
2. Maximum number of **street townhouse dwellings** in a **street townhouse building** shall be eight (8).
3. Maximum number of **back-to-back townhouse dwellings** in a **back-to-back townhouse building** shall be 16.
4. The minimum separation between **block townhouse buildings** on the same **lot** shall be 1.2 m for a side wall to side wall condition, 12.0 m for a rear wall to rear wall condition, and 13.5 m for a **front wall** to **front wall** condition.
5. No **private streets** shall be permitted between the **front wall** of a **block townhouse building** and a **street**.
6. **Block townhouse buildings** adjacent to a **street** shall have their **primary entrance doors** oriented to the **street**.
7. Where a **lot** flanks a **lane**, the larger required minimum **interior side yard** shall abut the **lane**.
8. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **street townhouse dwelling, duplex dwelling, multiple attached building** or **back to back townhouse dwelling** shall be 1.75 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.
9. Despite any **flankage yard** requirement, on a **corner lot**, the minimum **flankage yard** to a **corner rounding** for any **live work unit** shall be 1.5 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.
10. Despite any **front yard** or **flankage yard** requirement, on a **corner lot**, the minimum **front yard** or **flankage yard** to a **corner rounding** for any **block townhouse building** shall be 1.75 m at the front of a lot and 2.0 m at the flankage of a lot. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

#### 14.4.3.3 Additional Apartment Provisions

1. The minimum net density shall be 60 units per hectare and 1.0 **FSI**.
2. The maximum net density shall be 180 units per hectare and up to and including 2.5 **FSI**.
3. Minimum **balcony** depth: 1.5 m
4. Minimum **ground floor height** where **ground floor** commercial uses are provided: 4.5 m (floor to floor)
5. Maximum **building** width: 60 m

6. **Buildings** taller than 12 **storeys** shall have a **podium** and a **tower** component to the **building**, which shall meet the following requirements:
  - a) The minimum **height** of a **podium**: 3 **storeys** / 10.5 m
  - b) The maximum **height** of a **podium**: 5 **storeys** / 16.0 m
  - c) Minimum **setback** from a **podium** to a **tower**: 5.0 m
  - d) Maximum **floor plate** within a **tower**: 800 m<sup>2</sup>
7. For **buildings** 12 **storeys** and less, a minimum **pedestrian perception step-back** of 1.5 m shall be required above the 4<sup>th</sup> **storey** and below the 8<sup>th</sup> **storey**. An additional **pedestrian perception step-back** of 1.5 m shall be required above the 8<sup>th</sup> **storey** between 80% and 90% of the **building height**.
8. Where the **rear yard** or **side yard** of the apartment site abuts a property in the Low Density or Medium Density zone, the **building height** above 12.0 m shall be limited by a 45-degree **angular plane** measured from a **height** of 12.0 m at the 7.5 m **setback** from adjoining Low Density or Medium Density zones.

#### 14.4.3.4 Additional Commercial Building Provisions

1. In no case shall parking be permitted between a **building** and the **front lot line**.
2. Parking **lots** abutting a **street** shall incorporate a 2.5 m **landscape strip** between the **parking lot** and the **street line**.
3. A **primary entrance door** open to the public shall be incorporated into the **front wall** of the **building** facing the **front lot line**.
4. The maximum elevation of the **ground floor** above **grade** at the **primary entrance door** shall be 0.6 m.
5. The minimum **ground floor area** for a **retail/commercial unit** within a **live work unit** shall be 70 m<sup>2</sup>.
6. The maximum **gross leasable area** for a **retail/ commercial unit** within a **building** with sole retail /commercial uses shall be 4,000 m<sup>2</sup>.

**14.4.4 Seaton Mixed Corridor Type 3 Gateway Sites (SMC3) Zone Provisions**

**14.4.4.1 Lot and Building Requirements by Building Type**

1. The following Table 14.15 establishes the zone standards that apply to the Seaton Mixed Corridor Type 3 Gateway Sites (SMC3) zone.

**Table 14.15: Lot and Building Requirements for the Seaton Mixed Corridor Type 3 Gateway Sites (SMC3) Zone**

<b>Building Type</b>	<b>Min. Lot Area</b>	<b>Min. Lot Frontage</b>	<b>Min. Front Yard</b>	<b>Max. Front Yard</b>	<b>Min. Interior Side Yard</b>	<b>Min. Flankage Yard</b>	<b>Min. Lot Depth</b>	<b>Min. Rear Yard</b>	<b>Max. Building Height</b>
<b>Apartment Building / Nursing Home or Long-Term Care / Retirement Home</b>	-	45.0 m	0.0 m	3.0 m <sup>(1)</sup>	6.0 m <sup>(2)</sup>	0.0 m min / 2.0 m max <sup>(1)</sup>	45.0 m	7.5 m <sup>(2)</sup>	20.0 m min / 63.0 m max
<b>Building With Sole Retail / Commercial Uses</b>	-	30.0 m	0.0 m	3.0 m <sup>(1)</sup>	0.0 or 7.5m <sup>(3)</sup>	0.0 m min / 2.0 m max <sup>(1)</sup>	-	9.0 m	5.0 m min / 63.0 m max

**Notes:**

1. 25% of the **building** facing the **street** can have a greater **yard**.
2. Except that for an underground garage the minimum **setback** is 0.0 m.
3. Adjacent to the other commercial **uses**, the minimum **side yard** shall be 0.0 m. Adjacent to residential **uses**, the minimum **side yard** shall be 7.5 m.

#### 14.4.4.2 Additional Apartment Provisions

1. The minimum net density shall be 60 units per hectare and 1.0 **FSI**.
2. The maximum net density shall be 180 units per hectare and up to and including 2.5 **FSI**.
3. Minimum **balcony** depth: 1.5 m
4. Minimum **ground floor height** where **ground floor** commercial uses are provided: 4.5 m (floor to floor)
5. Maximum **building** width: 60 m
6. **Buildings** taller than 12 **storeys** shall have a **podium** and a **tower** component to the **building**, which shall meet the following requirements:
  - a) The minimum **height** of a **podium**: 3 **storeys** / 10.5 m
  - b) The maximum **height** of a **podium**: 5 **storeys** / 16.0 m
  - c) Minimum **setback** from a **podium** to a **tower**: 5.0 m
  - d) Maximum **floor plate** within a **tower**: 800 m<sup>2</sup>
7. For **buildings** 12 **storeys** and less, a minimum **pedestrian perception step-back** of 1.5 m shall be required above the 4<sup>th</sup> **storey** and below the 8<sup>th</sup> **storey**. An additional **pedestrian perception step-back** of 1.5 m shall be required above the 8<sup>th</sup> **storey** between 80% and 90% of the **building height**.
8. Where the **rear yard** or **side yard** of a **lot** containing an **apartment building** abuts a **lot** in the Low Density or Medium Density zone, the **building height** above 12.0 m shall be limited by a 45-degree **angular plane** measured from a **height** of 12.0 m at the 7.5 m **setback** from adjoining Low Density or Medium Density zones.
9. **Block townhouse dwellings** and **back-to-back townhouse dwellings** constructed on a site in conjunction with an **apartment dwelling** shall meet the **setback, amenity area, landscaped open space** and **height** requirements of the SMC2 zone for those **dwelling** types.

#### 14.4.4.3 Additional Commercial Building Provisions

1. In no case shall parking be permitted between a **building** and the **front lot line**.
2. **Parking lots** abutting a **street** shall incorporate a 2.5 m **landscape strip** between the **parking lot** and the **street line**.
3. A **primary entrance door** open to the public shall be incorporated into the **front wall** of the **building** facing the **front lot line**.
4. The maximum **gross leasable area** for a **retail/commercial unit** within a **building** with sole retail /commercial uses shall be 4,000 m<sup>2</sup>.

**14.4.5 Seaton Minor Commercial Clusters (SMCC) Zone Provisions**

**14.4.5.1 Lot and Building Requirements**

1. The following Table 14.16 establishes the zone standards that apply to the Seaton Minor Commercial Clusters (SMCC) zone.

**Table 14.16: Lot and Building Requirements for the Seaton Minor Commercial Clusters (SMCC) Zone**

<b>Building Type</b>	<b>Min. Lot Area</b>	<b>Max. Lot Area</b>	<b>Min. Lot Frontage</b>	<b>Min. Front Yard</b>	<b>Max. Front Yard</b>	<b>Min. Interior Side Yard</b>	<b>Min. Flankage Yard</b>	<b>Min. Rear Yard</b>	<b>Min. Amenity Area</b>	<b>Max. Building Height</b>
<b>Live work Unit</b>	110.0 m <sup>2</sup>	-	6.0 m / unit	0.0 m	3.0 m	0.9 m at <b>building end</b>	2.0 m	-	11.0 m <sup>2</sup>	9.0 m min / 12.5 m max
<b>Building with sole retail / commercial uses</b>	-	-	30.0 m	0.0 m	3.0 m	0.0 m or 7.5 m <sup>(1)</sup>	0.0 m min / 2.0 m max	9.0 m	-	5.0 m min / 12.5 m max

**Notes:**

1. Adjacent to the other commercial uses, the minimum **side yard** shall be 0.0 m. Adjacent to residential uses, the minimum **side yard** shall be 7.5 m.



#### 14.4.5.2 Additional Provisions

1. In no case shall parking be permitted between a **building** and the **front lot line**.
2. Parking **lots** abutting a **street** shall incorporate a 2.5 m **landscape strip** between the **parking lot** and the **street line**.
3. A **primary entrance door** open to the public shall be incorporated into the **front wall** of the **building** facing the **front lot line**.
4. The minimum **ground floor area** for an individual **retail/commercial unit** in a **live work unit** shall be 50.0 m<sup>2</sup>, and the maximum **ground floor area** for an individual **retail/commercial unit** shall be 200 m<sup>2</sup>.
5. The minimum **gross leasable area** for an individual **retail/commercial unit** in a **building** with sole retail /commercial uses shall be 70.0 m<sup>2</sup>, and the maximum **gross leasable area** for an individual **retail/commercial unit** shall be 200 m<sup>2</sup>.
6. The maximum elevation of the **ground floor** above **grade** at the **primary entrance door** shall be 0.6 m.
7. Despite any **flankage yard** requirement, on a **corner lot**, the minimum **flankage yard** to a **corner rounding** for any **live work unit** shall be 1.5 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

### 14.4.6 Seaton Local Node (SLN) and Community Node (SCN) Zone Provisions

#### 14.4.6.1 Lot and Building Requirements

1. The following Table 14.17 establishes the zone standards that apply to the Seaton Local Node (SLN) and Seaton Community Node (SCN) zones.

**Table 14.17: Lot and Building Requirements for the Seaton Local Node (SLN) and Seaton Community Node (SCN) Zones**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Lot Depth	Min. Rear Yard	Max. Building Height
Apartment Building / Nursing Home or Long-term Care/Retirement home	-	45.0 m	0.0 m	3.0 m <sup>(3)</sup>	6.0 m <sup>(1)</sup>	0.0 m min / 2.0 m max	45.0 m	7.5 m <sup>(1)</sup>	20.0 m min / 63.0 m max
Building with sole retail / commercial uses	-	30.0 m	0.0 m	3.0 m <sup>(3)</sup>	0.0 or 7.5 m <sup>(1),(2)</sup>	0.0 m min / 2.0 m max	-	9.0 m	5.0 m min / 63.0 m max

**Notes:**

1. Except that for an underground garage the minimum **setback** is 0.0 m.
2. Adjacent to the other commercial uses, the minimum **side yard** shall be 0.0 m. Adjacent to residential uses, the minimum **side yard** shall be 7.5 m.
3. The maximum **front yard setback** applies to all **buildings** located within 30.0 m of an adjacent **arterial road**, and for such **buildings**, the maximum **front yard setback** applies to 75% of the **front wall**; 25% of each **front wall** can have a greater **front yard setback**.

#### 14.4.6.2 Additional Apartment Provisions

1. The minimum net density shall be 80 units per hectare
2. The maximum net density shall be 140 units per hectare and up to and including 2.5 **FSI**.
3. Minimum **balcony** depth: 1.5 m
4. Minimum **ground floor height** where **ground floor** commercial uses are provided: 4.5 m (floor to floor)
5. Maximum **building** width: 60.0 m
6. **Buildings** taller than 12 **storeys** shall have a **podium** and a **tower** component to the **building**, which shall meet the following requirements:
  - a) The minimum **height** of a **podium**: 3 **storeys** / 10.5 m
  - b) The maximum **height** of a **podium**: 5 **storeys** / 16.0 m
  - c) Minimum **setback** from a **podium** to a **tower**: 5.0 m
  - d) Maximum floor plate within a **tower**: 800 m<sup>2</sup>
7. For **buildings** 12 **storeys** and less, a minimum **pedestrian perception step-back** of 1.5 m shall be required above the 4<sup>th</sup> **storey** and below the 8<sup>th</sup> **storey**. An additional **pedestrian perception step-back** of 1.5 m shall be required above the 8<sup>th</sup> **storey** between 80% and 90% of the **building height**.
8. Where the **rear yard** or **side yard** of a **lot** containing an **apartment building** abuts a **lot** in the Low Density or Medium Density zone, the **building height** above 12.0 m shall be limited by a 45-degree **angular plane** measured from a **height** of 12.0 m at the 7.5 m **setback** from adjoining Low Density or Medium Density zones.
9. **Block townhouse dwellings** and **back-to-back townhouse dwellings** constructed on a site in conjunction with an **apartment dwelling** shall meet the **setback**, **amenity area**, **landscaped open space** and **height** requirements of the SMC2 zone for those **dwelling** types.

#### 14.4.6.3 Additional Commercial Provisions

1. Parking **lots** abutting a **street** shall incorporate a 2.5 m **landscape strip** between the **parking lot** and the **street line**.
2. A **primary entrance door** open to the public shall be incorporated into the **front wall** of all **buildings** facing the **front lot line** or alternatively on a side wall within 3.0 m of the **front wall**.
  - a) For the Seaton Community Node (SCN) zone on Taunton Road, Taunton Road shall be deemed to be the **front lot line**;
  - b) For the Seaton Community Node (SCN) zone at Sideline 26/Whites Road and the Whitevale Road By-pass, the Whitevale By-pass shall be deemed to be the **front lot line**; and

- c) For the Seaton Community Node (SCN) zone at Sideline 22 and the Whitevale Road By-pass, the Whitevale Road By-pass shall be deemed to be the **front lot line**.
3. Within a Seaton Community Node (SCN) zone and any adjacent SCNPP zone, the total **gross leasable area** on the **ground floor** of all **buildings** within the two (2) zones that are available for the retailing of goods and services shall not exceed 20,000 m<sup>2</sup>.
4. For **buildings** under 4,000 m<sup>2</sup>, at least 60% of the surface area of each wall facing and located within 30.0 m of an adjacent **arterial road** shall be comprised of **openings**. For **buildings** 4,000 m<sup>2</sup>, and larger, at least 40% of the surface area of each wall facing and located within 30.0 m of an adjacent **arterial road** shall be comprised of **openings**. This provision only applies to that proportion of the wall that is within 3.0 m of **established grade**.
5. A minimum of 40% of the **street line** abutting an adjacent **arterial road** shall be the location of a **front wall** that is set back no further than 3.0 m from the **street line**. The minimum requirement shall be deemed to be met when it is shown on an approved site plan.

### 14.4.7 Seaton Community Node Pedestrian Predominant Area (SCNPP) Zone Provisions

#### 14.4.7.1 Lot and Building Requirements

1. The following Table 14.18 establishes the zone standards that apply to the Seaton Community Node Pedestrian Predominant Area (SCNPP) zone.

**Table 14.18: Lot and Building Requirements for the Community Node Pedestrian Predominant Area (SCNPP) Zone**

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Lot Depth	Min. Rear Yard	Max. Building Height
<b>Apartment Building</b>	-	45.0 m	0.0 m	3.0 m <sup>(1)</sup>	6.0 m <sup>(2)</sup>	0.0 m min / 2 m max <sup>(1)</sup>	45.0 m	7.5 m <sup>(2)</sup>	20.0 m min / 63.0 m max
<b>Live Work Unit</b>	125.0 m	5.0 m / unit	0.0 m	3.0 m	0.9 m at <b>building end</b>	2.0 m	-	25.0 m <sup>2</sup> <b>amenity area</b>	12.5 m max
<b>Building With Sole Retail / Commercial Uses</b>	-	30.0 m	0.0 m	3.0 m <sup>(1)</sup>	0.0 m or 7.5m <sup>(3)</sup>	0.0 m min / 2.0 m max <sup>(1)</sup>	-	9.0 m	7.5 m min / 63.0 m max

**Notes:**

1. For 75% of the **building** facing the **street**, 25% can have a greater **yard**.
2. Except that for an underground garage the minimum **setback** is 0.0 m.
3. Adjacent to the other commercial uses, the minimum **side yard** shall be 0.0 m. Adjacent to residential uses, the minimum **side yard** shall be 7.5 m.

#### 14.4.7.2 Additional Provisions

1. Despite any **flankage yard** requirement, on a **corner lot**, the minimum **flankage yard** to a **corner rounding** for any **live work unit** shall be 1.5 m. Where applicable, the requirements of Section 14.1.16, 14.1.17 and 14.1.18 shall continue to apply.

#### 14.4.7.3 Additional Apartment Provisions

1. The minimum net density shall be 80 units per hectare.
2. The maximum net density shall be 140 units per hectare and up to and including 2.5 **FSI**.
3. Minimum **balcony** depth: 1.5 m
4. Minimum **ground floor height**: 4.5 m (floor to floor)
5. Maximum **building** width: 60.0 m
6. **Buildings** taller than 12 **storeys** shall have a **podium** and a **tower** component to the **building**, which shall meet the following requirements:
  - a) The minimum **height** of a **podium**: 3 **storeys** / 10.5 m
  - b) The maximum **height** of a **podium**: 5 **storeys** / 16.0 m
  - c) Minimum **setback** from a **podium** to a **tower**: 5.0 m
  - d) Maximum floor plate within a **tower**: 800 m<sup>2</sup>
7. For **buildings** 12 **storeys** and less, a minimum **pedestrian perception step-back** of 1.5 m shall be required above the 4<sup>th</sup> **storey** and below the 8<sup>th</sup> **storey**. An additional **pedestrian perception step-back** of 1.5 m shall be required above the 8<sup>th</sup> **storey** between 80% and 90% of the **building height**.
8. Where the **rear yard** or **side yard** of a **lot** containing an **apartment building** abuts a **lot** in the Low Density or Medium Density zone, the **building height** above 12.0 m shall be limited by a 45-degree **angular plane** measured from a **height** of 12.0 m at the 7.5 m **setback** from adjoining Low Density or Medium Density zones.
9. Residential uses shall be prohibited on the **ground floor** of **apartment dwellings** facing the **street** or the **private street** within the SCNPP zone.

#### 14.4.7.4 Additional Commercial Provisions

1. Parking **lots** abutting a **street** shall incorporate a 2.5 m **landscape strip** between the **parking lot** and the **street line**.
2. The SCNPP zone shall straddle each side of a **street** or a **private street**. Where the SCNPP zone does not straddle each side of a **street**, a **private street** shall be provided where:

- a) The front of all **buildings** or **structures** located within the SCNPP zone, face each other along the **private street** provided, however, that **buildings** located on corners may front on two (2) intersecting **streets/private streets**;
  - b) **Buildings** shall be separated by a minimum 17.0 m and a maximum of 20.0 m to accommodate pedestrian sidewalks, two (2) through lanes of traffic and parking parallel to the traffic lanes; and
  - c) Pedestrian sidewalks on each side of the **private street** shall have a width of at least 3.0 m.
3. A **primary entrance door** open to the public shall be incorporated into the **front wall** of the **building** facing the **front lot line** along a **street** or facing the pedestrian sidewalk along a **private street**.
  4. At least 60% of the surface area of each wall facing the **street**, or facing the pedestrian sidewalk along a **private street**, shall be comprised of **openings**. This provision only applies to that proportion of the wall that is within 3.0 m of **established grade**.
  5. A minimum of 75% of the **street line** abutting the **street**, or facing the pedestrian sidewalk along a **private street**, shall be the location of a **front wall** that is set back no further than 5.0 m from the **street line**. The minimum requirement shall be deemed to be met when it is shown on an approved site plan.
  6. The minimum **ground floor area** for a **retail/commercial unit** shall be 70.0 m<sup>2</sup> and the maximum **gross leasable area** for a **retail/commercial unit** shall be 500 m<sup>2</sup>
  7. The width of each individual permitted use facing the **street**, or facing the pedestrian sidewalk along a **private street**, shall not exceed 15.0 m.
  8. A minimum of 6,000 m<sup>2</sup> of **gross leasable area** for the retailing of goods and services shall be provided within the SCNPP zone, except that the SCNPP zone located immediately north and/or south of Taunton Road between Sideline 22 and Sideline 24 shall have a minimum **gross leasable area** for the retailing of goods and services of 7,500 m<sup>2</sup>.

### 14.4.8 Exceptions

1. The following Table 14.19 establishes the permitted use exceptions that apply to the Mixed Use zones.

**Table 14.19: Permitted Use Exceptions**

Zone	#	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
SMC1	1	SP-2009-13, West of Sideline 24, south of the pipeline but excluding the lots fronting onto Sideline 24	<b>Detached dwelling</b> in accordance with the provisions of the SLD2 zone.		
SLN	1	SP-2008-12, north of Whitevale Road By-pass, west of Sideline 24, Lot 568	<b>Car washing establishment</b>		

2. The following Table 14.20 establishes the **lot** and **building** and **structure** exceptions that apply to the Mixed Use zones.



Table 14.20: Lot and Building and Structure Exceptions

Zone	#	Address	Description of Special Provision
MC2	1	SP-2009-13, South of Taunton Road west of Sideline 24, north of the pipeline Part of Lots 25 and 26, Concession 3, Now Parts 1 and 2, 40R-24268 and Part of Lot 3, 40R29614	<p><b>Building, Multiple Attached</b> means a <b>building</b> containing three or more <b>dwelling units</b>, and may contain some of the <b>dwelling units</b> accessed directly from the outside.</p> <p><b>Building, Block Townhouse or Block Townhouse Building</b> means a <b>building</b> or <b>structure</b> that is vertically and/or horizontally divided into a minimum of three <b>dwelling units</b>, each of which has an independent entrance from <b>grade</b> to the front and rear of the <b>building</b>, and each of which are divided vertically and/or horizontally above <b>grade</b> by a common wall adjoining <b>dwelling units</b> or a <b>private garage</b> above <b>grade</b> and where all dwelling units are located on one lot and accessed from a <b>private street</b>, laneway or common condominium driveway.</p> <p><b>Park, Private</b> means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.</p> <p>Minimum number of dwelling units: 74 units</p> <p>Minimum <b>Front Yard</b>: No requirement</p> <p>Maximum <b>Front Yard</b>: 5.5 m</p> <p>Minimum <b>Rear Yard</b>: No requirement</p> <p>Minimum <b>Front Landscaped Open Space</b>: No requirement</p> <p>Minimum <b>Park, Private</b>: 95 m<sup>2</sup></p> <p>Maximum <b>Building Height</b> for <b>Block, Townhouse Building</b>: 16 m</p> <p>Section 14.2.5.2 and 14.2.5.3 shall not apply.</p>
SMC1	3	SP-2009-13, Street 2, Blocks 8 and 9 and Street 13, Blocks 38, 39 and 40 where they abut the Trans-northern pipeline	Maximum encroachment of a <b>porch</b> or <b>deck</b> into the required <b>rear yard</b> shall be 1.0 m
SMC1	4	SP-2008-05, Sideline 26 / Whites Road, Blocks 165 to 169 SP-2008-06, Sideline 26 / Whites Road, Blocks 32 to 35 and 6 to 10	<p>Minimum <b>lot frontage</b>: 4.0 m</p> <p>Minimum <b>amenity area</b>: 9.0 m<sup>2</sup></p> <p>Minimum <b>lot area</b>: 100 m<sup>2</sup></p>

<b>Zone</b>	<b>#</b>	<b>Address</b>	<b>Description of Special Provision</b>
SMC2	2	SP-2008-05, Street 10, Blocks 222-225	<p>The <b>lot line</b> facing the SOS zone shall be deemed to be the <b>front lot line</b>.</p> <p>The <b>primary entrance door</b> shall face the <b>front lot line</b>.</p> <p>The zone standards Table 14.14 shall apply as if the <b>lots</b> were <b>through lots</b>.</p> <p>For detached <b>private garages</b>, the <b>private garage</b> and <b>driveway</b> requirements of Section 14.1.16 would apply as if the <b>lots</b> were <b>through lots</b>.</p>
SMC2	3	SP-2009-13, South of Taunton Road, west of Sideline 24, east and west of Street 3, Blocks 5, 6, 12 and 14	Minimum <b>lot area</b> : 84.0 m <sup>2</sup>
SCN	1	Community Node straddling Taunton Road between Sideline 22 and Sideline 24, SP-2008-07 Blocks 190 -191 and SP-2009-14 Block 76	The <b>gross leasable area</b> on the <b>ground floor</b> of all <b>buildings</b> within the Seaton Community Node (SCN) including any adjacent SCNPP zone shall not exceed 60,000 m <sup>2</sup> for the retailing of goods and services.

## 14.5 Seaton Employment Area Zone Regulations

### 14.5.1 Use Permitted

1. The following Table 14.21 and Table 14.22 establish the permitted uses in the Seaton Prestige Employment General (SPEG), Seaton Prestige Employment Node (SPEN), Seaton Prestige Employment Heritage Lot (SPEHL) and Seaton Employment Service (SES) zones.
  - a) The following categories of uses shall be permitted. The list of specific uses after each underlined category are intended as examples only. Other similar uses which may fall under the category will also be permitted.

**Table 14.21: Categories of Uses Permitted in the Seaton Employment Zones**

Permitted Use	SPEG	SPEN	SPEHL	SES
Light manufacturing: such as assembly, processing, packaging and fabricating wholly within an enclosed <b>building</b> .	•			
Food processing: such as bakery, dairy, cannery, distillery, brewery, meat processor.	•			
Business services: such as industrial supply, industrial equipment repair, contractor shop, <b>service and repair shop</b> .	•	•		
Graphics and design: such as printing, publishing, graphic design, web design	•	•	•	
Educational / research: such as community college, university, trade school, training centre, adult education, laboratory and research and development facility.	•	•		
Visitor and Convention services: such as hotels, <b>Assembly, Convention or Conference Halls</b>		•		
Data and communications: such as film, radio and television studio, call centre, data centre, programming and software development, phone, phone and internet provider.	•	•	•	

- b) The following specific uses shall be permitted in addition to those permitted uses in Section 14.5.1a).

**Table 14.22: Specific Uses Permitted in the Seaton Employment Zones**

Permitted Use	SPEG	SPEN	SPEHL	SES
<b>Office</b>	•	•	•	•
<b>Commercial Fitness/ Recreation Centre</b>		• <sup>(1)</sup>		•

Permitted Use	SPEG	SPEN	SPEHL	SES
Medical Office		● <sup>(1)</sup>	●	●
Restaurant		● <sup>(1)</sup>	●	●
Bake Shop		● <sup>(1)</sup>	●	●
Café		● <sup>(1)</sup>	●	●
Personal Service Establishments		● <sup>(1)</sup>	●	●
Day Care Centre		● <sup>(1)</sup>	●	●
Dry-Cleaner's Distributing Station		● <sup>(1)</sup>		●
Convenience Store		● <sup>(1)</sup>		●
Financial Institution		● <sup>(1)</sup>		●
Gas Bar, including an Accessory Car Washing Establishment, Convenience Store and/or Café				●
Ancillary Retail Sales	●	●		
Dry-Cleaning Establishments	●			
Storage and Warehousing as an accessory use	●			

**Notes:**

1. Uses are permitted within an **office, hotel** or other similar multi-tenant industrial **building**.

**14.5.2 Use Limitations**

1. Uses permitted in the SES zone shall be clustered on a **lot** with a minimum of four (4) retail / commercial units on a **lot**.
2. SES zones shall abut an **arterial road** and be located within 100.0 m of a signalized intersection and a transit stop.
3. Only one (1) **gas bar** shall be located within 100.0 m of a signalized intersection.
4. For **ancillary retail sales**, up to a maximum of 15% of the total **gross leasable floor area** of a use may be used for the display and retail sale of products manufactured, fabricated, processed or assembled on the premises provided the retail sales and display area is separated from the principal industrial use by solid partition walls. The maximum **gross leasable floor area** for **ancillary retail sales** may be increased to 25% provided the total **gross leasable floor area** of the use is less than 1,000 m<sup>2</sup>.

### 14.5.3 Uses Prohibited

1. The following uses shall be prohibited in the SPEG and SPEN zones:
  - a) **Retail stores**;
  - b) Outdoor storage;
  - c) **Waste processing station, waste transfer station** and recycling facilities;
  - d) Freight transfer, trucking terminals and similar uses;
  - e) **Vehicle dealership, vehicle repair shop and automobile body shops**;
  - f) **Places of worship**; and
  - g) **Elementary schools, secondary schools** and **private schools**.

### 14.5.4 Seaton Employment Zone Provisions

#### 14.5.4.1 Lot and Building Requirements

1. The following Table 14.23 establishes the zones standards that apply to the Seaton Prestige Employment General (SPEG), Seaton Prestige Employment Node (SPEN) and Seaton Employment Service (SES) zones.

**Table 14.23: Lot and Building Requirements for the Seaton Employment Zones**

Zone	Min./Max. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Max. Building Height
SPEG	0.8 ha / n/a	40.0 m	2.0 m	5.0 m	1.5 m	3.0 m	3.0 m	16.0 m
SPEN	0.4 ha / n/a	30.0 m	2.0 m	5.0 m	1.5 m	3.0 m	3.0 m	60.0 m
SES	0.4 ha / 2.0 ha	30.0 m	2.0 m	5.0 m	1.5 m	3.0 m	3.0 m	12.5 m

#### 14.5.4.2 Additional Provisions

1. Notwithstanding Section 14.5.4.1, any **lot line** that abuts Highway 407 shall have a minimum **lot line** length of 60.0 m.
2. Notwithstanding Section 14.5.4.1, an **interior side yard** or **rear yard setback** abutting a residential zone shall be a minimum of 7.5 m, 100% of which must be landscaped.
3. In no case shall parking be permitted between a **building** and the **front lot line**.
4. A **primary entrance door** shall be incorporated into the **front wall** of the **building** facing the **front lot line**.
5. For **lots** abutting Highway 407, no **building, structure** or required **parking spaces** and aisles shall be permitted within 14.0 m of the **lot line** abutting Highway 407.

**14.5.4.3 Seaton Prestige Employment Heritage Lot “SPEHL” Provisions**

1. On lands zoned SPE-HL, the minimum **lot area** and minimum **lot frontage** shall be the **lot area** and **lot frontage existing** on the date this By-law came into effect.
2. 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 site plan application.

**14.5.5 Exceptions**

1. The following Table 14.24 establishes the permitted use exceptions that apply to the Employment zones.

**Table 14.24: Permitted Use Exceptions**

<b>Zone</b>	<b>#</b>	<b>Address</b>	<b>Additional Uses Permitted</b>	<b>Sole Permitted Uses</b>	<b>Excluded Uses</b>
SPEG	1	Part of Lots 23 and 24, Concession 5, now Part 1, 40R-29998 and Part of Part 7, 40R-25010	Controlled Open Storage <sup>(1)</sup> Accessory Display <sup>(2)</sup>		

**Notes:**

1. Controlled open storage areas may be permitted if accessory and incidental to a manufacturing/assembly plant as the principal use on the same lot, subject to the following:
  - a) An open storage area shall be permitted only in a **rear yard** and not closer than 9.0 m to any **street line**, provided that such storage area shall be so located that it is not visible from a **street** along any line that is perpendicular to such **street**;
  - b) An open storage area shall not extend over more than 15% of the **lot area** and such area shall be exclusive of **parking spaces** required by Section 14.2 of the By-law, and shall not exceed the **ground floor area of buildings** upon the **lot**; and
  - c) An open storage area can be used for only:
    - i) the temporary storage of products manufactured, assembled or used on the premises.
2. As an **accessory** use to the manufacturing/assembly plant, limited display of finished products in a visible location may be permitted.

## 14.6 Seaton Community Use Zone Regulations

### 14.6.1 Uses Permitted

- The following Table 14.25 establishes the uses permitted in the Seaton Community Use (SCU) zone.

**Table 14.25: Uses Permitted in the Seaton Community Use Zone**

Permitted Use	SCU
Arena	
Elementary School	•
Secondary School	•
Private School	•
Places Of Worship	•
Library	•
Community Centre	•
Day Care Centre	•
Emergency Service Facility	•

### 14.6.2 Seaton Community Use (SCU) Zone Provisions

#### 14.6.2.1 Lot and Building Requirements

- The following Table 14.26 establishes the zones standards that apply to the Seaton Community Use (SCU) zone.

**Table 14.26: Lot and Building Requirements for the Seaton Community Use (SCU) Zone**

Building Type	Min. Area	Min. Lot Frontage	Min. Front Yard	Max. Front yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Max. Building Height
All uses	-	30.0 m	3.0 m	4.5 m <sup>(1)(2)</sup>	1.5 m	3.0 m	7.5 m	See 14.6.2.2

#### Notes:

- The maximum **front yard setback** shall not apply to garage bays for emergency **vehicles**.
- 25% of the **building** facing the **street** can have a greater **yard**.
- The maximum **front yard** requirement can alternatively apply to the **flankage yard** in which case no maximum **front yard** would apply.



**14.6.2.2 Height Maximum**

1. The maximum **height** of a **day care centre** shall be 10.5 m.
2. The maximum **height** of a **secondary school** and **community centre** shall be 16.0 m.
3. The maximum **height** of all other uses shall be 12.5 m.

**14.6.2.3 Additional Provisions**

1. In no case shall parking be permitted between a **building** and the **front lot line** or alternatively a **flankage lot line** where applicable.
2. Parking **lots** abutting a **street** shall incorporate a 2.5 m **landscape strip** between the **parking lot** and the **street line**.
3. Parking **lots** abutting a residential zone shall be set back 3.0 m from the **lot line** with an intervening **landscape strip**.
4. A **primary entrance door** shall be incorporated into the **front wall** of the **building** facing the **front lot line** or alternatively a **flankage lot line** where applicable.
5. In the case of a **place of worship**, the **gross floor area** devoted to worship must be a minimum of 50% of the total **gross floor area** of the **building**.
6. Where an adjacent zone permits a minimum **front yard** or **flankage yard** of 0.0 m, the minimum **front yard** and minimum **flankage yard** shall be 0.0 m where the adjacent **flankage yards** or **front yards** are located along the same **street**.
7. Where the use is adjacent to a **detached, semi-detached, townhouse** or **multiple attached dwelling**, the minimum **interior side yard** shall be 3.0 m and shall be increased by 1.0 m for every metre of **height** in excess of 8.0 m to a maximum of 7.5 m.

**14.6.3 Exceptions**

1. The following Table 14.27 establishes the **lot** and **building** and **structure** exceptions that apply to the Community Use zones.

**Table 14.27: Lot and Building and Structure Exceptions**

<b>Zone</b>	<b>#</b>	<b>Address</b>	<b>Description of Special Provision</b>
SCU	1	Block 615, Plan SP-2008-11, Sideline 24	The <b>secondary school</b> site shall be exempt from the provisions of Section 14.6.2.3.4, which requires a <b>primary entrance door</b> to be incorporated into the <b>front wall</b> of the <b>building</b> facing the <b>front lot line</b> .

## 14.7 Seaton Natural Heritage and Open Space Zone Regulations

### 14.7.1 Uses Permitted

- The following Table 14.28 establishes the uses permitted in the Seaton District/Community Park (SDCP), Seaton Open Space (SOS), Seaton Stormwater Management (SSWM), Seaton Golf Course (SGC), Seaton Natural Heritage System (SNHS), Seaton Cemetery (SCE) and Seaton Hamlet Heritage Open Space (SHHOS) zones.

**Table 14.28: Uses Permitted in the Seaton Open Space Zones**

Permitted Use	SDCP	SOS	SSWM	SGC	SNHS	SCE	SHHOS
<b>Arena</b>	•						
<b>Community Centre</b>	•						
Community Gardens	•	•			•		•
Library	•						
Outdoor Public Swimming Pool	•						
Outdoor Skating Rink	•						•
Illuminated Play Fields / Courts	•			•			•
Non-Illuminated Play Fields / Courts	•	•		•			•
Passive Fringe Areas To Play Fields / Courts	•	•			•		•
Playground	•	•		•	•		•
Picnic Area	•	•			•		•
Unorganized Play Areas	•	•		•	•		•
Public Trails, Trailheads, Rest Areas	•	•	•		•		•
Stormwater Management Facilities	•		•	•	•		•
<b>Existing Detached Dwellings</b>	•	•			•		•
Forest, Fish And Wildlife Management and Associated Scientific and Educational Uses					•		
<b>Golf Course</b>				•			
Associated <b>Parking Lots</b>	•			•		•	•
<b>Cemetery</b>						•	

Permitted Use	SDCP	SOS	SSWM	SGC	SNHS	SCE	SHHOS
Place of Worship							•
Other Social and Institutional Uses							•
Renewable Energy Systems							•

## 14.7.2 Seaton Open Space (SOS) Zone Provisions

### 14.7.2.1 Lot and Building Requirements

- The following Table 14.29 establishes the zone standards that apply to the Seaton District/Community Park (SDCP), Seaton Open Space (SOS), Seaton Stormwater Management (SWM), Seaton Golf Course (SGC), Seaton Natural Heritage System (SNHS) and Seaton Cemetery (SCE) zones.

**Table 14.29: Lot and Building Requirements for Seaton Open Space Zones**

Zone	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Max. Coverage
SDCP	3.0 m	6.0 m	1.5 m	3.0 m	7.5 m	25%
SOS	3.0 m	-	1.5 m	3.0 m	7.5 m	5%
SSWMP	-	-	-	-	-	-
SGC	15.0 m	-	6.0 m	6.0 m	15.0 m	-
SNHS	-	-	-	-	-	-
SCE	15.0 m	-	6.0 m	6.0 m	7.5 m	-
SHHOS	15.0 m	-	6.0 m	6.0 m	15.0 m	25%

### 14.7.2.2 Height Maximum

- The maximum **height** of a **community centre** shall be 16.0 m.
- The maximum **height** of all other uses shall be 12.5 m.

### 14.7.2.3 Additional Provisions

- Parking lots** abutting a **street** shall incorporate a 2.5 m **landscape strip** between the **parking lot** and the **street line**.
- Parking lots** abutting a Residential zone shall be set back 3.0 m from the **lot line** with an intervening **landscape strip**.
- Expansions to **existing detached dwellings** shall meet the **lot** and **building** requirements of Section 14.3.2.1.

### 14.7.3 Exceptions

1. The following Table 14.30 establishes the permitted use exceptions that apply to the Seaton Open Space zones.

**Table 14.30: Permitted Use Exceptions**

Zone	#	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
SOS	1	SP-2009-11, Street 4, Block C			Grading Infrastructure Utilities <b>Buildings and structures</b>

## 14.8 Seaton Utility Zone Regulations

### 14.8.1 Uses Permitted

1. The following Table 14.31 establishes the uses permitted in the Seaton Utility (SUT) zone.

**Table 14.31: Uses Permitted in the Seaton Utility (SUT) Zone**

Permitted Use	SUT
Water storage, pumping and/or treatment facilities	●
Sewage pumping and/or treatment facilities	●
Gas, oil or geothermal pipelines	●
Transmission and distribution of electric power, excluding generation of electric power	●
Limited access highways, including associated bridges, overpasses and transit corridors	●

### 14.8.2 Seaton Utility (SUT) Zone Provisions

#### 14.8.2.1 Lot and Building Requirements

1. **Buildings** shall be in compliance with the most restrictive provisions of any zone(s) adjacent to the Seaton Utility (SUT) zone.

### 14.8.3 Exceptions

## 14.9 Definitions

### 14.9.1 Interpretation

1. Throughout Section 14 of this By-law, any bolded word is defined in Section 14.9 to provide clarity and ensure that the By-law and its intent are applied consistently.
2. Where a use is defined, it shall not be interpreted to include any other defined use unless it is stated in the definition to the contrary.

### 14.9.2 Defined Terms

For the purpose of this By-law, the definitions and interpretations given in this Section shall govern unless a contrary intention appears:

**Accessory:** means a use or **building** naturally or normally incidental to, subordinate to or exclusively devoted to a principal use or **building** and located on the same **lot** as the principal use or **building**.

**Additional Dwelling Unit:** means one (1) self contained **dwelling unit** contained within a permitted **detached dwelling**, **semi-detached dwelling**, **townhouse dwelling** or **coach house**.

**Adverse effect:** means:

- a) Impairment of the quality of the environment for any use that can be made of it;
- b) Injury or damage to property or to plant or animal life;
- c) Harm or material discomfort to any **person**;
- d) Impairment of the health of any **person**;
- e) Impairment of the safety of any **person**;
- f) Rendering any **lot** unfit for its **existing** or permitted use;
- g) Loss of enjoyment of normal use of property; and/or
- h) Interference with a residential use or conduct of business.

**Adult Entertainment Establishment:** means any premises or part thereof used in the pursuance of a business, if:

- a) Entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any **person**;

- b) Body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a **person's** body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part or them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by **persons** otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario; or
- c) **Adult videos** are sold, rented, or offered or displayed for sale or rental, where the proportion of **adult videos** to other videos exceeds 1:10.

**Adult Video:** means any cinematographic film, videotape, video disc, or other medium designed to produce visual images that may be viewed as moving pictures, classified by the Ontario Film Review Board or any successor agency, as both "restricted" and "adult sex film", or any similar successor designation.

**Air Conditioner:** means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

**Aisle, Parking Lot:** means an internal roadway immediately adjacent to a **parking space** or **loading space** which provides vehicular access to and from the **parking space** or **loading space**, and is not a **driveway**.

**Alterations, Structural:** means any change in the supporting members of a **building** and "**structurally altered**" and "**structurally altering**" shall have a corresponding meaning.

**Amenity Area:** means an outdoor area located anywhere on a **lot**, or the roof of a parking **structure**, **private garage** or any other **building** which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a **balcony**, **porch** or **deck** and which has direct access from the interior of the **dwelling unit**.

**Ancillary Retail Sales:** means a retail use which is associated with, but clearly subordinate to, a principal use:

- a) With a maximum **gross leasable area** of 15% of the **building**;
- b) With a maximum **gross leasable area** of 250.0 m<sup>2</sup> per ancillary retail use, or service commercial use; and
- c) Without a separate direct exterior access.

**Angular Plane:** means an imaginary flat surface projecting over a **lot**, at an inclined angle measure up from the horizontal.

**Animal Boarding Establishment:** means a **building, structure** or part thereof, where dogs and cats and other domesticated animals, excluding **livestock**, are bred, raised, groomed, trained or kept for a fee on a temporary basis and may include outdoor facilities.

**Animal Care Establishment:** means a **building, structure** or part thereof, where dogs and cats and other domesticated animals, excluding **livestock**, are groomed and/or kept for a fee on a daily basis.

**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, 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.

**Art Gallery:** means a premises where paintings, sculptures, or other works of art are exhibited or sold.

**Arterial Road:** means a road identified in the Pickering Official Plan as an Arterial Road Type A, B or C.

**Assembly Hall or Convention Hall or Conference Hall:** 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.

**Automobile Body Shop:** means an establishment engaged in repairing or painting of **vehicle** bodies.

**Bake Shop:** means an establishment where baked goods are made and sold to the public.

**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**.

**Basement:** means that portion of a **building** below the **first storey**, where the finished floor is located below **established grade** and at least half of its **height**, from finished floor to underside of floor joists of the next above **storey**, is located above the **established grade**.

**Bay, Bow or Box Window:** means a window that protrudes from the wall of a **dwelling** usually bowed, canted, polygonal, segmental, semicircular or square sided with a window on the front face in plan; one (1) or more **storeys** in **height**, which may or may not include a foundation and may or may include a widow seat.

**Bed and Breakfast Establishment:** means the provision of lodging with or without meals for the traveling public within a **detached dwelling**.



**Block:** means all land fronting on one (1) side of a **street** between the nearest **streets**, intersecting, meeting or crossing said **street**.

**Building:** means a **structure** occupying an area greater than 10.0 m<sup>2</sup> and consisting of any combination of walls, roof and floor but shall not include a **mobile home**.

**Building, Apartment:** means a **building** containing more than four (4) **dwelling units** where the units are connected by an interior corridor.

**Building, Back-to-Back Townhouse:** means a **building** containing a minimum of four (4) **units** that is divided vertically and where each unit is divided by common walls, including a common rear wall without a **rear yard setback**, and whereby each unit has an independent entrance to the unit from the outside accessed through the **front yard** or exterior **side yard**.

**Building, Block Townhouse or Block Townhouse Building:** means a **building** or **structure** that is vertically divided into a minimum of three (3) **dwelling units**, each of which has an independent entrance from **grade** to the front and rear of the **building**, and each of which are divided vertically above **grade** by a common wall adjoining **dwelling units** or a **private garage** above **grade** and where all **dwelling units** are located on one (1) **lot** and accessed from a **private street**, laneway or common condominium **driveway**.

**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 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 excluded in calculating the **height** of such **building**.

**Building, Multiple Attached:** means a **building** containing three (3) or more **dwelling units**, with the **dwelling units** accessed by one (1) or more common entrances and may contain some of the **dwelling units** accessed directly from the outside.

**Building, Principal or Main:** means a **building**, which constitutes, by reason of its use, the primary purpose for which the **lot** is used.

**Building, Street Townhouse or Street Townhouse Building:** means a **building** that is vertically divided into a minimum of three (3) **dwelling units**, each of which has an independent entrance from **grade** to the front and rear of the **building**, and each of which are divided vertically above **grade** by a common wall adjoining **dwelling units** or a **private garage** above **grade** and where each **dwelling unit** is located on an individual **lot**.

**Café:** means a **restaurant** with a maximum **gross leasable floor area** of 100.0 m<sup>2</sup> and which serves non-alcoholic beverages, snacks and light meals and does not include a **drive-through facility**.

**Cellar:** means that portion of a **building** below the **first storey**, where the finished floor is located below **established grade** and at least half its **height**, from finished floor to underside of floor joists of the next above **storey**, is located below the **established grade**.

**Cemetery:** means the lands used or intended to be used for the interment of human remains.

**Car Washing Establishment** means an establishment for washing or cleaning **motor vehicles** for gain.

**Coach House:** means a detached **building** containing a **private garage** on the **ground floor** and an **additional dwelling unit** on the second floor.

**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 similar indoor recreational facilities are provided and operated for gain or profit, but does not an **arena**, stadium or **place of amusement** or entertainment as defined **herein**.

**Commercial Vehicle:** means a **motor vehicle** having permanently attached thereto, a truck or delivery body and may include but is not limited to a catering or canteen truck, bus, cube van, tow truck, tilt and load truck, dump truck, tractor trailer, ambulance, hearse, fire apparatus and tractor used for hauling purposes.

**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.

**Construction Vehicle:** means a **vehicle** ordinarily used for **building** and construction purposes, such as a dump truck, bulldozer, back-hoe, or grader, and ancillary equipment used thereto.

**Contractor's Yard:** means a premises of any general contractor or builder where equipment and/or materials are stored or where a contractor performs shop or assembly work.

**Convenience Store:** means a **retail store** with a maximum leasable **floor area** of 300.0 m<sup>2</sup> 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**.

**Corner Rounding:** means a **lot line** of a **corner lot** at the intersection of two **street lines** in the form of an arc that joins the **front lot line** to the **flankage lot line** or the **rear lot line** to the **flankage lot line**.

**Coverage:** means the proportion of the **ground floor area** of all the **buildings** and **structures** on the **lot** to the **lot area** expressed as a percentage.

**Dating/Escort Service:** means a service providing companionship for and by individuals for profit or personal gain.

**Day Care Centre:** means:

- a) indoor and outdoor premises where more than five (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
- b) 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.

**Daylighting Triangle:** means an area free of **buildings, structures**, fences and hedges up to 0.9 m in **height** and which area is to be determined by measuring, from the point of intersection of **street lines** on a **corner lot**, the distance required by this By-law along each such **street line** and joining such points with a straight line. The triangular-shaped land between the intersecting **street lines** and the straight line joining the points the required distance along the **street lines** is the **daylighting triangle**.

**Deck:** means a raised platform attached to the exterior wall of a **building** and with direct access from within a **building** and from **grade**.

**Development Agreement:** means an executed contract between a developer/property owner and the City of Pickering that is required in order to implement development and may include a subdivision agreement, site plan agreement, or other similar agreements for development.

**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**.

**Drive-Through Facility:** means the use of land, **buildings** or **structures**, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine, to **persons** remaining in **motor vehicles** that are in a designated stacking **lane**. A **drive-through facility** may be in combination with other uses. A **drive-through facility** does not include a **vehicle repair shop, gas bar, car washing establishment** or kiosks located within **parking garage** or public **parking lot**.

**Dry-Cleaner's Distributing Station:** means premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a **dry-cleaning establishment**.

**Dry-Cleaning Establishment:** means premises in which the business of laundry or dry-cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods is conducted.

**Dwelling:** means a **building** or part of a **building** containing one (1) or more **dwelling units**, but does not include a **mobile home** or a **trailer**.

**Dwelling, Apartment:** means a **dwelling unit** in an **apartment building**.

**Dwelling, Back-to-Back Townhouse:** means a **dwelling unit** in a **back-to-back townhouse building**.

**Dwelling, Block Townhouse or Block Townhouse Dwelling:** means a **dwelling unit** in a **block townhouse building**.

**Dwelling, Detached or Detached Dwelling:** means a **building** containing only one (1) primary **dwelling unit** but may also include an **additional dwelling unit**.

**Dwelling, Duplex:** means a **dwelling unit** in a **building** that is divided into two (2) separate **dwelling units**, each with an entrance that is either independent or through a common vestibule.

**Dwelling, Multiple Attached or Multiple Attached Dwelling:** means a **dwelling unit** in a **multiple attached building**.

**Dwelling, Semi-Detached or Semi-Detached Dwelling:** means a **dwelling unit** in a **building** that is divided vertically into two (2) **dwelling units** that share a common wall above **grade**.

**Dwelling, Street Townhouse:** means a **dwelling unit** in a **townhouse building**.

**Dwelling Unit:** means one (1) or more habitable rooms containing separate kitchen and bathroom facilities for the private use of one (1) or more **persons** as a single housekeeping unit.

**Erect:** means build, construct, reconstruct, alter and/or relocate a **building, structure** or part thereof and shall include any preliminary physical operation such as excavating, piling, cribbing, filling or draining, **structurally altering** any **existing building** or **structure** by an addition, deletion, enlargement or extension.

**Existing or Existed:** means **existing** as of the date of the final passing of this By-law.

**Financial Institution:** means a **building**, or part thereof, where money is deposited, withdrawn, kept, lent or exchanged.

**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.

**Floorspace Index (FSI):** means the total **gross floor area** of all **buildings** on a **lot** divided by the total area of the **lot**.

**Front Wall:** means the closest point, measured at **grade** level, of the wall of a **building** facing or most nearly facing the **street** from which the **building** has its **primary entrance door**.

**Frontage:** means all property abutting on one (1) side of a **street** measured along the **street line**.

**Funeral Home:** means a **building**, or part of a **building**, used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of human body for interment or cremation and may include chapels, visitation rooms, and administrative **offices**.

**Garage, Private:** means a **building, structure** or part thereof, including a carport, used for the parking of **motor vehicles** having adequate access to a **driveway**.

**Gas Bar:** means a **building** or **structure** used for the dispensing of **motor vehicle** fuels and accessories and may include an **accessory convenience store**.

**Golf Course:** means a premises operated for the purpose of playing golf, and includes a **golf course**, driving range, miniature golf facilities and such **accessory** uses as a **restaurant**, banquet facility, **retail store**, fitness centre and other **buildings** or **structures** devoted to the maintenance and operation of the **golf course**.

**Governmental Authority:** means the Government of Canada or the Province of Ontario or any public board or commission established by either, or the Corporation of the Regional Municipality of Durham or The Corporation of the City of Pickering or any local board or commission, and includes any conservation authority.

**Grade or Established Grade:** means when used with reference to a **building**, the average elevation of the finished surface of the ground where it meets the exterior of the front of such **building**; and when used with reference to a **structure** shall mean the average elevation of the finished surface of the grounds immediately surrounding such **structure**, exclusive in both cases of any artificial embankment.

**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.

**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 (m<sup>2</sup>) and measured from the centre line of joint partitions and from outside wall faces.

**Ground Floor:** means the floor of a **building** approximately at or first above **grade**.

**Ground Floor Area:** means the **gross floor area** only on the **ground floor**.

**Heavy Machinery Repair, Sales, Service:** means the service, repair, or sales of machinery or mechanical equipment of an industrial nature.

**Height:** means, when the regulation establishes a specific dimension, the vertical distance between the **established grade** to the highest point of a **structure** excluding architectural features such as, but not limited to, chimneys, cupolas, clock **towers**, weather vanes, steeples, and radio transmission **towers**. When the regulation establishes **height** in **storeys**, means the number of **storeys**.

The **height** requirements of this By-law shall not apply to roof top mechanical penthouses provided they occupy less than 10% of the aggregate area of the roof of the **building** on which they are located and extend no higher than 5.0 m above the maximum permitted **height**.

**Herein:** means in this By-law and shall not be limited to any particular section of this By-law.

**Home Occupation:** means an **accessory** business, occupation or use conducted for gain or profit in a **dwelling unit** by a resident of that **dwelling unit** which is clearly subordinate to the primary residential use of that **dwelling unit**, and which does not create a public nuisance or **adverse effect** on the abutting lands and/or surrounding community.

**Home Improvement Centre:** means a **building** or part of a **building** wherein **building** materials, hardware or accessories, including lumber, are displayed or offered for sale.

**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 retail uses, which are incidental and subordinate to the primary **hotel** function and oriented to serve the **hotel** patrons.

**Inoperative Vehicle:** means a **motor vehicle** that is mechanically inoperative, and/or is in a state that precludes immediate use.

**Lane:** means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a **lot** where the **lot** also fronts or flanks onto a **street**, or where a **lot** fronts onto public or private open space. The **lane** may be maintained by a condominium corporation as a private road condominium or by a **governmental authority**.

**Landscaped Open Space:** 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**.

**Landscaped Open Space, Front or Front Landscaped Open Space:** means the amount of **landscaped open space** within a **front yard** as a proportion of the **front yard**.

**Landscape Strip:** means an area which shall include a planting screen, or landscaped earth berm, or a combination of these features, and which may include fences and walls as part of the area. Walkways may traverse the **landscape strip**.

**Livestock:** means cattle, swine, sheep, goats, poultry, horses, ponies, donkeys and mules.

**Live Work Unit:** means a **townhouse dwelling** or **multiple attached dwelling**, where the **ground floor** only, or part thereof, may be used for commercial purposes as permitted by this By-law, except that the **basement** may be used for storage for the commercial use, and where the commercial and residential components can be accessed by a common internal entrance.

**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 (1) **commercial vehicle** while merchandise or materials are being loaded or unloaded from such **vehicles**.

**Lot:** means a parcel of land owned by one (1) **person** or one (1) group of **persons** which meets the requirements of this By-law having regard to the use to which it is put or the use to which it is proposed to be put or, if it does not meet the requirements of this By-law, is the entire holding of that one (1) **person** or one (1) group of **persons** put to that use at the date of the passing of this By-law or, is a parcel of land which has been legally excused from meeting the requirements of this By-law.

**Lot Area:** means the total horizontal area of a **lot**, less the horizontal area of any part of the **lot** which does not lie within a zone in which the proposed use is permitted.

**Lot Coverage:** means the total horizontal area of the part of the **lot area** covered by all **buildings** above ground level excluding eave projections to a maximum of 0.6 m.

**Lot, Corner:** means a **lot** situated at the intersection of, and abutting at least two (2) **streets**, provided that the interior angle of intersection of such **streets** is not more than 135 degrees.

**Lot Depth:** means the average horizontal distance between the **front lot line** and **rear lot line**. If the **front lot line** and **rear lot line** are not parallel, the **lot depth** shall be measured by a straight line joining the mid-point of the **front lot line** with the mid-point of the **rear lot line**. Where there is no **rear lot line**, the **lot depth** shall be measured by a straight line joining the mid-point of the **front lot line** with the apex of the triangle formed by the **side lot lines**.

**Lot Frontage:** means the horizontal distance between the **side lot lines** of a **lot** measured along a line parallel to and 6.0 m distant from the **front lot line**.

**Lot Line:** means a line delineating any boundary of a **lot**.

**Lot Line, Flankage:** means the **side lot line**, which separates a **lot** from the **street** adjacent to it.

**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**.

**Lot Line, Interior Side:** means a **side lot line**, which is not adjacent to a **street**.

**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.

**Lot Line, Side:** means all **lot lines**, which join both a **front lot line** and a **rear lot line**.

**Lot, Residential:** means a **lot** situated in a Residential zone and having a **lot frontage** and **lot area** in accordance with the requirements of the zone in which the same is situated.

**Lot, Through:** means a **lot** bounded on opposite sides by a **street**.

**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 a maximum of 50.0 m<sup>2</sup> in **gross leasable floor area**, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.

**Mobile Home:** means a factory-built **dwelling unit** manufactured in accordance with CSA standards that is designed to be made mobile and is intended to provide permanent residence but does not include any **trailer** otherwise defined in this By-law.

**Model Home:** means a **dwelling unit** which is not used for residential purposes, but which is used exclusively for sales, display and marketing pursuant to an agreement with the City of Pickering.



**Motor Vehicle:** means automobile, motorcycle, motor assisted bicycle or any other **vehicle** propelled or driven other than by muscular power, but does not include a street car, or other **motor vehicles** running only upon rails, or a motorized snow **vehicle**, traction engine, farm tractor, riding lawn-mower, self-propelled implement of husbandry or road-building machine within the meaning of the Highway Traffic Act. R.S.O. 1990, or successor thereto.

**Non-Complying:** means a **lot, building or structure** which is permitted by this By-law but which does not meet the regulations of the zone in which it is located as of the date of passage of this By-law.

**Non-Conforming:** means a use or activity of any land, **building or structure** which is not an identified permitted use for the Zone in which it is located as of the date of passage of this By-law.

**Nightclub:** means a **building**, or part thereof, whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such music is provided for listening or dancing by the patrons, or any combination of the above functions, and where food and/or beverages may be served, but does not include a **restaurant** or an **adult entertainment establishment**.

**Nursing Home or Long-Term Care:** means a **building** in which **persons** are cared for and lodged, where, in addition to sleeping accommodation and meals, personal care, nursing services and medical care are provided or made available.

**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**.

**Openings:** means spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof.

**Outdoor Storage:** means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or **inoperable vehicles**.

**Parking Area:** means one (1) or more **parking spaces**, including related aisles, for the parking or storage of **vehicles**.

**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.

**Parking Lot:** means a **lot** or portion thereof provided for the parking of **vehicles accessory** or incidental to the main use.

**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 (1) **vehicle**.

**Parking Pad:** means an open area of land that is paved and/or treated with a stable surface that is used as one (1) or more **parking spaces** and which is exclusively devoted to a residential use on the same **lot**.

**Pedestrian Perception Step-back:** means the horizontal distance that the exterior wall of a **storey** must be offset, towards the interior of the **building**, measured from the outer edge of the exterior wall of the **storey** directly below it, or from the outer edge of the exterior wall of the **storey** that the by-law indicates from which it is to be offset.

**Person:** means an individual, association, firm, partnership or incorporated company.

**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.

**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.

**Place of Worship:** means a facility the primary use of which is the practice of religion, but which may include **accessory** uses subordinate and incidental to the primary use such as classrooms for religious instruction, programs for community social benefit, assembly areas, kitchens, **offices** and a residence for the faith group leader. Other than a **day care centre**, which shall be permitted, a **place of worship** shall not include a **private school** or residential or commercial uses.

**Podium:** means that portion of the first two (2) **storeys** of an **apartment dwelling, nursing home or long-term care building or retirement home**, excluding a **parking garage, mechanical floor area, storage area, service room, refuse area and/or loading space**, that is permitted to encroach into a required **front yard** and/or **exterior side yard**.

**Porch:** means a roofed **deck** or portico **structure** attached to the exterior wall of a **building**. A **basement** may be located under the **porch**.

**Primary Entrance Door:** means the principal entrance by which the public enters or exits a **building** or individual **retail/commercial unit** or the resident enters or exits a **dwelling unit**.

**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.

**Public Bath/Whirlpool:** means indoor or outdoor premises where people may bathe, swim, or lounge within pools or tanks of water.

**Retail/commercial unit:** means a **building** or a separate unit within a **building** that is separately owned or leased and used for retail or commercial purposes.

**Retirement Home:** means a **building** in which six (6) or more **persons** are cared for and lodged, where, in addition to sleeping accommodation and meals, at least one (1) other personal care service is provided such as nursing services, assistance with feeding, assistance with bathing or assistance with personal hygiene.

**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 **nightclub**.

**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.

**School, Commercial or 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** a college or university.

**School, Elementary or Secondary School:** means a place of instruction maintained and operated under the jurisdiction of a **governmental authority**.

**School, Private:** means a place of instruction (excepting a **commercial school** or private career college) offering courses equivalent to those customarily offered in an **elementary school** or **secondary school**.

**Service and Repair Shop:** means a premises for the servicing, repairing or renting, of articles, goods or materials but shall not include any **vehicle**, recreational **vehicle** or boats.

**Setback:** means the distance between a **building** and a **lot line**. In calculating the **setback** the horizontal distance from the respective **lot line** shall be used.

**Shelter:** means a **building** or **structure** used solely for the purposes of providing temporary **shelter** and shall not be used for human habitation.

**Stacking Lane:** means an area of land that is used exclusively for queued **vehicles** whose occupants are waiting to be provided with goods, materials or services from a **drive-through facility**.

**Storey:** means that portion of a **building** other than a **basement**, **cellar**, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

**Storey, First:** means the **storey** with its floor closest to **grade** and having its ceiling more than 1.8 m above **grade**.

**Street:** means a public highway but does not include a **lane**. Where a 0.3 m reserve abuts a **street**, or where a **daylighting triangle** abuts a **street**, for the purposes of determining a **front lot line**, **flankage lot line**, **flankage yard** and **corner lot**, the **street** shall be deemed to include the 0.3 m reserve and / or the **daylighting triangle**, however, nothing **herein** shall be interpreted as granting a public right of access over the 0.3 m reserve or as an assumption of the 0.3 m reserve as a public highway for maintenance purposes under the Municipal Act

**Street Line:** means the dividing line between a **lot** and a **street**.

**Street, Private:** means

- a) A right-of-way or roadway that is used by **vehicles** and is maintained by a condominium corporation;
- b) A private road condominium, which provides access to individual freehold **lots**;
- c) A roadway maintained by a corporation to provide vehicular and pedestrian access to **parking lots** and individual **retail/commercial units**; or
- d) A private right-of-way over private property, that affords access to **lots** abutting the **private street**;

but is not maintained by a public body and is not a **lane**.

**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 in-ground swimming pools.

**Supermarket:** means a **building**, or part thereof, containing a departmentalized food store, but does not include a **convenience store**.

**Tandem Parking Space:** means two (2) or more **parking spaces** abutting each other end to end with only one (1) having access to an aisle.

**Tavern/Bar/Pub:** means an establishment which supplies alcoholic drinks and may provide food and entertainment and contains a walk-up bar or counter where patrons may order, obtain and pay for food and alcoholic drinks.

**Taxi Service:** means the operation of a service providing taxicab **motor vehicles** with drivers used for hire for the conveyance of goods and passengers.

**Tower:** means the **storeys** within that portion of a **building** or **structure** or part thereof located above the **podium**.

**Tower Floor Plate:** means the **gross floor area** of each **storey** within a **tower**.

**Trailer:** means any **vehicle** so constructed that it is suitable for being attached to a **motor vehicle** for the purpose of being drawn or propelled by the said **motor vehicle**, and capable of being used for living, sleeping, or eating accommodation, or the transportation of a boat, snowmobile, tent, or materials, and shall be considered a separate **vehicle** and not part of the **motor vehicle** by which it is drawn. Any items or materials placed on a **trailer** for the purpose of transport are to be considered as part of the **trailer**.

**Vehicle:** means a car, truck, **trailer**, recreational **vehicle** including boats, van, motorcycle, snowmobile, or any other **vehicle** required to be licensed.

**Vehicle Dealership:** means a **building**, or part thereof, where new or used **vehicles** are displayed and/or offered for sale, rent or lease including the **outdoor storage** and display of **vehicles** and may include an associated **vehicle repair shop**.

**Veterinarian Clinic:** means a **building** or part of a **building** providing the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

**Vehicle Repair Shop:** means a premises used to conduct diagnostic services, repairs, detail and cleaning services or equipping of **vehicles** or in which the replacement of parts and services to **vehicles** are completed while the customer waits.

**Waste:** means a material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a useable product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process.

**Waste, Hazardous:** means any substance or material licensed or included within a Certificate of Approval issued by Federal, Provincial, or Regional Governments that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any **person** handling or otherwise coming into contact with such material or substance.

**Waste Processing Station:** means a facility within an enclosed **building** whose primary purpose is the sorting and processing of **waste** to create a new product or raw material on site.

**Waste Transfer Station:** means a facility within an enclosed **building** whose primary purpose is the collection and storage of **waste** or **hazardous waste** for shipment, and which may include limited sorting or preparation of that **waste** to facilitate its shipment for final disposal or to a **waste processing station**, but does not include salvage **yards** or scrap metal **yards**.

**Warehousing:** means the housing or storage of goods, wares, merchandise, food-stuffs, substances, articles, or things before wholesale distribution to a retailer.

**Wholesaling:** means the distribution of goods, wares, merchandise, food-stuffs, substances, articles, or things, in large quantities, to a business or retailer for eventual or further distribution, processing, assembly, or retail sale.

**Yard:** means any open, uncovered, unoccupied space appurtenant to a **building**.

**Yard, Flankage:** means a **side yard** adjacent to a **street**.

**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.

**Yard, Interior Side:** means a **side yard** not adjacent to a **street**.

**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.

**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.

## 14.10 Holding Provisions

1. Notwithstanding any other provisions of this By-law, where a zone symbol is preceded by an open bracket and the letter “H” and a closed bracket, the lands subject to that zone shall be used only for the uses, **buildings** and structures that **existed** at the date of the passing of this By-law, until the “H” is removed.
2. Council may pass a by-law to remove the Holding (H) Symbol, thereby placing the lands in the zone indicated by the zone symbol, when all of the applicable requirements have been met.

### 14.10.2 Holding Zones

1. The following Holding provisions apply to the properties specified:
2. The lands beyond the Phase 1 lands as identified on Figure C of the staged servicing and Implementation Strategy dated October 2012.
  - a) The “(H)” Holding Symbol shall be removed when:
    - i) a transportation study is completed identifying the need, and if warranted, the extent and timing of additional transportation improvements including collector and **arterial roads** internal to the Seaton Urban Area, road linkages external to the Seaton Urban Area including linkages internal and external to Durham Region and interchanges with Highway 407 ETR that may be required to support development beyond the first phase, which shall not exceed 9,800 detached equivalent units, as defined in the Staged Servicing and Implementation Strategy. The transportation study is to be undertaken by the landowners in consultation with the City of Pickering, Durham Region, City of Toronto and York Region and shall be in accordance with Policy 11.74 (b) of the Pickering Official Plan, as amended by Pickering Official Plan Amendment 22; and
    - ii) the City is satisfied that the transportation improvements identified in the transportation study referred to in (i) above as required to support the development of the subsequent phase to be released from the H - holding provision will be provided in accordance with the timing recommended by the transportation study, and that satisfactory arrangements are in place for the funding of those transportation improvements.

# 15 Exception Zones

## 15.1 Placeholder



## 16 Enactment

### 16.1 Effective Date

1. This By-law shall come into force the day that it is passed, if no appeals are received. If appeals are received, the appealed portions shall come into force when all such appeals have been withdrawn or finally disposed of and the rest of the By-law shall come into force the day the By-law is passed.

### 16.2 Repeal of Former By-laws

1. Save and except to give effect to the transition clauses established in Section 1.7 of this By-law, the following former Zoning By-laws adopted under the *Planning Act*, as amended, as they apply to any part of the defined area, are hereby repealed.
  - a) By-law No. 2511 of the City of Pickering;
  - b) By-law No. 2520 of the City of Pickering;
  - c) By-law No. 3036 of the City of Pickering;
  - d) By-law No. 3037 of the City of Pickering;
  - e) By-law No. 7364/14 of the City of Pickering; and
  - f) By-law No. 7553/17 of the City of Pickering.

### 16.3 Enactment

1. Enacted by the Council of the Corporation of the City of Pickering this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.