

15.92 Exception Zone 92 (By-law 173/75, as amended by By-law 280/75 and By-law 406/76)

1. Definitions

- a) "Flankage, Yard" shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from the front lot line to the rear lot line.
- b) "Frontage, Yard" shall mean all property abutting on one side of a street measured along a 6 metre set back line from the street.

2. Provisions

- a) The performance standards and provisions as set out in Figures 1 through 3 shall apply.

3. Figure 1

| Zone | Symbol | Maximum Density - Minimum Frontage | Maximum Density - Minimum Lot Area Per Dwelling | Maximum Density - Minimum Floor Area | Minimum Yards - Front | Minimum Yards - Side | Minimum Yards - Rear | Minimum Parking Spaces per Dwelling |
|-------------------------|--------|---|---|--------------------------------------|-----------------------|--|----------------------|---|
| Semi-Detached Dwellings | SD | 2 dwellings per registered lot 18.0 metres 19.5 metre corner lot | 275 square metres | 95 square metres | 4.5 metres | 1.2 metres side 2.7 metres flankage | 7.5 metres | Each dwelling shall have one private garage set back at least 6.0 metres from a street in addition to the minimum ground floor requirement. |

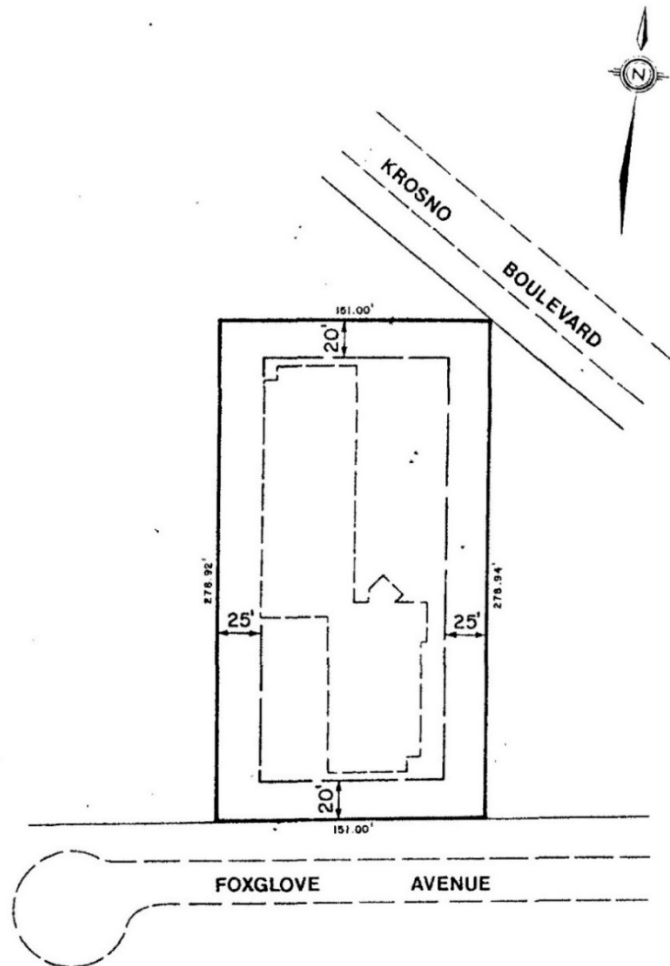
4. Provisions

- a) Maximum building height – 10.5 metres
- b) Maximum building coverage – 33 percent
- c) Where semi-detached dwellings are attached in part below grade and separated above grade, such separation shall be a minimum of 1.2 metres.
- d) The subject lands are specifically exempted from Sections 8.3 of By-law 2520

5. Figure 2

| Zone | Symbol | Uses Permitted | Maximum Density | Landscaped Open Space | Coverage | Building Heights | Setbacks | Minimum Net Floor Area | Minimum Requirement |
|-----------------------|---------------|---------------------------|---|------------------------------|-----------------|-------------------------|--|-------------------------------|----------------------------|
| Residential Apartment | A36 | Senior Citizens Apartment | 89 units per hectare to nearest full unit | Minimum 50 percent | Maximum percent | 10.5 metres | Setbacks from street & property boundaries as per Figure 3 | 1 Bedroom 43 square metres | 1 space per 4 units |

6. Figure 3



LIVERPOOL - KROSNO

SCHEDULE "D" TO BY-LAW 173/75

PASSED THIS 17th DAY OF January, 1977

[Signature] *[Signature]*
MAYOR CLERK

- Notes:
1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.
 2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THIS BLOCK.
 3. ABOVE SKETCH - NOT TO SCALE.

15.93 Exception Zone 93 (By-law 3991/71, as amended by By-law 1574/82)

1. None of the restrictions or provisions that apply to RM2 Zones in By-law 2520 shall apply to the lands subject to this exception and the said lands shall be developed in accordance with the following provisions:

a) Parcel 1:

i. Maximum Dwelling Units:

180 apartment dwelling units and 33 multiple family dwelling units

ii. Floor Space:

A. Minimum for each multiple attached dwelling unit: 95 square metres

B. Minimum for each apartment house dwelling unit

1) Bachelor 32 square metres

2) 1 Bedroom 40 square metres

3) 2 Bedroom 50 square metres

4) 3 or more Bedrooms 65 square metres

iii. Height: (Apartment)

Maximum 50 metres

iv. Setbacks and Parking:

Front yards, side yards, rear yards, location of buildings and parking area shall be as shown on the said site plan attached hereto as Figure 1. Additional accessory buildings and structures for recreational purposes may be permitted a minimum of 1 metre from any lot line except that where the lot line abuts a street, a minimum setback of 9 metres shall be maintained. Underground and surface parking spaces shall be a minimum of 1.25 spaces per dwelling unit.

b) Parcel 2:

i. Maximum Dwelling Units:

97 multiple family dwelling units

ii. Floor Area:

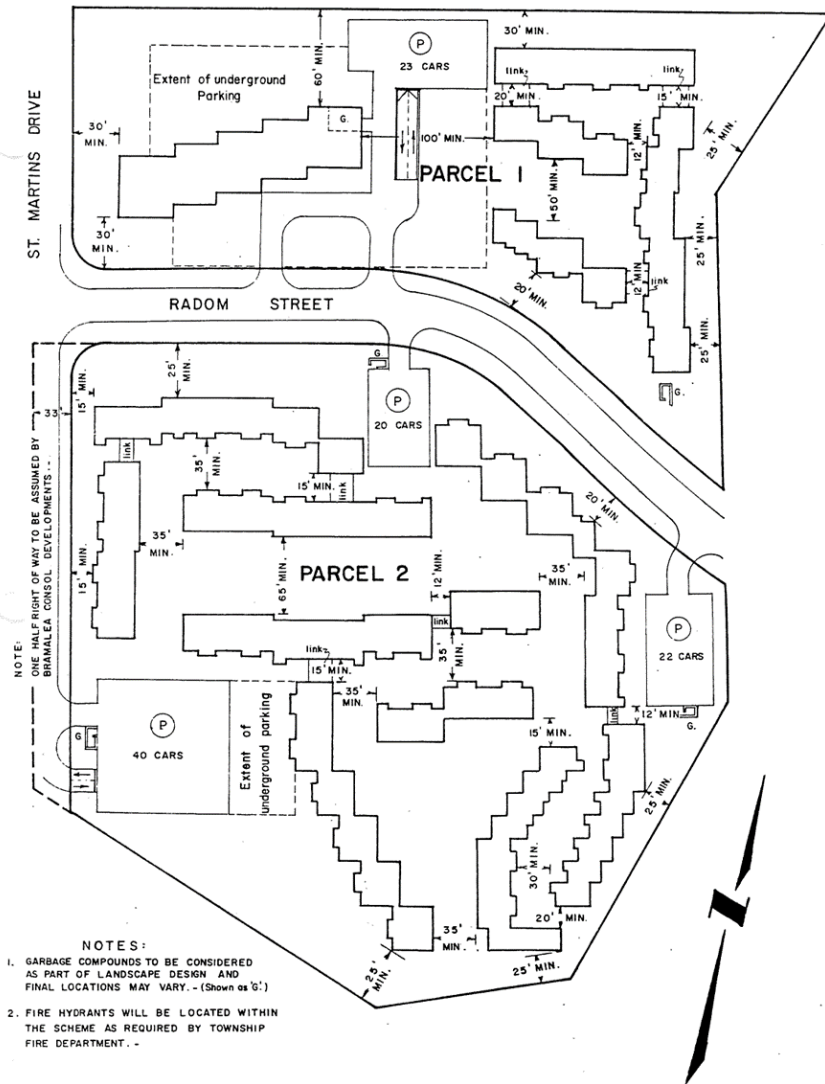
Minimum for each multiple attached dwelling units 95 square metres

iii. Setbacks and Parking:

Front yards, side yards, rear yards, location of buildings and parking areas shall be as shown on the said site plan attached hereto as Figure 1. Underground and surface parking spaces shall be a minimum of 1.25 spaces per dwelling unit.

- iv. For the purpose of this paragraph the term "Day Nursery - Type A" shall mean lands and premises duly licensed pursuant to the *Day Nurseries Act*, or any successor thereto, for use as a facility for the daytime care of not more than forty (40) children at any one time.
- v. The lands known as Parcel 2 on Figure 1, being Part of Block Y, Plan M-16 may be used for the purpose of a Day Nursery – Type A.

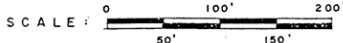
2. Figure 1



NOTE:
 1. SALE RIGHT OF WAY TO BE ASSUMED BY BRAMBLEA CONSOL. DEVELOPMENTS

- NOTES:
- 1. GARBAGE COMPOUNDS TO BE CONSIDERED AS PART OF LANDSCAPE DESIGN AND FINAL LOCATIONS MAY VARY. - (Shown as 'G')
 - 2. FIRE HYDRANTS WILL BE LOCATED WITHIN THE SCHEME AS REQUIRED BY TOWNSHIP FIRE DEPARTMENT. -

TOWNSHIP OF PICKERING
 PART OF BLOCK 'Y' PLAN M-16
SCHEDULE 1A TO BY-LAW N^o 3991/71
 AMENDING BY-LAW N^o 2520



PASSED THE 17th day of May, 1971

J. R. WILLIAMS (Sgd)
 Recv
 D. J. PLITZ (Sgd)
 Clerk

15.94 Exception Zone 94 (By-law 1579/82, as amended by By-law 5244/98)

1. Definitions

- a) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization and may include a financial institution, a telegraph office, a data processing establishment, a newspaper publishing agent, or a radio or television broadcasting station and related studios or theater, but shall not include a retail store.
- b) "Dry-Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to dry-cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subject to any such processes.
- c) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.
- d) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.
- e) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.
- f) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.
- g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.
- h) "Neighbourhood Store" shall mean a store in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of, or persons employed in the immediate neighbourhood.
- i) "Personal Service Shop" shall mean an establishment where a personal service is performed and may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time or any successor thereto.

- j) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given and may include a clinic and the offices of an architect, chartered accountant, engineer, lawyer or physician but shall not include a bodyrub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time or any successor thereto.
- k) "Restaurant Type G" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, and which may include an accessory take-out component, but shall not include a drive-through.
- l) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles, or things are stored, offered, or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things sufficient only to service such store, but does not include any retail outlet otherwise classified or defined in the By-law.
- m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.
- n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest wall of the nearest main building or structure on the lot.
- o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.
- p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.
- q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.
- r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.
- s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

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

2. Provisions

a) Uses Permitted ("C4-1" Zone)

No person shall within the lands designated "C4-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. business offices
- ii. dry-cleaning depots
- iii. laundromats
- iv. neighbourhood stores
- v. personal service shops
- vi. professional offices
- vii. restaurant Type G
- viii. retail store

b) Zone Requirements (C4-1" Zone)

No persons shall within the lands designated "C4-1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum) 0.3 hectares
- ii. Lot Frontage (minimum) 45 metres
- iii. Front Yard Depth (minimum) 12 metres
- iv. Interior Side Yard Width (minimum)
4.5 metres, except where an interior side lot line abuts a residential zone, the minimum interior side yard width shall be 7.5 metres.
- v. Flankage Side Yard Width (minimum) 12 metres
- vi. Rear Yard Width (minimum) 7.5 metres
- vii. Lot Coverage (maximum) 33 percent
- viii. Building Height (maximum) 12 metres
- ix. Parking Requirements (minimum) 4.5 parking spaces per 93 square metres gross floor area
- x. Special Restrictions:
 - A. The gross floor area of all buildings on the lot shall not exceed 738 square metres.

- B. The gross floor area of a neighbourhood store shall not exceed 400 square metres.
- C. a maximum of 1 restaurant Type G shall be permitted on the subject lands, with a maximum gross floor area of 200 square metres.
- D. the gross floor area of any retail store shall not exceed 400 square metres.

15.95 Exception Zone 95 (By-law 2806/63)

1. On the lots numbered:
 - a) M-11 447 1396 Fordon Avenue, Bay Ridges
 - b) M-11 502 851-849 Modin Road, Bay Ridges
 - c) M-16 1247 856 Douglas Avenue
 - d) M-14 29 1339 Poprad Avenue
 - e) M-14 120 873 Naroch Blvd.
 - f) M-14 18 1326 Poprad Avenue
 - g) M-11 428 900 Kronso Blvd.
 - h) M-11 712 847 Reytan Blvd.

A carport may be erected in the side yard provided it is not closer to the street line than any side entrance to the dwelling or closer than 0.5 metre to the side lot line

A carport shall be deemed to be a private garage which is completely open on two or more sides other than for roof supports.

15.96 Exception Zone 96 (By-law 426/96)

1. Notwithstanding any provision of this By-law, the land zoned “RM1/PS” may be used exclusively for the purposes of either a detached dwelling or a beauty salon;
2. A detached dwelling use shall be subject to the provisions of Section 7.2 of By-law 2520;
3. A beauty salon use shall be subject to the following provisions:
 - a) There shall be provided and maintained on the lot a minimum of 5 parking spaces for customers;
 - b) For the purpose of this Subsection, “parking space” shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles;
 - c) Parking spaces shall be setback a minimum of 1.0 metre from the front property line; 1.5 metres from the northern (side) lot line; and 2.0 metres from the southern (flankage side) lot line; and
 - d) All of the required customer parking may be located in the front yard;
4. For the purpose of this Section, “beauty salon” shall mean an establishment in which a personal service is performed, which may include a barber shop, beauty salon, tanning salon, nail salon, shoe repair shop, tailor or dressmaker shop, photographic studio, or similar use, but shall not include a body-rub parlour as defined in Section 224 (9)(b) of the *Municipal Act*, RSO 1990, Chapter M.45, as amended from time to time, or any successor thereto.

15.97 Exception Zone 97 (By-law 2734/62, as amended by By-law 3178/66, and By-law 3257-67)

1. For the purpose of this Exception zone, “gross floor area” shall mean the aggregate of the floor areas of all the stories of a building or structure, or part thereof as the case may be, other than a private garage add an attic, and shall include a cellar.
2. Nothing in this By-law shall prevent the erection and use of a building or structure on Lots 67, 68, 69, 70 and 71 of Registered Plan M-14 as a professional office provided that:
 - a) Such a building or structure shall have the external appearance of a detached dwelling.
 - b) One (1) parking space shall be provided in the side or rear yard for each 37 square metres of professional office space contained in the said building or structure.
 - c) The Area Requirements of Section 7.2 of By-law 2520 are complied with.
 - d) A professional office shall contain only the offices of a physician, dentist, lawyer, architect, engineer, chartered accountant, real-estate agent or insurance agent.

15.98 Exception Zone 98 (By-law 3587/90)

1. Definitions

- a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.
- b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.
- c) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls.
- d) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade.
- e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.
- f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.
- g) "Landscaped Open Space" shall mean space on a lot which is open and unoccupied and is suitable for growing grass, flowers, bushes, shrubs or other landscaping plants and includes a waterway, walk, patio or similar space but does not include any portion of a parking aisle, parking space, ramp or driveway.
- h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.
- j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions

a) Uses Permitted ("RM1-4" Zone)

No person shall within the lands designated "RM1-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. multiple dwelling - horizontal
- ii. semi-detached dwelling residential use

b) Zone Requirements ("RM1-4" Zone)

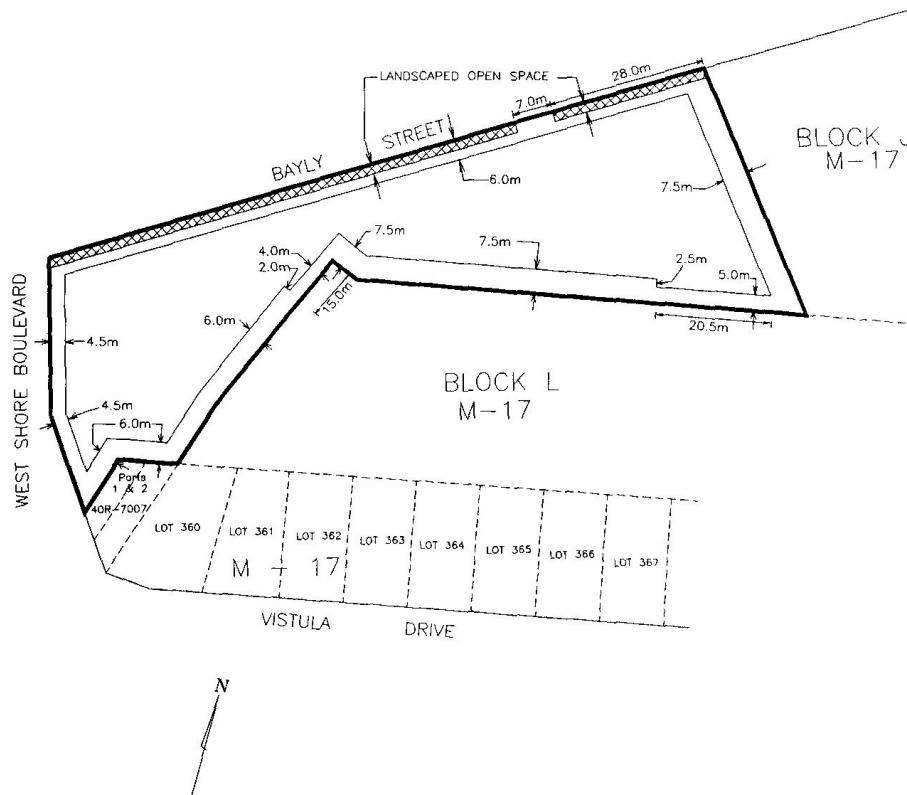
No person shall within the lands designated "RM1-4" use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. Building Setbacks (minimum): as illustrated on Figure 1
- ii. Building Height (maximum): 12.0 metres
- iii. Dwelling Unit Requirements:
 - A. minimum dwelling unit area 100 square metres
 - B. no more than 41 dwelling units shall be permitted within the area designated "RMI-4"
- iv. Landscaped Open Space Requirements (minimum):

3.0 metre wide landscaped open space shall be provided on that part of the lands designated "RM1-4" that is cross-hatched and designated "Landscaped Open Space" on Figure 1
- v. Parking Requirements:
 - A. "Parking Space" shall mean a useable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;
 - B. For each dwelling unit, there shall be provided and maintained on the lot:
 - 1) one private garage attached to the dwelling unit; any vehicular entrance of which shall be located not less than 6.0 metres from the nearest traffic aisle; and
 - 2) a minimum 0.3 visitor parking spaces;
 - C. Sections 5.21.1, 5.21.2b) and 6.6c) of By-law 2520 as amended, shall not apply to lands designated "RM1-4" on Figure 1 attached hereto;
 - D. All but two parking spaces shall be set back a minimum of 3.0 metres from all road allowances;

- vi. Special Regulations:
 - A. The horizontal distance between multiple dwellings-horizontal shall be a minimum of 0.9 metres;
 - B. The horizontal distance between multiple dwellings-horizontal and a semi-detached dwelling shall be a minimum of 1.8 metres;
 - C. A maximum of one semi-detached dwelling may be erected within the lands designated "RM1-4";
 - D. Only one pair of single dwellings comprising one semi-detached dwelling shall be permitted within the lands designated "RMI-4" and, despite Section 1(d), they shall be attached to each other above grade by a common wall which shall be not less than 3.0 metres in length and not less than 2.4 metres in height; and
 - E. Despite the requirements of this Exception zone:
 - 1) a water meter room, with a maximum floor area of 4 square metres, attached to but not forming part of a dwelling; and
 - 2) a refuse storage structure with a maximum enclosed area of 28 square metres;shall be permitted within the lands designated "RM1-4".

3. Figure 1




DIMENSIONS SHOWN INDICATE REQUIRED
MINIMUM BUILDING SETBACKS - SEE SECTION 5.(1)(b)(i)

SCHEDULE II TO BY-LAW 3587/90

PASSED THIS 5th

DAY OF November 1990


MAYOR (Wayne E. Arthurs)


CLERK (Bruce J. Taylor)

15.99 Exception Zone 99 (By-law 5580/99)

1. Definitions

- a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale.
- c) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio broadcasting station, but shall not include a retail store as defined herein.
- d) “Club” shall mean a building or part of a building in which a not-for profit or non commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community, but shall not include an adult entertainment parlour as defined herein.
- e) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein.
- f) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include an adult entertainment parlour, or any uses permissible within a place of amusement or entertainment, as defined herein.
- g) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include a day nursery or any other school as defined herein.
- h) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the *Day Nurseries Act*, or any successor thereto, for use as a facility for the daytime care of children.
- i) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry

cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

- j) “Financial Institutions” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged.
- k) “Food Store” shall mean a building or part of a building in which food or produce is stored, offered and kept for retail sale to the public and in which items or merchandise of day-to-day household necessity may be stored, offered and kept for retail sale to the public.
- l) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment.
- m) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1990, as amended from time-to-time, or any successor thereto.
- n) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the *Gaming Services Act*, an adult entertainment parlour as defined herein, or a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1990, as amended from time-to-time, or any successor thereto.
- o) “Place of Assembly” shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein.
- p) “Place of Religious Assembly” shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof.
- q) “Private Non-Residential School” shall mean a school which is maintained for educational or religious purposes, but shall not include a day nursery, or any other school defined herein.
- r) “Private Residential School” shall mean a school which is maintained for educational or religious purposes, and which includes accessory residential facilities, but shall not include a day nursery, or any other school defined herein.

- s) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1990, as amended from time-to-time, or any successor thereto.
- t) “Public School” shall mean,
 - i. a school under the jurisdiction of a board of education which board is established pursuant to the *Education Act*, R.S.O. 1980, or any successor thereto;
 - ii. a college of applied arts and technology established pursuant to the Ministry of Education, Colleges and Universities, pursuant to the *Ministry of Colleges and Universities Act*, R.S.O. 1980, or any successor thereto;
 - iii. a university eligible to receive potential funding from the Minister of Education, College and Universities, pursuant to the *Ministry of College and Universities Act*, R.S.O. 1980, or any successor thereto;but shall not include a day nursery, or any other school defined herein.
- u) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on or off the premises, or both, but shall not include an adult entertainment parlour as defined herein.
- v) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, foods, substances, articles or things are stored, kept and offered for retail sale to the public.

2. Provisions

a) Uses Permitted ("LCA-10" Zone)

No person shall within the lands designated "LCA-10" use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. bakeries
- ii. business offices
- iii. clubs
- iv. commercial clubs
- v. commercial-recreational establishments
- vi. commercial schools
- vii. dry cleaning depots
- viii. financial institutions

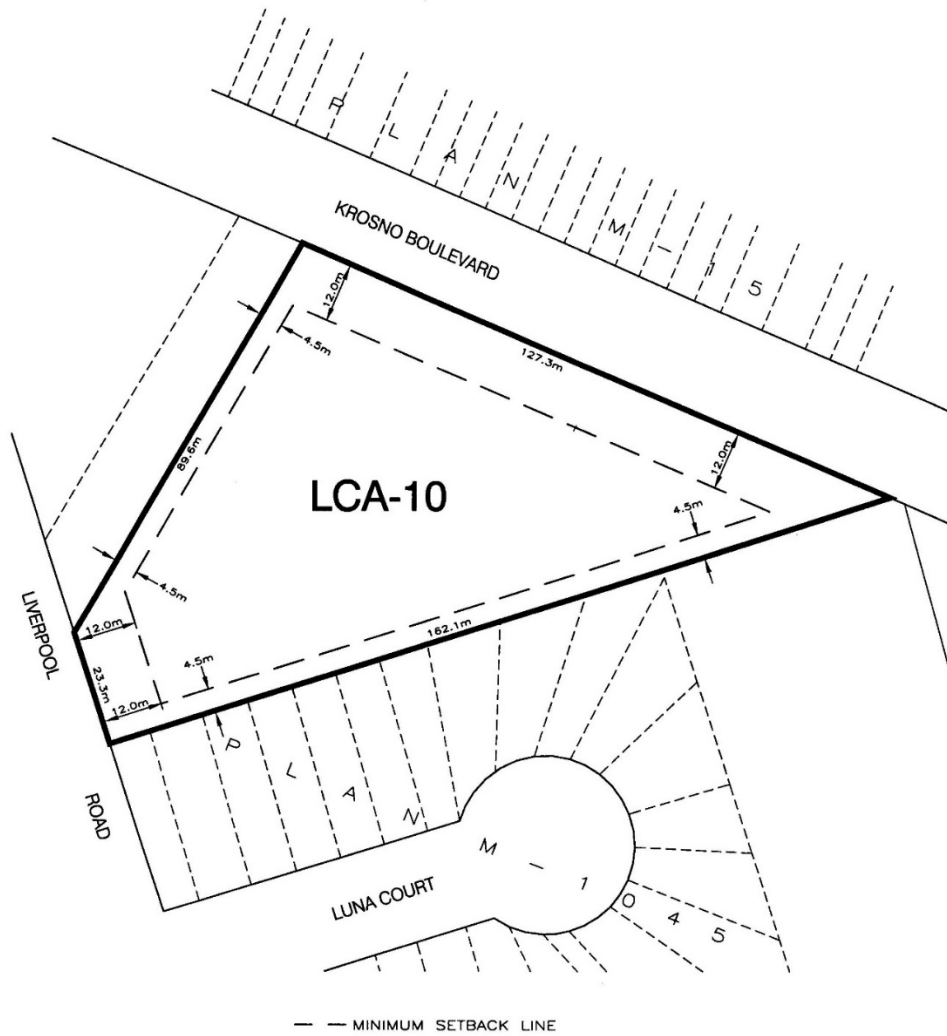
- ix. food stores
- x. laundromats
- xi. personal service shops
- xii. places of assembly
- xiii. places of religious assembly
- xiv. professional offices
- xv. restaurants type - A
- xvi. retail stores

b) Zone Requirements ("LCA-10" Zone)

No person shall within the lands designated "LCA-10" use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Buildings and structures shall comply with the minimum setbacks illustrated on Figure 1;
- ii. There shall be provided and maintained on the lands designated "LCA 10" a minimum of 4.5 parking spaces per 93 square metres of building gross leasable floor area;
- iii. Clauses 5.21.2 a) to 5.21.2 f), inclusive, of By-law 2520, as amended, shall not apply to the lands designated "LCA-10";
- iv. Notwithstanding clauses 5.21.2 g) and 5.21.2 k) of By-law 2520, as amended, all entrances and exits to parking areas, and all parking areas, shall be surfaced with brick, asphalt, or concrete, or any combination thereof;
- v. The aggregate gross leasable floor area of all food stores on the lot shall not exceed 1200 square metres;
- vi. The aggregate gross leasable floor area of all restaurants – type A on the lot shall not exceed 300 square metres;
- vii. The maximum gross leasable floor area of any club, commercial club, commercial-recreational establishment, commercial school, place of assembly or place of religious assembly shall not exceed 300 square metres; and
- viii. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial-recreational establishments, commercial schools, places of assembly and places of religious assembly shall not exceed 900 square metres;

3. Figure 1

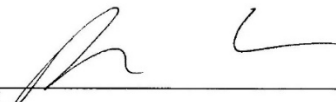


SCHEDULE I TO BY-LAW _____
PASSED THIS _____
DAY OF _____ 1999





MAYOR



CLERK

15.100 Exception Zone 100 (By-law 5938/02, as amended by By-law 7811/21)

1. Definitions

- a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale.
- c) “Bed and Breakfast” shall mean a business within a detached dwelling in which a maximum of three rooms are provided with or without meals for hire or pay, for the traveling or vacationing public.
- d) “Boat Storage” shall mean the temporary or seasonal open storage of boats on land, and may include a trailer supporting a boat, but shall not include the service, repair or sale of boats.
- e) “Business Office” shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store.
- f) “Club” shall mean a building or part of a building in which a not-for-profit or non commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community.
- g) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;
- h) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the *Day Nurseries Act*, or any successor thereto, for use as a facility for the daytime care of children.
- i) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

- j) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.
- k) “Dwelling, Apartment Dwelling” shall mean a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule.
- l) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.
- m) “Multiple Dwelling – Horizontal” shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls.
- n) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.
- o) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.
- p) “Ground Floor Area” shall mean the area of that portion of a lot occupied by a building or structure, exclusive of any porch, private garage, verandah or sunroom, unless such sunroom is habitable at all seasons.
- q) “Gross Leasable Floor Area – Commercial” shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than rooms or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors.
- r) “Games Arcade” shall mean any building, room, or area in which facilities are offered for the play of
 - i. three or more games of chance,
 - ii. three or more games of mixed chance and skill,
 - iii. a combination of three or more games of chance and games of mixed chance and skill,for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the amusement facilities offered are pool tables, billiard tables, or bowling alleys.
- s) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

- t) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.
- u) “Parking Lot” shall mean a lot or portion thereof, used for the temporary storage or parking of motor vehicles and available for public use, whether free, for compensation, or as an accommodation for clients, customers or residents, but shall not include the repair or the storage or parking of motor vehicles for hire and gain, display or for sales.
- v) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include an adult entertainment parlour as defined herein or a body-rub parlour as defined in section 224 (9)(b) of the *Municipal Act*, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto.
- w) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or theatre, but shall not include a games arcade or an adult entertainment parlour as defined herein.
- x) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- y) “Private School” shall mean 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.
- z) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in section 224 (9)(b) of the *Municipal Act*, R.S.O. 1990, chapter M.45, as amended from time-to-time, or any successor thereto.
- aa) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein.
- bb) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.

- cc) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.
- dd) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.
- ee) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.
- ff) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.
- gg) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot,
- hh) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.
- ii) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.
- jj) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.
- kk) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.
- ll) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“MU-13” Zone)

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

- i. bed and breakfast
- ii. business office

- iii. club
- iv. day nursery
- v. dwelling, apartment dwelling
- vi. personal service shop
- vii. private school
- viii. professional office
- ix. restaurant - type A
- x. retail store

b) Zone Requirements (“MU-13” Zone)

No person shall within the lands designated “MU-13”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Building Location and Restrictions
 - A. Buildings and structures shall be located entirely within the envelope illustrated on Figure 1;
 - B. Building Height: minimum 7.5 metres; maximum 11.0 metres
 - C. Front Yard Depth: minimum 3.0 metres; maximum 4.5 metres
 - D. Despite clause C above, front yard balconies, verandahs and decks, both covered and uncovered, may project fully into the required minimum front yard.
- ii. Parking Requirements
 - A. For any business office, club, day nursery, personal service shop, professional office, restaurant type-A and/or retail store use, there shall be provided and maintained on the lot a minimum of 5 parking spaces per 100 square metres of gross leasable floor area or part thereof;
 - B. For a dwelling, apartment dwelling use, there shall be provided and maintained on the lot a minimum of 1.75 parking spaces per unit;
 - C. For a private school use, there shall be provided and maintained on the lot a minimum of 1 parking space per 10 students, and a minimum of 1 parking space for each staff;
 - D. For a bed and breakfast use, there shall be provided and maintained on the lot a minimum of 5 parking spaces;
 - E. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2520, as amended, shall not apply to the lands designated “MU-13”; and
 - F. Despite clauses 5.21.2g) and 5.21.2k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

iii. Special Regulations

- A. The maximum combined gross leasable floor area for all non-residential uses on the lands zoned “MU-13” shall not exceed 500 square metres;
- B. For the purpose of this clause, the term “drive through facility” shall mean a facility in which goods, products or services are provided directly to the customer in vehicles;
- C. No drive through facility shall be permitted in association with any of the uses permitted on the lands designated “MU-13”;
- D. The minimum gross floor area – residential for a dwelling, apartment dwelling unit shall be 100 square metres;
- E. A private school use shall be limited to a maximum gross leasable floor area of 335 square metres;
- F. A private school use shall be limited to a maximum of 50 students;
- G. A private school use shall be permitted to operate from September 1st to July 1st between the hours of 7:00 am and 6:00 pm;
- H. No other non-residential uses are permitted to operate on the subject property concurrent to the hours of operation of the private school as noted above; and
- I. A maximum of four apartment dwelling units shall be permitted.

c) Uses Permitted (“MU-14” Zone)

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

- i. Residential Uses:
 - A. multiple dwelling – horizontal
- ii. Commercial Uses:
 - A. business office
 - B. commercial school
 - C. professional office
 - D. personal service shop
 - E. restaurant type-A
 - F. retail store

d) Zone Requirements (“MU-14” Zone)

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

- i. Building Location and Restrictions

- A. Buildings and structures shall be located entirely within the envelope illustrated on Figure 1 attached hereto;
- B. Despite clause A above, front yard balconies, verandahs and decks, both covered and uncovered, may project fully into the required minimum front yard;
- C. Front Yard Depth: minimum 3.0 metres, maximum 4.5 metres
- D. Building Height: minimum 7.5 metres, maximum 11.0 metres
- E. Lot Frontage: minimum 6.0 metres
- ii. Parking Requirements
 - A. For each and every multiple dwelling – horizontal, there shall be provided and maintained a minimum of 3 parking spaces, any of which may not be located within a front yard, and one of which must be provided within an attached private garage located to the rear of the dwelling unit, any vehicular entrance of which shall be located not less than 6 metres from any street or drive aisle providing access to those lots;
 - B. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2520, as amended, shall not apply to the lands designated “MU-14”;
 - C. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof; and
 - D. Section 5.21.1 shall not apply to the lands designated “MU 14”.
- iii. Special Regulations
 - A. A maximum of 17 multiple dwelling – horizontal units are permitted on the lands designated zoned “MU-14”;
 - B. Each dwelling unit shall provide a minimum ground floor area of 60 square metres, with a minimum finished ceiling height of 2.7 metres;
 - C. Despite the requirements of this Exception zone, non-residential uses permitted within the “MU-14” zone designation may be established only within the ground floor of a multiple dwelling – horizontal; and
 - D. A single dwelling unit shall be established on each lot above the ground floor of the dwelling, with supplementary floor area provided within the ground floor.
- e) Uses Permitted (“O2-2” Zone)

No person shall within the lands designated “O2-2”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

 - i. parking lot

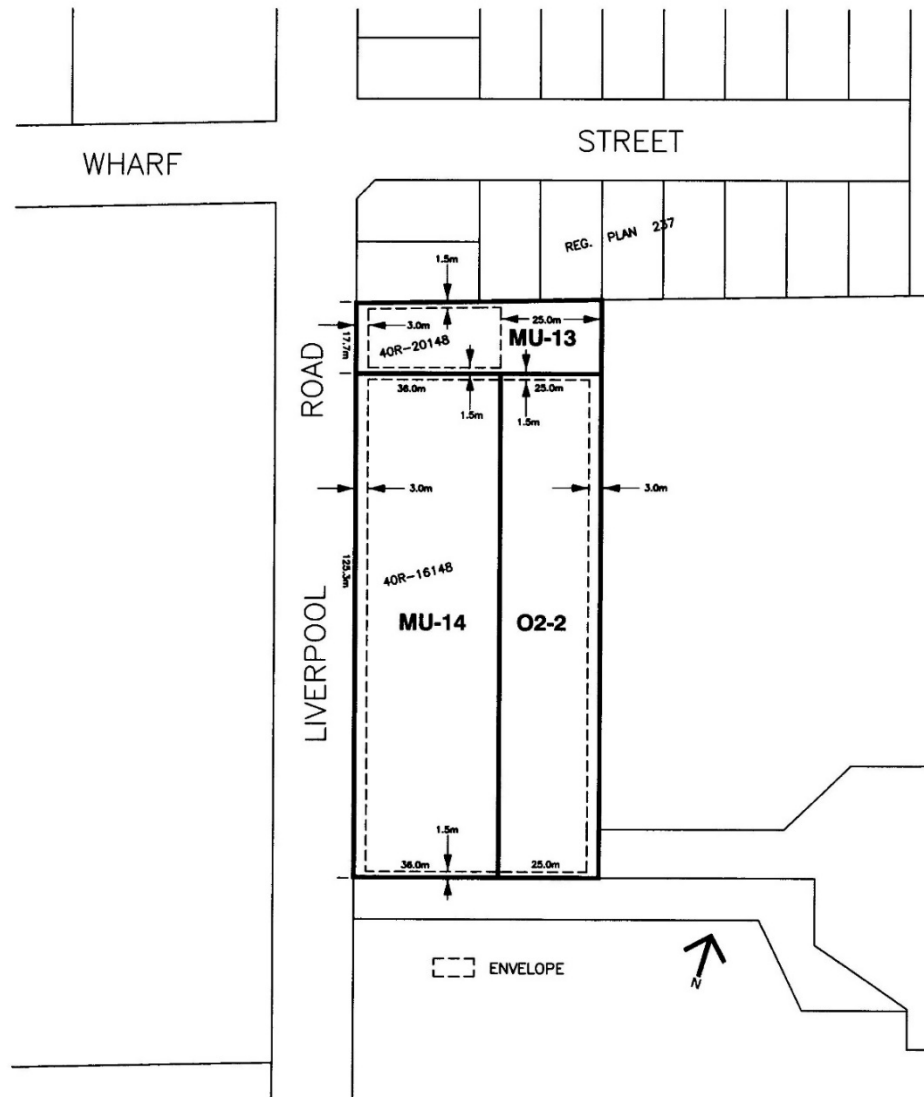
ii. boat storage

f) Zone Requirements (“O2-2” Zone)

No person shall within the lands designated “O2-2” use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. All vehicular parking and boat storage shall take place entirely within the envelope illustrated on Figure 1;
- ii. No buildings or structures shall be erected on the lands designated “O2-2”;
- iii. Despite Clause (ii) above, section 5.21.2i) of Zoning By-law 2520 shall apply to the lands designated “O2-2” within the established envelope on Figure 1; and
- iv. Clauses 5.21.2a) to 5.21.2f) inclusive, and clause 5.21.2k), of By-law 2520, as amended, shall not apply to the lands designated “O2-2”.


3. Figure 1



SCHEDULE I TO BY-LAW 5938/02
PASSED THIS 21
DAY OF January **2002**



MAYOR



CLERK

15.101 Exception Zone 101 (By-law 6538/05)

1. Definitions

- a) "Adult Entertainment Parlour" shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- b) "Body Rub" include the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- c) "Body Rub Parlour" includes any premises or part thereof where a body rub is preformed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are preformed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- d) "Build-to-Zone" shall mean an area of land within which all or part of a building or buildings are to be located.
- e) "Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store.
- f) "Day Spa" shall mean a building or part of a building in which beauty and aesthetic treatments are provided, such as hair removal, make-up application, cosmetic tattooing, massage therapy, and weight loss treatments, but shall not include a body rub parlour, and shall not provide over night accommodations.
- g) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.
- h) "Gross Leaseable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.

- i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- j) "Professional Office" shall mean a building or part of a building in which medical, or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour.
- k) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.

2. Provisions

a) Uses Permitted ("CO-DS" Zone)

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

- i. business office
- ii. professional office
- iii. day spa
- iv. dwelling unit

b) Zone Requirements ("CO-DS" Zone)

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

i. Building Restrictions

A. Building Location and Setbacks:

- 1) Buildings and structures shall comply with the building envelope illustrated on Figure 1.
- 2) The build-to-zone illustrated on Figure 1 shall have located within it a building or buildings, or part of a building or buildings, which must occupy a minimum of 50 percent of the build-to-zone.

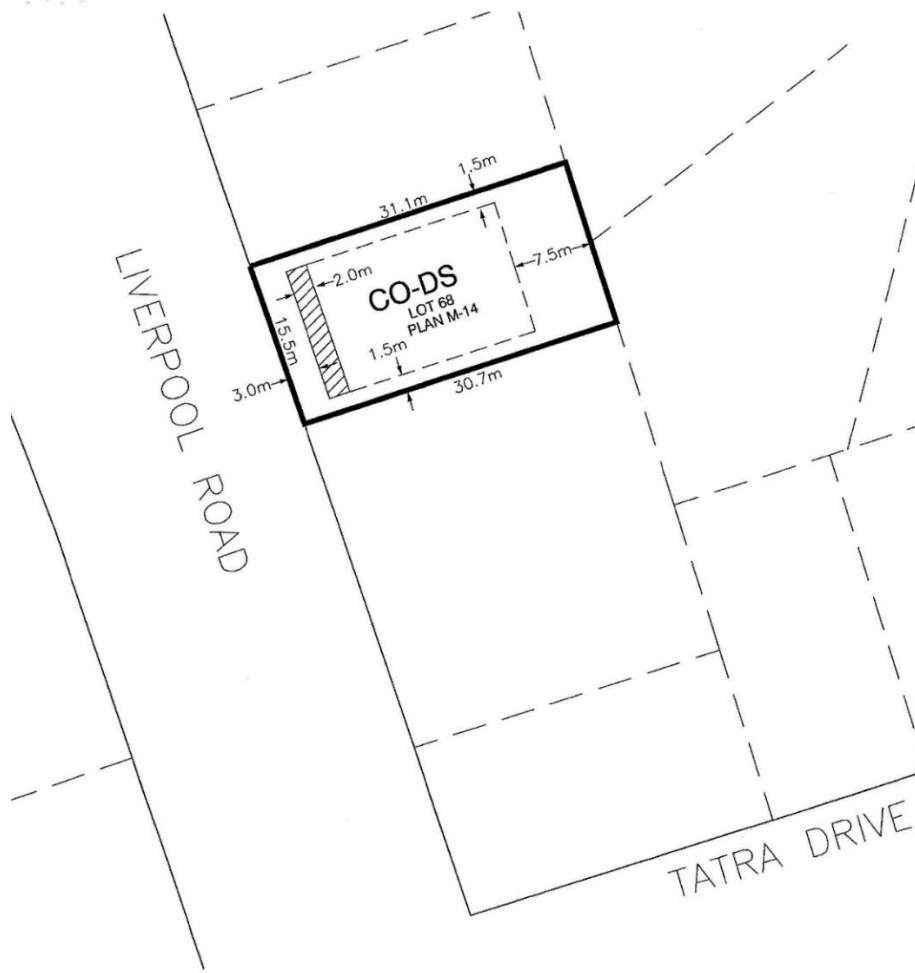
B. Building Height: maximum 12.0 metres

c) Parking Requirements

- i. A minimum of 5 parking spaces shall be provided for every 100 square metres of gross leasable floor area or part thereof, and a minimum of 1 parking space shall be provided for any dwelling unit;

- ii. Despite Clause 2(c)(i) above, a minimum of 2 spaces of the required parking must be located on the lands designated “CO DS”, while the remaining required parking spaces may be considered to be provided on the lands owned by the City of Pickering (Block AZ, Plan M-14) provided an agreement exists with the City of Pickering and the owner of the lands designated "CO-DS";
 - iii. Clauses 5.21.2 a) and b) of By-law 2520, as amended, shall not apply to the lands designated “CO-DS”; and
 - iv. Despite Clauses 5.21.2 g) and 5.21.2 k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.
- d) Special Regulations
- i. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display;
 - ii. A dwelling unit shall only be permitted if a business office, professional office, or day spa exist on the property;
 - iii. Despite the provisions outlined above:
 - A. A day spa, as defined herein, with a maximum gross leasable floor area of 110 square metres; a residential detached dwelling, as per Section 8.1 of By-law 2520; and, a professional office, as per Section 8.5 of By-law 2520, shall be permitted within the building existing, on the lands designated "CO-DS", on the date of passing of this by-law;
 - B. A minimum of 3 parking spaces shall be provided on-site for any day spa use contained within the building existing on the date of the passing of this by-law, on the lands designated "CO-DS". Clause 5.21.2 d) of By-law 2520, as amended, shall not apply; and
 - C. The building existing on the lands designated “CO-DS”, on the date of the passing of this by-law, shall be deemed to comply with the provisions of By law 2520, as amended. Any major additions or redevelopment shall comply with the provisions set out herein.

3. Figure 1




--- BUILDING ENVELOPE
/// BUILD-TO-ZONE



SCHEDULE I TO BY-LAW 6538/05
PASSED THIS 20th
DAY OF June 2005

MAYOR 

CLERK 

15.102 Exception Zone 102 (By-law 6611/05)

1. Definitions

- a) “Body Rub” include the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- b) “Body Rub Parlour” includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- c) “Build-to-Zone” shall mean an area of land within which all or part of a building or buildings are to be located.
- d) “Business Office” shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store.
- e) “Clinic” shall mean a building or part of a building used for the medical, dental, surgical or therapeutical treatment of human beings, but who are not provided overnight accommodation on the premises.
- f) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.
- g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- h) “Professional Office” shall mean a building or part of a building in which medical, or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour.

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

2. Provisions

a) Uses Permitted (“CO” Zone)

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

- i. business office
- ii. professional office

b) Zone Requirements (“CO” Zone)

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

i. Building Restrictions

A. Building Location and Setbacks:

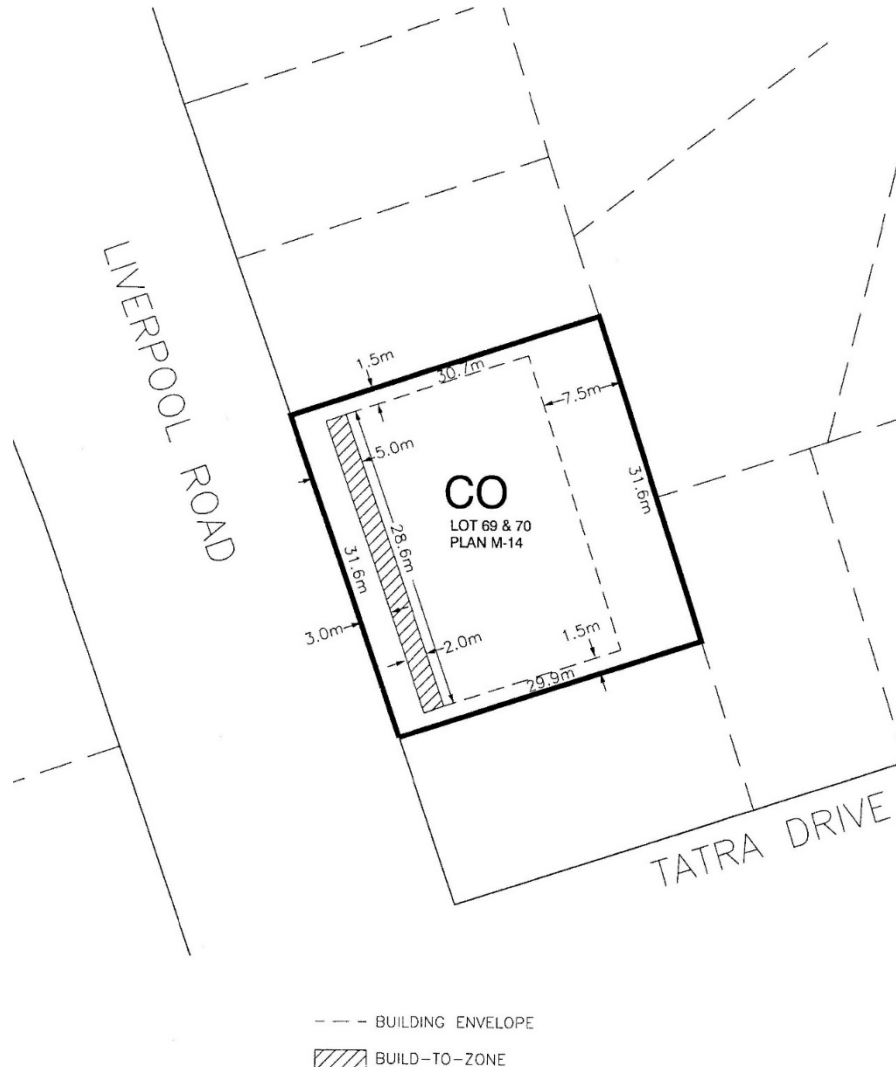
- 1) Buildings and structures shall comply with the minimum and maximum building envelope illustrated on Figure 1
- 2) A minimum of 45 percent of the length of the Build-to-Zone, as illustrated on Figure 1, must be occupied by a building or part of a building prior to the erection of any other buildings or structures on the subject lands.

ii. Building Height: maximum 12.0 metres

c) Parking Requirements

- i. A minimum of 5 parking spaces shall be provided and maintained on the lot for every 100 square metres of gross leasable floor area or part thereof;
- ii. Despite Clause 2(c)(i) above, a minimum of 7 spaces of the required parking must be provided on the lands designated “CO”, while the remaining required spaces may be provided on the lands owned by the City of Pickering (Block AZ, Plan M-14) provided an agreement exists between the City of Pickering and the owner of the lands designated “CO”;
- iii. Clauses 5.21.2 a) and b) of By-law 2520, as amended, shall not apply on lands designated “CO”; and
- iv. Despite Clauses 5.21.2 g) and 5.21.2 k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

3. Figure 1



SCHEDULE I TO BY-LAW 6611/05

PASSED THIS 19th

DAY OF December 2005

MAYOR 

CLERK 

15.103 Exception Zone 103 (By-law 6705/06, as amended by By-law 6786/07, By-law 7006/09, and By-law 7554/17)

1. Definitions

- a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations.
- b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale.
- c) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario.
- d) "Build-to-zone" shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
- e) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store.
- f) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour.
- g) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood.
- h) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the *Day Nurseries Act*, or any successor thereto, and for the use as a facility for the daytime care of children.
- i) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry

cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

- j) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.
- k) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.
- l) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than three adjacent dwellings attached together horizontally by an above grade common wall.
- m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged.
- n) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.
- o) "Food Store" shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public.
- p) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.
- q) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.
- r) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment.
- s) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- t) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above-grade wall or walls.
- u) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above-grade wall or walls, or an above-grade floor or floors, or both.

- v) "Parking Space, Tandem" shall mean two parking spaces with one parking space located immediately behind another parking space and where both spaces are for the exclusive use of one dwelling unit.
 - w) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto.
 - x) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
 - y) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to-time, or any successor thereto.
 - z) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein.
 - aa) "Retail Store" shall mean a building or part of a building in which goods; wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.
 - bb) "Storey" shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.
 - cc) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.
2. Provisions ("RH-MU-2" Zone)
- a) Uses Permitted ("RH-MU-2" Zone)

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

 - i. bakery

- ii. business office
- iii. convenience store
- iv. commercial club
- v. day nursery
- vi. dry cleaning depot
- vii. financial institution
- viii. food store
- ix. laundromat
- x. multiple dwelling-horizontal
- xi. multiple dwelling-vertical
- xii. personal service shop
- xiii. professional office
- xiv. restaurant - type A
- xv. retail store

b) Zone Requirements ("RH-MU-2" Zone)

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

i. Building Height:

A. For Multiple Dwelling Vertical uses:

1) Part 1

| | |
|---------|--------------------------|
| Minimum | 5 Storeys and 15 metres |
| Maximum | 18 Storeys and 60 metres |

2) Part 2

| | |
|---------|--------------------------|
| Minimum | 3 Storeys and 10 metres |
| Maximum | 25 Storeys and 78 metres |

ii. Building Location and Setbacks:

- A. Buildings and structures shall be located entirely within the building envelope shown on Figure 1;
- B. No multiple dwelling-horizontal shall be permitted within 60 metres from the lot line that abuts Bayly Street;
- C. No building, part of a building, or structure shall be erected within the "RH-MU-2" Zone, unless a minimum of 50% of the length of the build-to-zone, contains a building or part of a building;

- D. Despite the building height requirements above, a two storey, 6.5 metres, building height may be permitted at the north-west corner of the property, adjacent to the intersection of St. Martins Drive and Bayly Street, as a component of the minimum five storey building;
 - E. No multiple dwelling horizontal uses shall be erected, unless a minimum of 50 percent of the length of the build to zone, as illustrated on Figure 1, contains a building or part of a building;
 - F. For multiple dwelling-vertical buildings located within the "RH-MU-2" Zone, and within the build-to-zone, any portion of a building or structure in excess of two storeys in height, shall be set back a minimum of 3.0 metres from the main wall of the building or structure;
 - G. Notwithstanding clause F above, below grade parking structures shall be permitted beyond the limits of the building envelope identified on Figure 1, but no closer than 0.5 metres from the limits of the lands;
 - H. The horizontal distance between multiple dwelling-horizontal buildings shall be a minimum of 1.8 metres; and
 - I. For multiple dwelling-vertical buildings located within Part 2 of the "RH-MU-2" Zone, and within the build-to-zone, any portion of a building or structure in excess of three storeys in height shall have a maximum gross floor area per floor of 875 square metres and a minimum height of 18 storeys and the west wall of the building shall be situated a maximum of 52 metres from the lands zoned OS-HL and the south wall of the building shall be situated a maximum of 48 metres from Bayly Street.
- iii. Parking Requirements:
- A. There shall be provided and maintained a minimum of 3.0 parking spaces per 100 square metres of gross leasable floor area for all permitted uses listed in Section 2(a) of this By-law, except for multiple dwelling-vertical, multiple dwelling-horizontal uses. Non-resident parking shall be provided at grade, in a below grade structure, or both;
 - B. For multiple dwelling-vertical uses, there shall be provided and maintained a minimum of 1.0 parking space per dwelling unit for residents, and 0.15 of a parking space per dwelling unit for visitors. Parking spaces for residents shall be provided in a below grade structure;
 - C. For multiple dwelling-horizontal, there shall be provided and maintained a minimum of 2.0 parking spaces per dwelling unit for residents, and 0.2 of a parking space per dwelling unit for visitors. Parking spaces shall be provided at grade, in a below grade structure, or both. Parking spaces may also be provided in a private garage attached to the rear of the dwelling unit it serves;

- D. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;
- E. At grade parking lots shall be permitted no closer than 3.0 metres from the limits of the "RH-MU-2" Zone or any road; and
- F. A maximum of 12 Parking Spaces, Tandem may be provided.

iv. Special Regulations:

- A. Non-residential uses shall only be permitted within a building containing dwelling units. The non-residential uses shall be limited to the first two storeys of a building;
- B. The minimum aggregate gross leasable floor area for all non-residential uses shall be 2,410 square metres which can be built in three phases with the first phase having a minimum of 1,300 square metres of gross leasable floor area of non-residential uses;
- C. The maximum aggregate gross leasable floor area for all restaurant type "A" uses shall be 500 square metres;
- D. No drive-thru facilities are permitted on the lands designated "RH-MU-2" as illustrated on Figure 1;
- E. Despite the building location and setback provisions of this Exception, outdoor patios associated with a restaurant type "A" are permitted to encroach beyond the building envelope as illustrated on Figure 1;
- F. Despite building location and setback provisions of this Exception, covered walkways with supporting structures, are permitted to encroach beyond the building envelope as illustrated on Figure 1; and
- G. Despite the provisions of this Exception, outdoor patios associated with a restaurant type "A" will not be included within the aggregate gross leasable floor area requirements of clause B above.

3. Provisions ("MD-H6" Zone)

a) Uses Permitted ("MD-H6" Zone)

No person shall within the lands designated "MD-H6", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Multiple dwelling horizontal;

b) Zone Requirements ("MD-H6" Zone)

- i. Lot Area (minimum): 70 square metres
- ii. Lot Frontage (minimum): 6.0 metres
- iii. Front Yard Depth (minimum): 3.0 metres

- iv. Side Yard Width (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together
- v. Building Height (maximum): 12.0 metres
- vi. Gross floor area (minimum): 100 square metres per dwelling unit
- vii. Building Separation: Despite clause iv. above, a minimum 1.8 metre separation between blocks of multiple dwelling horizontal shall be permitted

viii. Parking Requirements:

- A. For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which may not be located within a driveway, and one of which must be provided within an attached garage of the dwelling, any vehicular entrance of which shall be located less than 6.0 metres from any street or drive aisle providing access to those lots, plus a minimum of 0.2 visitor parking spaces per unit.

4. Provisions ("SA-8" Zone)

a) Uses Permitted ("SA-8" Zone)

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

- i. Single attached dwelling;

b) Zone Requirements ("SA-8" Zone)

- i. Lot Area (minimum): 100 square metres
- ii. Lot Frontage (minimum): 4.8 metres
- iii. Front Yard Depth (minimum): 3.0 metres
- iv. Rear Yard Depth (minimum): 5.0 metres
- v. Side Yard Width (minimum):

- A. 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together.

- B. Despite clause A, a minimum interior side yard of 0.6 metres is required adjacent to an Open Space Zone;

- vi. Building Height (maximum): 12.0 metres
- vii. Gross floor area (minimum): 100 square metres per dwelling unit
- viii. Obstruction of Yards:

- A. Despite Section 5.8(b) of By-law 2520, covered and unenclosed porches, verandahs and flankage entrance features not exceeding

1.5 metres in height above the established grade may project no more than:

- 1) 2.0 metres into any required front or rear yard; and
- 2) 0.6 metres into any required side yard;

ix. Parking Requirements:

A. for each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which may be located within a driveway, and one of which must be provided within an attached garage of the dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from any street or drive aisle providing access to those lots, plus a minimum of 0.2 visitor parking spaces per unit;

x. Special Regulations:

A. No more than 8 units shall be attached horizontally;

B. Despite Section 4(b)(v) a minimum 1.8 metre separation between blocks of single attached dwellings shall be permitted.

5. Provisions ("SA-LW" Zone)

a) Uses Permitted ("SA-LW" Zone)

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

- i. single attached dwelling
- ii. business office
- iii. commercial school
- iv. personal service shop
- v. professional office
- vi. retail store

b) Zone Requirements ("SA-LW" Zone)

- i. Lot Area (minimum): 125 square metres
- ii. Lot Frontage (minimum): 4.9 metres
- iii. Unit Width (minimum): 4.9 metres
- iv. Front Yard Depth (minimum): 3.0 metres

A. Despite clause iv. above, front yard balconies, verandahs and decks, both uncovered and covered, may project fully into any required front or side yard;

- v. Side Yard Width (minimum): 0.6 metres except that no interior side yard shall be provided on the side

where dwellings on adjacent lots are attached together

- vi. Building Height (maximum): 12.0 metres
- vii. Gross floor area (minimum): 100 square metres per dwelling unit
- viii. Parking Requirements:
 - A. For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which may be located within a rear yard, and one of which must be provided within an attached garage located to the rear of the dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from any street or drive aisle providing access to those lots, plus a minimum of 0.2 visitor parking spaces per unit; and
 - B. Clauses 5.21.1 a) to 5.21.2 f), inclusive of By-law 2520, as amended, shall not apply to the lands designated “SA-LW”.
- ix. Special Regulations:
 - A. Despite the permitted uses of the “SA-LW” zone, non-residential uses permitted within the “SA-LW” zone designation may be established only within the ground floor of a dwelling unit;
 - B. No driveway access from St. Martins Drive for individual dwelling units shall be permitted;
 - C. Despite Section 2.46 of By-law 2520, St. Martins Drive shall be considered as the front lot line; and
 - D. Despite the lot and building requirements of the “SA-LW” zone, a minimum 1.8 metre separation between blocks of single attached dwellings shall be permitted.

6. General Provisions (“RH-MU-2”, “SA-LW”, “SA-8”, “MD-H6” Zones)

- a) For residential uses, the lands designated “RH-MU-2”, “SA-LW”, “SA-8”, “MD-H6”, shall be developed at a density of over 140 units per net hectare and up to and including 225 units per net hectare up to a maximum of 760 units;
- b) Despite any other provision of this By-law, a maximum of 85 percent of the single attached dwellings and/or multiple dwellings horizontal, as shown on a City approved site plan may be permitted until such time as a minimum of 2000 square metres of gross leasable floor area for uses permitted by this exception zone, on lands zoned “RH-MU-2” has been constructed;
- c) Despite the requirements of this zone, the requirement for frontage on a public street shall be satisfied by establishing frontage on a common elements condominium street;

- d) All visitor parking spaces that are required for multiple dwelling-horizontal for each zone may be provided within any of the lands designated “RH-MU-2”, “SA-LW”, “SA-8”, and “MD-H6”;
- e) That the internal zone lines separating the residential zone categories shall be deemed to be the center line of the internal private road;
- f) Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By law 2520, as amended, shall not apply to lands designated “RH-MU-2”, “SA-LW”, “SA-8”, “MD-H6”; and
- g) Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 2520, as amended.

7. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

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

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

b) Zone Requirements (“OS-HL” Zone)

- i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes; and
- ii. Despite Clause (a) above, tot lots, visitor parking spaces and associated traffic aisles are permitted within the “OS-HL” Zone.

15.104 Exception Zone 104 (By-law 7528/16)

1. Definitions

- a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.
- b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- c) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- d) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways, and parking and amenity areas.
- e) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.
- f) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.
- g) “Dwelling, Detached” means a single dwelling which is freestanding, separate and detached from other main buildings or structures.
- h) “Dwelling, Multiple – Horizontal” means a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.
- i) “Dwelling Unit” means one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.
- j) “Floor Area – Residential” means the area of the floor surface contained within the outside walls of a storey or part of a storey.
- k) “Gross Floor Area – Residential” means the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.
- l) “Height, Dwelling” means the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof

the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

- m) “Lands, Subject” means the lands subject of this by-law.
- n) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- o) “Lot Area” means the total horizontal area within the lot lines of a lot.
- p) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.
- q) “Lot, Through” means a lot bounded on opposite sides by a street.
- r) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- s) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.
- t) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- u) “Street” means a right-of-way or roadway that is used by vehicles and includes a public highway and a private street within a condominium.
- v) “Street, Private” means:
 - i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a private right-of-way over private property, that provides access to lots abutting the private street;but is not maintained by a public body and is not a lane.
- w) “Wall, Front” means the wall of the dwelling closest to the front lot line.
- x) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.
- y) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied

above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

- z) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.
- aa) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.
- bb) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot,
- cc) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.
- dd) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.
- ee) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.
- ff) “Flankage Side Yard” means a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.
- gg) “Flankage Side Yard Width” means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

- a) Uses Permitted (“S2-17”, “MD-H12” and “MD-H13” Zones)
 - i. No person shall within the lands zoned “S2-17”, use any lot or erect, alter, or use any building or structure for any purpose except the following:
 - A. Detached Dwelling
 - ii. No person shall within the lands zoned “MD-H12” and “MD-H13”, use any lot or erect, alter, or use any building or structure for any purpose except the following:
 - A. Multiple Dwelling – Horizontal

b) Zone Requirements (“S2-17”, “MD-H12” and MD-H13” Zones)

No person shall within the lands zoned “S2-17”, “MD-H12” and MD-H13”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

| | | “S2-17” Zone | “MD-H12” Zone | “MD-H13” Zone |
|-----|------------------------------------|-------------------|---|---|
| (a) | Number of Dwelling Units (maximum) | 57 dwelling units | 57 dwelling units | 57 dwelling units |
| (b) | Lot Frontage (minimum) | 13.2 metres | 6.0 metres | 6.0 metres |
| (c) | Lot Area (minimum) | 350 square metres | 150 square metres | 150 square metres |
| (d) | Front Yard Depth (minimum) | 4.5 metres | 4.5 metres | 4.5 metres |
| (e) | Side Yard Depth (minimum) | 1.2 metres | 1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot | 1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot |
| (f) | Rear Yard Depth (minimum) | 7.5 metres | 7.5 metres | 6.0 metres |
| (g) | Flankage Yard Depth (minimum) | not applicable | 2.7 metres | 2.7 metres |
| (h) | Building Height (maximum) | 9.0 metres | 12.0 metres | 12.0 metres |
| (i) | Driveway Width (maximum) | 6.0 metres | 3.7 metres | 3.7 metres |

| | | “S2-17” Zone | “MD-H12” Zone | “MD-H13” Zone |
|-----|--|---|---|---|
| (j) | Parking Requirements (minimum) | 4.0 parking spaces per dwelling unit | 2.0 parking spaces per dwelling unit | 2.0 parking spaces per dwelling unit |
| (k) | Visitor Parking Requirements (minimum) | 0.25 of a parking space per dwelling unit | 0.25 of a parking space per dwelling unit | 0.25 of a parking space per dwelling unit |
| (l) | Garage Requirements | Minimum 1 private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street | Minimum 1 private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street | Minimum 1 private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street |
| (m) | Interior Garage Size (minimum) | A private garage shall have a minimum width of 5.5 metres and a minimum depth of 6.0 metres provided, however, the width may include 1 interior step and the depth may include 2 interior steps | A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include 1 interior step and the depth may include 2 interior steps | A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include 1 interior step and the depth may include 2 interior steps |

3. Special Provisions

a) Special Provisions (“S2-17”, “MD-H12” and “MD-H13” Zones)

- i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 metres or half the distance of the required yard, whichever is less;
- ii. A porch, uncovered deck or balcony may encroach into any required front yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;
- iii. A porch, uncovered deck or balcony may encroach into any required flankage yard to a maximum of 2.0 metres;
- iv. A porch or uncovered deck may encroach into any required rear yard to a maximum of 2.0 metres;
- v. Stairs to a porch or uncovered deck may encroach to within 0.3 metres of the front lot line or flankage lot line; to within 1.0 metres of a rear lot line; and to within 0.6 metres of a side lot line;
- vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 metres or half the distance of the required yard, whichever is less;
- vii. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 metres to a side lot line and shall not be located on any easement in favour of the City;
- viii. A balcony located above the first floor projecting or inset in the rear wall of a building on lands zoned “S2-17” are prohibited; and
- ix. Outdoor Private Amenity Area for lands zoned “MD-H13”:
 - A. a minimum of 14 square metres of outdoor private amenity area shall be provided on the balcony above the garage and located at the rear of the dwelling unit;
 - B. accessory structures such as pergolas, sheds or other similar structures shall not be permitted on the balcony above the garage at the rear of the dwelling unit; and
 - C. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

b) Special Regulations (“S2-17”, “MD-H12” and “MD-H13” Zones)

- i. Despite the provisions of Section 5.6 of By-law 2520, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the lands;

- ii. Despite clause (i) above, the lot line abutting Liverpool Road shall be deemed to be the Front Lot Line for the lands Zoned “MD H13”;
- iii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MD H12” zone use provisions and zone requirements;
- iv. Section 6.3 of By-law 2520, as amended, shall not apply to the lands zoned “S2-17”, “MD-H12” and “MD-H13”;
- v. Section 6.6a)(iv) of By-law 2520, as amended, shall not apply to the lands zoned “MD-H13”; and
- vi. Sections 5.20 and 6.5 of By-law 2520, as amended, shall not apply to the lands zoned “MD-H12” and “MD-H13”.

4. Section 37 Provisions

- a) An indexed cash contribution of \$275,000.00 to be paid to the City prior to site plan approval, to be allocated towards capital improvements to the Frenchman’s Bay Ratepayers Memorial Park;
- b) The cash contribution identified in Section 3(a) of this By-law shall be indexed in accordance with the most current Statistics Canada Non Residential Construction Price Index reported quarterly by Statistics Canada, calculated from the date of passing of this by-law to the date of payment by the owner;
- c) In the event the cash contribution referred to in Section 3(a) of this By-law has not been used for the intended purposes within 3 years of the By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Director, City Development, in consultation with the Ward Councillor(s), provided that the purposes will benefit the community in the vicinity of the lands;
- d) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the subject lands in return for the provision by the owner, at the owner’s expense of the facilities, services and matters set out in Section 3(a) of this By-law and which are secured by one or more agreements pursuant to Subsection 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- e) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions and obligations in this By-law are met; and

Despite the requirements of the Exception zone, an additional 10 dwelling units are permitted upon execution and registration on title of a Section 37 agreement pursuant to clause d) above.