

## 15.382 Exception Zone 382 (E1 of By-law 7553/17)

### 1. Additional Permitted Uses

The following additional use is permitted:

- a) Outdoor Storage associated with a Garden Centre Use.

### 2. Zone Provisions

The following regulations apply:

- a) Minimum Building Height: 10.5 metres and 2 functional storeys;
- b) Maximum size of outdoor storage associated with a garden centre use: 1,900 square metres
- c) Minimum number of required parking spaces for outdoor storage associated with a garden centre use: 0 parking spaces;
- d) Total number of required parking spaces that can be reduced while the outdoor storage associated with a garden centre use is operating: 90 parking spaces; and
- e) Maximum duration outdoor storage associated with a garden centre use shall be permitted to operate outdoors: Between April 1st and August 1st within a calendar year.

### 3. Special Site Provisions

The following additional provisions apply:

- a) Section 9.3.1, related to Continuous Length of Buildings along a Street Line, shall not apply to any building or structure fronting Liverpool Road;
- b) Additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law;
- c) For the purpose of calculating Floor Space Index for new buildings, the area of the lot shall be equivalent to the ground floor area of the new building;
- d) Section 9.3.1, related to Floor Space Index and related to Building Height, shall not apply to any additions or expansions to existing buildings and structures as legally existed on the effective date of this By-law; and
- e) Notwithstanding Section 9.3.1, related to Buildings Requiring Active At Grade Frontages, a primary entrance door with direct and unobstructed access open to the public shall be incorporated into the wall of a building either facing or visible from the Kingston Road street line.

## **15.383 Exception Zone 383 (E2 of By-law 7553/17)**

### 1. Additional Permitted Uses

The following additional use is permitted:

- a) Automobile Service Station on a lot where the use legally existed on the effective date of this By-law.

### 2. Definitions

- a) “Automobile Service Station” means an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical car wash and limited convenience retail sales, but shall not include facilities for the repair and maintenance of vehicles, or facilities for the repairing or painting of vehicle bodies.
- b) “Mechanical Car Wash” means an establishment where facilities are provided for the washing and cleaning of vehicles using production line methods employing mechanical devices wholly enclosed within a building.

### 3. Zone Provisions

The following regulations apply only to an automobile service station:

- a) Minimum Building Height: As legally existing on the lot on the effective date of this By-law;
- b) Minimum number of required parking spaces: 10 parking spaces;
- c) Maximum Gross Leasable Floor Area: 360 square metres; and
- d) Maximum size of outdoor storage and display of convenience items: 10 square metres.

## **15.384 Exception Zone 384 (E3 of By-law 7553/17, as amended by By-law 7713/19)**

### 1. Additional Permitted Uses

The following additional use is permitted:

- a) Farmers' Market;
- b) Outdoor Sales and Display; and
- c) Vehicle Repair Shop on a lot where the use legally existed on the effective date of this By-law.

### 2. Definitions

- a) "Vehicle Repair Shop" means an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels.
- b) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.

### 3. Zone Provisions

The following regulations apply only to an automobile service station:

- a) Minimum Building Height: 10.5 metres and 2 functional storeys;
- b) Maximum size of outdoor sales and display area permitted accessory only to a retail store having a gross leasable floor area in excess of 7,400 square metres: 650 square metres;
- c) Minimum number of required parking spaces for Farmer's Market operating outdoors: 0 parking spaces;
- d) Total number of required parking spaces that can be reduced while the Farmers' Market use is operating outdoors: 90 parking spaces;
- e) An existing vehicle repair shop may only be permitted in conjunction with and as accessory to any retail store having a gross leasable floor area in excess of 7,400 square metres;
- f) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, a maximum of one residential (1) building or structure wholly located within the crossed hatched area as shown on Figure 1 shall not exceed a building height of 153 metres; and
- g) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within

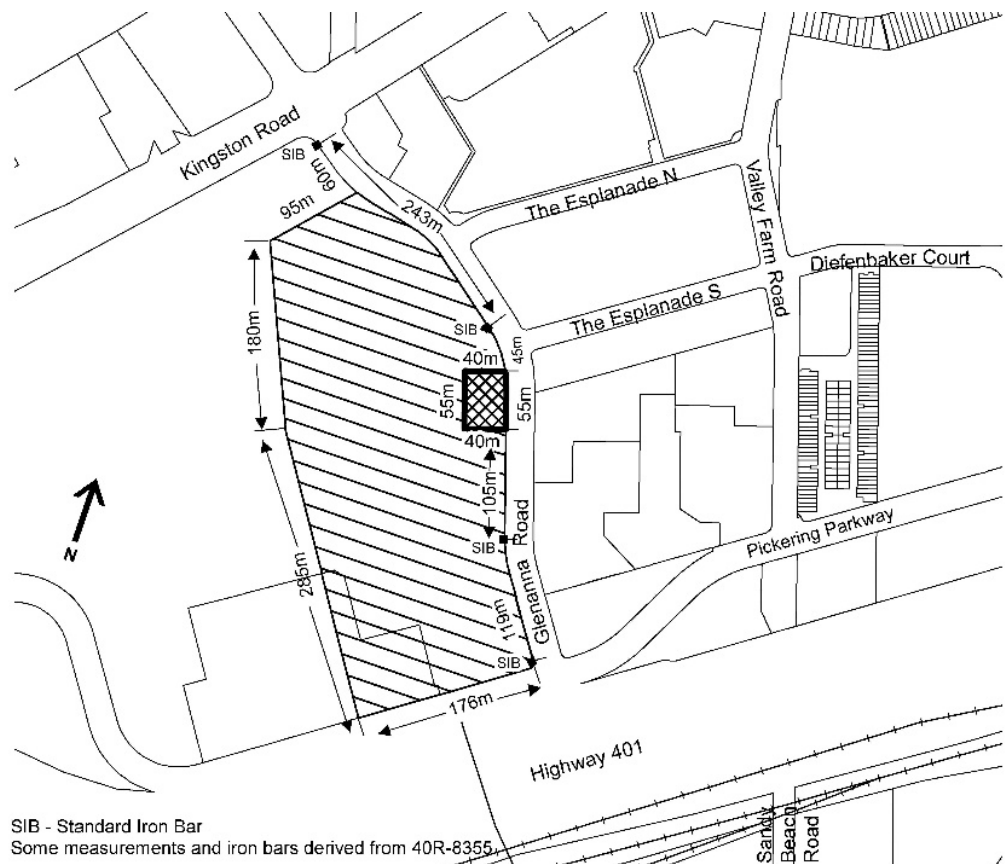
the diagonal hatched area as shown on Figure 1 shall not exceed a building height of 125 metres.

4. Special Site Provisions

The following additional provisions apply:

- a) Additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law;
- b) For the purpose of calculating Floor Space Index for new buildings, the area of the lot shall be equivalent to the ground floor area of the new building; and
- c) Section 9.3.1, related to Floor Space Index and Building Height, and Section 3 a) of this Exception, related to Building Height, shall not apply to any additions or expansions to existing buildings and structures as legally existed on the effective date of this By-law.

5. Figure 1



## **15.385 Exception Zone 385 (E4 of By-law 7553/17)**

1. Additional Permitted Uses
  - a) Automobile Service Station on a lot where the use legally existed on the effective date of this By-law.
2. Definitions
  - a) “Automobile Service Station” means an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical car wash and limited convenience retail sales, but shall not include facilities for the repair and maintenance of vehicles, or facilities for the repairing or painting of vehicle bodies.
  - b) “Mechanical Car Wash” means an establishment where facilities are provided for the washing and cleaning of vehicles using production line methods employing mechanical devices wholly enclosed within a building.
3. Parking Provisions
  - a) Minimum number of required parking spaces for Automobile Service Station and Mechanical Car Wash: As legally existing on the lot on the effective date of this By-law.

## **15.386 Exception Zone 386 (E5 of By-law 7553/17)**

### 1. Additional Permitted Uses

- a) Detached Dwelling; and
- b) Additional Dwelling Unit is permitted within an existing detached dwelling in accordance with Section 4.3 of this By-law.

### 2. Zone Provisions

The following regulations apply:

- a) Maximum Lot Coverage: 50 percent;
- b) Minimum Front Yard Setback: 3.0 metres;
- c) Minimum Interior Side Yard Setback: 1.2 metres and 0.3 metres, on the side where dwellings on adjacent lots are attached, no interior side yard is required;
- d) Minimum Exterior Side Yard Setback: 2.7 metres;
- e) Minimum Rear Yard Setback: 6.0 metres;
- f) Covered and unenclosed porches, verandahs and flankage entrance features not exceeding 1.5 metres in height above established grade may project no more than:
  - i. 1.5 metres into any required front or rear yard
  - ii. 1.0 metres into any required exterior side yard
  - iii. 0.6 metres into any required side yard
- g) A minimum of one private garage shall be provided per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line.

## **15.387 Exception Zone 387 (E6 of By-law 7553/17)**

### 1. Zone Provisions

The following regulations apply:

- a) Minimum Floor Space Index: 1.5;
- b) Minimum Building Height: 12.0 metres; and
- c) Minimum Landscaped Area between parking spaces and existing residential development to the south: 2.5 metres.

### 2. Parking Provisions

The following parking regulations apply:

- a) Minimum Parking Requirement for Stacked Townhouse Dwellings:  
1.0 parking space per dwelling unit and an additional 0.2 of a space per dwelling unit for visitors.

## **15.388 Exception Zone 388 (E7 of By-law 7553/17)**

### 1. Definitions

- a) “Build-to-Zone” means an area of land within which all or part of a building or buildings or part of a structure or structures are to be located.
- b) “Building Envelope” means the three-dimensional buildable area prescribed for a building by the regulations of this By-law.

### 2. Zone Provisions

The following regulations apply:

- a) Buildings and structures shall comply with the minimum and maximum building envelope as shown on Figure 1; and
- b) A minimum of 70% of the build-to-zone must be occupied prior to the erection of any other buildings or structures on the subject lands.

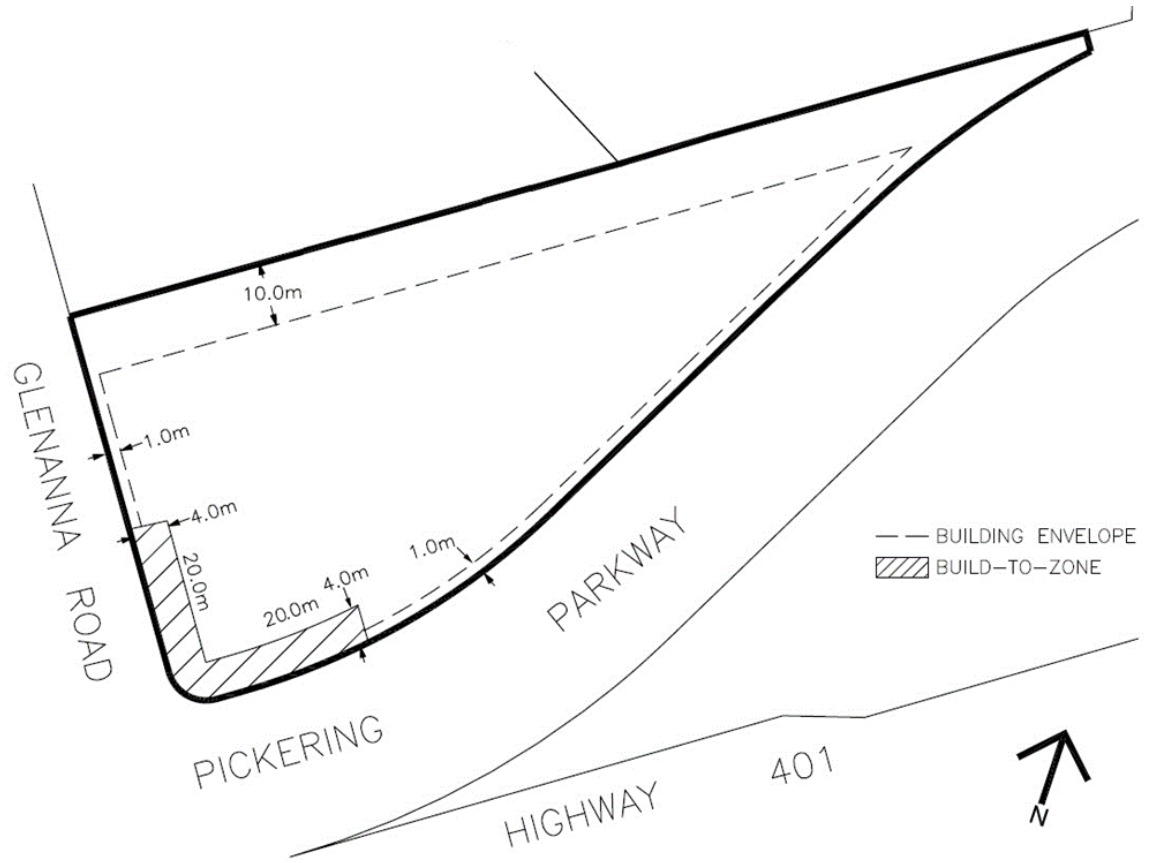
### 3. Special Site Provisions

The following additional provision applies:

- a) Section 9.3.1, related to Building Setback from Street Line and related to Continuous Length of Buildings along a Street Line, shall not apply to the subject lands
- b) Notwithstanding Section 9.3.1, related to Main Wall Stepback for Buildings equal to or less than 37.5 metres in height, a minimum main wall stepback of 1.5 metres is required between 4.5 metres and 15.0 metres in height for that portion of a building located within the build to-zone as shown on Figure 1
- c) Notwithstanding Section 4.43, related to Temporary Sales Office, a temporary sales office is permitted on the subject lands for the leasing of units where Site Plan Approval has been granted by the City; and
- d) Notwithstanding Section 5.10.3, related to Parking Structures, air vents are permitted to be located within the building envelope as shown on Figure 1.



4. Figure 1



## **15.389 Exception Zone 389 (E8 of By-law 7553/17)**

### 1. Zone Provisions

The following regulations apply:

- a) Minimum Floor Space Index: 1.4; and
- b) Notwithstanding Section 9.3.1, related to Continuous Length of Buildings along a Street Line, a minimum of 50 percent of the street frontage of a lot must be occupied by a building.

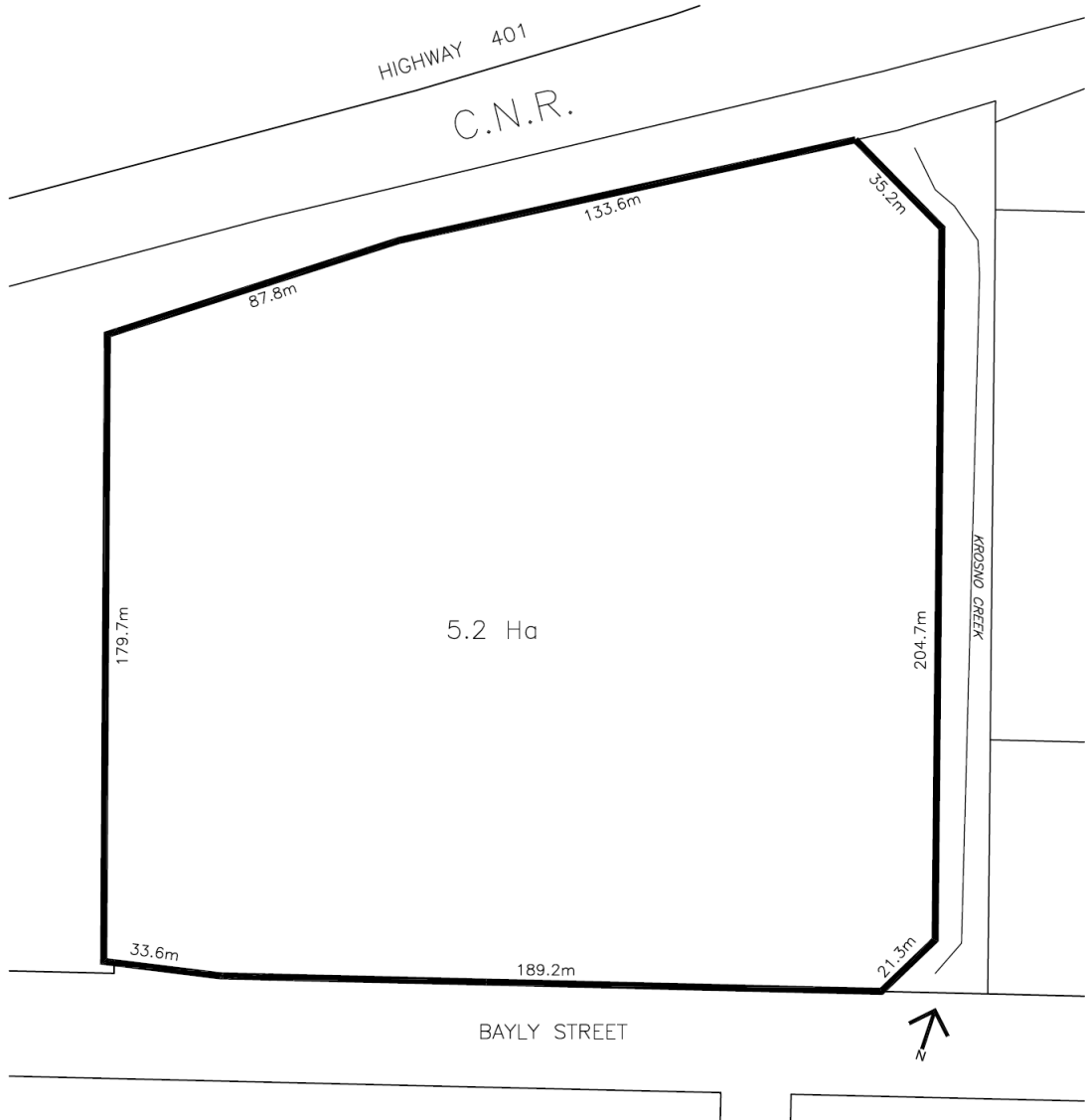
### 15.390 Exception Zone 390 (E9 of By-law 7553/17)

1. Special Site Provisions

The following additional provision applies:

- a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

2. Figure 1



### 15.391 Exception Zone 391 (E10 of By-law 7553/17)

1. Special Site Provisions

The following additional provision applies:

- a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

2. Figure 1



3.

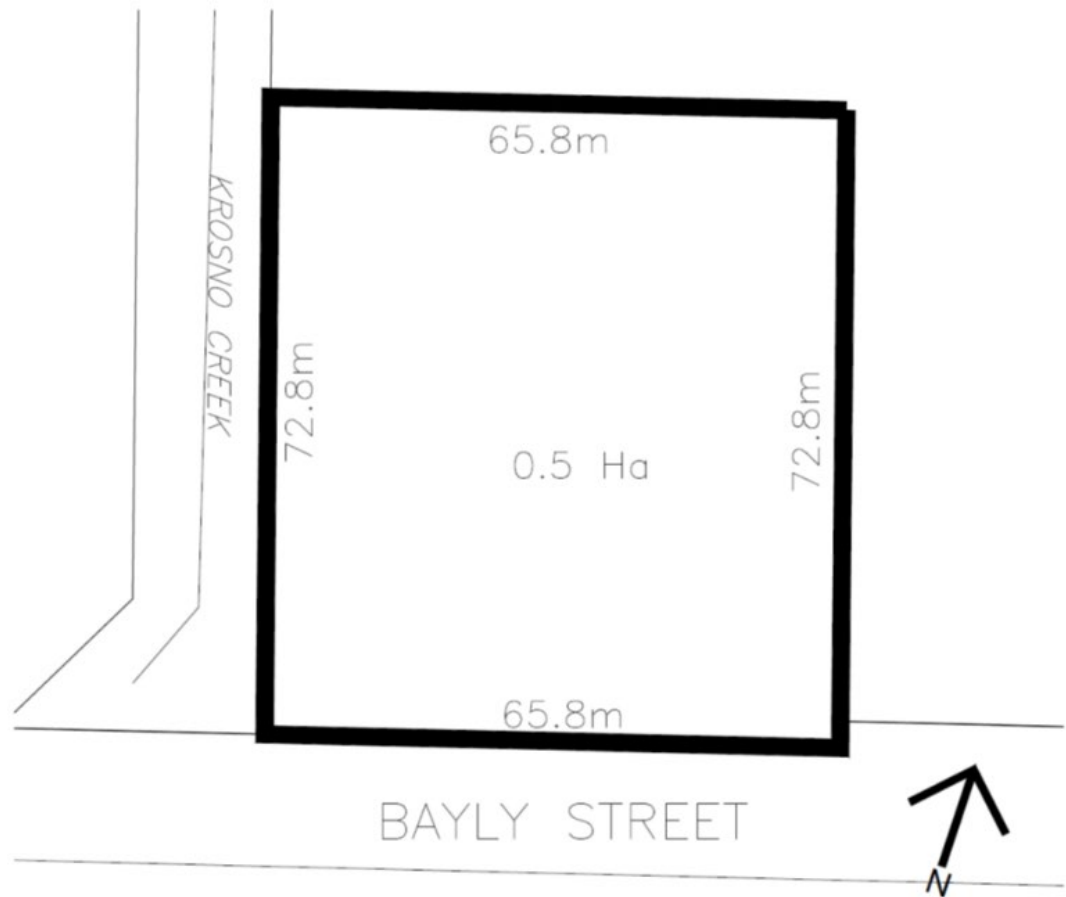
### 15.392 Exception Zone 392 (E11 of By-law 7553/17)

1. Special Site Provisions

The following additional provision applies:

- a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot as of the effective date of this By-law shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

2. Figure 1



## 15.393 Exception Zone 393 (E12 of By-law 7553/17)

### 1. Definitions

- a) “Retirement Home” – means a building or part of a building providing accommodation primarily for senior’s where each private bedroom or living unit may contain a kitchen or stove top and oven, does have a separate entrance from a common hall, and where common facilities and services are provided for the residents including, but not limited to, personal services, the preparation and consumption of food, nursing services, common lounges, recreation rooms and ancillary support offices.

### 2. Zone Provisions

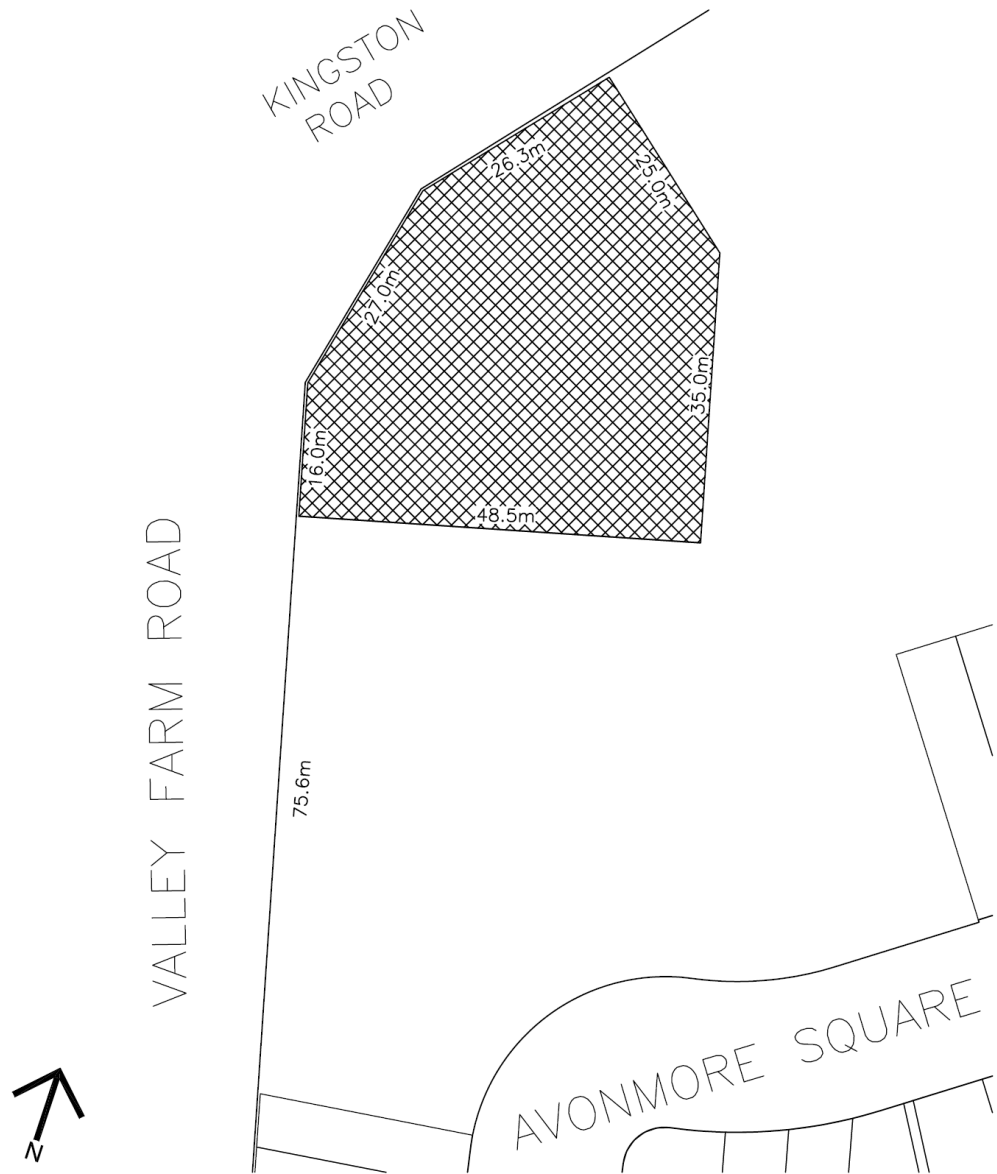
- a) Notwithstanding Section 9.3.1, building height shall be limited by a 45 degree angular plane measured 7.5 metres from the rear lot line of the lots on the north side of Avonmore Square at a height of 10.5 metres above grade;
- b) Notwithstanding a) above, the height of a building or structure wholly located within the crossed hatched area as shown on Figure 1 shall be permitted to penetrate a 45 degree angular plane measured from the rear lot line of the lots on the north side of Avonmore Square;
- c) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the crossed hatched area as shown on Figure 1 shall not exceed a building height of 70 metres;
- d) Minimum Building Height for stacked dwelling: 10.0 metres;
- e) Notwithstanding Section 9.3.1, minimum separation between blocks of stacked dwelling: 3.0 metres;
- f) Podium Requirements for Buildings greater than 37.5 metres:
  - i. minimum height of a podium – 10.5 metres;
  - ii. maximum height of a podium – 26 metres; and
- g) Tower Floor Plates:
  - i. maximum tower floor plate – 2,000 square metres between the 9<sup>th</sup> storey and the 14<sup>th</sup> storey;
  - ii. maximum tower floor plate – 900 square metres above the 14th storey.

3. Special Site Provisions

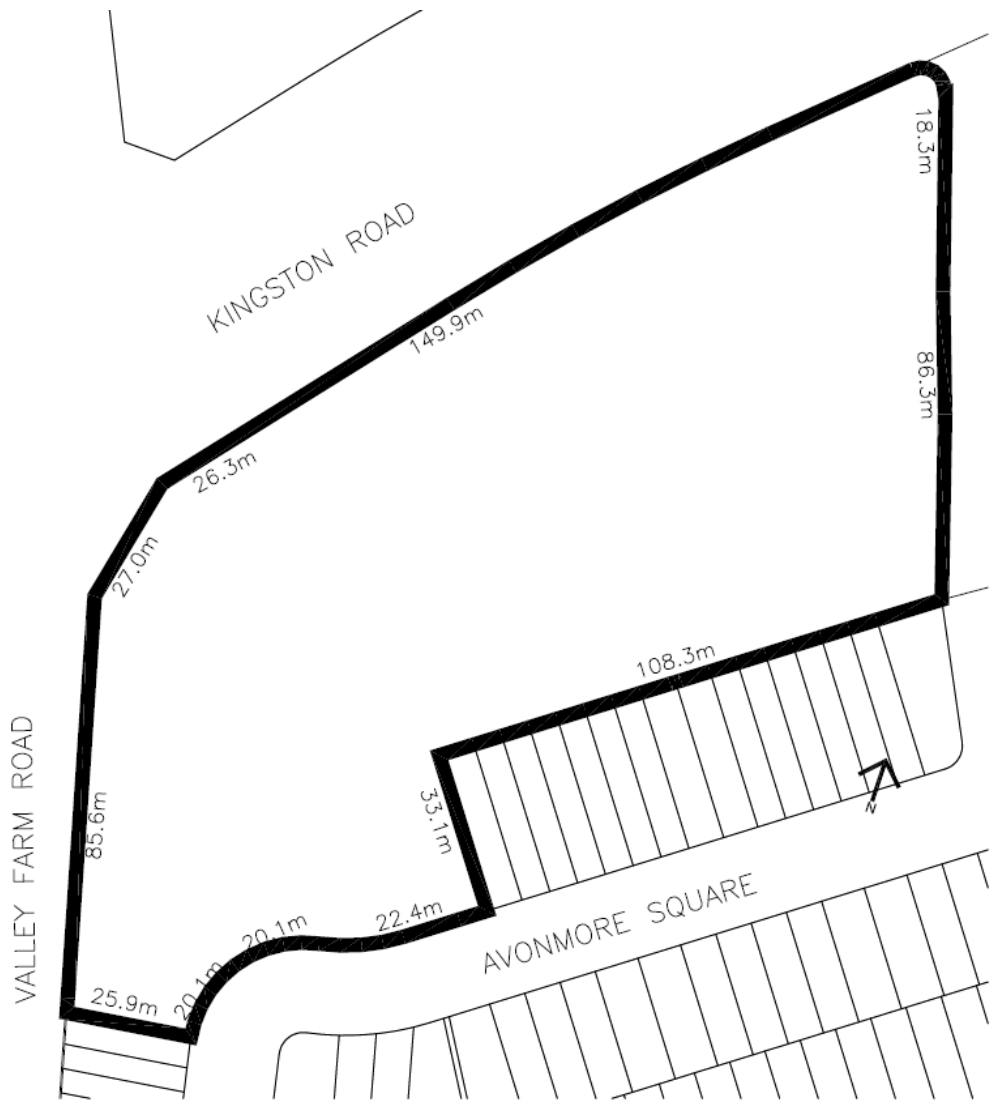
The following additional provision applies:

- a) Notwithstanding any future severances, partition, or division of the lot, the provisions of this By-law will apply to the whole of the lot as if no severance, partition, or division had occurred, as shown on Figure 2

4. Figure 1



5. Figure 2





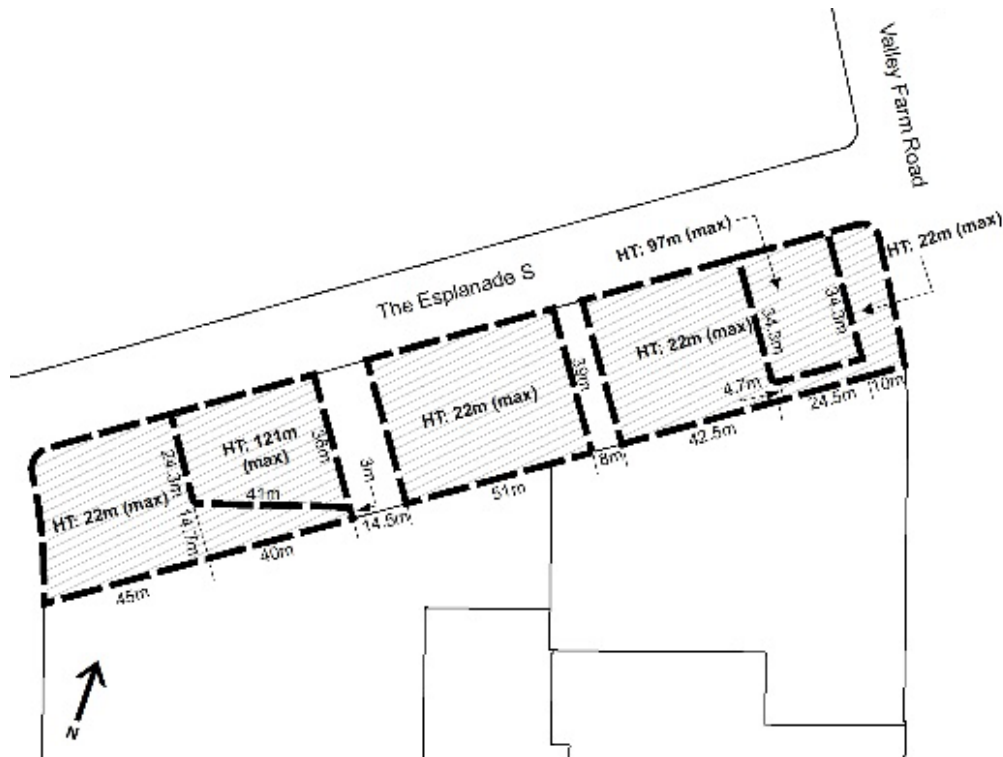
## 15.394 Exception Zone 394 (E13 of By-law 7553/17, as amended by By-law 7713/19)

### 1. Zone Provisions

The following regulations apply:

- a) Notwithstanding any provisions of this By-law, as amended, no building or structure, or part of a building, or structure located above established grade shall be erected outside of the diagonal area as shown on Figure 1;
- b) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1;
- c) Notwithstanding Section 9.3.1, related to minimum Building Setback from a Street Line, the minimum setback for a building or structure from a street line, located within the diagonal area as shown on Figure 1, shall be zero metres; and
- d) Notwithstanding Section 9.3.1, related to minimum Podium Requirements for Buildings greater than 37.5 metres, the minimum height of a podium shall be 9.0 metres.

### 2. Figure 1



## **15.395 Exception Zone 395 (E14 of By-law 7553/17, as amended by By-law 7810/21)**

### 1. Definitions

- a) “Floor Area, Net” means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:
  - i. Motor vehicle parking and bicycle parking below established grade;
  - ii. Motor vehicle parking and bicycle parking at or above established grade;
  - iii. Loading spaces and related corridors used for loading purposes;
  - iv. Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;
  - v. Indoor amenity space required by this By-law;
  - vi. Elevator, garbage and ventilating shafts;
  - vii. Mechanical penthouse; and
  - viii. Stairwells in the building.
- b) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.

### 2. Zone Provisions

- a) Notwithstanding Section 9.3.1 related to permitted encroachments, a balcony, porch or uncovered platform may encroach into any required setback to a maximum of 2.2 metres;
- b) Notwithstanding Section 4.46 related to Yards Abutting Daylight Triangles, the minimum setback of buildings from the daylight triangle shall be 0.25 of a metre;
- c) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.71 parking spaces per apartment dwelling unit for residents and 0.15 parking spaces per apartment dwelling unit for visitors;
- d) Notwithstanding Section 5.10.2 related to parking structures, stairs associated with a parking structure are permitted to project to a maximum of 1.2 metres above established grade no closer than 0.3 of a metre to a street line;
- e) Notwithstanding Section 5.10.3 related to parking structures, air vents constructed in association with an underground parking structure, are permitted to project to a maximum of 1.2 metres above established grade no closer than 2.8 metres to a street line;

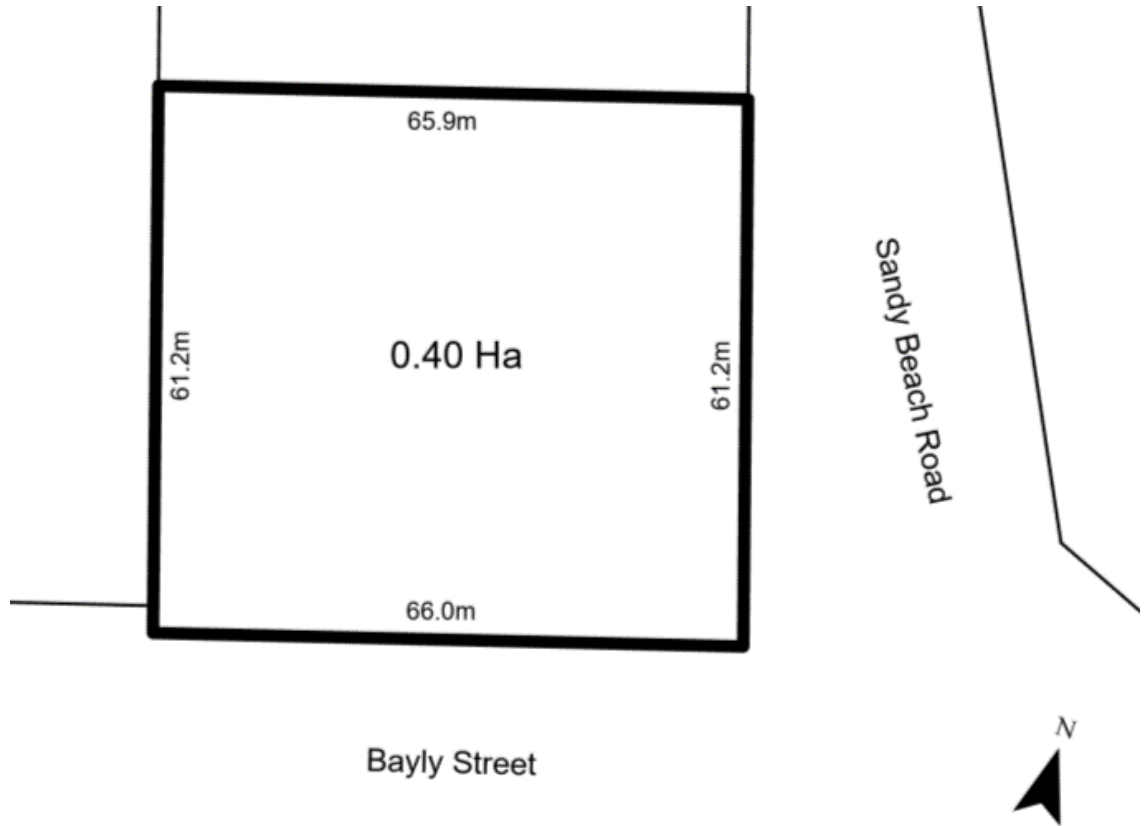
- f) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure shall not exceed a building height of 78 metres (26-storeys);
- g) Notwithstanding Section 9.3.1 related to Building Setback from Street Line, the residential building along Bayly Street may be setback to a maximum of 4.5 metres;
- h) Notwithstanding Section 9.3.1 related to Building Separation, the separation of a second storey unit with primary windows may be reduced to 8.6 metres so long as the primary window is no larger than 0.9 square metres, and the lowest point of the window is located a minimum of 1.8 metres from the floor;
- i) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres, the minimum main wall stepback from the main wall of a point tower and the main wall of a podium on the building face abutting Sandy Beach Road shall not apply;
- j) Notwithstanding Section 9.3.1 related to Balcony Requirements, the minimum area of a balcony is 4 square metres; and
- k) Notwithstanding Section 9.3.1 related to Balcony Requirements, balconies are permitted to project beyond the main wall at any height.

3. Special Site Provisions

The following additional provision applies:

- a) Notwithstanding Section 9.3.1 and Schedule 4, the total land area of the lot, including lands conveyed to public ownership for a road widening as shown in the figure below, shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1.

4. Figure 1



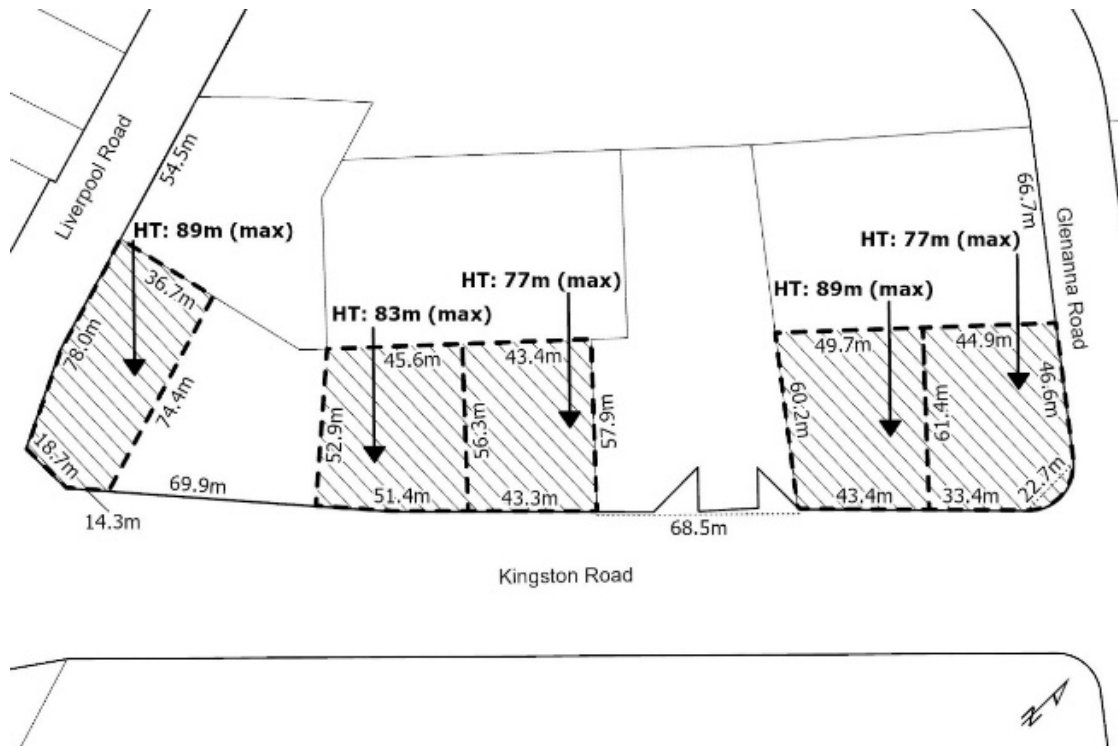
## 15.396 Exception Zone 396 (E15 of By-law 7553/17, as amended by By-law 7909/22)

### 1. Zone Provisions

The following regulations apply:

- a) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1;
- b) Notwithstanding Section 9.3.1 related to maximum Tower Floor Plates for a residential building, the maximum tower floor plate for any portion of a building above 77 metres in height shall not exceed 650 square metres; and
- c) The minimum gross leasable floor area of non-residential uses shall be as follows:
  - i. for lands located at 1300 Kingston Road: 3,700 square metres; and
  - ii. for lands located at 1360 Kingston Road: 1,500 square metres.

### 2. Figure 1



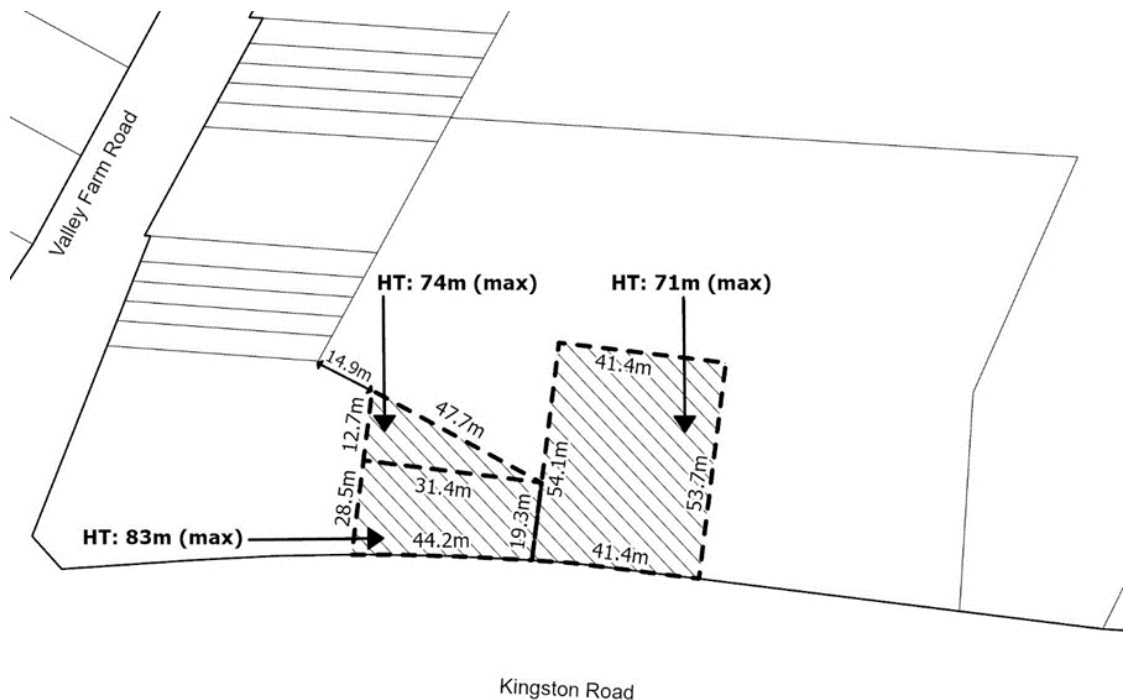
## 15.397 Exception Zone 397 (E16 of By-law 7553/17, as amended by By-law 7909/22)

### 1. Zone Provisions

The following regulations apply:

- a) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1;
- b) Notwithstanding Section 9.3.1 related to maximum Tower Floor Plates for a residential building, the maximum tower floor plate for any portion of a building above 77 metres in height shall not exceed 650 square metres; and
- c) The minimum gross leasable floor area of non-residential uses shall be as follows:
  - i. for lands located at 1550 Kingston Road: 2,300 square metres.

### 2. Figure 1



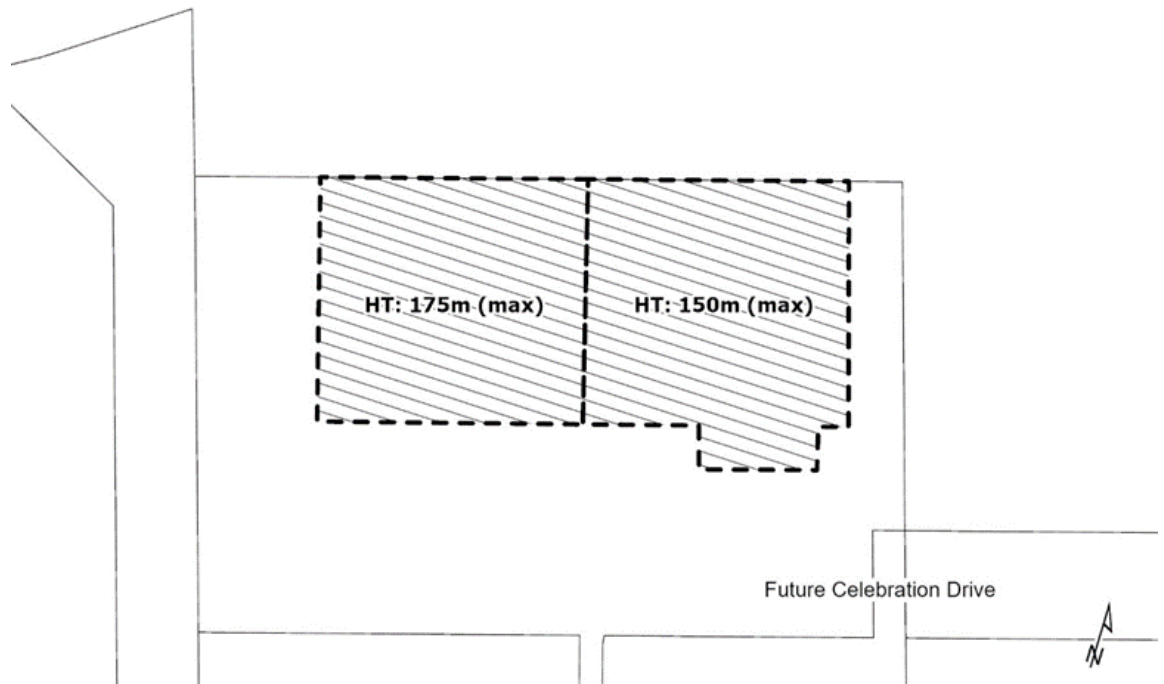
## **15.398 Exception Zone 398 (E17 of By-law 7553/17, as amended by By-law 7936/22)**

### 1. Zone Provisions

The following regulations apply:

- a) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 1 is specified by the number following the HT symbol as shown on Figure 1;
- b) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.65 parking spaces per apartment dwelling unit for residents, and 0.15 parking spaces per apartment dwelling unit for visitors;
- c) Notwithstanding Section 5.9.1 a), related to Surface Parking Spaces, a maximum of ten surface parking spaces may be located in the front yard of buildings;
- d) Notwithstanding Section 5.9.1 b), related to Surface Parking Spaces, a minimum 2.5 metre wide landscaped area shall be required and permanently maintained between the street line of future Celebration Drive and the parking spaces or aisles;
- e) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply;
- f) Notwithstanding Section 9.3.1 related to Balcony Requirements, the minimum area of a balcony is 4 square metres;
- g) Notwithstanding Section 5.10.2 related to Parking Structures, stairs and air vents associated with a parking structure are permitted in a front yard;
- h) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, structures on the podium for noise attenuation purposes may exceed the maximum podium height of 20.0 metres;
- i) Notwithstanding Section 9.3.1 related to Building Setback from Street Line, the maximum building setback shall be 13.0 metres from future Celebration Drive; and
- j) Notwithstanding Section 9.3.1 related to Permitted Encroachments, projections such as awnings, canopies and other similar architectural features may project a maximum of 2.0 metres into the required front yard setback.

2. Figure 1





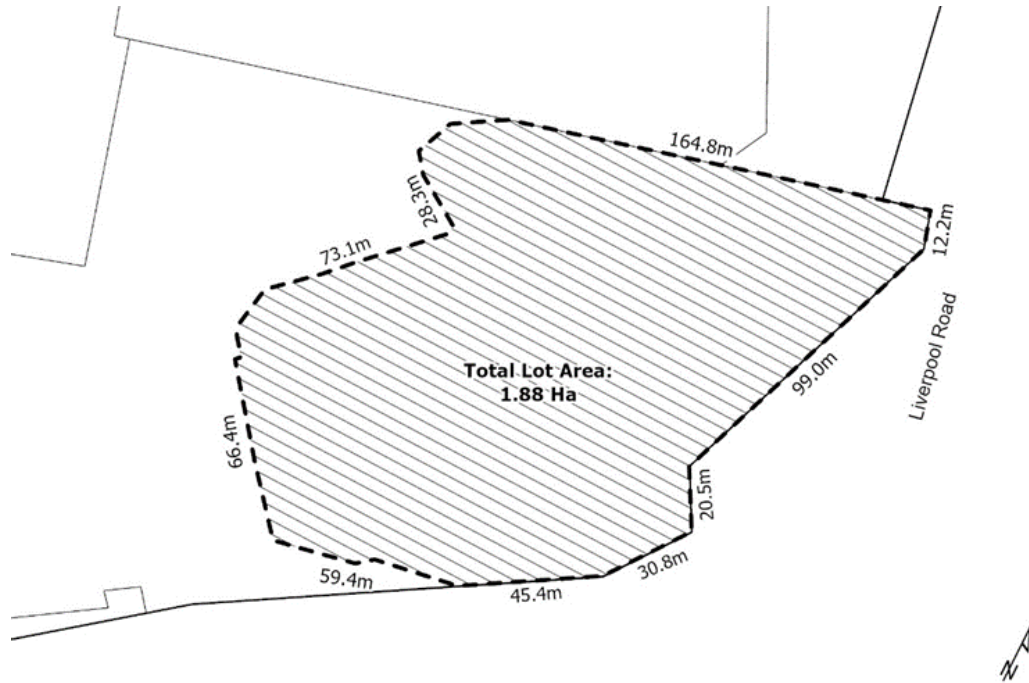
## **15.399 Exception Zone 399 (E18 of By-law 7553/17, as amended by By-law 7948/22)**

### 1. Zone Provisions

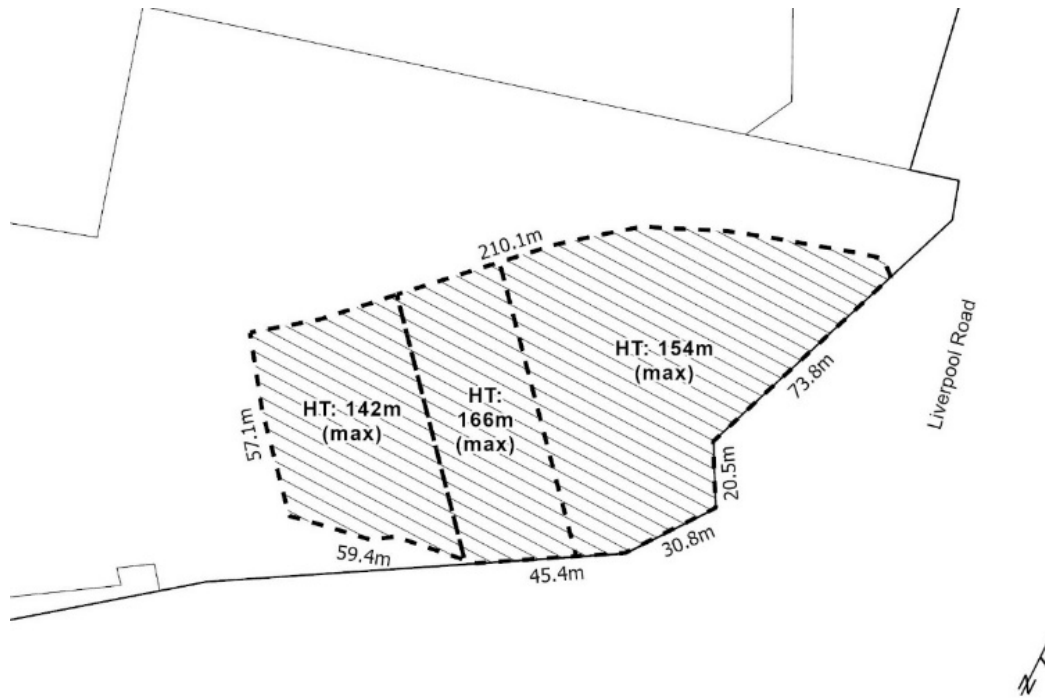
The following regulations apply:

- a) For the purpose of calculating Floor Space Index (FSI) for Section 9.3.1 and Schedule 4 related to minimum FSI, the area illustrated with diagonal hatching on Figure 1 shall be considered a lot;
- b) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 2 is specified by the number following the HT symbol as shown on Figure 2;
- c) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply;
- d) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, the following building elements may exceed the maximum podium height:
  - i. equipment used for the functional operation of the building and structures including electrical, utility, mechanical and ventilation equipment, enclosed stairwells roof access, maintenance equipment storage, chimneys, vents, and window washing equipment;
  - ii. architectural features, parapets, elements and structures associated with a green roof;
  - iii. planters, landscaping features, guard rails, divider screens on a balcony and/or terrace; and
  - iv. trellises, pergolas and unenclosed structures providing safety or wind/noise protection to rooftop amenity space; and
- e) Notwithstanding Section 5.11.1.2 and 5.11.2 related to Bicycle Parking Space Requirements, the required bicycle parking spaces may be stacked bicycle parking spaces, subject to the following dimensions:
  - i. a minimum length of 1.8 metres and a minimum width of 0.45 metres.

2. Figure 1



3. Figure 2



## **15.400 Exception Zone 400 (E19 of By-law of 7553/17, as amended by By-law 7981/23)**

### 1. Zone Provisions

The following regulations apply:

- a) Notwithstanding Section 5.2.1 related to Parking Space Requirements, the minimum parking ratio shall be 0.65 parking spaces per apartment dwelling unit for residents and 0.15 parking spaces per apartment dwelling unit for visitors, for the lands illustrated in Figure 1;
- b) Notwithstanding Schedule 6, related to Maximum Building Height, the maximum height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 2 is specified by the number following the HT symbol as shown on Figure 2; and
- c) Notwithstanding Section 9.3.1, related to Amenity Space Requirements for Apartment Dwellings, the minimum indoor and outdoor amenity space requirements for apartment dwellings may be located on an abutting block within the lands as identified in Figure 1, provided that:
  - i. appropriate cross-use legal easement and/or an agreement are executed; and
  - ii. the minimum aggregate amenity area requirement is provided in accordance with Sections 9.3.1, as amended.

### 2. Special Site Provisions

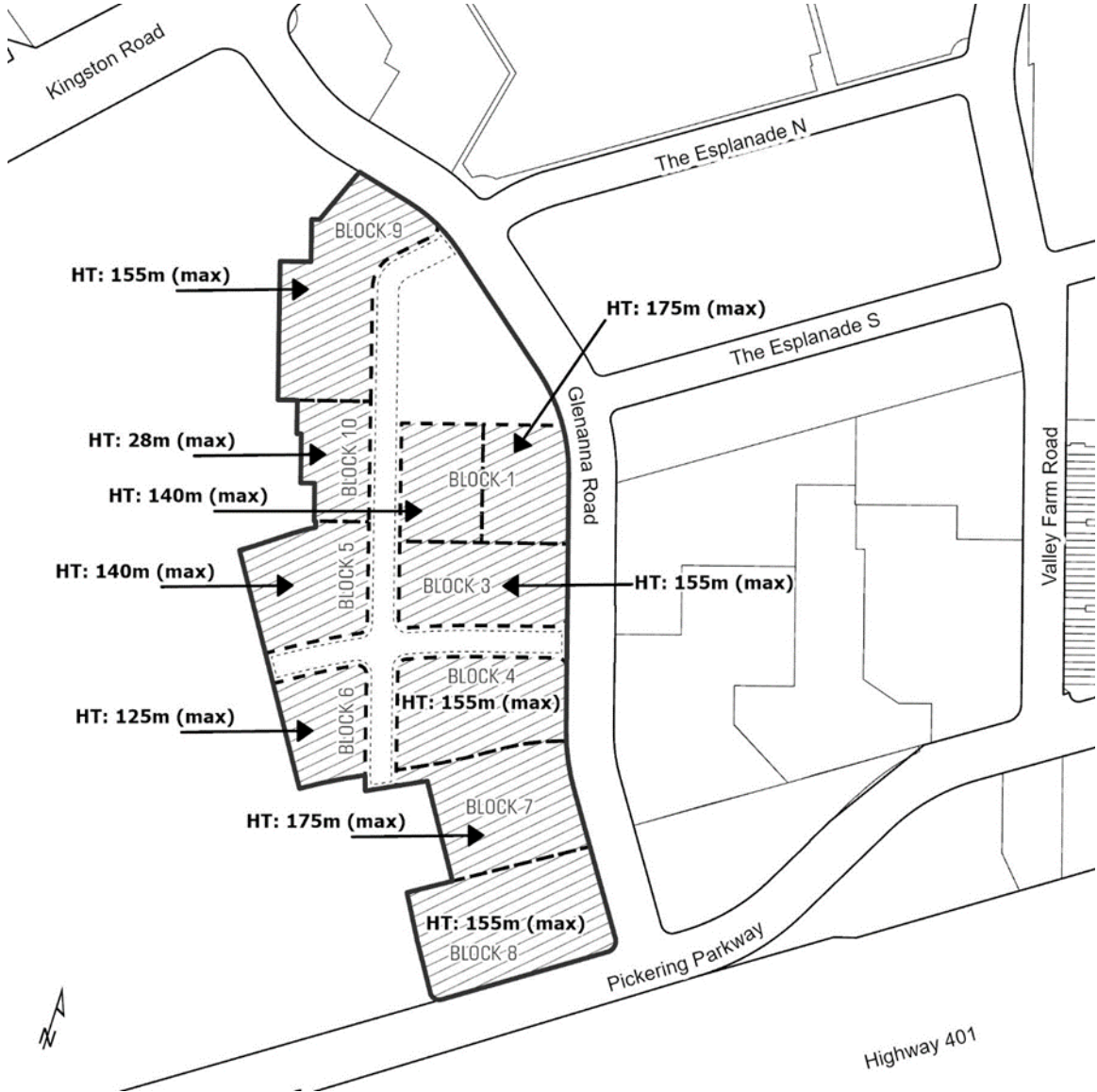
- a) Notwithstanding Section 9.3.1 and Schedule 4, related to Floor Space Index, the total land area of the lot, including lands conveyed to public ownership for a road widening, public street, and public park shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1;
- b) Section 9.3.1, related to Main Wall Stepback for Buildings greater than 37.5 metres in height, shall not apply to the lands illustrated in Figure 1;
- c) Minimum building setback abutting an Open Space (OS) zone – 3.0 metres;
- d) Require an aggregate minimum of 12,000 square metres of net floor area of Office use, Financial Institution, Medical Office, Post-Secondary School, Private School, Commercial School and Veterinary Clinic either in a single building or in multiple buildings within the lands as shown on Figure 1;
- e) Require an aggregate minimum of 2,000 square metres of net floor area of non-residential uses, except for office, located on the first floor of a building or multiple buildings within the lands as shown on Figure 1 of which a minimum of 150 square metres shall be provided on the first floor of each building; and

- f) Notwithstanding Section 9.3.1, the following Buildings Requiring Active At Grade Frontages requirements shall apply:
  - i. minimum – 40 percent of the first storey of a building along any street line and abutting an Open Space Zone with Active At Grade Frontages, residential lobbies, amenity space or at grade dwelling units, as shown on Schedule 7, as amended, shall comprise of openings and transparent glazing;
  - ii. a primary entrance door with direct and unobstructed access to the public shall be incorporated into the wall of a building facing the street line and abutting an Open Space Zone; and
  - iii. minimum ground floor height – 4.5 metres.

3. Figure 1



4. Figure 2



## **15.401 Exception Zone 401 (E20 of By-law 7553/17, as amended by By-law 7924/22)**

### 1. Zone Provisions

The following regulations apply:

- a) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure shall not exceed a building height of 117 metres (37-storeys);
- b) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.65 parking spaces per apartment dwelling unit for residents, and 0.15 parking spaces per apartment dwelling unit for visitors;
- c) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply;
- d) Notwithstanding Section 9.3.1 related to Balcony Requirements, the minimum area of a balcony is 4 square metres;
- e) Notwithstanding Section 9.3.1, related to Continuous Length of Buildings along a Street Line, a minimum 55 percent of the street frontage of a lot along Celebration Drive must be occupied by a building;
- f) Notwithstanding Section 5.9.1 b), related to Surface Parking Spaces, a minimum 0.6 metre wide landscaped area shall be required and permanently maintained between the west lot line and the parking spaces or aisles;
- g) Notwithstanding Section 9.3.1 related to Amenity Space Requirements for Apartment Dwellings, a minimum of 1.9 square metres of indoor amenity space is required per apartment dwelling unit; and
- h) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, structures on the podium for noise attenuation purposes may exceed the maximum podium height of 20.0 metres.

## **15.402 Exception Zone 402 (E21 of By-law 7553/17, as amended by By-law 8023/23)**

### 1. Zone Provisions

- a) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio shall be 0.55 parking spaces per apartment dwelling unit for residents, and 0.15 parking spaces per apartment dwelling unit for visitors;
- b) Notwithstanding Section 5.2.1, related to Parking Space Requirements, the minimum parking ratio for a Financial Institution wholly located within the area identified by the cross hatching as shown on Figure 3, shall be 3.3 spaces per 100 square metres gross leasable floor area (GLFA);
- c) Notwithstanding Section 5.9.1 b), related to Surface Parking Spaces, a landscaped area shall not be required between any existing residential development and the parking spaces or aisles;
- d) Notwithstanding Section 5.10.2 related to Parking Structures, air vents associated with a parking structure are permitted in a front yard;
- e) Notwithstanding Section 5.10.3 related to Parking Structures, air vents constructed in association with an underground parking structure, which are located within a front yard, are permitted to be setback 0.0 metres from a street line, provided the air vents do not exceed a maximum height of 1.2 metres above established grade;
- f) Notwithstanding Section 9.3.1 , related to Floor Space Index (FSI), the total land area of the lot, including lands conveyed to public ownership for a public park, shall be deemed to be a lot for the purposes of calculating Floor Space Index (FSI), as shown on Figure 1;
- g) Notwithstanding Section 9.3.1 and Schedule 6, related to Maximum Building Height, the height of a building or structure wholly located within the area identified by the dashed lines as shown on Figure 2 is specified by the number following the HT symbol as shown on Figure 2;
- h) Notwithstanding Section 9.3.1 related to Podium Requirements for Buildings greater than 37.5 metres, the minimum height of a podium shall be 5.0 metres and the maximum height of a podium shall be 22.5 metres;
- i) For the purposes of measuring the height of a podium for and measuring Building Height for Section 9.3.1 and Schedule 6 related to Maximum Building Height, established grade shall mean the average elevation of the finished level of the ground measured along the east exterior wall at grade of a building fronting Liverpool Road;
- j) Notwithstanding Section 9.3.1 related to Minimum Main Wall Stepback for Buildings greater than 37.5 metres and buildings equal to and greater than 73.5 metres, the minimum main wall stepback shall not apply; and

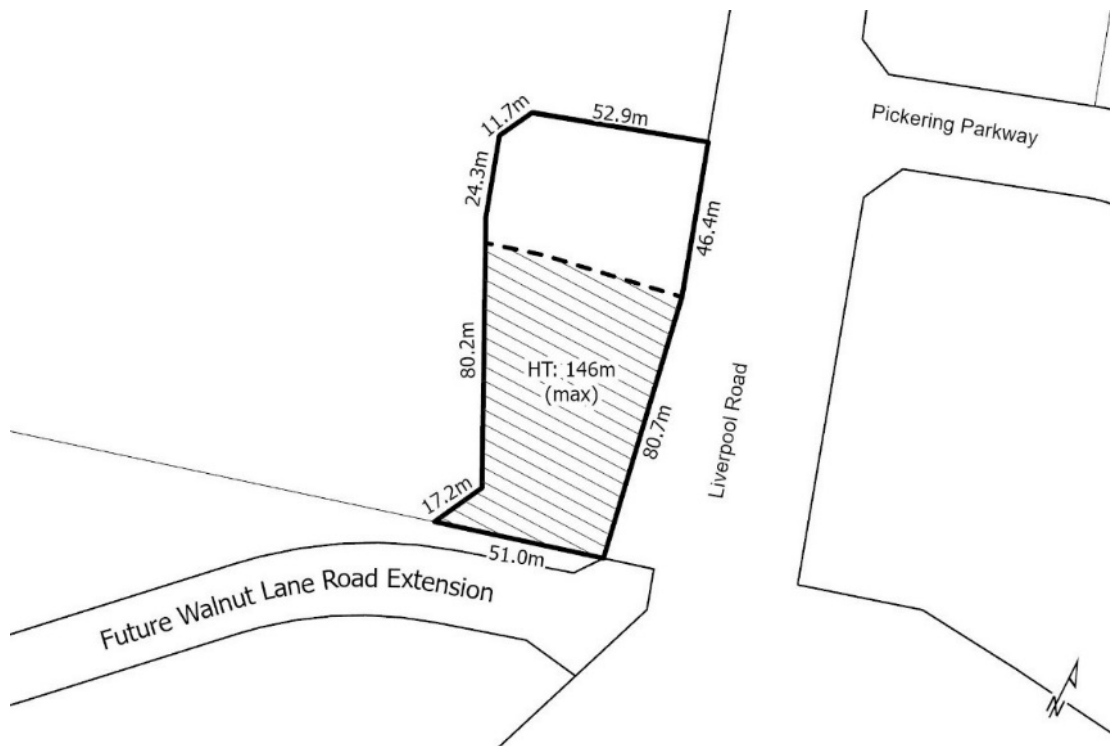
- k) Notwithstanding Section 9.3.1, related to Continuous Length of Buildings along a Street Line, a minimum 53 percent of the street frontage of a lot along Liverpool Road must be occupied by a building wholly located within the area identified by the cross hatching as shown on Figure 3.

2. Figure 1

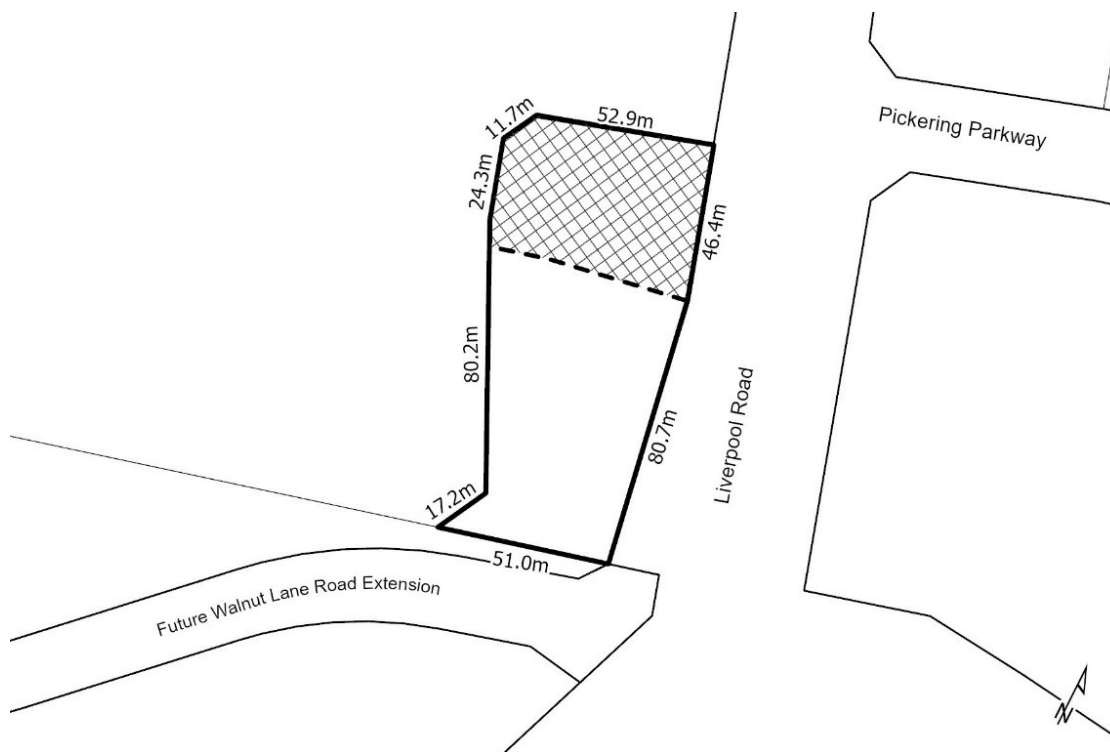




3. Figure 2



4. Figure 3



### **15.403 Exception Zone 403 (H1 of By-law 7553/17)**

1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; public and private street right-of-way design; and phasing of the proposed development.

## 15.404 Exception Zone 404 (H2 of By-law 7553/17)

### 1. Only Permitted Uses Prior to Removal of the “H”

For such time as the “H” symbol is in place, these lands shall only be used for the following:

- a) All uses permitted in the applicable Zone.

### 2. Zone Regulations Prior to Removal of the “H”

For such time as the “H” symbol is in place, only the following shall be permitted:

- a) existing buildings or structures legally existing on the effective date of this By-law;
- b) additions or expansions to existing buildings or structures shall be permitted provided that such additions or expansions shall not exceed 10 percent of the gross floor area of all existing buildings and structures as legally existed on the effective date of this By-law; and
- c) new buildings or structures, subject to the provisions of this By-law, provided that the maximum combined gross floor area shall not exceed 3,000 square metres.

### 3. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development;
- b) appropriate road infrastructure is in place or will be provided in conjunction with the development;
- c) an Environmental Assessment or equivalent comprehensive evaluation of alternatives for flood remediation and a road crossing of the Pine Creek valley corridor, as identified on Schedule 2 of the Official Plan, has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority;
- d) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority;

- e) the execution of an Agreement to ensure that the Pine Creek valley corridor will be conveyed into public ownership upon completion of the works to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority; and
- f) appropriate arrangements have been made to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority to implement the recommendations of the Environmental Assessment or equivalent comprehensive evaluation.

### **15.405 Exception Zone 405 (H3 of By-law 7553/17)**

1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) appropriate public road infrastructure is in place or will be provided in conjunction with the development;
- b) an Environmental Assessment or equivalent comprehensive evaluation of alternatives for flood remediation and a road crossing of the Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority;
- c) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Pine Creek valley corridor has been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority;
- d) the execution of an Agreement to ensure that the Pine Creek valley corridor will be conveyed into public ownership upon completion of the works to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority; and
- e) appropriate arrangements have been made to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority to implement the recommendations of the Environmental Assessment or equivalent comprehensive evaluation.

## **15.406 Exception Zone 406 (H5 of By-law 7553/17)**

### 1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; public and private street right-of-way design; and phasing of the proposed development; and
- b) appropriate road infrastructure is in place or will be provided in conjunction with the development.

## **15.407 Exception Zone 407 (H6 of By-law 7553/17, as amended by By-law 7639/18, By-law 7707/19, By-law 7728/19, and By-law 7925/22)**

### 1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development;
- b) a comprehensive transportation study has been conducted to assess the impact on the transportation system and appropriate road infrastructure is in place to support the development of the lands;
- c) cost sharing agreements for matters such as community uses, public parks, municipal roads and infrastructure, are made between the participating landowners;
- d) an Environmental Impact Study and a detailed engineering design and restoration plan for the rehabilitation of Krosno Creek valley corridor consistent with the Final Floodplain Rationalization Study for Krosno Creek, prepared by TMIG, dated February 2015 and the Krosno Creek Restoration Plan and Cross Section Drawings, prepared by Schaeffers, dated March 9, 2017 have been completed to the satisfaction of the City of Pickering and the Toronto and Region Conservation Authority. In addition, all Toronto and Region Conservation Authority comments 5 – 7, 8 – 22 and 23, dated February 27th, 2017 shall be addressed to the satisfaction of the Toronto and Region Conservation Authority; and
- e) the execution of an Agreement to ensure that the restored and rehabilitated Krosno Creek valley corridor, to include 6.0 metres from the long-term stable top of bank, will be conveyed into public ownership upon completion of the works, to the satisfaction of the City of Pickering.

## **15.408 Exception Zone 408 (H7 of By-law 7553/17)**

### 1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) a block development plan, approved by City Council, has been prepared to demonstrate the orderly development of the lands providing details regarding such matters as: street and block pattern; pedestrian, landscape and open space connections; parking strategy; community uses such as parks, community centres and other public uses; conservation and enhancement of natural features; public and private street right-of-way design; and phasing of the proposed development;
- b) a comprehensive transportation study has been conducted to assess the impact on the transportation system and appropriate road infrastructure is in place to support the development of the lands; and
- c) cost sharing agreements for matters such as community uses, public parks, municipal roads and infrastructure, are made between the participating landowners.



## **15.409 Exception Zone 409 (H8 of By-law 7553/17, as amended by By-law 7909/22)**

### 1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) The completion of an updated Functional Servicing Report (FSR), and that the FSR include recommendations on how sanitary servicing capacity will be provided to enable the full development of each site, to, the satisfaction of the Region of Durham;
- b) The submission of a comprehensive phasing plan and construction management strategy, demonstrating how the demolition and construction of new development will be phased and sequenced, while minimizing the impact on the operation of the existing non-residential tenants located within the existing buildings not to be demolished in that phase;
- c) The submission of a tenant relocation plan, for both interim and long-term, offering an option to the existing non-residential tenants to relocate their businesses into the new development; and
- d) The submission of a block plan and/or site plan illustrating adequate and appropriately located convenience surface parking spaces, and loading facilities, to support the non-residential uses.

## **15.410 Exception Zone 410 (H9 of By-law 7553/17, as amended by By-law 7909/22)**

### 1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the City of Pickering:

- a) The completion of an updated Functional Servicing Report (FSR), and that the FSR include recommendations on how sanitary servicing capacity will be provided to enable the full development of each site, to, the satisfaction of the Region of Durham;
- b) The submission of a comprehensive phasing plan and construction management strategy, demonstrating how the demolition and construction of new development will be phased and sequenced, while minimizing the impact on the operation of the existing non-residential tenants located within the existing buildings not to be demolished in that phase;
- c) The submission of a tenant relocation plan, for both interim and long-term, offering an option to the existing non-residential tenants to relocate their businesses into the new development; and
- d) The submission of a block plan and/or site plan illustrating adequate and appropriately located convenience surface parking spaces, and loading facilities, to support the non-residential uses.

### **15.411 Exception Zone 411 (H10 of By-law 7553/17, as amended by By-law 8023/23)**

1. Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by City Council passing a By-law under Section 34 of the *Planning Act*. The following conditions shall first be completed to the satisfaction of the Regional Municipality of Durham and the City of Pickering:

- a) The owner has entered into a site servicing agreement with the Regional Municipality of Durham that demonstrates that there is sufficient sanitary servicing capacity available to enable the full development of the site.