

15.303 Exception Zone 303 (By-law 1927/84)

1. Definitions

- a) "Building" shall mean a structure occupying an area greater than 9.5 square metres consisting of a wall, roof and floor, or any one or more of them, or a structural system serving the function thereof, including all the works, fixtures and service systems appurtenant thereto;
- b) "Cemetery" shall mean land that is set apart or used for the interment of the dead or in which human bodies have been buried;
- c) "Cemetery Administrative Office" shall mean a building or part of a building in which the management or direction of a cemetery is carried on;
- d) "Cemetery Equipment Building" shall mean a building or part of a building used for the sheltering, storage, care, repair or equipping of vehicles, machinery, equipment and property with respect to any of the affairs of purposes of the operation of a cemetery;
- e) "Cemetery Greenhouse" shall mean a building or part of a building located in a cemetery and used for the shelter, care and growing of plants and plant materials for use within that cemetery or other cemeteries operated by the owners of that cemetery;
- f) "Columbarium" shall mean a structure designed for the purpose of storing the ashes of human remains that have been cremated;
- g) "Crematorium" shall mean a building used for the purposes of the cremation of human remains, and includes everything incidental or ancillary thereto;
- h) "Mausoleum" shall mean a building or other structure used as a place for the interment of human remains in sealed crypts or compartments;
- i) "Structure" shall mean anything installed, constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground and, without limiting the generality of the foregoing, includes a vehicle as defined in the *Highway Traffic Act*, but does not include an inground swimming pool;
- j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied, above ground except for such accessory buildings, structures or other uses as are specifically permitted thereon;
- k) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

- l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

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

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

- i. cemetery
- ii. cemetery administrative office
- iii. cemetery equipment building
- iv. cemetery greenhouse
- v. columbarium
- vi. crematorium
- vii. mausoleum
- viii. dwelling unit for a caretaker or watchman subject to the provisions of Section 2(b)(iv)(4)
- ix. agricultural uses not having a building or structure.

b) Requirements ("CEM-1" Zone)

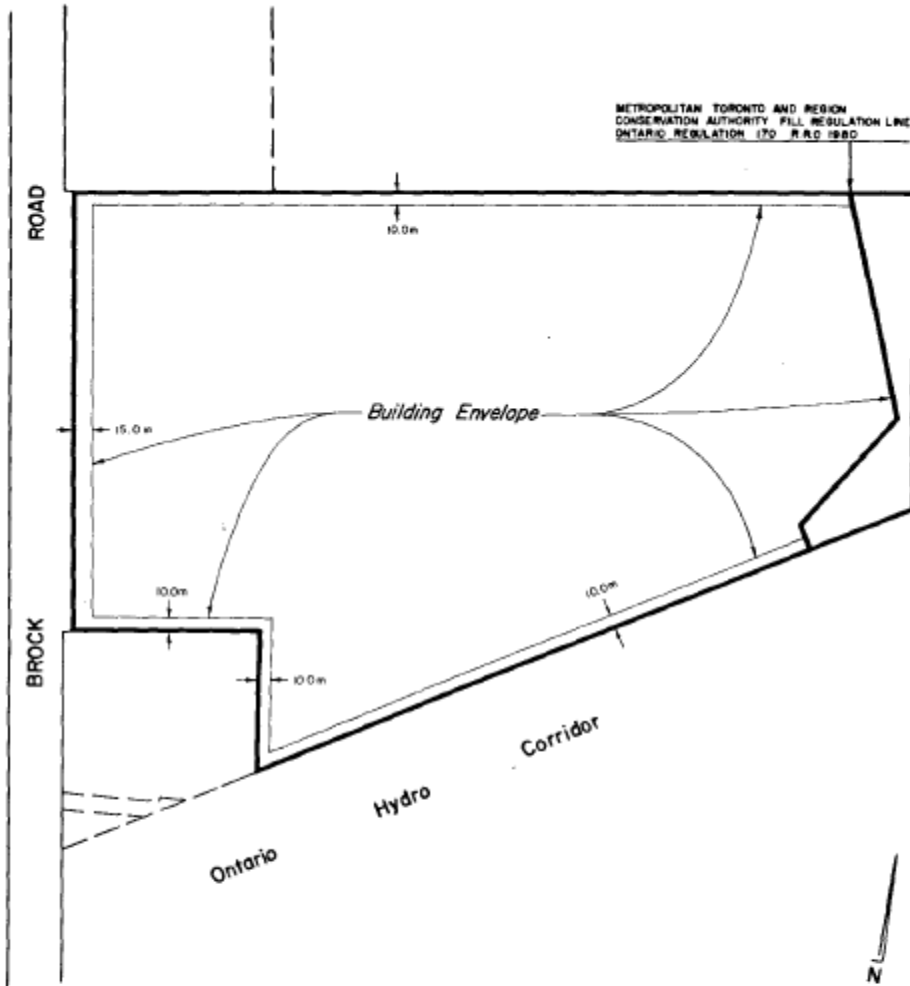
No person shall within the lands zoned "CEM-1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 33 hectares

- ii. Lot Frontage (minimum): 417 metres
- iii. Building Height (maximum): 18 metres
- iv. Special Restrictions:
 - A. No building or structure shall be erected, altered or used on the lands unless it is wholly located within the building envelope shown on Figure 1.
 - B. Notwithstanding the provisions of Section 2(b)(iv)(A) a memorial stone or monument which is less than 3.0 metres in height, at least 3.0 metres from the front lot line and at least 1.0 metre from any side lot line may be erected, altered or used outside the building envelope.
 - C. For the purpose of this By-law a mausoleum or columbarium which does not exceed 2 metres in height and has exterior dimensions such that the volume enclosed thereby does not exceed 15 cubic metres shall be considered to be a memorial stone or monument.
 - D. No more than one dwelling unit shall be permitted and only where the caretaker or watchman is employed by the owner of the lands.
- c) Uses Permitted ("OS-C" Zone)

No buildings or structures shall be permitted to be erected within the lands zoned "OS-C".

3. Figure 1



SCHEDULE 'II' TO BY-LAW 1927/84
PASSED THIS 19th
DAY OF November 1984

John E. Andrew
MAYOR

George J. ...
CLERK

15.304 Exception Zone 304 (By-law 2623/87, as amended by By-law 6696/07, By-law 6787/07, By-law 7116/11, and By-law 7382/14)

1. Definitions

- a) "Body Shop" shall mean an establishment engaged in repairing or painting vehicle bodies;
- b) "Dog Daycare and Boarding Facility" – shall mean a facility in which the daytime care of dogs is provided and shall include the overnight boarding of dogs in a group environment, but shall not include the breeding or sale of dogs, or a veterinary clinic;
- c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- e) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;
- f) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- g) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- h) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes.
- i) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;
- j) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- k) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

- l) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- m) "Vehicle Repair Shop" shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels;
- n) "Vehicle Sales or Rental Establishment" shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory thereto the outdoor display of vehicles for sale, rent or lease and a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;
- o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- v) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

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

2. Provisions

a) Uses Permitted ("CLR5", "CLR6", "CLR7", "CLR8" Zones)

No person shall within the lands zoned "CLR5", "CLR6", "CLR7", and "CLR8" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("CLR5", "CLR6", "CLR7", and "CLR8" Zones)

No person shall within the lands zoned "CLR5", "CLR6", "CLR7", and "CLR8" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Lot Area (minimum):

- 1) on lands zoned "CLR5": 1,390 square metres
- 2) on lands zoned "CLR6": 2,000 square metres
- 3) on lands zoned "CLR7": 3,000 square metres
- 4) on lands zoned "CLR8": 6,000 square metres

ii. Lot Frontage (minimum):

- 1) on lands zoned "CLR5": 22 metres
- 2) on lands zoned "CLR6" or "CLR7": 30 metres
- 3) on lands zoned "CLR8": 75 metres

iii. Front Yard Depth (minimum):

12 metres except where such yard abuts Highway 7, the minimum front yard depth shall be 14 metres

iv. Interior Side Yard Width (minimum): 3.0 metres

v. Flankage Side Yard Width (minimum):

3.0 metres except where such yard abuts Highway 7, the minimum flankage yard depth shall be 14 metres

vi. Rear Yard Depth (minimum): 12 metres

vii. Lot Coverage (maximum): 20 percent

viii. Building Height (maximum): 12 metres

ix. Dwelling Unit Requirements:

- 1) maximum number of dwelling units per lot: one
- 2) minimum gross floor area-residential: 95 square metres

c) Exception ("CLR6" Zone)

- i. Despite the provisions of section 2(b)(iii), the minimum front yard depth for a detached dwelling located on that part of Lot 3, Concession 6, zoned as Part 3, Plan 40R-5558 shall be 4.2 metres.
- ii. Subsection (i), above, shall not apply where the detached dwelling or any part or extension thereof is constructed after January 1, 1988.

d) Exception ("CLR8-DD" Zone)

- i. Despite any provisions in this By-law to the contrary, in addition to any other uses permitted under the "CLR8" zone, a dog daycare and boarding facility shall be permitted on the lands zoned "CLR8-DD" (North Part of Lot 2, Concession 5, save and except Part 2, Plan 40R-25676) in accordance with the following provisions:
 - 1) maximum number of dogs permitted within a dog daycare and boarding facility at any one time shall be 30;
 - 2) a dog daycare and boarding facility shall be permitted to operate within a building, with a maximum height of 5.5 metres;
 - 3) an outdoor exercise area shall be provided in the rear yard and shall be set back a minimum of 10.0 metres from all property lines and shall not extend beyond the "CLR8-DD" Zone;
 - 4) a maximum of one retail store not exceeding 50.0 square metres of gross floor area shall be permitted for the sale of products ancillary to a dog daycare and boarding facility;
 - 5) an ancillary retail store shall only be permitted within a building used for the purposes of accommodating a dog daycare and boarding facility; and
 - 6) in addition to the parking requirements for a detached dwelling, a minimum of 5.0 parking spaces shall be provided and maintained on-site.

e) Uses Permitted ("CL-CA" Zone)

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

- i. vehicle sales or rental establishment

f) Zone Requirements ("CL-CA" Zone)

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

- i. Lot Area (minimum): 1.0 hectare
- ii. Lot Frontage (minimum): 135 metres
- iii. Front Yard Depth (minimum): 14 metres

- iv. Interior Side Yard Width (minimum): 7.5 metres
- v. Rear Yard Depth (minimum): 7.5 metres
- vi. Lot Coverage (maximum): 33 percent
- vii. Building Height (maximum): 12 metres
- viii. Open Storage: no open storage shall be permitted in any yard
- ix. Parking Requirements:
 - 1) For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - 2) There shall be provided and maintained on the subject lands a minimum of 5.0 parking spaces for each 0.4 hectare of part thereof lot area plus 2.0 parking spaces for each 93 square metres or part thereof gross floor area;
 - 3) No parking space required to be provided and maintained pursuant to subclause B above shall be used for the display of any vehicle;
 - 4) Sections 5.19.2a) and 5.19.2b) of By-law 3037, as amended, shall not apply to the lands zoned "CL-CA";
 - 5) All parking areas shall be set back a minimum of 3.0 metres from all road allowances;
 - 6) Notwithstanding Section 5.19.2g) of By-law 3037, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

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

No person shall within the lands zoned "OS-HL" use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

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

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control or a culvert for access.

i) Uses Permitted ("EP(ND)" Zone)

No person shall within lands zoned "EP (ND)" use any land for any purpose except for the following:

- i. conservation of the natural environment, soil and wildlife, resource management; and
- ii. nitrate dilution.

j) Zone Requirements ("EP(ND)" Zone)

No buildings or structures shall be permitted, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for resource management.

k) Uses Permitted ("OS-HL-EP (ND)" Zone)

No person shall within lands zoned "OS-HL-EP (ND)" use any land for any purpose except for the following:

- i. preservation or conservation of the natural environment, soil and wildlife, resource management; and
- ii. nitrate dilution.

l) Zone Requirements ("OS-HL-EP (ND)" Zone)

No buildings or structures shall be permitted, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for flood and erosion control, or resource management.

15.305 Exception Zone 305 (By-law 2870/88)

1. Definitions

- a) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- b) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- c) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- d) "Truck Haulage Business" shall mean a business where trucks are kept and used for the hauling of mineral aggregates, nursery products and other similar materials;
- e) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions

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

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

- i. truck haulage business
- ii. uses permitted in accordance with section 6.1 of By-law 3037

b) Zone Requirements ("A(THB)" Zone)

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

- i. Setback Requirements (minimum): as illustrated on Figure 1
- ii. Building Height (maximum): 12 metres
- iii. Parking Requirements:

A. Automobile Parking Space

- 1) For the purpose of this clause "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length, for the temporary

parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

- 2) For a truck haulage business, there shall be provided and maintained on the lot a minimum of 15 automobile parking spaces.

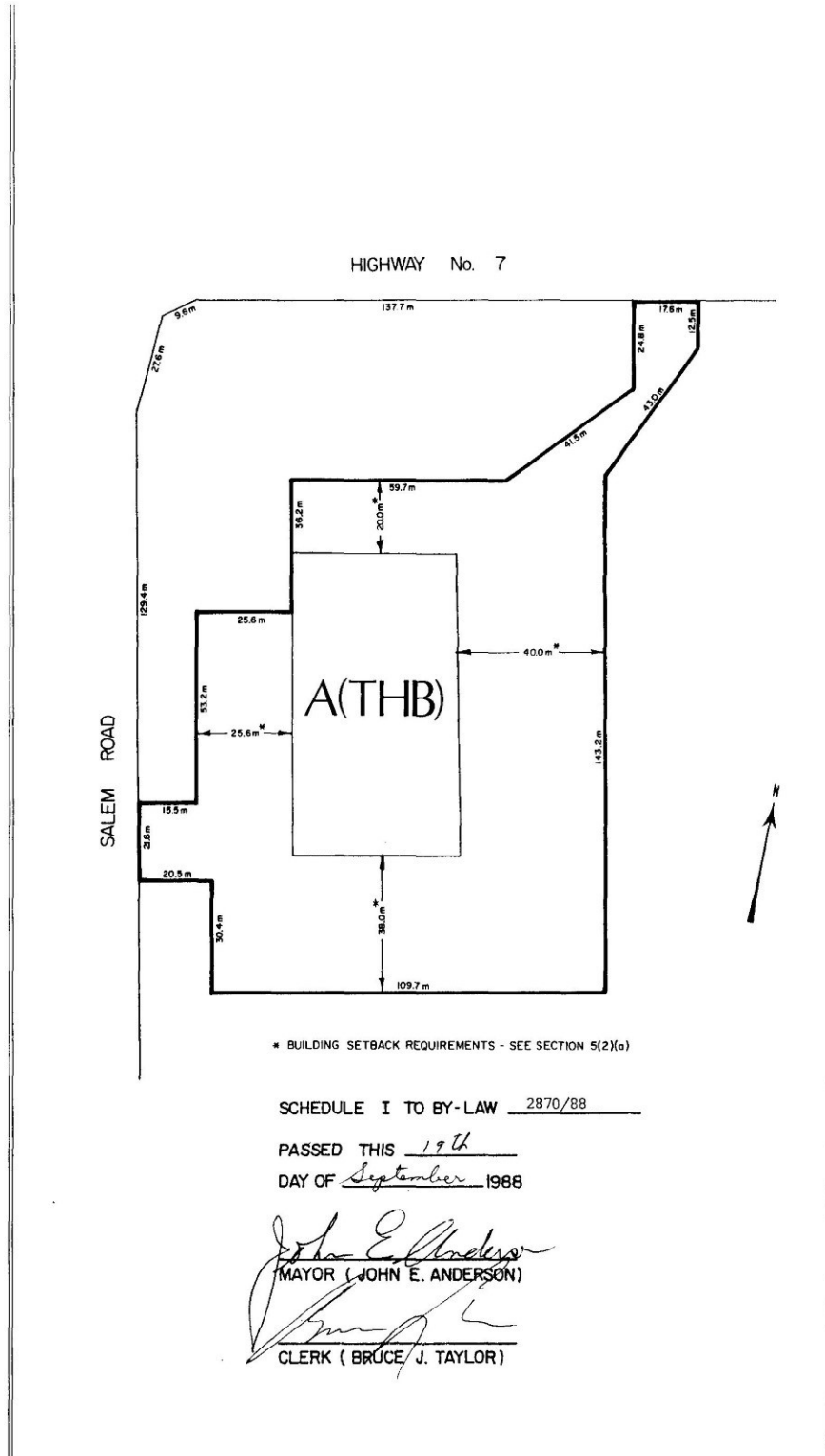
B. Truck Parking Space

- 1) For the purpose of this clause “parking space” shall mean a usable and accessible area of not less than 43 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
- 2) For a truck haulage business there shall be provided and maintained on the lot a minimum of 40 truck parking spaces.

iv. SPECIAL REGULATIONS:

- A. For a truck haulage business, no more than 40 trucks shall be stored on the lot at any one time.

3. Figure 1



15.306 Exception Zone 306 (By-law 4209/93)

1. Definitions

- a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- c) "Dwelling Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;
- d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;
- g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

- m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;
- t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("R6-2" Zone)

No person shall within the lands zoned "R6-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling residential uses

b) Zone Requirements ("R6-2" Zone)

No person shall within the lands zoned "R6-2" use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. Lot Area (minimum): 2400 square metres
- ii. Lot Frontage (minimum): 22.0 metres
- iii. Front Yard Depth (minimum): 4.5 metres
- iv. Side Yard Width (minimum): 1.8 metres

- v. Flankage Side Yard Width (minimum): 2.7 metres
- vi. Rear Yard Depth (minimum): 9.0 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12.0 metres
- ix. Dwelling Unit Requirements:
 - A. maximum 1 unit per lot;
 - B. minimum gross floor area residential 95 square metres.
- x. Special Regulations:
 - A. notwithstanding Section 5.18 (a) of By-law 3037, as amended, a detached private garage may be erected in a side yard;
 - B. notwithstanding Section 2.39(c)(i) of By-law 3037, as amended, for the lands identified, the westerly lot line shall be deemed to be the front lot line.

15.307 Exception Zone 307 (By-law 4804/96, as amended by By-law 4993/07)

1. Definitions

- a) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.

2. Provisions ("A/GC" Zone)

a) Uses Permitted ("A/GC" Zone)

No person shall, within the lands zoned "A/GC", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. any use permitted by section 6.1 of By-law 3037;
- ii. a golf course.

b) Zone Requirements ("A/GC" Zone)

No person shall, within the lands zoned "A/GC", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. for those uses permitted by section 2(a)(i), above, the provisions of section 6.2 of By-law 3037;
- ii. for golf courses, the provisions of section 6.2.4 of By-law 3037.

c) Special Regulations ("A/GC" Zone)

- i. notwithstanding section 2(a)(i) and 2(b)(i), a maximum of one dwelling with a minimum front yard of 10 metres shall be permitted within the lands zoned "A/GC"; and
- ii. notwithstanding section 2(b)(ii), a temporary clubhouse may be permitted with a minimum front yard of 2.0 metres until June 30, 1999.

3. Provisions ("OS/HL" Zone)

a) Uses Permitted ("OS/HL" Zone)

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

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

b) Zone Requirements ("OS/HL" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

c) Special Regulation ("OS/HL" Zone)

Notwithstanding section 3(b), one pedestrian bridge over the existing watercourse shall be permitted within the lands zoned "OS/HL".

15.308 Exception Zone 308 (By-law 7710/19)

1. Definitions

- a) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscaped area, but which may also include areas of decking decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.
- b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- c) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- d) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- e) “Build-to-Zone” means an area of land in which all or part of a building elevation of one or more buildings is to be located.
- f) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.
- g) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- h) “Dwelling Unit” means a residential unit that:
 - i. consists of a self-contained set of rooms located in a building or structure;
 - ii. is used or intended for use as a residential premises;
 - iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv. is not mobile home or any vehicle.
- i) “Dwelling, Block Townhouse” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle.

- j) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior unit.
- k) “Front Wall” means a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.
- l) “Grade” or “Established grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.
- m) “Height, Building” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge.
- n) “Landscaped Area” means an outdoor area comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles, private streets, driveways, porches, decks, and areas for loading, parking or storing of vehicles.
- o) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.
- p) “Neighbourhood Park” means a municipal public park.
- q) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- r) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building; a basement may be located under the porch.
- s) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.
- t) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

- u) “Storey” means that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.
- v) “Street” mean a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle; however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.
- w) “Street, Private” means:
 - i. a right-of-way or roadway, that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.
- x) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quantity of water delivered to a property.

2. Provisions (“MU-MD-2” Zone)

a) Uses Permitted (“MU-MD-2” Zone)

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

- i. Block Townhouse Dwelling
- ii. Stacked Dwelling

b) Zone Requirements (“MU-MD-2” Zone)

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

- i. Number of Dwelling Units:
 - A. Minimum number of dwelling units: 264 units
 - B. Maximum number of dwelling units: 704 units
 - C. Minimum number of Block Townhouse Dwelling units: 62 units

- ii. Building Location and Setbacks:
 - A. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1.
 - B. No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone along the frontages of Street ‘A’, Palmer’s Sawmill Road, Four Season’s Lane and Tillings Road, as illustrated on Figure 1, contains a building or part of a building.
 - C. The separation distance between the front wall of a building or a dwelling where it faces the front wall of another building or a dwelling shall be a minimum of 11.0 metres.
 - D. The minimum separation distance between the exterior walls of buildings or dwellings, except for the front wall, shall be a minimum of 3.0 metres.
 - E. Despite Section 2(b)(ii)D above, where a sidewalk is located between buildings or dwellings, the minimum separation distance between the exterior walls of buildings or dwellings, except for the front wall, shall be a minimum of 4.5 metres.
 - 1) Maximum length of a block of Townhouse Dwellings or a block of Stacked Dwellings shall be 51 metres.

- iii. Building Height (maximum):
 - 1) Block Townhouse – 12.0 metres
 - 2) Stacked Townhouse – 14.0 metres
- iv. Parking Requirements (“MU-MD-2” Zone):

The minimum parking rates for the uses permitted in a “MU-MD-2” Zone shall be provided in accordance with the following provisions:

	Unit Type	Residential Rate	Visitor Parking Rate
(1)	Block Townhouse	A minimum of 2.0 parking spaces per dwelling unit	a minimum of 0.2 of a parking space per dwelling unit
(2)	Stacked Townhouse	a minimum of 1.50 parking spaces per dwelling unit	

- v. Special Parking Provisions (“MU-MD-2” Zone):
 - A. Any vehicular entrance for an enclosed private garage shall be located a minimum of 6.0 metres from the private street that provides vehicle access to the private garage.
 - B. Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided;

however, the width may include one interior step and the depth may include two interior steps.

- C. Each surface parking space, not within a private garage or on a driveway shall have a minimum width of 2.6 metres and a minimum depth of 5.3 metres.
- D. No parking lot or parking space shall be permitted within 4.5 metres of a street.
- E. The minimum right-of-way width for a private street shall be 6.5 metres.

vi. Landscape Area and Private Residential Amenity Area

- A. Minimum landscape area requirements – 20 percent
- B. Minimum Private Residential Amenity Area – 4.5 square metres per dwelling unit
- C. Minimum Balcony depth – 1.5 metres

vii. Air Conditioners

- A. Air conditioner units shall not be located between the front wall of a building or a dwelling and a street.

c) Projections (“MU-MD-2” Zone)

- i. Despite Section 2(b)(ii)A, stairs, covered and uncovered porches and platforms, uncovered decks, bay, box and bow windows, balconies, eaves, canopies, window sills and other similar features are permitted to project beyond the building envelope as illustrated on Figure 2, but not closer than 1.5 metres to any lot line;
- ii. Despite Sections 2(a) and 2(b) of this By-law, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MU-MD-2” zone use provisions and zone requirements;
- iii. Section 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned “MU-MD-2”.

3. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

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

- i. Resource Management, including a Stormwater Management Facility

4. Provisions (“NP” Zone)

a) Uses Permitted (“NP” Zone)

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

- i. Neighbourhood Park

5. Restrictions on the Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

- i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

- i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;
- ii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

c) Location of Vehicles:

- i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.

d) Inoperative Vehicles:

- i. The parking or storage of an inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

- i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.
- ii. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 5(b), is permitted to park temporarily for the sole purpose of delivering to, servicing or constructing the premises

6. Section 37 Provisions

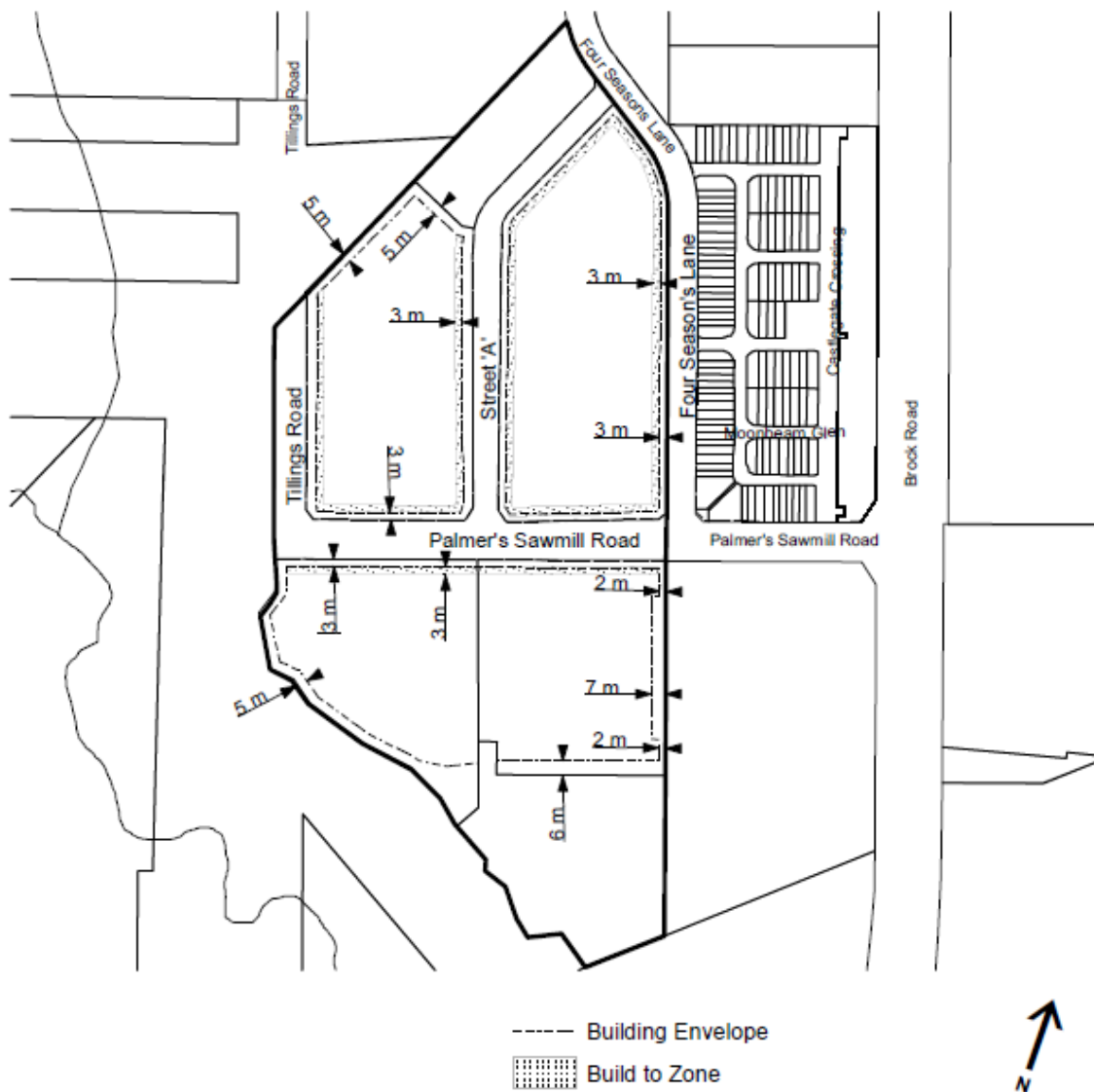
- a) An indexed cash contribution of \$260,300.00 to be paid to the City prior to the issuance of site plan approval for the first phase, to be allocated towards a new Village Green within the Draft Plan of Subdivision and/or soccer pitches within the abutting hydro corridor;
- b) The cash contribution identified in Section 6(a) of this By-law shall be indexed in accordance with the most current Statistics Canada Non Residential Construction Price Index reported quarterly by Statistics Canada, calculated from the date of passing of this by-law to the date of payment by the owner;

- c) In the event the cash contribution referred to in Section 6(a) of this By-law has not been used for the intended purposes within 3 years of the By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Director, City Development, in consultation with the Ward Councillor(s), provided that the purposes will benefit the community in the vicinity of the lands;
- d) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the subject lands in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Section 6(a) of this By-law and which are secured by one or more agreements pursuant to Subsection 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;
- e) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions and obligations in this By-law are met; and
- f) Despite Section 2(b)(i) of this By-law, an additional 22 dwelling units are permitted upon execution and registration on title of a Section 37 agreement pursuant to Section 6(d) of this By-law.

7. Model Homes

- a) For the purposes of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.
- b) A maximum of 2 Block, together with not fewer than 4 parking spaces per Model Home, may be constructed on the lands zoned MU-MD-2 prior to the division of these lands by registration of a plan of subdivision.

8. Figure 1



Schedule II to By-Law 7710/19
Approval by the Local Planning Appeal Tribunal
Oral Decision delivered June 12, 2019
Written Decision Issued July 31, 2019

15.309 Exception Zone 309 (By-law 7191/12, as amended by By-law 7768/20)

1. Definitions

- a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- b) “Banquet Facility” shall mean a building or part of a building used for the purposes of catering to banquets, weddings, receptions, or similar functions for which food and beverages are prepared and served on the premises but shall not include a restaurant;
- c) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;
- d) "Build-to-zone" shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located;
- e) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;
- f) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour;
- g) “Commercial Music School” shall mean a school which is operated for gain or profit and contains the studio of a music teacher;
- h) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;
- i) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for

retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

- j) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the *Day Nurseries Act*, or any successor thereto, and for the use as a facility for the daytime care of children;
- k) "Drug Store" shall mean a building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public, and where medicine, medical supplies and associated merchandise, confectionary items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessity are stored, displayed and offered for retail sale;
- l) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;
- m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;
- n) "Food Store" shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public;
- o) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;
- p) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;
- q) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- r) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the *Municipal Act, 2001*, as amended from time-to-time, or any successor thereto;
- s) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a

chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act, 2001*, as amended from time to-time, or any successor thereto;

- t) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;
- u) "Retail Store" shall mean a building or part of a building in which goods; wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;
- v) "Storey" shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;
- w) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions ("MU-23" Zone)

a) Uses Permitted ("MU-23" Zone)

No person shall within the lands zoned "MU-23", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. banquet facility;
- ii. business office;
- iii. convenience store;
- iv. commercial club;
- v. commercial music school;
- vi. commercial school;
- vii. day nursery;
- viii. drug store;
- ix. dry cleaning depot;
- x. financial institution;
- xi. food store;
- xii. laundromat;
- xiii. personal service shop;
- xiv. professional office;
- xv. restaurant - type A;
- xvi. retail store;

b) Zone Requirements ("MU-23" Zone)

No person shall within the lands zoned "MU-23", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

- 1) Buildings and structures shall be located entirely within the building envelope shown on Figure 1 attached hereto;
- 2) No building, part of a building, or structure shall be erected unless a minimum of 90 percent of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60 percent of the length of the build-to-zone along Dersan Street as illustrated on Figure 1, contains a building or part of a building;
- 3) Notwithstanding Section 2(b)(i)(1) above, below grade parking structures shall be permitted beyond the limits of the building envelope identified on Figure 1, but no closer than 0.5 metres from the limits of the lands;

ii. Building Height and Functional Floors:

- 1) Minimum 3 Storeys and 14.0 metres
- 2) Maximum 6 Storeys and 20.0 metres

iii. Floor Space Areas:

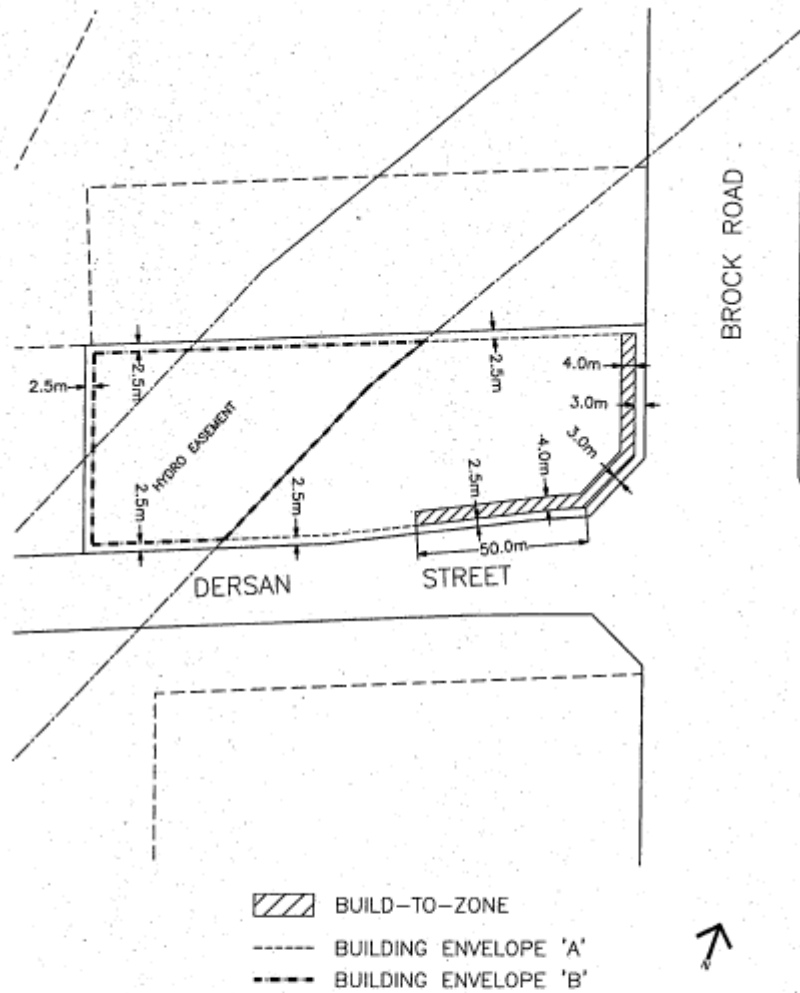
- 1) The maximum gross leasable floor area for all uses shall be 10,000 square metres;
- 2) The maximum gross leasable floor area for any individual convenience store, food store, drug store, or retail store shall be 500 square metres;
- 3) The aggregate of the gross leasable floor area of medical professional offices shall not exceed 50 percent of the maximum permitted gross leasable floor area; and
- 4) A maximum of one banquet facility is permitted with a maximum of 1,100 square metres of gross leasable floor area.

iv. Parking Requirements:

- 1) There shall be provided and maintained a minimum of 4.0 parking spaces per 100 square metres of gross leasable floor area for all permitted uses listed in Section 2(a) of this By-law;
- 2) Notwithstanding Section 2(b)(iv)(1) above, there shall be provided and maintained a minimum of 10 parking spaces per 100 square metres of gross leasable floor area for any restaurant or banquet facility floor area that exceeds a total aggregate gross leasable area of 500 square metres in the building;
- 3) Parking shall be provided at grade, in a below grade structure, in an above grade structure or any combination thereof;

- 4) All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;
 - 5) At grade parking lots and driving aisles shall be permitted no closer than 1.5 metres from the north and west limits of the property, and 3.0 metres from any road;
 - 6) Buildings are permitted only within Building Envelope 'A' identified on Figure 1, with the exception of parking structures which are also permitted within Building Envelope 'B';
 - 7) Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By law 3037, as amended, shall not apply to lands zoned "MU-23".
- v. Special Regulations
- 1) Drive-through facilities are not permitted on lands zoned "MU-23";
 - 2) Despite Section 2(b)(i)(1) of this By-law, outdoor patios associated with a restaurant - type A are permitted to encroach beyond the building envelope identified on Figure 1;
 - 3) Despite Section 2(b)(i)(1) of this By-law, covered walkways with supporting structures, are permitted to encroach beyond the building envelope as identified on Figure 1;
 - 4) Despite Section 2(b)(iii)(1) outdoor patios associated with a restaurant - type A are not considered to be gross leasable floor area;
 - 5) Despite Section 2(b)(iii)(2) gross leasable floor area excludes parking structures;
 - 6) Despite Section 2(b)(ii), the minimum building height requirement does not apply to parking structures.

3. Figure 1



SCHEDULE II TO BY-LAW 7191/12
PASSED THIS 21st
DAY OF February 2012

MAYOR *[Signature]*
CLERK *D. Shields*

15.310 Exception Zone 310 (By-law 7706/19)

1. Definitions

- a) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.
- b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- c) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- d) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- e) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
- f) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.
- g) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- h) “Dwelling Unit” means a residential unit that:
 - i. consists of a self-contained set of rooms located in a building or structure;
 - ii. is used or intended for use as a residential premises;
 - iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv. is not mobile home or any vehicle.
- i) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the unit.

- j) “Front Wall” means a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.
- k) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
- l) “Height, Building” shall mean the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouse.
- m) “Neighbourhood Park” means a municipal public park.
- n) “Parapet Wall” shall mean the portion of an exterior wall extending above the roof.
- o) “Park, Private” shall mean a park which is maintained by a condominium corporation.
- p) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.
- q) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.
- r) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.
- s) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle; however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.
- t) “Street, Private” means:
 - i. a right-of-way or roadway, that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a private right-of-way over private property, that affords access to lots abutting the private street; but is not maintained by a public body and is not a lane.

- u) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.
 - v) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
 - w) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
 - x) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
 - y) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
 - z) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
 - aa) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
 - bb) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
 - cc) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
 - dd) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.
2. Provisions (“MD-HD-1” Zone)
- a) Uses Permitted (“MD-HD-1” Zone)
 - i. No person shall within the lands zoned “MD-HD-1”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

1) Dwelling, Stacked

b) Zone Requirements (“MD-HD-1” Zone)

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

- i. Building Location and Setbacks:
 - A. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1;
 - B. No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone along the frontages of William Jackson Drive and Earl Grey Avenue, as illustrated on Figure 1, contains a building or part of a building;
 - C. Despite Section 2(b)(i)A, retaining walls are permitted outside of the building envelope for lands abutting the “OS-HL” Zone;
 - D. The minimum separation distance between the exterior walls of a building shall be a minimum of 3.0 metres;
 - E. Despite Section 2(b)(i)D, the minimum separation distance between the front wall of building, where it faces the front wall of another building shall be a minimum of 14.0 metres;
 - F. Despite Sections 2(b)(i)D and 2(b)(i)E, the minimum separation distance between the front wall of a building where it faces the side wall of another building shall be a minimum of 8.5 metres;
 - G. The maximum length of a block of Stacked Dwellings shall be 45 metres;
 - H. Despite Sections 2(a) and 2(b), a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MD-HD-1” zone use provisions and zone requirements;
 - I. In addition to Section 2(a)(i), Uses Permitted (“MD-HD-1” Zone) an indoor amenity building located adjacent to a private park is permitted.
- ii. Number of Dwelling Units:
 - A. Minimum number of dwelling units: 133
 - B. Maximum number of dwelling units: 264
- iii. Building Height:
 - A. Maximum Building Height of 15.0 metres (4 storeys)
- iv. Private Residential Amenity Area:
 - A. Minimum 4.5 square metres per dwelling unit

- v. Private Park Area:
 - A. Minimum 230 square metres
- vi. Special Parking Requirements:
 - A. Minimum 1.25 parking space per dwelling unit plus 0.25 of a parking space per dwelling unit for visitors;
 - B. No parking lot or parking space shall be permitted within 4.5 metres of a street;
 - C. The minimum right-of-way width for a private street shall be 6.5 metres.
- vii. Air Conditioners:
 - A. Air conditioner units shall not be located between the front wall of a building or a dwelling and a street.
- c) Special Provisions (“MD-HD-1” Zone)
 - i. Obstruction of Yards:
 - A. Despite Section 2(b)(i)A, stairs, covered and uncovered porches and platforms, parking garage structure, bay, box and bow windows, balconies, eaves, canopies, window sills and other similar features are permitted to project beyond the building envelope as illustrated on Figure 1, but not closer than 0.6 of a metre to any lot line;
 - B. Sections 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned “MD-HD-1”.
- 3. Provisions (“OS-HL” Zone)
 - a) Uses Permitted (“OS-HL” Zone)

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

 - i. Preservation and conservation of the natural environment, soil and wildlife;
 - ii. Resource Management;
 - iii. Stormwater Management Facilities.
- 4. Provisions (“NP” Zone)
 - a) Uses Permitted (“NP” Zone)

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

 - i. Neighbourhood Park

5. Restrictions on Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

- i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

- i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;
- ii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

c) Location of Vehicles:

- i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.

d) Inoperative Vehicles:

- i. The parking or storage of any inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

- i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

f) Oversize Vehicles:

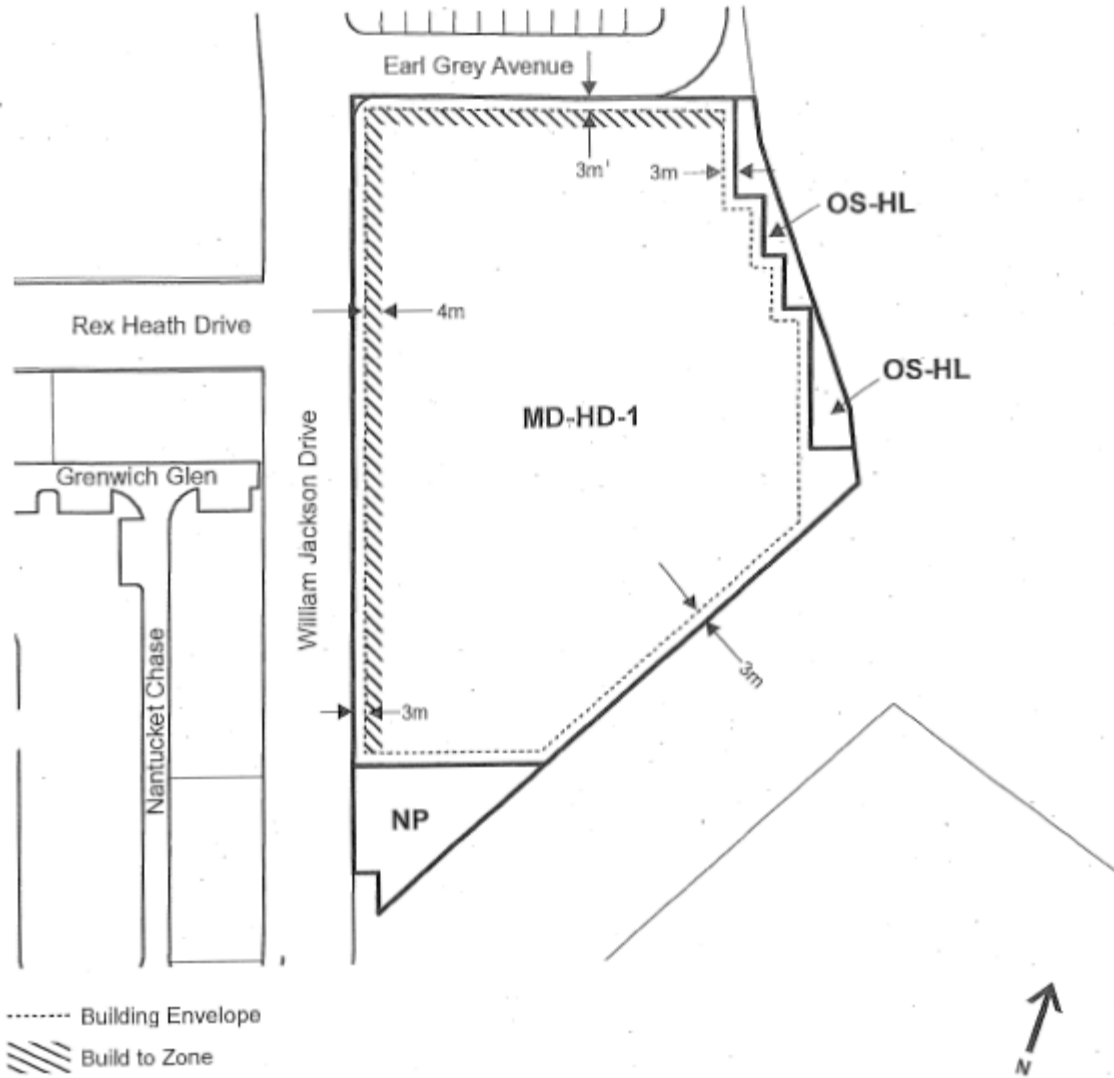
- i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 5(b) is permitted to park temporally for the sole purpose of delivering, to servicing or constructing the premises.

6. Model Homes

- a) For the purposes of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

- b) A maximum of 2 Blocks, together with not fewer than 4 parking spaces per Model Home, may be constructed on the lands zoned "MD-HD-1".

7. Figure 1



Schedule II to By-Law 7706/19
Passed This 24th
Day of June 2019

Mayor

Clerk

15.311 Exception Zone 311 (By-law 6708/06)

1. Definitions

- a) "Conservation" shall mean the wise use, protection and rehabilitation of natural resources according to principles that assure their highest economic, social and environmental benefits;
- b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- d) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;
- e) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;
- f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;
- h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- l) "Resource Management" shall mean the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society's use, both in the present and the future, and shall

also mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource;

- m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;
- v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

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

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

- i. single detached dwelling.

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

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

- i. Lot Area (minimum): 0.4 of a hectare
- ii. Lot Frontage (minimum): 30 metres
 - A. Notwithstanding Clause (ii) above, on the lands cross-hatched on Figure 1, the minimum lot frontage shall be 28 metres;
- iii. Front Yard Depth (minimum): 15 metres
- iv. Side Yard Width (minimum): 7.5 metres
- v. Flankage Side Yard Width (minimum): 7.5 metres
- vi. Rear Yard Depth (minimum): 15 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12 metres
- ix. Dwelling Unit Requirements: minimum gross floor area residential of 140 square metres.
- x. Parking Requirements:
 - 1) minimum two parking spaces
 - 2) a private detached garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from any side lot line and not less than 15 metres from any front lot line.
- xi. Accessory Structure Requirements: all accessory structures, except a detached private garage, which is not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any side or rear lot line.

c) Special Regulations ("ER-3" Zone):

- i. Despite Subsection 5.18 (c) of By-law 3037, as amended, accessory buildings may be permitted to have a maximum height of 5.0 metres.
- ii. Despite Subsection 2(b)(iv) of this By-law, where vehicular entrances to garages face a side yard, the minimum side yard on the opposite side shall be a minimum of 3.0 metres, provided that the distance between dwelling units shall be a minimum of 15.0 metres.

d) Uses Permitted ("OS-HL-EP" Zone)

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

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

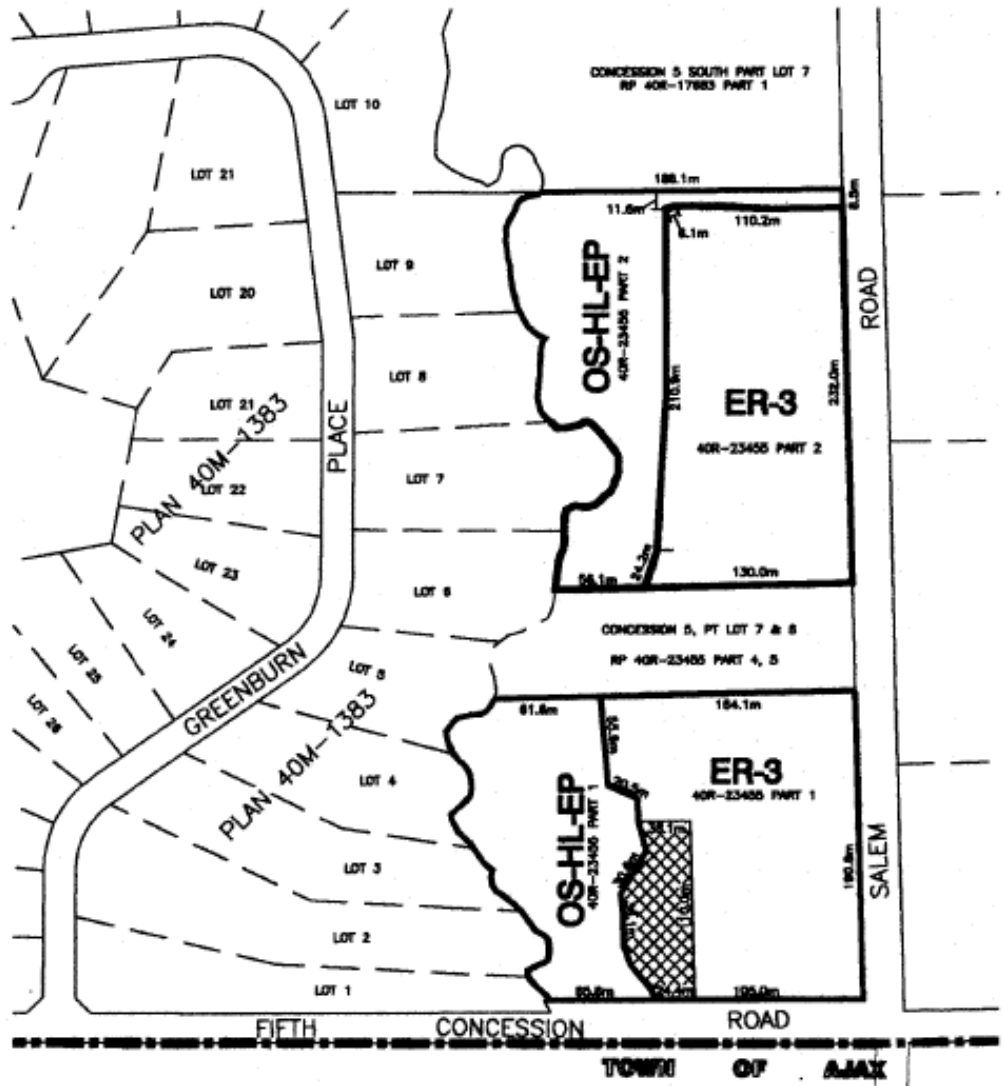
e) Zone Requirements ("OS-HL-EP" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

3. Model homes

Despite the provisions of Section 5.22 of By-law 3037, a maximum of two Model Homes, having a minimum of three parking spaces per Model Home, may be constructed on the lands zoned "ER-3" prior to division of those lands by registration of a plan of subdivision. For the purposes of this By-law, "Model Home" shall mean a dwelling unit used exclusively for sales display and for marketing purposes pursuant to an agreement with the City of Pickering, and not used for residential purposes.

4. Figure 1



SCHEDULE I TO BY-LAW 6708/06
PASSED THIS 3rd
DAY OF October 2006


MAYOR - DAVID RYAN


CITY CLERK - DEBI A. BENTLEY

15.312 Exception Zone 312 (By-law 3044/85)

1. Definitions

- a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;
- d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- f) "Gross Floor Area Residential" shall mean the aggregate of the floor areas of all storeys of all buildings or structures used for residential purposes, other than a private garage, an attic or a cellar;
- g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

- m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;
- r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- s) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("ER" Zone)

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

- i. single detached dwelling residential use

b) Zone Requirements ("ER" Zone)

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

- i. Lot Area (minimum): 0.6 hectares
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 15 metres
- iv. Interior Yard Width (minimum): 7.5 metres
- v. Flankage Side Yard Width (minimum): 7.5 metres
- vi. Rear Yard Depth (minimum): 15 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12 metres

- ix. Dwelling Unit Requirements:
 - A. maximum one dwelling unit per lot
 - B. minimum gross floor area residential 140 square metres
- x. Parking Requirements:
 - A. minimum two parking spaces
 - B. a detached private garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metre from the side lot line and not less than 15 metres from the front lot line
- xi. Accessory Structure Requirements:
 - A. all accessory structures, except a detached private garage, which are not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any lot line
 - B. The total lot coverage for all accessory structures shall not exceed the lesser of 5% of the lot area, or 50% of the total gross floor area of the dwelling on the lot
 - C. Notwithstanding the provisions above, the minimum setback of any accessory building to any lot line shall be at least one-half the height of the accessory building
- c) Uses Permitted ("OS-P" Zone)

No person shall within the lands zoned "OS-P", use any lot or erect, alter or use any building or structure for any purpose except passive and active recreational uses, which may include parks, play areas, skating rinks, tennis courts, badminton courts, bathing stations, boating facilities and picnic areas.
- d) Zone Requirements ("OS-P" Zone)

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

 - i. Yard Requirements (minimum):

the minimum setback of any building or structure from every lot line shall be 7.5 metres.
 - ii. Lot Coverage (maximum): 20 percent
 - iii. Building Height (maximum): 12 metres
 - iv. Parking Requirements:

all parking spaces and aisles shall be set back a minimum of 3 metres from any lot line
- e) Uses Permitted ("OS-H" Zone)

No person shall within the lands zoned "OS-H" use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

f) Zone Requirements ("OS-H" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood or erosion control.

15.313 Exception Zone 313 (By-law 5464/99, as amended by By-law 5513-99, By-law 5565-99, By-law 5921/01, and By-law 6640/06)

1. Definitions

- a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing kitchen, and sanitary facilities;
- c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- d) "Garden Suite - Type 1" shall mean a dwelling unit which is detached from, but accessory to and sharing the same water and sanitary services as, a main detached dwelling located on the same lot;
- e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;
- g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above-ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

- l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions ("R6-3" Zone)

a) Uses Permitted ("R6-3" Zone)

No person shall, within the lands designated "R6-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling residential use;
- ii. garden suite - type 1

b) Zone Requirements ("R6-3" Zone)

No person shall, within the lands designated "R6-3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 0.3 of a hectare
- ii. Lot Frontage (minimum): 22.0 metres
- iii. Front Yard Depth (minimum): 9.0 metres
- iv. Side Yard Width (minimum): 1.8 metres
- v. Flankage Side Yard Width (minimum): 2.7 metres

- vi. Rear Yard Depth (minimum): 9.0 metres, except where an “OS-HL” - Open Space Hazard Land Zone exists in a rear yard of a lot, the minimum rear yard depth shall be 15.0 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12.0 metres
- ix. Detached Dwelling Unit Requirements: maximum one detached dwelling unit per lot and minimum gross floor area residential of 100 square metres.
- x. Special Regulations - Garden Suites:
 - A. Despite Section 2(b)(ix) above, where a detached dwelling exists on a lot, a garden suite - type 1 may be established on the same lot in accordance with Section 2(b)(x)(B) below.
 - B. Despite the accessory building and use provisions of Section 5.18 of By-law 3037, a maximum of one Garden Suite per lot may be permitted in the rear yard of any lot on the lands Zoned “R6-3” in accordance with the rear yard depth, side yard width, flankage side yard width and lot coverage provisions of this section, and subject to the following provisions:
 - 1) Floor Area (maximum): 65 square metres
 - 2) Ground Floor Area (maximum) 65 square metres for any structure containing a garden suite
 - 3) Height (maximum): 5.0 metres, except where a garden suite is constructed as a second floor of a detached garage, in which case the maximum height of the entire structure shall be 6.0 metres
 - 4) Separation between Garden Suite and Main Dwelling (minimum) 6.0 metres
- xi. Vehicle Parking: shall be governed by the provisions of Section 8.4 of By-law 3037

15.314 Exception Zone 314 (By-law 5719/00, as amended by By-law 7399/14)

1. Definitions

- a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;
- d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;
- e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;
- g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

- i. "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- ii. "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- iii. "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- iv. "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- v. "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- vi. "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- vii. "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- viii. "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;
- ix. "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("ER" Zone)

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

- i. single detached dwelling residential use

b) Zone Requirements ("ER" Zone)

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

- i. Lot Area (minimum): 0.6 of a hectare
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 15 metres

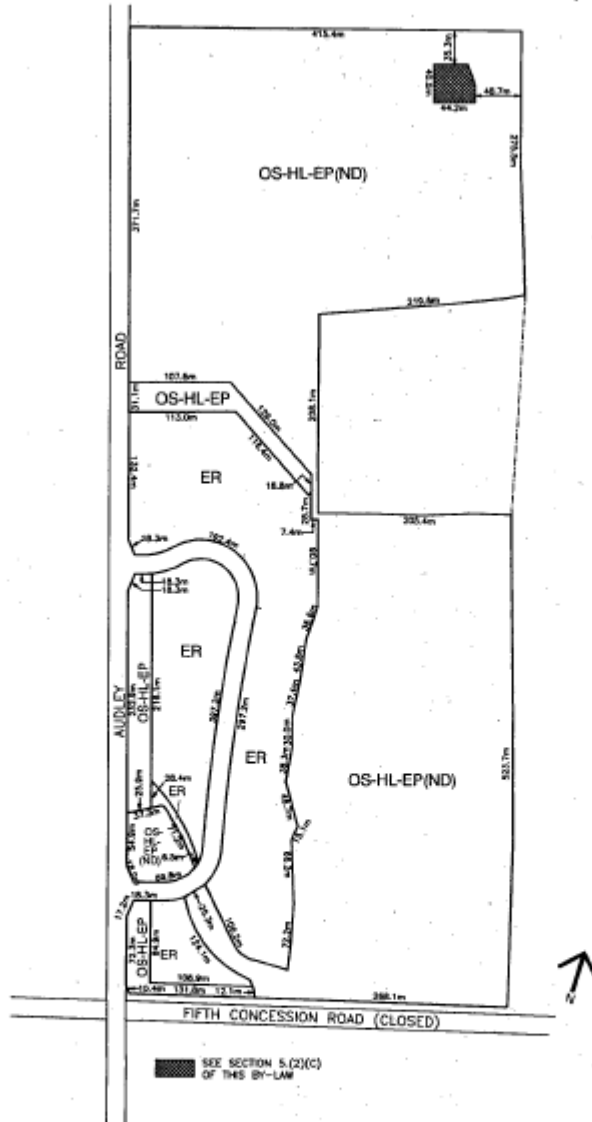
- iv. Side Yard Width (minimum): 7.5 metres
 - v. Flankage Side Yard Width (minimum): 7.5 metres
 - vi. Rear Yard Depth (minimum): 15 metres
 - vii. Lot Coverage (maximum): 20 percent
 - viii. Building Height (maximum): 12 metres
 - ix. Dwelling Unit Requirements: maximum one dwelling unit per lot and minimum gross floor area residential of 140 square metres.
 - x. Parking Requirements:
 - A. A minimum two parking spaces
 - B. B a private detached garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from any side lot line and not less than 15 metres from any front lot line.
 - xi. Accessory Structure Requirements: all accessory structures, except a detached private garage, which is not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any side or rear lot line.
- c) Uses Permitted ("OS-HL-EP" Zone)
- No person shall within the lands zoned "OS-HL-EP", use any lot or erect, alter, or use any building or structure for any purpose except the following:
- i. conservation of the natural environment, soil and wildlife; and
 - ii. resource management
- d) Zone Requirements ("OS-HL-EP" Zone)
- No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.
- e) Special Regulation ("OS-HL-EP" Zone)
- i. Despite subsections 2(c) and 2(d) above, one detached dwelling, and associated accessory buildings and structures thereto, shall be permitted only on those lands contained within the cross-hatched area on Figure 1.
 - ii. Despite subsections 2(c) and 2(d) above, the driveway serving the detached dwelling located within the cross-hatched area on Figure 1, and existing on the subject lands at the time of passing of this By-law, is permitted in its existing location.
- f) Uses Permitted ("ND" Zone)

No person shall within the lands zoned and containing the abbreviation "(ND)" within the established zone categories outlined, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. those uses permitted within the corresponding zone category together with this designation; and
 - ii. nitrate dilution
- g) Zone Requirements ("ND" Zone)

No land shall be used except for the purpose of nitrate dilution from sewage effluent originating from private sewage systems serving residential development on abutting lands zoned "ER".

3. Figure 1



SCHEDULE I TO BY-LAW 5719/00
AMENDED BY BY-LAW 7399/14
PASSED THIS 15th
DAY OF December 2014
MAYOR _____
CLERK J. Shields

15.315 Exception Zone 315 (By-law 6175/03)

1. Definitions

- a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;
- d) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- e) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;
- f) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.
- g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above-ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

- l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions ("ER-2" Zone)

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

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

- i. detached dwelling residential use;

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

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

- i. Lot Area (minimum): 4,000 square metres
- ii. Lot Frontage (minimum): 30.0 metres
- iii. Front Yard Depth (minimum): 15.0 metres
- iv. Side Yard Width (minimum): 7.5 metres
 - A. despite section 2(b)(iv) above, on the lands cross-hatched on Figure 1, the minimum north side yard width shall be 15 metres;
- v. Rear Yard Depth (minimum): 15.0 metres
- vi. Lot Coverage (maximum): 20 percent

- vii. Building Height (maximum): 9.0 metres
- viii. Dwelling Unit Requirements:
 - A. maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.
- ix. Parking Requirements:
 - A. minimum of two parking spaces.
- x. Special Provisions:
 - A. a detached private garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from the side lot line and not less than 15 metres from the front lot line.

3. Provisions ("OS/HL" Zone)

a) Uses Permitted ("OS/HL" Zone)

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

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

b) Zone Requirements ("OS/HL" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

15.316 Exception Zone 316 (By-law 7859/21)

1. Definitions

- a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.
- b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.
- c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- d) “Basement” means a portion of a building below the first storey.
- e) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- f) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- g) “Dwelling Unit” means a residential unit that:
 - i. consists of a self-contained set of rooms located in a building or structure;
 - ii. is used or intended for use as a residential premises;
 - iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv. is not a mobile home or any vehicle.
- h) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.
- i) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

- j) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.
- k) “Lands, Subject” means the lands subject of this by-law.
- l) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.
- m) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- n) “Lot, Corner” means a lot situated at the intersection of two or more streets or upon two parts of the same street having an angle of intersection not exceeding 135 degrees;
- o) “Lot, Through” means a lot bounded on opposite sides by a street.
- p) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- q) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.
- r) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.
- s) “Primary Entrance Door” means the principal entrance by which the resident enters or exits a dwelling unit.
- t) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- u) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- v) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include

the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

- w) “Street, Private” means:
 - i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - iv. a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.
- x) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

2. Provisions (“MU-30” Zone)

a) Uses Permitted (“MU-30” Zone)

No person shall within the lands zoned “MU-30” use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Dwelling, Stacked

b) Zone Requirements (“MU-30” Zone)

No person shall within the lands zoned “MU-30” use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Building Location and Setbacks:
 - A. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1;
 - B. No building or portion of a building or structure shall be erected unless a minimum of 60 percent of the length of the build-to-zone along the Brock Road frontage contains a building or part of a building;
 - C. Minimum separation between buildings: 3.0 metres

- c) Building Height (maximum): 13.0 metres

d) Parking Requirements (minimum):

- i. Stacked Dwelling: 2.0 parking spaces per dwelling unit plus 0.2 of a parking space per dwelling unit for visitors

- e) Garage Requirements:
 - i. Stacked Dwelling: Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.
- f) Interior Garage Size (minimum):
 - i. Stacked Dwelling: Each parking space within a private garage for stacked dwelling units shall have a minimum width of 2.7 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.
- g) Special Provisions (“MU-30” Zone)
 - i. Despite Section 2(b)(i)A of this By-law, architectural projections including balconies, covered porches, platforms and awnings, retaining walls, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may project outside the building envelope identified on Figure 1, to a maximum of 2.5 metres from the main wall of the building, and uncovered steps may project outside the required building envelope to the lot line.
 - ii. The minimum pavement width for a private street shall be 6.5 metres.
 - iii. Air conditioners shall not be located any closer than 0.6 metres to the building envelope and shall not be located on any easement in favour of the City.
 - iv. Amenity Area (minimum) - 14.0 square metres per dwelling unit
 - v. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.
 - vi. Despite provisions 2(a) and 2(b) of this By-law, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MU-30” zone use provisions and zone requirements.
 - vii. Clauses 5.19.2(a), 5.19.2(b), 5.19.2(d), 5.19.2(e), 5.19.2(f), 5.19.2(g), and 5.19.2(k) of By-law 3037, as amended, shall not apply.

3. Restrictions on the Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

A maximum of 4 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

- i. for those vehicles parked on any lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.7 metres;
- ii. notwithstanding Section (a) above, 1 vehicle parked on a driveway in a side yard or rear yard can be of a size up to a maximum permissible height of 3.5 metres, and a maximum permissible length of 8.0 metres; and
- iii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.

c) Location of Vehicles:

No part of any front yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any road allowance.

d) Inoperative Vehicles:

The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

f) Oversize Vehicles:

A vehicle that exceeds the maximum permissible vehicle size provisions of Section 3(b), is permitted to park temporarily on a lot for the sole purpose of delivering to, servicing or constructing the premises on that lot.

4. Provisions ("OS-HL" Zone)

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

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

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

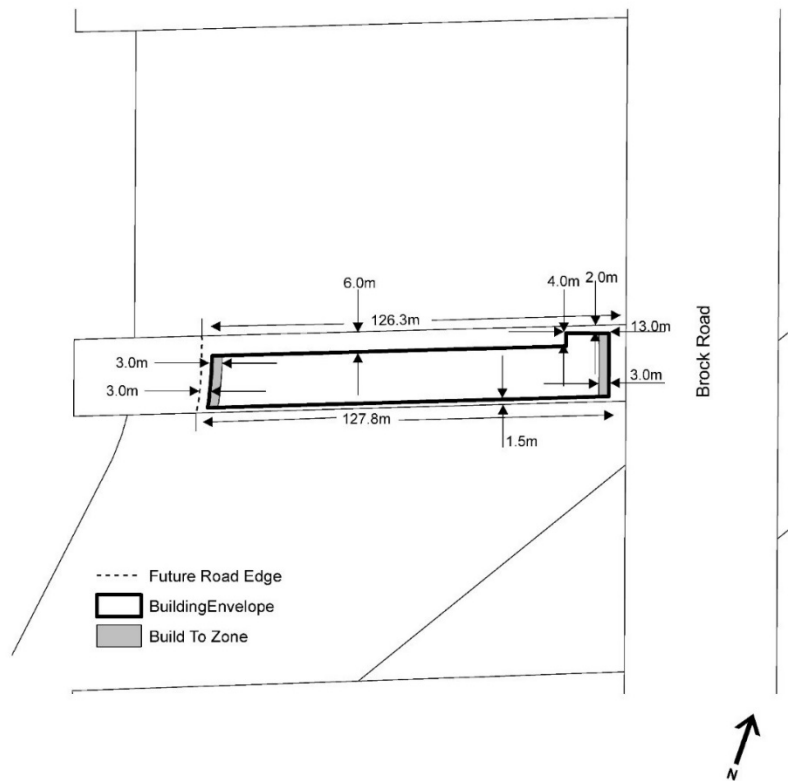
b) Zone Requirements ("OS-HL" Zone)

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

5. Model Homes

- a) Notwithstanding any provisions in By-law 3037 to the contrary, a maximum 1 block, together with not fewer than two parking spaces per Model Home, may be constructed prior to the division of these lands by registration of a plan of subdivision;
- b) For the purpose of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

6. Figure 1



Schedule II to By-Law 7859/21
Passed This 28th
Day of June 2021

Mayor

Clerk

15.317 Exception Zone 317 (By-law 8001/23)

1. Definitions

- a) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- b) “Day Care Centre” means indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act.
- c) “Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.
- d) “Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.
- e) “Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.
- f) “Neighbourhood Park” means a municipal public park.
- g) “School, Elementary” means a place of instruction maintained and operated under the jurisdiction of a public authority, and may also include a day care centre as an accessory use.
- h) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or in ground swimming pools.

2. Provisions (“ES” Zone)

a) Permitted Uses (“ES” Zone)

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

- i. Elementary School

ii. Day Care Centre

b) Zone Regulations (“ES” Zone)

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

- i. Lot Frontage minimum 30.0 metres
- ii. Front Yard Setback minimum 3.0 metres
- iii. Interior Side Yard Setback minimum – 1.5 metres
- iv. Rear Yard Setback minimum – 7.5 metres
- v. Flankage Side Yard Setback minimum – 3.0 metres
- vi. Building Height maximum – 12.5 metres for an elementary school
- vii. maximum – 10.5 metres for a day care centre

c) Vehicular Parking Regulations (“ES” Zone)

Minimum Parking Requirements:

- i. Elementary School 1.5 spaces per classroom
- ii. Day Care Centre 3.5 spaces per 100 square metres of gross leasable floor area

3. Provisions (“NP” Zone)

a) Permitted Uses (“NP” Zone)

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

- i. Neighbourhood park

4. Provisions (“OS” Zone)

a) Permitted Uses (“OS” Zone)

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

- i. Perseveration and conservation of the natural environment
- ii. Stormwater management

b) Zone Regulations (“OS” Zone)

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of perseveration and conservation of the natural environment and/or stormwater management.

15.318 Exception Zone 318 (By-law 7982/23)

1. Definitions

- a) “Amenity Space” means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.
- b) “Art Gallery/Studio” means a premises used for the creation, exhibition, collection and/or preservation of works of art for public viewing and sale and may include educational classes.
- c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- d) “Block” means all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing said street.
- e) “Build-to-Zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
- f) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- g) “Building, Main” means a building in which is carried on the principal purpose for which the lot is used.
- h) “Building, Mixed Use” means a building containing residential uses and at least one non-residential use permitted by this By-law.
- i) “Commercial Use” means any permitted use the primary purpose of which is to sell, lease or rent a product of service directly to the public, including but not limited to retail sales, entertainment services and personal or professional services, but shall exclude residential uses.
- j) “Commercial Fitness/Recreational Centre” means a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit.
- k) “Community Centre” means a multi-purpose facility that offers a variety of programs or a recreational, cultural, day care, social, community service, informational or instructional in nature.

- l) “Day Care Centre” means:
 - i. indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or
 - ii. indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.
- m) “Development Agreement” means an executed contract between a developer/property owner and the City of Pickering that is required in order to implement development and may include a subdivision agreement, site plan agreement, or other similar agreements for development.
- n) “Dwelling” includes:
 - i. “Apartment Dwelling” means a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.
 - ii. “Dwelling Unit” means a residential unit that:
 - A. consists of a self-contained set of rooms located in a building or structure;
 - B. is used or intended for use as a residential premises;
 - C. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - D. is not a mobile home or any vehicle.
- o) “Existing” means existing as of the date of the enactment of the provision that contains that word.
- p) “Financial Institution” means a building or portions of a building used for the purposes of administering or providing financial services to the public, other than exclusively through an automated banking machine.
- q) “Floor Area” means the total area of all floors of a building within the outside walls.
- r) “Floor Area, Net” means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:
 - i. Motor vehicle parking and bicycle parking below established grade;
 - ii. Motor vehicle parking and bicycle parking at or above established grade;
 - iii. Loading spaces and related corridors used for loading purposes;

- iv. Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;
 - v. Indoor amenity space required by this By-law;
 - vi. Elevator, garbage and ventilating shafts;
 - vii. Mechanical penthouse; and
 - viii. Stairwells in the building.
- s) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.
 - t) “Food Store” means a premises that sells food and other non-food items, primarily on a self-service basis.
 - u) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
 - v) “Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.
 - w) “Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.
 - x) “Ground Floor” means the floor of a building at or first above grade.
 - y) “Ground Floor Area” means the gross floor area only on the ground floor.
 - z) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.
 - aa) “Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.
 - bb) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private

open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.

- cc) “Loading Space” means an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.
- dd) “Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.
- ee) “Lot Area” means the total horizontal area of a lot.
- ff) “Lot Line” means a line delineating any boundary of a lot.
- gg) “Main Wall” means a primary exterior front, rear or side wall of a building, not including permitted projections.
- hh) “Office” means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a medical office.
- ii) “Office, Medical” means a premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.
- jj) “Park, Private” means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.
- kk) “Park, Public” means an area of land under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and other uses authorized through an agreement with the City.
- ll) “Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.
- mm) “Parking Garage” means a building, or part thereof, used for the parking of vehicles and may include any permitted use in the first storey, but shall not include any area where vehicles for sale or repair are kept or stored. A parking garage includes underground parking and a parking structure.
- nn) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.

- oo) “Parking Space” means an unobstructed area of land that is accessible by an aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one motor vehicle.
- pp) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.
- qq) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.
- rr) “Patio” means an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.
- ss) “Personal Service Shop” means a premises used to provide personal grooming services or for the cleaning or care of apparel.
- tt) “Place of Amusement” means a premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public such as a billiard or pool rooms, bowling alleys, electronic games, indoor playground, miniature golf courses or roller skating rinks.
- uu) “Podium” means the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.
- vv) “Porch” means a roofed deck or portico structure with direct access to the ground that is attached to the exterior wall of a building.
- ww) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.
- xx) “Primary Entrance Door” means the principal entrance by which the public enters or exits a building or individual retail/commercial unit or the resident enters or exits a dwelling unit.
- yy) “Restaurant” means a building or part of a building where the principal business is the preparation of food and drinks for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.
- zz) “Retail Store” means a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.
- aaa) “School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a commercial fitness/recreational centre or a post-secondary school.

- bbb) “Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.
- ccc) “Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.
- ddd) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- eee) “Street” means a public highway but does not include a lane or a King’s Highway (Highway 401). Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.
- fff) “Street Line” means the dividing line between a lot and a street.
- ggg) “Street, Private” means:
 - i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - iv. a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.
- hhh) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or in ground swimming pools.
- iii) “Temporary Sales Office” means a building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the lot.
- jjj) “Tower” means the storeys within that portion of a building or structure or part thereof located above the podium.
- kkk) “Tower Floor Plate” means the average floor area of all storeys within that portion of a building or structure or part thereof located above the

podium, measured to the exterior faces of exterior walls of each storey of a building or structure.

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

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

2. Provisions (“MU-34” Zone)

a) Permitted Uses (“MU-34” Zone)

No person shall within the lands zoned “MU-34”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Apartment Dwelling
- ii. Commercial Fitness/Recreation Centre
- iii. Day Care Centre
- iv. Financial Institution
- v. Food Store
- vi. Office
- vii. Office, Medical
- viii. Park, Private
- ix. Personal Service Shop
- x. Retail Store
- xi. Restaurant
- xii. School, Commercial
- xiii. Veterinary Clinic

b) Zone Regulations (“MU-34” Zone)

No person shall, within the lands zoned “MU-34”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

- i. Floor Space Index (FSI) maximum 2.5 FSI
- ii. Number of Dwelling Units
 - 1) minimum – 81 units
 - 2) maximum – 376 units
- iii. Building Height maximum building height – 60.0 metres

iv. Podium Requirements

- 1) minimum height of podium – 10.5 metres
- 2) maximum height of podium – 22.0 metres

v. Building Setbacks

- 1) no building or part of a building or structure above or below grade shall be erected outside of the building envelope, as shown on Figure 2
- 2) no building or part of a building or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone, as shown on Figure 2, contains a building or part of a building above grade
- 3) notwithstanding 2(b)(v)(1) above, a building or part of a building or structure located at or above grade, excluding a parking structure, shall be setback a minimum of 21.0 metres from the north lot line

vi. Tower Floor Plate

- 1) maximum tower floor plate for a residential building – 850 square metres, which shall be measured to the exterior faces of exterior walls of each storey of a building or structure, but shall exclude indoor amenity space located on the rooftop of a podium

vii. Building Separation

- 1) minimum – 25.0 metres, which shall be measured from the main wall of each tower, but shall exclude balconies and indoor amenity space located on the rooftop of a podium

viii. Main Wall Stepback

- 1) minimum main wall stepback – 1.8 metres from the main wall of a point tower and the main wall of a podium on any building face abutting a street line

ix. Balcony Requirements minimum depth – 1.5 metres

x. Amenity Space Requirements for Apartment Dwellings

- 1) minimum – 2.0 square metres of indoor amenity space is required per apartment dwelling unit
- 2) minimum – 2.0 square metres of outdoor amenity space is required per apartment dwelling unit (a minimum contiguous area of 40.0 square metres must be provided in a common location)

xi. Landscaped Area

- 1) minimum – 20 percent of the land area
- 2) minimum 3.5 metre wide landscaped area shall be required and permanently maintained along the entire length of the north lot line

- 3) all parking spaces, drive aisles and private roads shall be setback a minimum of 6.0 metres from the north lot line

xii. Non-Residential Uses

- 1) minimum 735 square metres of gross leasable floor area (GLFA) shall be located on the first floor of a building within the lands zoned as “MU-34”

c) Permitted Encroachments

No part of the building envelope shall be obstructed except as follows:

- A. Projections such as awnings, canopies, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, piers, eave troughs, and other similar architectural features may be permitted to project a maximum of 2.5 metres beyond the required Building Setbacks, as outlined in Section 2(b)v. of this By-law.
- B. Any stairs, including to a porch or any associated landing, uncovered platform, covered platform, and any unenclosed ramp for wheelchair access may encroach beyond the required Building Setbacks, as outlined in Section 2(b)v. of this By-law, no closer than 0.3 of a metre from a lot line.
- C. A balcony, porch, uncovered platform or covered platform may encroach beyond the required Building Setbacks, as outlined in Section 2(b)v. of this By-law, to a maximum of 2.0 metres or half the distance, whichever is less.

d) Vehicular Parking Regulations:

- i. Minimum Parking Requirements:

Residential Uses	
Apartment Dwelling	1.25 spaces per dwelling unit and an additional 0.25 of a space per dwelling unit for visitors

Non-Residential Uses	
Day Care Centre	3.5 spaces per 100 square metres of GLFA
Office	3.5 spaces per 100 square metres of GLFA
Financial Institution, Food Store, Retail Store, Commercial School, Personal Service Shop, Medical Office, Veterinary Clinic and Restaurant less than 465 square metres of GLFA	4.5 spaces per 100 square metres of GLFA
Commercial Fitness/ Recreation Centre	5.0 spaces per 100 square metres of GLFA
Restaurant	5.0 spaces per 100 square metres of GLFA

ii. Accessible Parking Requirements

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

iii. Parking for Multiple Uses on One Lot:

A shared parking formula may be used for the calculation of required parking for multiple uses on a lot.

Shared parking is to be calculated in compliance with Figure 1 – Shared Parking Formula.

All required parking spaces must be accessible to all uses participating in the shared parking arrangement and may not be reserved for specific users.

The initial step in determining required parking for multiple uses on a lot is to calculate the parking requirement for each use in the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period (i.e. noon), contained in Figure 1 – Shared Parking Formula. Each column is totaled for weekday and weekend. The highest figure obtained from all time periods shall become the required parking for the development.

Figure 1 – Shared Parking Formula

Type of Use	Percentage of Peak Period (Weekday)			
	Morning	Noon	Afternoon	Evening
Financial Institution, Office, Medical Office, Day Care Centre	100	90	95	10
Food Store, Personal Service Shop, Retail Store, Commercial School, Veterinary Clinic, Commercial Fitness/ Recreation Centre	65	90	90	90
Restaurant	20	100	30	100
Residential – Visitor	20	20	60	100

Type of Use	Percentage of Peak Period (Weekend)			
	Morning	Noon	Afternoon	Evening
Financial Institution, Office, Medical Office, Day Care Centre	10	10	10	0
Food Store, Personal Service Shop, Retail Store, Commercial School, Veterinary Clinic, Commercial Fitness/ Recreation Centre	80	100	100	70
Restaurant	20	100	50	100
Residential – Visitor	20	20	60	100

iv. Parking Off-Site:

Required parking spaces for any non-resident use may be located on another lot provided that the parking spaces are no further than 500 metres from the northerly and easterly limits of the subject lands as identified on Figure 2, and where a legal easement or an agreement exists.

v. Surface Parking Spaces

A. All surface parking shall be located in the rear or interior side yards of a building.

vi. Parking Structures

A. Stairs associated with a parking structure are not permitted between a street line and the main wall of a building.

B. Air vents constructed in association with an underground parking structure are permitted to project to a maximum of 1.2 metres above established grade no closer than 1.2 metres to a street line.

vii. Bicycle Parking Space Requirements:

- A. Bicycle parking spaces must be located on the same lot as the use or building for which it is required.
- B. Minimum number of bicycle parking spaces:
 - 1) for apartment dwelling: 1.0 bicycle parking space per dwelling unit;
 - 2) for non-residential uses: the greater of 2.0 or 1.0 bicycle parking space for each 1,000 square metres of gross leasable floor area or portion thereof.
- C. A minimum of 75 percent of the total required bicycle parking spaces must be located within:
 - 1) a building or structure;
 - 2) a secure area such as a supervised parking lot or enclosure; or
 - 3) bicycle lockers.
- D. Where bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
- E. Dimensions:
 - 1) if located in a horizontal position (on the ground): a minimum length of 1.6 metres and a minimum width of 0.6 metres;
 - 2) if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres;
 - 3) if stacked: a minimum length of 1.5 metres and a minimum width of 0.45 metres.

viii. Loading Standards

Where a loading space is provided, the following regulations apply:

- A. the minimum dimensions of a loading space are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres;
- B. a loading space shall abut the building for which the loading space is provided;
- C. an unenclosed loading space located above established grade shall be set back a minimum of 10.0 metres from a street line;
- D. an enclosed loading space located above established grade shall not be located beyond the building envelope, as shown on Figure 2.

ix. Noise Attenuation

Notwithstanding Section 2(b)(iv) related to Podium Requirements, structures for noise attenuation purposes may exceed the maximum podium height of 22.0 metres.

x. Inoperative Vehicles

The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

3. Provisions (“(H)MU-34” Zone)

a) Permitted Uses (“(H)MU-34” Zone)

Until such time as the (H) Holding Provision is lifted, the lands shall not be used for any purposes other than the existing lawful uses, located on the land or in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day this By-law was passed.

b) Zone Regulations (“(H)MU-34” Zone)

The (H) Holding Provision shall, upon application by the landowner, be removed from the “MU-34” Zone by City Council passing a By-law under Section 34 of the *Planning Act*. The following condition shall first be completed to the satisfaction of the City of Pickering:

- i. That the Owner has made appropriate arrangements to become a party to the Duffin Heights cost-sharing agreement or pay their proportionate share of the development costs.
- ii. That the owner has satisfied all the requirements of the Regional Municipality of Durham with respect to the provision of sewer and water services, Regional roads, and entered into any necessary agreements in this regard.

4. Provisions (“NHS” Zone)

a) Permitted Uses (“NHS” Zone)

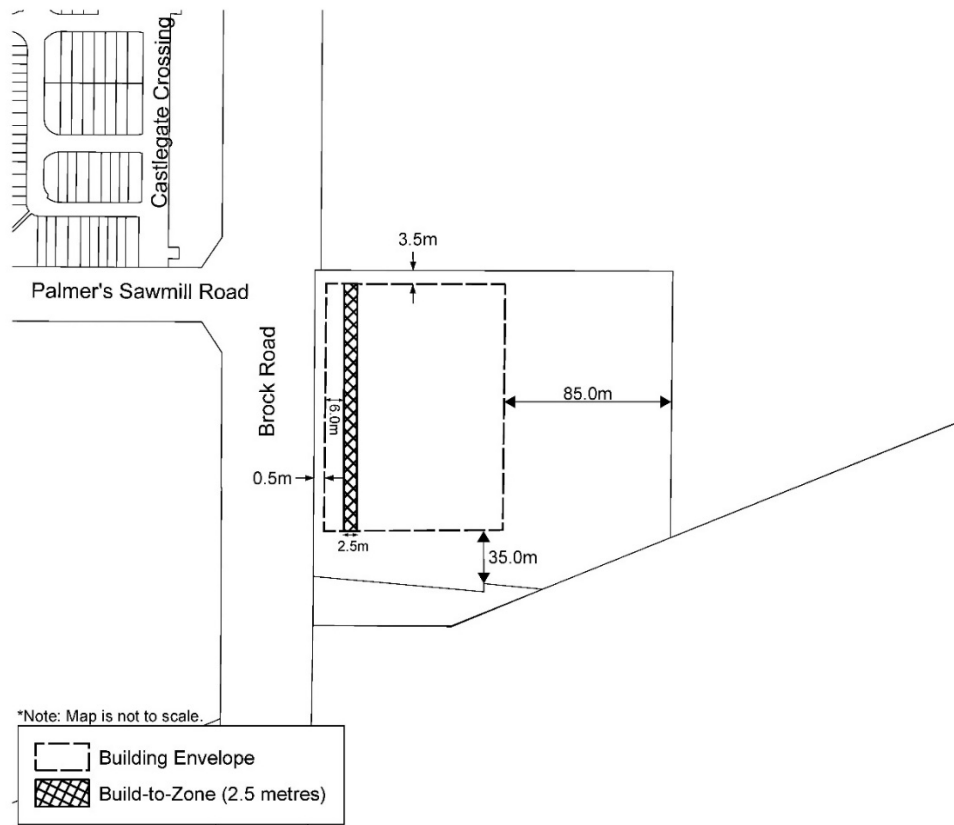
No person shall, within the lands zoned “NHS”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Conservation projects and floor erosion control projects
- ii. Resource management

b) Zone Regulations (“NHS” Zone)

Notwithstanding any other provision of this By-law, any building, structure, parking space, loading space or aisle located above or below established grade shall be setback a minimum of 10.0 metres from a Natural Heritage System (“NHS”) Zone boundary.

5. Figure 2



Schedule II to By-Law 7982/23
Passed This 23rd
Day of January, 2023

Mayor

Clerk

15.319 Exception Zone 319 (By-law 124/74, as amended by By-law 2801/88)

1. Provisions

- a) That notwithstanding the provisions of Restricted Area By-law 3036 and Restricted Area By-law 3037, as amended, enacted by the former Township of Pickering to which the Town of Pickering is successor, the lands forming part of this By-law may be used as municipally owned and operated areas for the purposes of receiving, dumping and disposing of waste.
- b) Despite the provisions of subsections 12.1, 12.2, 12.3, 12.4 and 12.5 of By-law 3037, in addition to any other uses permitted by this by-law or any amendment to it, the lands comprising that part of Lot 22, Concession 3 designated as Part 1, 40R-10979, and any buildings or structures thereon, may be used for the purpose of:
 - i. electrical power generating plant, in accordance with the following provisions:
 - A. building structure height (maximum):

1) transformer	8.0 metres
2) cooling tower	8.0 metres
3) stack	20.0 metres
4) all other buildings and structures	15.0 metres
 - B. Parking Spaces (minimum):

there shall be provided and maintained on the lands one parking space for every 80 square metres of gross floor area of building and structures, except transformer and substation, cooling tower, and stack, associated with an electrical power generating plant use.
 - C. Ground Floor Area (maximum):

The ground floor area of all buildings and structures, except transformer and substation, cooling tower, and stack associated with an electrical power generating plant use shall not exceed 600 square metres.
- c) For the purposes of Section 1(b) of this By-law:
 - i. "electrical power generating plant" means a facility comprised of various buildings and structures designated and used to generate electricity through the combustion of gases originating on site.

15.320 Exception Zone 320 (By-law 7586/17)

1. Definitions

- a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.
- b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.
- c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- d) “Basement” means a portion of a building below the first storey.
- e) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- f) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- g) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- h) “Dwelling, Block Townhouse” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle;
- i) “Dwelling Unit” means a residential unit that:
 - i. consists of a self-contained set of rooms located in a building or structure;
 - ii. is used or intended for use as a residential premises;
 - iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv. is not a mobile home or any vehicle.

- j) “Dwelling, Stacked” means a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.
- k) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
- l) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to roof top mechanical penthouses.
- m) “Lands, Subject” means the lands subject of this by-law.
 - i. “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
 - ii. “Lot, Corner” means a lot situated at the intersection of two or more streets or upon two parts of the same street having an angle of intersection not exceeding 135 degrees.
 - iii. “Lot, Through” means a lot bounded on opposite sides by a street.
- n) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.
- o) “Mobile Home” means a prefabricated building that is designed to be made mobile and is intended to provide permanent residence but does not include any trailer otherwise defined in this By-law.
- p) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- q) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.
- r) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

- s) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.
- t) “Primary Entrance Door” means the principal entrance by which the resident enters or exits a dwelling unit.
- u) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- v) “Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.
- w) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- x) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.
- y) “Street Line” means the dividing line between a lot and a street.
- z) “Street, Private” means:
 - i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - iv. a private right-of-way over private property, that affords access to lots abutting a private road; but is not maintained by a public body and is not a lane.
- aa) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or inground swimming pools.
- bb) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

2. Provisions

a) Uses Permitted (“MU-29” and “MU-30” Zones)

- i. No person shall within the lands zoned “MU-29” use any lot or erect, alter, or use any building or structure for any purpose except the following:
 - 1) Dwelling, Stacked
 - 2) Dwelling, Block Townhouse
- ii. No person shall within the lands zoned “MU-30” use any lot or erect, alter, or use any building or structure for any purpose except the following:
 - 1) Dwelling, Stacked

b) Zone Requirements (“MU-29” and “MU-30” Zones)

No person shall within the lands zoned “MU-29” and “MU-30” use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Building Location and Setbacks:
 - 1) No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1 attached hereto;
 - 2) No building or portion of a building or structure shall be erected unless a minimum of 60 percent of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60 percent of the length of the build-to-zone along the Street ‘A’ frontage, as illustrated on Figure 1 attached hereto, contains a building or part of a building;
- ii. Minimum separation between buildings: 3.0 metres;

c) Minimum and Maximum Number of Dwelling Units for Parcels A, B and C identified on Figure 1 of this By-law:

- i. Parcel A
 - A. Minimum Number of Dwelling Units 31
 - B. Maximum Number of Dwelling Units 142
- ii. Parcels B
 - A. Minimum Number of Dwelling Units 35
 - B. Maximum Number of Dwelling Units 161
- iii. Parcel C
 - A. Minimum Number of Dwelling Units 28
 - B. Maximum Number of Dwelling Units 131

- d) Building Height (maximum): 13.0 metres
- e) Parking Requirements (minimum):
 - i. Block Townhouse Dwelling: 2.0 parking spaces per dwelling unit plus 0.2 of a parking space per dwelling unit for visitors
 - ii. Stacked Dwelling: 2.0 parking spaces per dwelling unit plus 0.2 of a parking space per dwelling unit for visitors
- f) Driveway Width (maximum):
 - i. Block Townhouse Dwelling: 3.7 metres
- g) Garage Requirements:
 - i. Block Townhouse Dwelling: Minimum 1 private garage per unit attached to the main building, the vehicular entrance of which shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.
 - ii. Stacked Dwelling: Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.
 - iii. Interior Garage Size (minimum):
 - A. Block Townhouse Dwelling: A private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.
 - B. Stacked Dwelling: Each parking space within a private garage for stacked dwelling units shall have a minimum width of 2.7 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.
- h) Special Provisions (“MU-29” and “MU-30” Zones)
 - i. Despite Section 2(b)(i)(1) of this By-law, architectural projections including balconies, covered porches, platforms and awnings, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may project outside the building envelope identified on Figure 1 of this By-law, to a maximum of 2.5 metres from the main wall of the building, and uncovered steps may project outside the required building envelope to the lot line.
 - ii. The minimum pavement width for a private street shall be 6.5 metres.
 - iii. Air conditioners shall not be located any closer than 0.6 metres to the building envelope and shall not be located on any easement in favour of the City.
 - iv. Amenity Area (minimum) - 5.0 square metres per dwelling unit

- v. Private Parks:
 - A. Parcel A – minimum total area shall be 100 square metres
 - B. Parcel B – minimum total area shall be 1,000 square metres
 - C. Parcel C – not applicable
 - vi. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.
 - vii. Despite provision 2(a)(i) and 2(b) of this By-law, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MU-29” and “MU-30” zone use provisions and zone requirements.
 - viii. Clauses 5.19.2(a), 5.19.2(b), 5.19.2(e), 5.19.2(f), 5.19.2(g), and 5.19.2(k) of By-law 3037, as amended, shall not apply.
3. Restrictions on the Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

A maximum of 4 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

- i. for those vehicles parked on any lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.7 metres;
- ii. notwithstanding Section (i) above, 1 vehicle parked on a driveway in a side yard or rear yard can be of a size up to a maximum permissible height of 3.5 metres, and a maximum permissible length of 8.0 metres; and
- iii. height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.

c) Location of Vehicles:

No part of any front yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any road allowance.

d) Inoperative Vehicles:

The parking or storage of an inoperative vehicle is not permitted on any lot unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

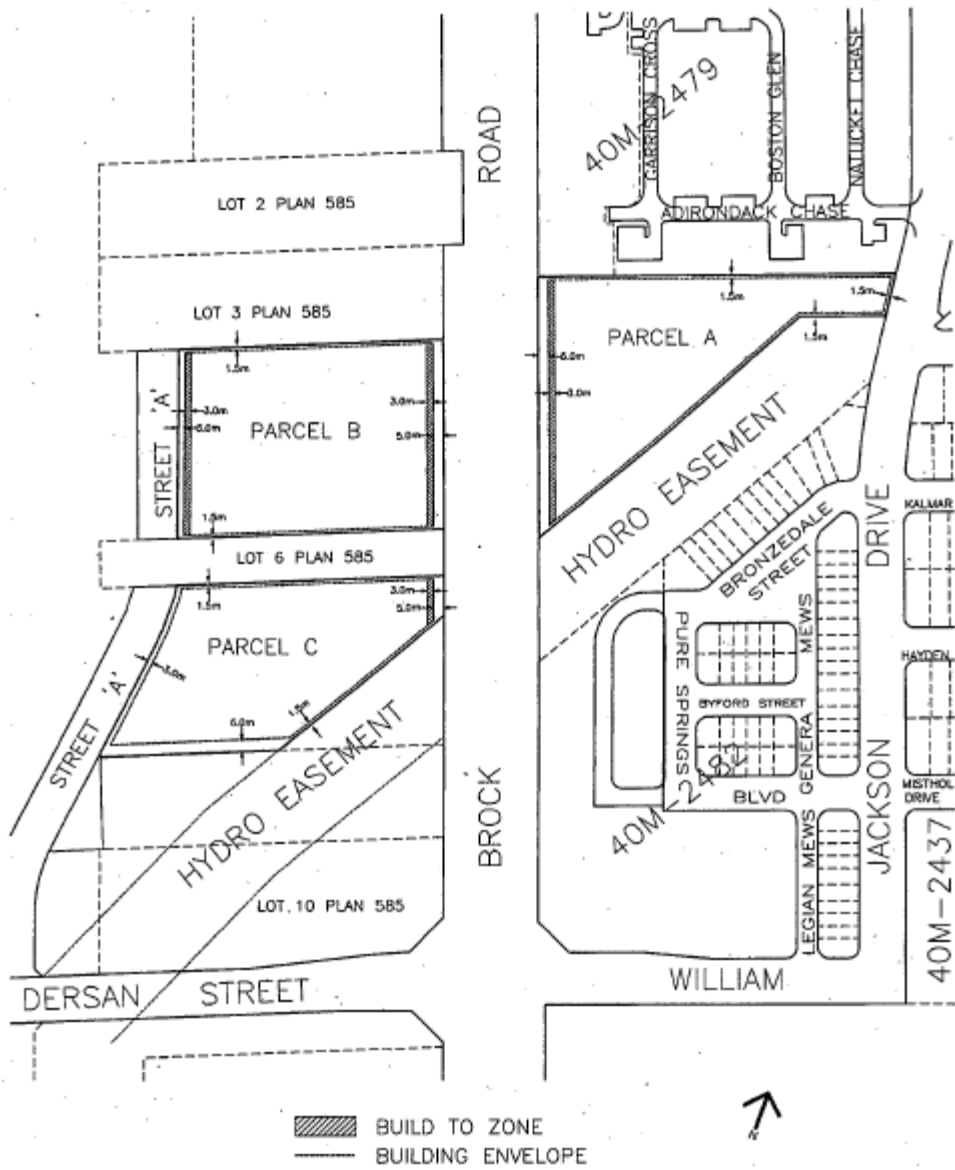
f) Oversize Vehicles:

A vehicle that exceeds the maximum permissible vehicle size provisions of Section 4(b), is permitted to park temporarily on a lot for the sole purpose of delivering to, servicing or constructing the premises on that lot.

4. Model Homes

- a) A maximum of 2 blocks, together with not fewer than 2 parking spaces per Model Home, may be constructed on the lands zoned “MU-29” and “MU-30”. For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

5. Figure 1



SCHEDULE II TO BY-LAW 7586/17

APPROVED BY THE
ONTARIO MUNICIPAL BOARD
FINAL DECISION ISSUED
AUGUST 3, 2017

15.321 Exception Zone 321 (By-law 7633/18)

1. Definitions

- a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.
- b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.
- c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- d) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- e) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- f) “Build-to-Zone” means an area of land in which all or part of a building elevation of one or more buildings is to be located.
- g) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways and parking and amenity areas.
- h) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines including private street lines in the form of an arc, which joins the front lot line to the flankage or side lot line and joins the rear lot line to the flankage or side lot line.
- i) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.
- j) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- k) “Dwelling Unit” means a residential unit that:

- i. consists of a self-contained set of rooms located in a building or structure;
 - ii. is used or intended for use as a residential premises;
 - iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv. is not a mobile home or any vehicle.
- l) “Dwelling, Multiple – Horizontal” means a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.
- m) “Dwelling, Stacked” means a residential use building for four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically and in which each dwelling unit has an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have shared exit facilities above the first floor.
- n) “Grade” or “Established Grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.
- o) “Height, Building” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge.
- p) “Landscaped Area” means an outdoor area comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles, private streets, driveways, porches, decks, and areas for loading, parking or storing of vehicles.
- q) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- r) “Lot Area” means the total horizontal area within the lot lines of a lot;
- s) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- t) “Lot, Through” means a lot bounded on opposite sides by a street.

- u) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- v) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.
- w) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.
- x) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- y) “Storey” means that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.
- z) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.
- aa) “Street, Private” means:
 - i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.
- bb) “Wall, Front” a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.
- cc) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quantity of water delivered to a property.
- dd) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

- ee) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- ff) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- gg) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- hh) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- ii) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- jj) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- kk) “Flankage Side Yard” means a side yard immediately adjoining a street not including a private street or abutting on a reserve on the opposite side of which is a street;
- ll) “Flankage Side Yard Width” means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions (“MU-MD-3” Zone)

a) Uses Permitted (“MU-MD-3” Zone)

No person shall within the lands zoned “MU-MD-3” use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Multiple Dwelling – Horizontal
- ii. Private Park

b) Zone Requirements (“MU-MD-3” Zone)

No person shall within the lands zoned “MU-MD-3”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

		Integrated garage at the rear of the dwelling	Integrated garage at the front of the dwelling
(a)	Lot Frontage (minimum)	4.5 metres	5.5 metres
(b)	Lot Area (minimum)	110 square metres	130 square metres
(c)	Front Yard Depth (minimum)	3.0 metres	4.5 metres
(d)	Side Yard Depth (minimum)	1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	
(e)	Rear Yard Depth (minimum)	6.0 metres	7.0 metres
(f)	Flankage Yard Depth (minimum)	2.4 metres	
(g)	Building Height (maximum)	12.0 metres	
(h)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	
(i)	Visitor Parking Requirements (minimum)	0.2 of a parking space per dwelling unit which may be provided on a separate lot.	
(j)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street	
(k)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 2.8 metres and a minimum depth of 6.0 metres provided, however, the width may include one	

		Integrated garage at the rear of the dwelling	Integrated garage at the front of the dwelling
		interior step and the depth may include two interior steps	
(l)	Driveway Width (maximum)	i) 3.7 metres ii) For lots with an integrated garage at the rear of the dwelling and with a lot frontage of 6.0 metres or greater, the maximum driveway width shall be 5.5 metres	

c) Special Provisions (“MU-MD-3” Zone)

- i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs, walls or screens to screen utilities and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;
- ii. A porch, uncovered deck or balcony may encroach into any required front yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;
- iii. A porch, uncovered deck or balcony may encroach into any required flankage yard to a maximum of 2.0 metres and into any required side yard to a maximum of 1.2 metres;
- iv. A porch or uncovered deck or balcony may encroach into any required rear yard to a maximum of 3.0 metres for dwellings with an integrated garage at the rear of the dwelling and 2.0 metres for dwellings with an integrated garage at the front of the dwelling;
- v. Stairs may encroach to within 0.3 of a metre of the front lot line or flankage lot line; to within 1.0 metre of a rear lot line; and to within 0.3 of a metre of a side lot line;
- vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less;
- vii. Despite any minimum front yard depth, rear yard depth, side yard depth or flankage yard depth, on a corner lot, the minimum setback to a corner rounding at the front of a lot shall be 1.0 metre, the minimum setback to a corner rounding at the rear of a lot shall be 0.4 of a metre, and the minimum setback to a corner rounding at the side yard or flankage of a lot shall be 0.4 of a metre;

viii. Air Conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units with the exception of units located in the amenity area provided on the balcony above the garage or driveway shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City.

d) Special Regulations (“MU-MD-3” Zone)

- i. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the subject lands;
- ii. Despite Section 2(d)(i) above, the lot lines that abut Four Seasons Lane and Palmer’s Sawmill Road shall be deemed to be the Front Lot Lines for the lots zoned “MU-MD-3”;
- iii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MU MD-3” zone use provisions and zone requirements;
- iv. Minimum Private Amenity Area for units with an integrated garage at the rear:
 - A. 10 square metres of amenity area shall be provided on the balcony above the garage or driveway and located at the rear of the dwelling unit;
 - B. accessory structures such as pergolas, shed or other similar structures shall not be permitted on the balcony above the garage at the rear of the dwelling unit;
 - C. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

3. Provisions (“MU-MD-4” Zone)

a) Uses Permitted (“MU-MD-4” Zone)

No person shall within the lands zoned “MU-MD-4” use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Stacked Dwelling

b) Zone Requirements (“MU-MD-4” Zone)

No person shall within the lands zoned “MU-MD-4” use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Building Location and Setbacks:
 - A. No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1.

- B. No building or part of a building or structure shall be erected within the building envelope, unless a minimum of 60 percent of the length of the build-to-zone along the frontage of Brock Road as illustrated on Figure 1 attached hereto, contains a building or part of a building.
 - C. The minimum separation distance between the exterior walls of buildings, except for the front wall, shall be 5.0 metres.
- ii. Building Height (maximum): 12.5 metres
- c) Parking Requirements (“MU-MD-4” Zone)
 - i. 1.0 parking spaces per dwelling unit shall be provided either in a private garage or in a parking area plus 0.2 of a parking space per dwelling unit for visitors. Resident and visitor parking spaces may be provided on a separate lot and secured by an easement.
 - ii. Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.
 - iii. Each parking space within a private garage shall have a minimum width of 2.8 metres and a minimum depth of 6.0 metres; however, the width of a private garage may include 1 interior step and the depth may include 2 interior steps.
 - iv. Air Conditioners are permitted on a lot provided such units shall not be located any closer than 0.6 of a metre to any lot line and shall not be located on any easement in favour of the City.
 - v. Minimum Private Amenity Area for lands zoned “MU-MD-4”: 5.0 square metres.
- d) Projections (“MU-MD-4” Zone)
 - i. Despite Section 3(b)(i)A. of this By-law, stairs, covered and uncovered porches and platforms, uncovered decks, bay, box and bow windows, balconies, eaves, canopies, window sills, supporting structures and footings and other similar features are permitted to project beyond the building envelope as illustrated on Figure 1, but not closer than 1.5 metres to any lot line.
- e) Special Provisions (“MU-MD-3” and “MU-MD-4” Zones)
 - i. Number of dwelling units permitted on lands zoned MU-MD-3 and MU MD-4:
 - A. Minimum number of dwelling units – 190
 - ii. One private park having a minimum lot area of 670 square metres shall be provided on lands zoned “MU-MD-3” or “MU-MD-4”;
 - iii. Sections 5.10, 5.19.2, 5.20, 5.21, and 5.22 of By-law 3037, as amended, shall not apply to the lands zoned “MU-MD-3” and “MU-MD-4”;

4. Restrictions on the Parking and Storage of Vehicles (“MU-MD-3” and “MU MD-4” Zones)

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

a) Number of Vehicles:

- i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.

b) Size of Vehicles:

- i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;
- ii. height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.

c) Location of Vehicles:

- i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.

d) Inoperative Vehicles:

- i. The parking or storage of an inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.

e) Construction Vehicles:

- i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.

f) Oversize Vehicles:

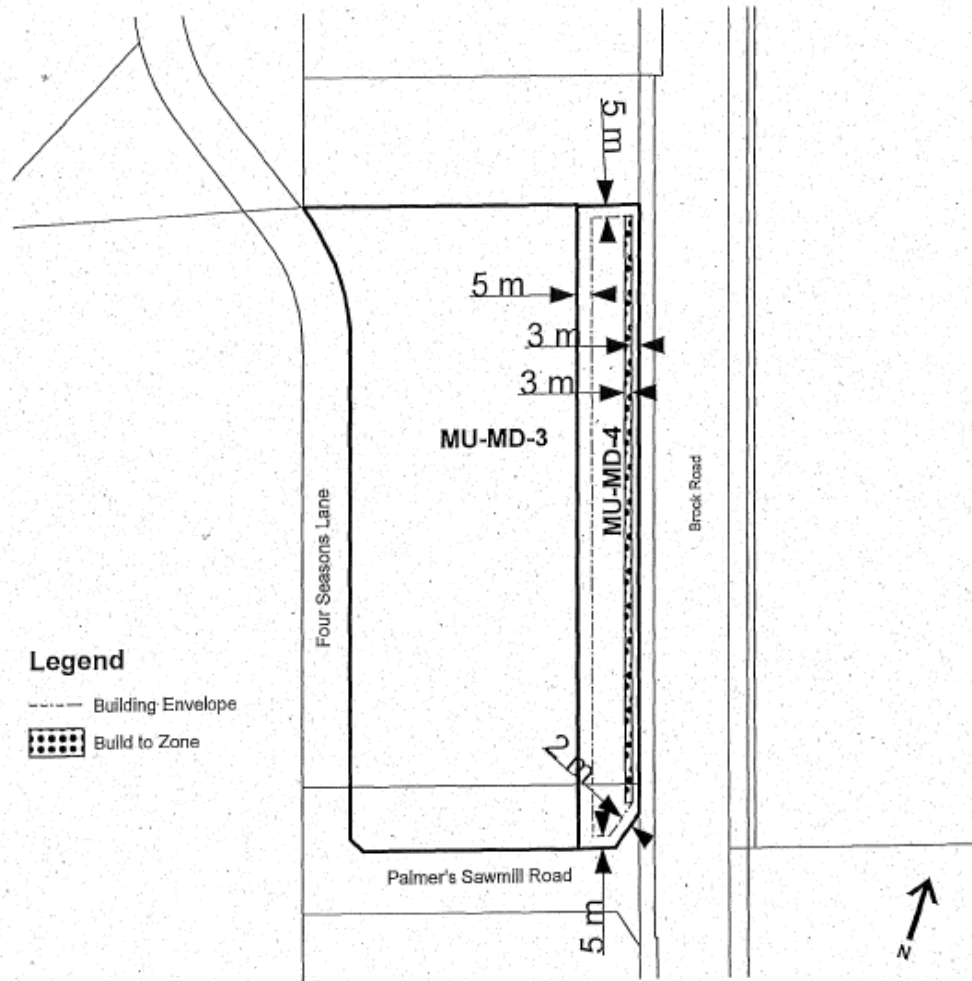
- i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 4(b) of this By-law, is permitted to park temporarily for the sole purpose of delivering to, servicing or constructing the premises.

5. Model Homes

- a) A maximum of 2 blocks, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned “MU-MD-3” prior to the division of those lands by lifting of part lot control.
- b) A maximum of 1 block, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned “MU-MD-4”.

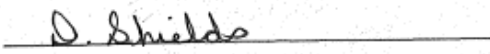
- c) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

6. Figure 1



Schedule II to By-Law 7633/18
Passed This 25th
Day of June, 2018


Mayor


Clerk

15.322 Exception Zone 322 (By-law 7858/21)

1. Definitions

- a) “Amenity Space” means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.
- b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- c) “Building, Apartment” shall mean a building containing more than four dwelling units where the units are connected by an interior corridor.
- d) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
- e) “Dwelling Unit” means a residential unit that:
 - i. consists of a self-contained set of rooms located in a building or structure;
 - ii. is used or intended for use as a residential premises;
 - iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv. is not a mobile home or any vehicle.
- f) “Floor Space Index” means the total gross floor area of all buildings on a lot divided by the total area of the lot on which the building is located, excluding any portion of the building located below grade, such as parking structures.
- g) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.
- h) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- i) “Park, Private” means a park which is maintained by a condominium corporation.
- j) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.
- k) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.

- l) “Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.

2. Provisions

a) Uses Permitted (“RMII-4” Zone)

No person shall within the lands zoned “RMII-4” use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Apartment Building

b) Zone Requirements (“RMII-4” Zone)

No person shall within the lands zoned “RMII-4” use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Number of Dwelling Units:
 - A. Minimum number of dwelling units: 10 units
 - B. Maximum number of dwelling units: 44 units
- ii. Building Height:
 - A. Minimum building height: 8.0 metres (4-storeys)
 - B. Maximum building height: 22.0 metres (6-storeys)

c) Building Location and Setbacks:

- i. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1.
- ii. No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 80 percent of the length of the build-to-zone, as illustrated on Figure 1, contains a building or part of a building.
- iii. A below grade parking structure shall be permitted beyond the limits of the building envelope as identified on Figure 1, but no closer than 0.3 of a metre from all lot lines.
- iv. Architectural projections including roof overhang, eaves, canopies, balconies, awnings and other similar features shall be permitted to extend a maximum of 2.0 metres beyond the building envelope as identified on Figure 1.
- v. Despite Section 2(c)(iv) above, outdoor amenity area for the dwelling units on the first floor shall be permitted to extend to a maximum of 5.0 metres beyond the building envelope as identified on Figure 1.

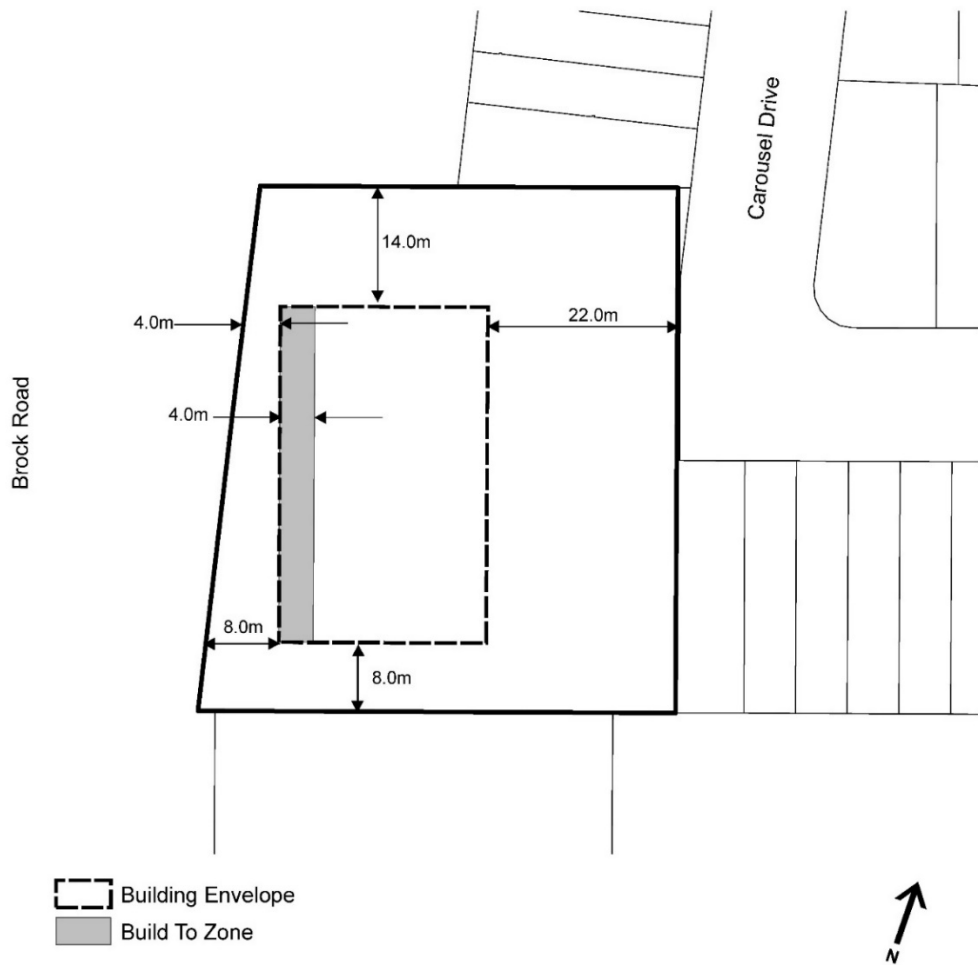
- d) Vehicular Parking Requirements:
 - i. Parking Requirements for Apartment Building:
 - 1) Minimum 1.0 parking space per dwelling unit
 - 2) Minimum 1.75 parking space per 2-storey dwelling unit
 - 3) Minimum 0.20 of a parking space per dwelling unit for visitors
 - ii. All resident parking spaces shall be provided within a below grade parking structure.
 - iii. A parking lot shall not be permitted between a building and a street line abutting Brock Road.
- e) Bicycle Parking Requirements:
 - i. Minimum number of bicycle parking spaces: 0.5 of a space per dwelling unit.
 - ii. A maximum of 50 percent of the required bicycle parking spaces may be vertical spaces; the rest of the required spaces must be horizontal spaces.
 - iii. Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.
 - iv. Dimensions:
 - A. if located in a horizontal position (on the ground): a minimum length of 1.8 metres and a minimum width of 0.6 metres
 - B. if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres
- f) Balcony Requirements:
 - i. Minimum Balcony Area: 6.0 square metres
 - ii. Minimum Balcony Depth: 1.5 metres
 - iii. Despite (2)(f)(i) above, minimum private outdoor amenity area for dwelling units on the first floor: 20 square metres
- g) Indoor Amenity Area and Private Park:
 - i. Minimum indoor amenity area per dwelling unit: 2.0 square metres
 - ii. Minimum area of a Private Park: 200 square metres
- h) Rooftop Mechanical Equipment and Mechanical Penthouses:
 - i. Rooftop mechanical equipment, including any appurtenances thereto, that exceed a maximum height of 2.0 metres shall be fully enclosed within a mechanical penthouse.

- ii. Rooftop mechanical equipment shall be setback a minimum of 5.0 metres from all edges of a roof.
 - iii. Notwithstanding 2(h)(ii) above, no setback is required if rooftop mechanical equipment is fully enclosed within a mechanical penthouse or screened by an architectural feature.
- i) Special Provisions:
- i. Air conditioner units shall not be located between the front wall of a building or a dwelling and Brock Road.
 - ii. Waste shall be stored within a fully enclosed building, structure or partially in-ground structure and shall not be located between a building and a street line.
 - iii. Sections 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned “RMII-4”.
3. Restrictions on Parking and Storage of Vehicles

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

- a) Size of Vehicles:
- i. For those vehicles parked on any parking lot, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres.
 - ii. Height is measured from the established grade immediately beside the vehicle up to the vehicle’s highest point, which excludes lights, antennas and other such items ancillary to the vehicle’s body.
- b) Location of Vehicles:
- i. The parking of any vehicle outdoors is only permitted within a parking lot, no vehicle is to encroach onto any Street or Private Street.
- c) Inoperative Vehicles:
- i. The parking or storage of any inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.
- d) Construction Vehicles:
- i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.
- e) Oversize Vehicles:
- i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 3(a) is permitted to park temporally for the sole purpose of delivering, to servicing or constructing the premises.

4. Figure 1



Schedule II to By-Law 7858/21
Passed This 28th
Day of June 2021

Mayor

Clerk

15.323 Exception Zone 323 (By-law 2675/88, as amended by By-law 4354/93 and By-law 5311/98)

1. Definitions

- a) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;
- b) "Neighbourhood Store" shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale to residents of, or persons employed in the immediate neighbourhood and may include a postal station;
- c) "Place of Religious Assembly" shall mean a building or part of a building where persons assemble for contemplative, counselling, educational or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof.
- d) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- e) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- f) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- g) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- h) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- i) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- j) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

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

2. Provisions

a) Uses Permitted ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling residential uses

b) Zone Requirements ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 3,000 square metres
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 9.0 metres
- iv. Interior Side Yard Width (minimum): 2.4 metres
- v. Flankage Side Yard Width (minimum): 2.4 metres
- vi. Rear Yard Depth (minimum): 9.0 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12 metres
- ix. Dwelling Unit Requirements:
 - A. maximum number of dwelling units per lot: one
 - B. minimum floor area per dwelling unit: 95 square metres
- x. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. For each detached dwelling, there shall be provided and maintained on the lot a minimum 1 parking space;
 - C. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR2".

c) Exceptions

- i. Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), a detached dwelling and uses

accessory thereto may be erected, altered or used on a lot which existed on the date of the passing of this by-law providing:

- A. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres; or
 - B. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.
- ii. Despite the minimum lot area and front yard depth provisions of subsections 2(b)(i) and 2(b)(iii), in the area cross-hatched on Figure 1, a detached dwelling use may be established with a minimum lot area of 1200 square metres and a minimum front yard depth of 0.8 of a metre if the building existed on the date of the passing of this by-law.

d) Special Regulations ("HMC4" Symbol)

On lands where the "HMR2" zone is followed by the symbol "(HMC4)" the following regulations shall apply:

- i. In addition to the uses specified in subsection 2(a) and providing a dwelling unit exists on the lot, the following use shall be permitted on the lot:
 - 1) neighbourhood store
- ii. All zone requirements of subsection 2(b) shall apply, except that if one or more neighbourhood stores are established:
 - 1) despite subsection 2(b)(x)(B), there shall be provided and maintained on the lot, in addition to a minimum 1 parking space for the dwelling unit, a minimum of 4.0 parking spaces per 100 square metres gross floor area neighbourhood store
- iii. The gross floor area of all neighbourhood stores on the lot shall not exceed 250 square metres.

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

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

- i. Church

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

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

- i. Front Yard Depth (minimum): 9.0 metres
- ii. Interior Side Yard Width (minimum): 3.0 metres
- iii. Rear Yard Depth (minimum): 9.0 metres

- iv. Lot Coverage (maximum): 25 percent
- v. Building Height (maximum): 12 metres
- vi. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. There shall be provided and maintained on the lot a minimum of 1 parking space per 4 persons capacity;
 - C. Subsections 5.19.2a), 5.19.2b), 5.19.2d) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "I(C)";

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

No person shall within the lands zoned "OS-HL" use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

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

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control or a culvert for access.

Uses Permitted ("A" Zone)

No person shall within the lands zoned "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

i) Uses Permitted ("I)PRA" Zone)

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

- i. Place of Religious Assembly

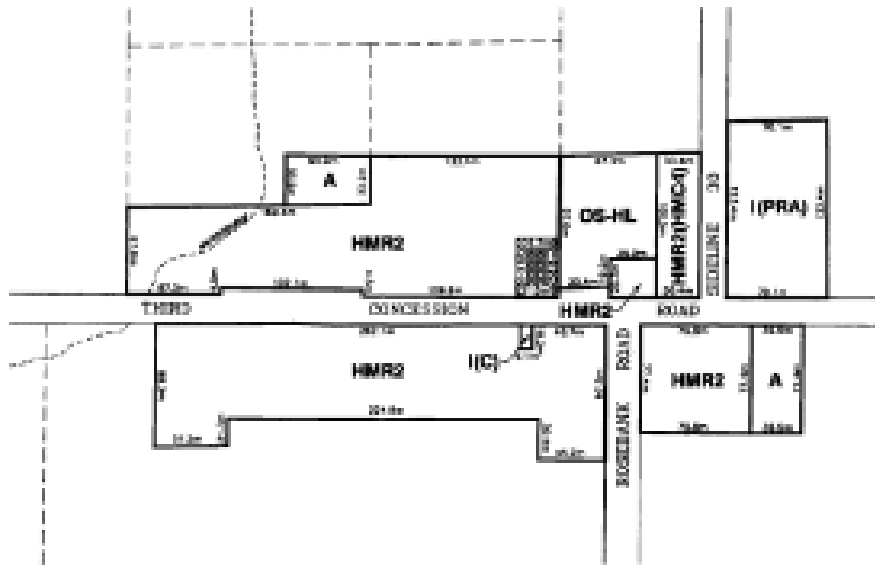
j) Zone Requirements ("I)PRA" Zone)

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

- i. Lot Area (minimum): 0.8 of a hectare
- ii. Lot Frontage (minimum): 60 metres
- iii. Front Yard Depth (minimum): 9.0 metres
- iv. Side Yard Width (minimum): 3.0 metres
- v. Flankage Side Yard Width (minimum): 9.0 metres
- vi. Rear Yard Depth (minimum): 9.0 metres

- vii. Lot Coverage (maximum): 25 percent
- viii. Building Height (maximum): 12 metres
- ix. Gross Floor Area (maximum): 500 square metres
- x. Parking Requirements:
 - A. For the purpose of this clause "parking space" shall mean a useable and accessible area not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, and shall not include any portion of a parking aisle or driveway;
 - B. There shall be provided and maintained on the lot a minimum of one parking space per four persons capacity;
 - C. The provisions of Section 5.19.2a) of By-law 3037 shall not apply to the lands zoned "(I)PRA".

3. Figure 1



SCHEDULE 1 TO BY-LAW 5311/98
PASSED THIS 19th
DAY OF May **1998**



MAYOR



CLERK

15.324 Exception Zone 324 (By-law 2677/88, as amended by By-law 2804/88, By-law 5629/00, By-law 5939/02, and By-law 6828-08)

1. Definitions

- a) "Antique Store" shall mean a store in which antique articles, merchandise or similar items are stored, offered or kept for retail sale to the public;
- b) "Arts and Craft Shop" shall mean an establishment in which articles, merchandise or similar items used in the production of arts, crafts and domestic hobbies are stored, offered or kept for retail sale to the public, and where lessons or instructions related to the production of arts, crafts and domestic hobbies may be given;
- c) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;
- d) "Bed & Breakfast Establishment" shall mean an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a building or part of a building that is the principal residence of the proprietor of the establishment;
- e) "Book Store" shall mean a store in which books, magazines, periodicals and similar items are stored, offered or kept for retail sale to the public;
- f) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;
- g) "Clothing Boutique" shall mean an establishment in which clothes and clothing accessories are stored, offered or kept for retail sale to the public;
- h) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;
- i) "Custom Workshop" shall mean a building or part of a building in which is carried on the custom production of made-to-order articles including furniture, pottery, glassware, jewellery, artwork, clothing, toys and musical instruments.

- j) "Day Spa" shall mean a building or part of a building in which beauty and aesthetic treatments are provided, such as hair removal, make-up application, cosmetic tattooing, massage therapy, and weight loss treatments, but shall not include a body rub parlour, and shall not provide over night accommodations;
- k) "Domestic Business - Type A" shall mean an antique store, an arts and craft shop, a bookstore, a business office, a clothing boutique, a custom workshop, a professional office, or a specialty home furnishing shop, which is:
 - i. operated from a detached dwelling on the lot, or a building or structure accessory to the detached dwelling on the lot; and
 - ii. managed, directed or conducted by one or more of the occupants of the detached dwelling on the lot.
- l) "Domestic Business - Type B" shall mean a bakery or a tea room, which is:
 - i. operated from a detached dwelling on the lot, or a building or structure accessory to the detached dwelling on the lot; and
 - ii. managed, directed or conducted by one or more of the occupants of the detached dwelling on the lot.
- m) "Mill, Granary and Fertilizer Establishment" shall mean an establishment in which grain is milled and in which agricultural fertilizers may be produced, and wherein such products or by-products are stored, offered or kept for wholesale or retail sale;
- n) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, and engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;
- o) "Restaurant – Type A" shall mean a building or part of a building where food is prepared or offered or kept for retail sale to the public for immediate consumption on or off the premises;
- p) "Retail Store" shall mean a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public;
- q) "Small Implement Repair Shop" shall mean a building where small implement equipment, such as domestic pumps and rotor tillers, are serviced, repaired or stored and may include the sale of used implements only;

- r) "Specialty Home Furnishings Shop" shall mean an establishment in which household furniture, utensils, draperies, linen, glassware, artwork and similar domestic items are stored, offered and kept for retail sale to the public;
- s) "Tea Room" shall mean an establishment in which non-alcoholic beverages, pastries, sandwiches and desserts may be kept and sold for immediate consumption on the premises only;
- t) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- u) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- v) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- w) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- x) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- y) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- z) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- aa) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- bb) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

- a) Uses Permitted ("HMR3" Zone)

No person shall within the lands zoned "HMR3", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling residential uses
- ii. domestic business - type A
- iii. domestic business - type B

b) Zone Requirements ("HMR3" Zone)

No person shall within the lands zoned "HMR3" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 3,000 square metres
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 9.0 metres
- iv. Interior Side Yard Width (minimum): 2.4 metres
- v. Flankage Side Yard Width (minimum): 2.4 metres
- vi. Rear Yard Depth (minimum): 9.0 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12 metres
- ix. Dwelling Unit Requirements:
 - A. maximum number of dwelling units per lot: one
 - B. minimum floor area per dwelling unit: 95 square metres
- x. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. For each detached dwelling there shall be provided and maintained on the lot a minimum 1 parking space;
 - C. For each detached dwelling containing one or more domestic business - type A, or one or more domestic business - type B, there shall be provided and maintained on the lot, in addition to the minimum 1 parking space for the detached dwelling, a minimum of 3 parking spaces per 100 square metres gross floor area domestic business - type A, and a minimum of 5 parking spaces per 100 square metres gross floor area domestic business - type B;
 - D. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR3";
 - E. Subsection 5.19.2 of By-law 3037, as amended, shall not apply to the lands zoned "HMR3".

xi. Special Provisions:

- A. The aggregate of the gross floor areas of all domestic business - type A, and domestic business - type B, on a lot shall not exceed 25 percent of the gross floor area of the detached dwelling on the lot.

c) Exceptions

Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), detached dwelling and uses accessory thereto, a domestic business - type A, and a domestic business - type B, may be erected, altered or used on a lot which existed on the date of the passing of this by-law, providing:

- i. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres, or
- ii. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for the lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.

d) Uses Permitted ("HMC8" Zone)

No person shall within the lands zoned "HMC8", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. arts and craft shop

e) Zone Requirements ("HMC8" Zone)

No person shall within the lands zoned "HMC8" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Front Yard Depth (minimum): 9.0 metres
- ii. Interior Side Yard Width (minimum): 1.8 metres
- iii. Rear Yard Depth (minimum): 9.0 metres
- iv. Lot Coverage (maximum): 25 percent
- v. Building Height (maximum): 12 metres
- vi. Open Storage: no open storage shall be permitted in any yard
- vii. Parking Requirements:

- A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

- 1) There shall be provided and maintained on the lot a minimum of 4.0 parking spaces per 100 square metres gross floor area arts and craft shop;

2) Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "HMC8".

f) Uses Permitted ("I(C)" Zone)

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

i. Church

g) Zone Requirements ("I(C)" Zone)

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

i. Front Yard Depth (minimum): 9.0 metres

ii. Interior Side Yard Width (minimum): 3.0 metres

iii. Flankage Side Yard Width (minimum): 3.0 metres

iv. Rear Yard Depth (minimum): 9.0 metres

v. Lot Coverage (maximum): 25 percent

vi. Building Height (maximum): 12 metres

vii. Parking Requirements:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lot a minimum of 1 parking space per 4 persons capacity;

C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "I(C)".

h) Uses Permitted ("CU" Zone)

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

i. community use

i) Uses Permitted ("A" Zone)

No person shall within the lands zoned "A", use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

j) Uses Permitted ("G" Zone)

No person shall within the lands zoned "G", use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 14 of By-law 3037, as amended.

k) Uses Permitted (“HMC9” Zone)

No person shall within the lands zoned “HMC9”, use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. bed & breakfast establishment;
- ii. day spa;
- iii. dwelling unit;
- iv. professional office;
- v. restaurant – type A
- vi. retail store;
- vii. small implement repair shop

l) Zone Requirements (“HMC9” Zone)

No person shall within the lands zoned “HMC9” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Front Yard Depth (minimum): 9.0 metres
- ii. Interior Side Yard Width (minimum): 1.8 metres
- iii. Flankage Side Yard Width (minimum): 1.8 metres
- iv. Rear Yard Depth (minimum): 9.0 metres
- v. Lot Coverage (maximum): 33 percent
- vi. Building Height (maximum) : 18 metres
- vii. Open Storage: no open storage shall be permitted in any yard
- viii. Parking Requirements:
 - A. For the purpose of this clause, “parking space” shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. There shall be provided and maintained on the lot a minimum of 3.0 parking spaces per 100 square metres of gross leasable floor area for any retail store and small implement repair shop;
 - C. There shall be provided and maintained on the lot a minimum of two parking spaces for any dwelling unit;
 - D. Subsections 5.19.2 a), 5.19.2 b) and 5.19.2 d) and 5.19.2 k) of By-law 3037, as amended, shall not apply to the lands zoned “HMC9”.
 - E. Where a parking space abuts the Whitevale Road allowance a minimum 2.0 metre landscaping buffer shall be provided;
 - F. Despite clause 2.2.1 of By-law 3037, the minimum two-way traffic aisle width shall be 6.0 metres;

- G. There shall be provided and maintained on the lot a minimum of 5.0 parking spaces per 100 square metres of gross leasable floor area for any day spa and restaurant – type A;
 - H. There shall be provided and maintained on the lot a minimum of one parking space for each guest room associated with a bed & breakfast establishment.
- ix. Special Provisions:
- A. The gross floor area of all retail uses shall be limited to a maximum of 400 square metres on the ground floor only;
 - B. A maximum of one dwelling unit is permitted on the property;
 - C. Small engine repairs are to be conducted from an accessory structure only;
 - D. The maximum gross floor area of all buildings on the lot shall not exceed 1700 square metres;
 - E. Despite the provisions of Section 5.18 (a) (Accessory Buildings and Uses), By-law 3037, an accessory building may be located in any yard provided it has a minimum front yard depth of 7.5 metres and complies with all other yard requirements of Section 2(l) above;
 - F. Despite the provisions of Section 5.18 (a) and (b) (provisions for accessory structure location) of By-law 3037 and Section 2(l)(ix)(E) above, an accessory, detached garage may be located in the rear yard a minimum of 0.0 metres from the rear and side lot lines;
 - G. The gross leasable floor area of all restaurant – type A uses shall be limited to a maximum of 200 square metres on the ground floor only;
 - H. A maximum of one day spa use shall be permitted with a maximum gross leasable floor area of 300 square metres;
 - I. Despite Section 2(l)(i) above, a professional office shall only be permitted as a component of a day spa use, and shall be included in the gross leasable floor area calculation for the day spa use;

15.325 Exception Zone 325 (By-law 7969/22)

1. Definitions

In this By-law,

- a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.
- b) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch, private patio or deck and which has direct access from the interior of the dwelling unit.
- c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- d) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.
- e) “Building” means a structure occupying an area greater than 10.0 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.
- f) “Build-to-Zone” means an area of land in which all or part of a building elevation of one or more buildings is to be located.
- g) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways and parking and amenity areas.
- h) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines including private street lines in the form of an arc, which joins the front lot line to the flankage or side lot line and joins the rear lot line to the flankage or side lot line.
- i) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

- j) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- k) “Dwelling Unit” means a residential unit that:
 - i. consists of a self-contained set of rooms located in a building or structure;
 - ii. is used or intended for use as a residential premises;
 - iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - iv. is not a mobile home or any vehicle.
- l) “Dwelling, Multiple – Horizontal” means a building containing three or more dwelling units attached horizontally by an above-grade wall or walls;
- m) “Dwelling, Stacked” means a residential use building for four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically and in which each dwelling unit has an attached private garage and an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have shared exit facilities above the first floor;
- n) “Dwelling, Stacked Back-to-Back” means a residential use building for four or fewer storeys in height containing three or more principle dwelling units where the units are divided horizontally and vertically and in which each dwelling unit has an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have shared exit facilities above the first floor
- o) “Grade” or “Established Grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.
- p) “Height, Building” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. The height requirements of this By-law shall not apply to a roof top mechanical penthouse.
- q) “Landscaped Area” means an outdoor area comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles, private streets, driveways, porches, decks, and areas for loading, parking or storing of vehicles.

- r) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- s) “Lot Area” means the total horizontal area within the lot lines of a lot;
- t) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- u) “Lot, Through” means a lot bounded on opposite sides by a street.
- v) “Parapet Wall” means the portion of an exterior wall extending above the roof.
- w) “Private Park” means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes and may be comprised of trees, plants, decorative stonework, public art, retaining walls, walkways, stairs, steps or other landscape or architectural elements.
- x) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.
- y) “Primary Entrance Door” means the principal entrance by which the resident enters or exists a dwelling unit.
- z) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.
- aa) “Storey” means that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.
- bb) “Street” means a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.
- cc) “Street, Private” means:
 - i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;

- iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.
- dd) “Tandem Parking Space” means two or more parking spaces abutting each other end to end with only one having access to a private street.
- ee) “Wall, Front” a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.
- ff) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quantity of water delivered to a property.
- gg) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- hh) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- ii) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- jj) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- kk) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- ll) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- mm) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- nn) “Flankage Side Yard” means a side yard immediately adjoining a street not including a private street or abutting on a reserve on the opposite side of which is a street;

oo) Flankage Side Yard Width” means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions (“MU-MD-5” & “MU-MD-6” Zone)

a) Uses Permitted (“MU-MD-5” & “MU-MD-6” Zone)

No person shall within the lands zoned “MU-MD-5” & “MU-MD-6” use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. “MU-MD-5”
 - A. Dwelling, Multiple – Horizontal
- ii. “MU-MD-6”
 - A. Dwelling, Multiple – Horizontal

b) Zone Requirements (“MU-MD-5” & “MU-MD-6” Zone)

No person shall within the lands zoned “MU-MD-5” & “MU-MD-6” use any lot or erect, alter, or use any building except in accordance with the following provisions:

		MU-MD-5	MU-MD-6
i.	Building Location	No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1.	
ii.	Lot Frontage (minimum)	3.7 metres	5.5 metres
iii.	Front Yard Depth (minimum)	Nil	6.0 metres
iv.	Side Yard Setback (minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot
v.	Rear Yard Depth (minimum)	Nil	6.5 metres
vi.	Building Height (maximum)	12.0 metres	12.0 metres

		MU-MD-5	MU-MD-6
vii.	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	2.0 parking spaces per dwelling unit
viii.	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit, which may be provided on a separate lot.	0.25 of a parking space per dwelling unit, which may be provided on a separate lot.
ix.	Garage Requirements	Minimum one private garage per dwelling unit, the vehicular entrance of which shall be located not less than 1.6 metres from a private street.	Minimum one private garage per dwelling unit, the vehicular entrance of which shall be located not less than 6.0 metres from a private street.
x.	Interior Garage Dimensions (minimum)	<p>A. A private garage shall have a minimum width of 5.6 metres and a minimum depth of 5.7 metres provided, however, the width may include one interior step and the depth may include two interior steps; or</p> <p>B. A private garage may permit tandem parking and shall have a minimum width of 3.0 metres and a minimum depth of 11.4 metres provided, however the width may include two interior steps and depth may include one interior step</p>	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include two interior steps and the depth may include two interior steps.

		MU-MD-5	MU-MD-6
xi.	Driveway Width (maximum)	A driveway shall not exceed the width of the building or structure to which it provides access.	3.7 metres

3. Provisions (“MU-MD-7” & “MU-MD-8” Zone)

a) Uses Permitted (“MU-MD-7” & “MU-MD-8” Zone)

No person shall within the lands zoned “MU-MD-7” & “MU-MD-8” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. “MU-MD-7” Zone

A. Dwelling, Stacked

ii. “MU-MD-8” Zone

A. Dwelling, Stacked Back-to-Back

b) Zone Requirements (“MU-MD-7” & “MU-MD-8” Zone)

No person shall within the lands zoned “MU-MD-7” & “MU-MD-8” use any lot or erect, alter, or use any building except in accordance with the following provisions:

		MU-MD-7	MU-MD-8
i.	Building Location	No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1.	No building or part of a building or structure shall be erected outside of the building envelope as illustrated on Figure 1.
ii.	Setback between building blocks (minimum)	10.5 metres between Front Walls	3.0 metres between Side Walls
iii.	Building Height (maximum)	12.0 metres	17.5 metres
iv.	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	1.0 parking space per dwelling unit
v.	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit, which	0.25 of a parking space per dwelling unit, which may be provided on a separate lot.

		MU-MD-7	MU-MD-8
		may be provided on a separate lot.	
vi.	Garage Requirements	Minimum one private garage per dwelling, the vehicular entrance of which shall be located not less than 6.0 metres from a private street.	Nil
vii.	Interior Garage Dimensions (minimum)	(i) A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps.	Nil
viii.	Driveway Width (maximum)	A driveway shall not exceed the width of the building or structure to which it provides access.	Nil

4. Provisions (“OS-PP” Zone)

a) Uses Permitted (“OS-PP”)

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

- i. Private Park

5. Special Provisions (“MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” Zones)

a) Number of Dwelling Units:

- i. Minimum: 76
- ii. Maximum: 197

- b) No building, or portion of a building, or structure shall be erected within the building envelope, unless a minimum of 60 percent of the entire length of the build-to-zone, as illustrated on Figure 1, contains a building or part of a building.

- c) Sections 5.10, 5.19.1, 5.19.2, 5.20, 5.21, and 5.22 of By-law 3037, as amended, shall not apply to the subject lands.
- d) A private street shall have a minimum width of 6.5 metres.
- e) Despite any minimum front yard depth, rear yard depth, side yard depth or flankage yard depth, on a corner lot, the minimum setback to a corner rounding at the front of a lot shall be 1.0 metre, the minimum setback to a corner rounding at the rear of a lot shall be 1.0 metre, and the minimum setback to a corner rounding at the side yard or flankage of a lot shall be 1.0 metre.
- f) Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs, and other similar architectural features may be permitted to be located beyond the building envelope as identified on Figure 1 and in any required yard, provided that no such feature projects beyond the building envelope or required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less.
- g) Walls or screens to screen utilities may be permitted to be located beyond the building envelope as identified on Figure 1 and in any required yard to a maximum of 1.2 metres, but shall not extend beyond the property line.
- h) Despite Section 2(b)(i) and Section 3(b)(i), a porch, uncovered deck, private patio or balcony may encroach beyond the building envelope as illustrated on Figure 1 and any required front yard to a maximum of 2.5 metres, but shall be located a minimum of 1.2 metres from a lot line.
- i) A porch, uncovered deck or balcony may encroach into any required flankage yard and side yard to a maximum of 2.0 metres, but shall not extend beyond the property line.
- j) Despite Section 2(b)(i) and Section 3(b)(i), an uncovered porch or uncovered deck not exceeding 2.0 metres in height above grade, may encroach a maximum of 2.0 metres beyond the building envelope as illustrated on Figure 1, into any required rear yard.
- k) Despite Section 2(b)(i) and Section 3(b)(i), stairs to a porch, uncovered deck or entrance may encroach to within 0.45 of a metre of the front or flankage lot line; to within 1.0 metre of a rear lot line and to within 0.6 of a metre of a side lot line.
- l) A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach beyond the building envelope as identified on Figure 1 and any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less.
- m) Despite Section 2(b)(i) and Section 3(b)(i), waste shall be stored within a fully enclosed building, structure or partially underground structure, which

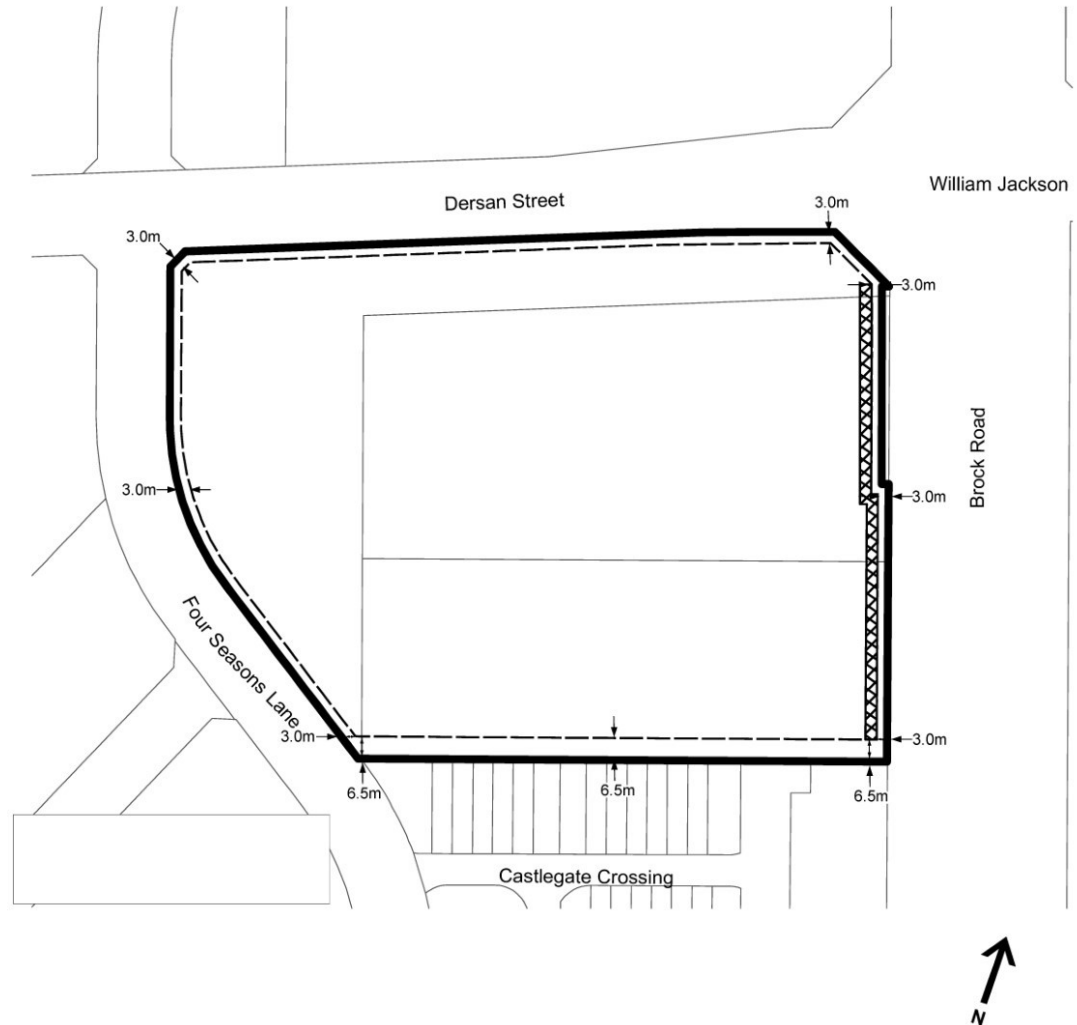
shall be permitted to be located beyond the limits of the building envelop as identified on Figure 1, but no closer than 1.0 metre to any lot line.

- n) Air Conditioners are to be located in the rear yard or side yard or on or below a balcony or roof or on a private patio at or below grade. In addition, such units shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City.
 - o) Visitor parking spaces shall be setback a minimum of 3.0 metres from all streets.
 - p) Despite Section 4(a), below grade parking structures shall be permitted to be located within lands zoned “OS-PP”.
6. Special Regulations (“MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” Zones)
- a) Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street for the lands on Figure 1.
 - b) Despite Section 6(a), the lot line abutting Dersan Street and Four Seasons Lane shall be deemed the front lot line for lands zoned “MU-MD-5”.
 - c) Despite Section 6(b), where a lot is bounded on opposite sides by a private street, the lot line closest to the primary entrance door is deemed to be the front lot line for lands zoned “MU-MD-5”.
 - d) A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” zone use provisions and zone requirements.
 - e) Minimum Private Amenity Area for lands zoned “MU-MD-5”, “MU-MD-7” and “MU-MD-8”:
 - i. 4.5 square metres of private amenity area shall be provided for each unit;
 - ii. accessory structures such as pergolas, shed or other similar structures shall not be permitted on the balcony above the garage of the dwelling unit;
 - iii. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.
7. Restrictions on the Parking and Storage of Vehicles (“MU-MD-5”, “MU-MD-6”, “MU-MD-7” and “MU-MD-8” Zones)

No person shall use any lot for the parking or storage of vehicles except in accordance with the following provisions:

- a) Number of Vehicles:
 - i. A maximum of 2 vehicles, only 1 of which may be a trailer, are permitted to park on a driveway.
 - b) Size of Vehicles:
 - i. for those vehicles parked on any driveway, the maximum permissible height is 2.6 metres, and the maximum permissible length is 6.0 metres;
 - ii. height is measured from the established grade immediately beside the vehicle up to the vehicle's highest point, which excludes lights, antennas and other such items ancillary to the vehicle's body.
 - c) Location of Vehicles:
 - i. No part of any yard except a driveway is to be used for the parking or storage of vehicles and no vehicle is to encroach onto any Street or Private Street.
 - d) Inoperative Vehicles:
 - i. The parking or storage of an inoperative vehicle is not permitted unless it is entirely within a fully enclosed building or structure.
 - e) Construction Vehicles:
 - i. The parking or storage of a construction vehicle or a commercial vehicle is not permitted, unless it is entirely within a fully enclosed building or structure.
 - f) Oversize Vehicles:
 - i. A vehicle that exceeds the maximum permissible vehicle size provisions of Section 5(b) of this By-law, is permitted to park temporarily for the sole purpose of delivering to, servicing or constructing the premises.
8. Model Homes
- a) A maximum of 2 blocks, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned "MU-MD-5" and "MU-MD-6" prior to the division of those lands by lifting of part lot control, provided each zone does not exceed 1 block.
 - b) A maximum of 2 blocks, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned "MU-MD-7" and "MU-MD-8", provided each zone does not exceed more than 1 block.
 - c) For the purpose of this By-law, "Model Home" shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

9. Figure 1



Schedule II to By-Law 7969/22
Passed This 20th
Day of September 2022

Original Signed By

Mayor

Original Signed By

Clerk

15.326 Exception Zone 326 (By-law 6962/09)

1. Definitions

- a) “Accessory Use” shall mean a use of land, buildings or structures that is normally incidental or subordinate to the principal use, building or structure located on the same lot.
- b) “Agricultural Use” shall mean the growing of crops, including nursery and horticultural crops, raising of livestock and other animals, including poultry and fish, for food and fur, aquaculture, and agro forestry and maple syrup production.
- c) “Agriculture-Related Uses” shall mean commercial and industrial uses that are small-scale, directly related to a farm operation, and required in close proximity to the farm operation.
- d) “Animal Agriculture” shall mean the growing, producing and raising farm animals including, without limitation, livestock, including equines, poultry and ratites, fur-bearing animals, bees, cultured fish, deer and elk, and game animals and birds.
- e) “Bed and Breakfast Establishment” shall mean an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public within a detached dwelling that is the principal residence of the proprietor of the establishment.
- f) “Conservation” shall mean the wise use, protection and rehabilitation of natural resources according to principles that will assure their highest economic, social and environmental benefits.
- g) “Exterior Side Yard” shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.
- h) “Farm Vacation Home” shall mean an establishment that provides sleeping accommodation (including participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in up to three guest rooms within a single dwelling that is located on a farm and is the principal residence of the proprietor of the establishment.
- i) “Home Industry” shall mean a business that,
 - i. is carried on as a small-scale use that is accessory to a detached dwelling or agricultural operation;
 - ii. provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community;

- iii. may be carried on in whole or in part in an accessory building, and
 - iv. does not include uses such as an auto repair or paint shop or furniture stripping.
- j) “Low Intensity Recreational Uses” shall mean recreational uses that have minimal impact on the natural environment, and require very little terrain or vegetation modification and few, if any, buildings or structures, including but not limited to the following:
- i. non-motorized trail uses;
 - ii. natural heritage appreciation;
 - iii. unserviced camping on public and institutional land;
 - iv. accessory uses.
- k) “Resource Management” shall mean the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society's use, both in the present and the future, and shall also mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for the preservation of fish and wildlife habitat, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.
- l) “Small-scale Environmental Education Facilities” shall mean classrooms and support facilities used in association with low intensity recreation uses.
- m) “Temporary Detached Dwelling” shall mean a dwelling constructed in accordance with the requirements of the Building Code, excluding a permanent foundation that is designed and constructed so as to enable complete removal of the building within 48 hours of being required to do so.

2. Provisions

a) Permitted Uses Oak Ridges Moraine Agricultural (“ORM-A-2” Zone)

No person shall within an Oak Ridges Moraine Agricultural (“ORM-A-2” Zone), use any land or erect, alter or use any building or structure except in accordance with the following:

- i. agricultural use
- ii. bed and breakfast establishment
- iii. conservation projects and flood and erosion control projects
- iv. detached dwelling
- v. farm vacation home

- vi. home-based business
- vii. home industry
- viii. low intensity recreational use
- ix. publicly initiated transportation, infrastructure and utilities
- x. resource management
- xi. small-scale environmental education facilities
- xii. temporary detached dwelling accessory to an agricultural use

b) Zone Requirements (“ORM-A-2” Zone)

- i. Minimum Lot Area 4 hectares
- i. Minimum Lot Frontage 150 metres
- ii. Minimum Yard Requirements
 - A. Front Yard 15.0 metres
 - B. Interior Side Yard 6.0 metres
 - C. Exterior Side Yard 7.5 metres
 - D. Rear Yard 15.0 metres
- iii. Maximum Lot Coverage 20%
- iv. Maximum Height 12.0 metres
- v. Minimum Dwelling Unit Gross Floor Area 139 square metres
- vi. Maximum Building Ground Floor Area 500 metres

c) Special Regulations (“ORM-A-2” Zone)

- i. The maximum floor area for all buildings used for accessory small-scale environmental education facilities shall not exceed 350 square metres;
- i. A farm vacation home and a bed and breakfast establishment shall provide a maximum of three guest rooms;
- ii. Temporary Detached Dwelling Requirements:
 - A A temporary detached dwelling shall be permitted on a lot with a minimum lot area of 40 hectares;
 - B Maximum of one temporary detached dwelling shall be permitted per lot; provided it is used by persons employed on the farm;
 - C Where a detached dwelling exists, the maximum distance between the detached dwelling and a temporary detached dwelling shall be 50.0 metres, and the temporary detached dwelling shall not be located in the front yard.
- iii. Where a home industry is permitted as an accessory use to a detached dwelling or agricultural operation, the following provisions shall apply:

- A. In addition to persons living on the premises not more than two (2) employees shall be engaged in the home industry;
 - B. A home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 140 square metres;
 - C. There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0 square metre;
 - D. There shall be no outside storage of goods, materials or articles;
 - E. Only motor vehicles associated with the home industry may be parked or stored on the lot in an interior side or rear yard;
 - F. A boarding kennel shall not be permitted as a home industry;
 - G. Home Industry uses shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 to *Ontario Regulation 347 RSO, 1990*.
- iv. Despite any provision of this By-law, with the exception of those uses legally existing on November 15, 2001, which may continue until the use(s) ceases, the following uses are prohibited within an Area of High Aquifer Vulnerability:
- A. Generation and storage of hazardous waste or liquid industrial waste;
 - B. Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;
 - C. Underground and above-ground storage tanks that are not equipped with an approved secondary containment device;
 - D. Storage of contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the revised Regulations of Ontario, 1990.
- v. Despite any other yard or setback provisions of this By-law to the contrary, all farm and non-farm development for livestock facilities will comply with the Minimum Distance Separation formulae established by the Province in order to minimize odour conflicts between livestock facilities and development. All non-farm development on lots of record existing as of the date of this By-law shall be exempt from Minimum Distance Separation Formulae 1 requirements.
- vi. publicly initiated transportation, infrastructure and utilities may be permitted to cross an Oak Ridges Moraine Protection (“ORM-EP”) Zone.

d) Permitted Uses Oak Ridges Moraine Environmental Protection (“ORM-EP Zone”)

The Oak Ridges Moraine Environmental Protection (“ORM-EP”) Zone represents lands on the Oak Ridges Moraine that are located in a Key Natural Heritage Feature, or a Hydrologically Sensitive Feature and/or the feature’s associated minimum vegetation protection zone. No person shall, within any Oak Ridges Moraine Environmental Protection (“ORM-EP”) Zone use any lot, or erect, alter or use any building or structure except in accordance with the following provisions:

- i. conservation projects and flood and erosion control projects;
- ii. publicly initiated transportation, infrastructure and utilities with the exception of stormwater management ponds;
- iii. resource management.

e) Zone Requirements (“ORM-EP” Zone)

- i. No accessory buildings and structures shall exceed 10 square metres in area.

15.327 Exception Zone 327 (By-law 7020/10)

1. Definitions

- a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;
- b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;
- c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;
- f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;
- g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;
- h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7,5 metres distant from the front lot line;
- j) "Neighbourhood Park" shall mean a municipal public park;
- k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

- l) "Street" shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;
- m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.
- r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;
- s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;
- v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. single dwelling;
- ii. semi-detached dwelling;
- iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi- detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi- detached dwelling	Street single attached dwelling	Lane single attached dwelling
		adjacent lots;	adjacent lots;	adjacent lots;	to that wall on either lot;	to that wall on either lot	to that wall on either lot
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	50 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

The following special provisions shall be applicable to all lands zoned ("S-SD-SA-3")

- c) Corner Rounding Setback (minimum): despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres
- d) Parking Requirement (minimum): two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit;
- e) Garage Requirements (minimum): one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- f) Garage Parking Size (minimum): each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

g) Yard Encroachments

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

- i. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:
 - A. to front lot line: 1.0 metres;
 - B. to flankage lot line: 1.0 metres;
 - C. to interior side lot line: 0.6 metres;
 - D. to rear lot line: 5.0 metres;
 - E. to a corner rounding: 1.0 metres;
 - F. Eaves above these features: May project a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;
- ii. uncovered steps minimum setback to a streetline: 0.4 metres
- iii. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:
 - A. to interior side lot line: 0.6 metres;
 - B. to flankage lot line: 1.0 metres
 - C. to rear lot line: 3.0 metres;
 - D. steps from a deck: may encroach an additional 1.2 metres onto the rear yard
- iv. bay, bow or box windows may encroach a maximum into required yards as follows:
 - A. front yard: 0.6 metres
 - B. flankage yard: 0.6 metres;
 - C. rear yard: 1.0 metres
 - D. Eaves above these features: may project to a further 0.6 metres into the required front, flankage or rear yard;
- h) Lane based Units that abut a Park or Village Green: Despite anything other provision in this By-law where a lot line for lane based single attached dwelling in a "S-SD-SA-3" zone abuts a Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line.
- i) Detached Garages for Lane Based Dwelling Units: A detached garage is not considered an accessory building for the purpose of lot coverage
- j) Detached Garage Requirements: Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

- i. minimum side yard width of 0.0 m
- ii. minimum flanking side yard width of 2.4 m
- iii. minimum rear yard depth of 0.6 m
- iv. a detached garage is not considered a main building for the purpose of the by-law

3. Provisions ("OS-HL" Zone)

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

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

- i. resource management, including a stormwater management facility;
- ii. pedestrian and bicycle trails;

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

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

4. Provisions ("NP" Zone)

a) Uses Permitted ("NP" Zone)

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

- i. neighbourhood park.

15.328 Exception Zone 328 (By-law 7021/10)

1. Definitions

- a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;
- b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;
- c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;
- f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;
- g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;
- h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7,5 metres distant from the front lot line;
- j) "Neighbourhood Park" shall mean a municipal public park;
- k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

- l) "Street" shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provides vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;
- m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.
- r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;
- s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;
- v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. single dwelling;
- ii. semi-detached dwelling;
- iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot

				adjacent lots;	on either lot;	to that wall on either lot	
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	100 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

c) Special Provisions (“S-SD-SA-3” Zone)

The following special provisions shall be applicable to all lands zoned (“S-SD-SA-3”):

i. Corner Rounding Setback (minimum):

despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres;

ii. Parking Requirement (minimum):

two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit or for single attached dwelling that has its vehicular access from a lane or abut a village green the required parking may be provided in a garage, either attached or detached and/or one parking space in a garage and one parking space on a parking pad located beside a garage;

iii. Garage Requirements (minimum):

one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

iv. Garage Parking Size (minimum):

each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

v. Yard Encroachments:

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:

- 1) to front lot line: 1.0 metres;
- 2) to flankage lot line: 1.0 metres;
- 3) to interior side lot line: 0.6 metres;
- 4) to rear lot line: 5.0 metres;
- 5) to a corner rounding: 1.0 metres;
- 6) Eaves above these features may project:

a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;

B. uncovered steps minimum setback to a streetline: 0.4 metres

C. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:

- 1) to interior side lot line: 0.6 metres;
- 2) to flankage lot line: 1.0 metres;
- 3) to rear lot line: 3.0 metres;
- 4) steps from a deck:
- 5) may encroach an additional 1.2 metres onto the rear yard

D. bay, bow or box windows may encroach a maximum into required yards as follows:

- 1) front yard: 0.6 metres;
- 2) flankage yard: 0.6 metres;
- 3) rear yard: 1.0 metres;
- 4) Eaves above these features:

may project to a further 0.6 metres into the required front, flankage or rear yard;

vi. Street or Lane based Units that abut and face a Park or Village Green:

- vii. Despite any other provision in this By-law where a lot line for lane based single attached dwelling in a "S-SD-SA-3" zone abuts a Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line;
- viii. Detached Garages for Lane Based Dwelling Units:
A detached garage is not considered an accessory building for the purpose of lot coverage;
- ix. Detached Garage Requirements:
Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:
 - A. minimum side yard width of 0.0 metres;
 - B. minimum flanking side yard width of 2.4 metres;
 - C. minimum rear yard depth of 0.6 metres;
 - D. a detached garage is not considered a main building for the purpose of the by-law.
- x. Lane Single Attached Dwelling Lot Depth and Lot area:
For lane based single attached dwelling in the cross hatched portion of Figure 1 the minimum lot depth shall be 27.0 metres and the minimum lot area shall be 160 square metres.

3. Provisions ("OS-HL" Zone)

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

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

- i. resource management, including a stormwater management facility;
- ii. pedestrian and bicycle trails;

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

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

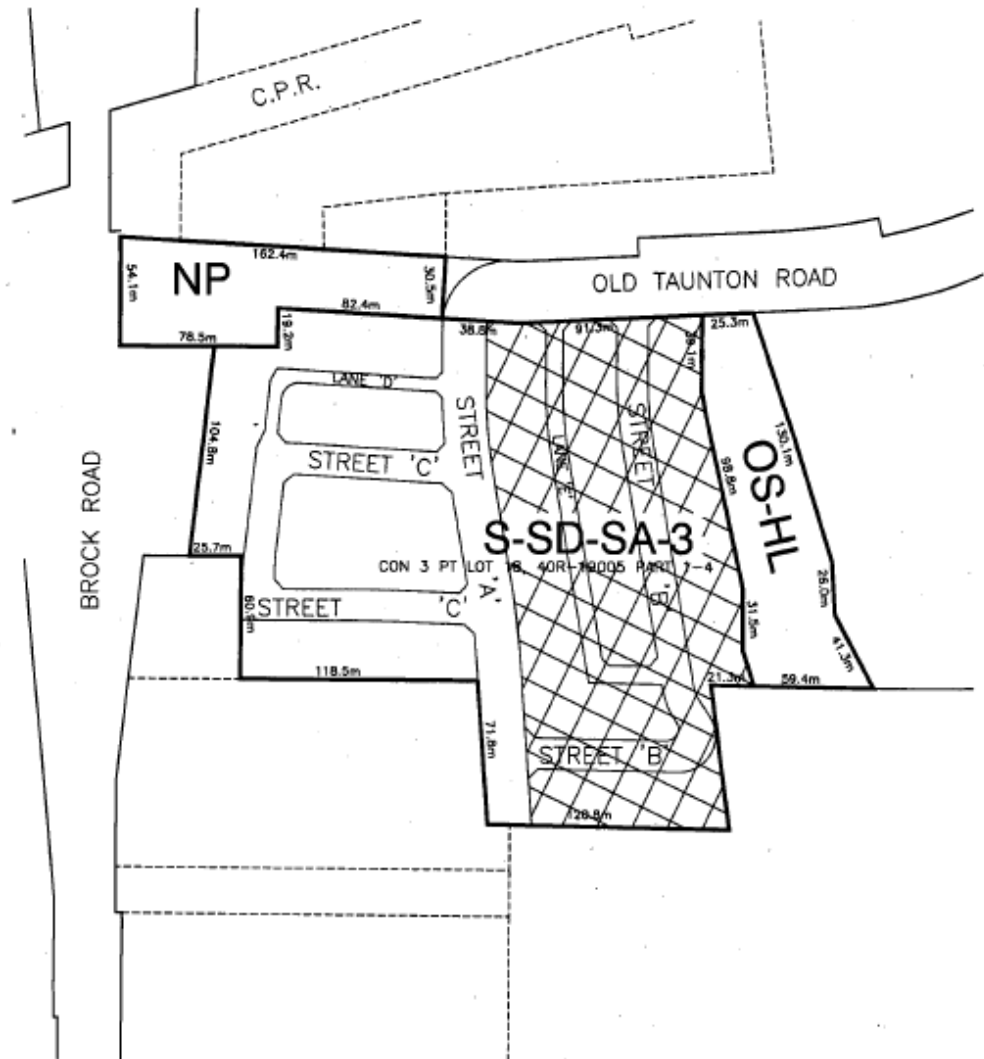
4. Provisions ("NP" Zone)

a) Uses Permitted ("NP" Zone)

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

- i. neighbourhood park

5. Figure 1



SCHEDULE I TO BY-LAW 7021/10

Approved by the Ontario Municipal Board

Oral Decision delivered January 22, 2010

Written Decision issued February 4, 2010

15.329 Exception Zone 329 (By-law 2674/88)

1. Definitions

- a) "Art Gallery" shall mean a building or part of a building used for the public or private exhibition of collections of paintings and other works of art devoted primarily to the recreation or education of the public, whether or not the same are for sale;
- b) "Automobile Service Station - Type C" shall mean an establishment where vehicle fuels, lubricants and accessories are offered for retail sale and where facilities for the repair and maintenance of vehicles may be provided on the premises and may include a car wash but shall not include a body shop, as defined herein;
- c) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;
- d) "Body Shop" shall mean an establishment engaged in repairing or painting vehicle bodies;
- e) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;
- f) "Cemetery" shall mean land that is set apart or used for the interment of the dead or in which human bodies have been buried;
- g) "Cemetery Administrative Office" shall mean a building or part of a building in which the management or direction of a cemetery is carried on;
- h) "Cemetery Equipment Building" shall mean a building or part of a building used for the sheltering, storage, care, repair or equipping of vehicles, machinery, equipment and property with respect to any of the affairs of purposes of the operation of a cemetery;
- i) "Commercial Club" shall mean an athletic, recreational or social club operated for gain of profit and having public or private membership;
- j) "Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit but shall not include any other school defined herein;

- k) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;
- l) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;
- m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof;
- n) "Forestry Service Establishment" shall mean an establishment in which the management or direction of a forestry service business is carried out, and in which chain saws may be sharpened and repaired;
- o) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;
- p) "Manufacturing Plant" shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;
- q) "Light Manufacturing Plant" shall mean a manufacturing plant use for:
 - i. the production of apparel and finished textile products other than the production of synthetic fibres;
 - ii. printing or duplicating;
 - iii. the manufacture of finished paper other than the processing of wood pulp;
 - iv. the production of cosmetics, drugs and other pharmaceutical supplies; or
 - v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware, or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.
- r) "Neighbourhood Store" shall mean a retail store having a gross floor area of not more than 400 square metres in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale to residents of, or persons employed in the immediate neighbourhood;
- s) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio,

but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

- t) "Private Non-residential School" shall mean a school which is maintained for educational or religious purposes but shall not include any other school defined herein;
- u) "Private Residential School" shall mean a school which is maintained for educational or religious purposes and which includes accessory residential facilities but shall not include any other school defined herein;
- v) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, and engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;
- w) "Public School" shall mean,
 - i. a school under the jurisdiction of a board of education which board is established pursuant to *The Education Act*, 1974, or any successor thereto;
 - ii. a college of applied arts and technology established pursuant to the *Ministry of Colleges and Universities Act*, 1971, or any successor thereto;
 - iii. a university eligible to receive provincial funding from the Minister of Colleges and Universities, pursuant to the *Universities Act*, 1971, or any successor thereto;
- x) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;
- y) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;
- z) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;
- aa) "Warehouse" shall mean a building or part of a building which is used for the housing, storage, adapting for sale, packaging, or wholesale distribution

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

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

2. Provisions

a) Uses Permitted ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling residential uses

b) Zone Requirements ("HMR2" Zone)

No person shall within the lands zoned "HMR2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 3,000 square metres
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 9.0 metres
- iv. Interior Side Yard Width (minimum): 2.4 metres
- v. Flankage Side Yard Width (minimum): 2.4 metres
- vi. Rear Yard Depth (minimum): 9.0 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12 metres
- ix. Dwelling Unit Requirements:
 - A. maximum number of dwelling units per lot: one
 - B. minimum floor area per dwelling unit: 95 square metres
- x. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. For each detached dwelling there shall be provided and maintained on the lot a minimum of 1 parking space;
 - C. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR2".

c) Exceptions

- i. Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), a detached dwelling and uses accessory thereto may be erected, altered or used on a lot which existed on the date of the passing of this by-law providing:
 - A. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres; or
 - B. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.

d) Special Regulations ("HMC3" Symbol)

On lands where the "HMR2" zone is followed by the symbol "(HMC3)" the following regulations shall apply:

- i. In addition to the uses specified in subsection 5.1(a) and providing a dwelling unit exists on the lot, the following use shall be permitted on the lot:
 - A. forestry service establishment
 - ii. All zone requirements of subsection 2(b) shall apply, except that if one or more forestry service establishments are established:
 - A. despite subsection 2(b)(x)(B), there shall be provided and maintained on the lot, in addition to a minimum 1 parking space for the dwelling unit, a minimum of 3,0 parking spaces per 100 square metres gross floor area forestry service establishment;
 - iii. The gross floor area of all forestry service establishments on the lot shall not exceed 25 percent of the gross floor area of the dwelling unit.
- e) Uses Permitted ("HMC1" Zone)

No person shall within the lands zoned "HMC1" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. bakery
- ii. business office
- iii. church
- iv. commercial club
- v. commercial school
- vi. community use
- vii. dry cleaning depot
- viii. financial institution
- ix. laundromat
- x. neighbourhood store
- xi. personal service shop
- xii. professional office
- xiii. restaurant - type A
- xiv. retail store

f) Zone Requirements ("HMC1" Zone)

No person shall within the lands zoned "HMC1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 1,390 square metres
- ii. Lot Frontage (minimum): 22 metres
- iii. Front Yard Depth (minimum): 9.0 metres

- iv. Interior Side Yard Width (minimum): 1.8 metres
- v. Flankage Side Yard Width (minimum): 1.8 metres
- vi. Rear Yard Depth (minimum): 9.0 metres
- vii. Lot Coverage (maximum): 25 percent
- viii. Building Height (maximum): 12 metres
- ix. Open Storage: no open storage shall be permitted in any yard
- x. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. For churches, there shall be provided and maintained on the lot a minimum 1 parking space per 4persons capacity;
 - C. For all other uses permitted by subsection 2(b)(i), other than community uses, there shall be provided and maintained on the lot a minimum 4.0 spaces per 100 square metres gross floor area used or intended to be used by such uses;
 - D. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "HMC1".

g) Uses Permitted ("HMC2" Zone)

No person shall within the lands zoned "HMC2" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. art gallery

h) Zone Requirements ("HMC2" Zone)

No person shall within the lands zoned "HMC2" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Front Yard Depth (minimum): 9.0 metres
- ii. Interior Side Yard Width (minimum): 1.8 metres
- iii. Rear Yard Depth (minimum): 9.0 metres
- iv. Lot Coverage (maximum): 25 percent
- v. Building Height (maximum): 12 metres
- vi. Open Storage: no open storage shall be permitted in any yard
- vii. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and

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

- B. There shall be provided and maintained on the lot a minimum of 4.0 parking spaces per 100 square metres gross floor area art gallery;
- C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "HMC2".

i) Uses Permitted ("HM1" Zone)

No person shall within the lands zoned "HM1" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. business office
- ii. light manufacturing plant
- iii. professional office
- iv. scientific, research or medical laboratories
- v. warehouse

j) Zone Requirements ("HM1" Zone)

No person shall within the lands zoned "HM1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 4,000 square metres
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 9.0 metres
- iv. Interior Side Yard Width (minimum): 3.0 metres
- v. Flankage Side Yard Width (minimum): 3.0 metres
- vi. Rear Yard Depth (minimum): 9.0 metres
- vii. Lot Coverage (maximum): 33 percent
- viii. Building Height (maximum): 12 metres
- ix. Open Storage: no open storage shall be permitted in any yard
- x. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. For business offices and professional offices, there shall be provided and maintained on the lot a minimum 4.0 parking spaces per 100 square metres gross floor area business office and professional office;

- C. For all other uses permitted by subsection 2(i) there shall be provided and maintained on the lot a minimum of parking space per 56 square metres gross floor area used or intended to be used by such uses;
- D. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "HM1".

k) Uses Permitted ("GS3" Zone)

No person shall within the lands zoned "GS3" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. automobile service station - type C

l) Zone Requirements ("GS3" Zone)

No person shall within the lands zoned "GS3" use any lot or erect, alter or use any building or structure except in accordance with the provisions of section 5.17 of By-law 3037, as amended, and the following provisions:

- i. Open Storage: no open storage shall be permitted in any yard
- ii. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. There shall be provided and maintained on the lot minimum of 4.0 parking spaces per 100 square metres gross floor area automobile service station - type C;
 - C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "GS3".

m) Uses Permitted ("CEM-2" and "CEM-2/HMR2" Zones)

No person shall within the lands zoned "CEM-2" and "CEM-2/HMR2", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. on the lands zoned "CEM-2"
 - A. cemetery
 - B. cemetery administrative office
 - C. cemetery equipment building
- ii. on the lands zoned "CEM-2/HMR2"
 - A. all uses permitted in subsection 2(m)(i)
 - B. detached dwelling residential uses

n) Zone Requirements ("CEM-2/HMR2" Zone)

No person shall within the lands zoned "CEM-2/HMR2" use any lot or erect, alter or use any building or structure for detached dwelling residential uses except in accordance with the provisions of subsection 2(b).

o) Uses Permitted ("CU" Zone)

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

i. community use

p) Uses Permitted ("A" Zone)

No person shall within the lands zoned "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

15.330 Exception Zone 330 (By-law 2676/88)

1. Definitions

- a) "Book Store" shall mean a store in which books, magazines, periodicals and similar items are stored, offered or kept for retail sale to the public;
- b) "Community Use" shall mean a public use or facility serving residents of an area, such as a community centre, a fire hall, a library, a neighbourhood park, a police station and a postal station;
- c) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- d) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- e) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- f) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- g) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- h) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- i) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- j) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- k) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("HMR1" Zone)

No person shall within the lands zoned "HMR1" use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. detached dwelling residential uses

b) Zone Requirements ("HMR1" Zone)

No person shall within the lands zoned "HMR1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Lot Area (minimum): 4,000 square metres
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 9.0 metres
- iv. Interior Side Yard Width (minimum): 2.4 metres
- v. Flankage Side Yard Width (minimum): 2.4 metres
- vi. Rear Yard Depth (minimum): 9.0 metres
- vii. Lot Coverage (maximum): 20 percent
- viii. Building Height (maximum): 12 metres
- ix. DWELLING UNIT REQUIREMENTS:
 - A. maximum number of dwelling units per lot: one
 - B. minimum floor area per dwelling unit: 95 square metres
- x. PARKING REQUIREMENTS:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;
 - B. For each detached dwelling, there shall be provided and maintained on the lot a minimum 1 parking space;
 - C. Subsection 7.4 of By-law 3037, as amended, shall apply to the lands zoned "HMR1".

c) Exceptions

- i. Despite the minimum lot area and lot frontage provisions of subsections 2(b)(i) and 2(b)(ii), a detached dwelling and uses accessory thereto may be erected, altered or used on a lot which existed on the date of the passing of this By-law, or on a parcel of land for which the consent of the Land Division Committee has been given to create a lot on or before the date of the passing of this By-law, providing:

- A. such lot has a minimum lot area of 1,390 square metres and a minimum lot frontage of 22 metres; or
- B. such lot has been granted a variance by the Committee of Adjustment to the minimum requirements for lot area and lot frontage, which variance permits the erection, alteration or use of a detached dwelling on the lot.
- ii. Despite the minimum front yard depth and interior side yard width provisions of subsections 2(b)(iii) and 2(b)(iv), a detached dwelling and uses accessory thereto may be erected altered or used on that part of Lot 34, Concession 5, zoned as Part 1, Plan 40R-8549, providing:
 - A. the lot has a minimum front yard depth of 1.64 metres and a minimum southerly interior side yard width of 2.26 metres;
 - B. any detached dwelling or extension to any detached dwelling constructed after January 9th, 1985, shall have a minimum front yard depth and interior side yard width in accordance with the provisions of subsections 2(b)(iii) and 2(b)(iv).
- d) Special Regulations ("HMC5" Symbol)

On lands where the "HMR1" zone is followed by the symbol "(HMC5)" the following regulations shall apply:

- i. In addition to the uses specified in subsection 2(a), providing a dwelling unit exists on the lot, the following use shall be permitted on the lot:
 - A. book store
 - ii. All zone requirements of subsection 2(b) shall apply, except that if one or more book stores are established:
 - A. despite subsection 2(b)(x)(B), there shall be provided and maintained on the lot, in addition to a minimum 1 parking space for the dwelling unit, a minimum of 4.0 parking spaces per 100 square metres gross floor area book store;
 - iii. The gross floor area of all book stores on the lot shall not exceed 700 square metres.
- e) Special Regulations ("HMC6" symbol)

On lands where the "HMR1" zone is followed by the symbol "(HMC6)" the following regulations shall apply:

- i. For the purpose of this clause, "general contracting" shall mean the carrying on and operation of a contractor's yard, including the servicing and repairing of vehicles and equipment, the storage of new and used material, vehicles and equipment but not including a cement batching plant, asphalt plant, pit or quarry or uses ancillary thereto;
- ii. In addition to the provisions of subsections 2(a) and 2(b) of this By-law, the subject lands may be used,

- A. for the purpose of general contracting, provided that, with the exception of otherwise permitted outside storage associated therewith, such use shall be permitted only when carried on within enclosed buildings; and
- B. for the purpose of outside storage in association with general contracting, provided that,
 - 1) such storage is limited to the side and rear yards only, and
 - 2) such storage is limited to the storage of building material, sand, gravel and top soil only.

f) Uses Permitted ("I(C)/CU" Zone)

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

- i. church
- ii. community use

g) Zone Requirements ("I(C)/CU")

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

- i. Front Yard Depth (minimum): 9.0 metres
- ii. Interior Side Yard Width (minimum): 3.0 metres
- iii. Rear Yard Depth (minimum): 9.0 metres
- iv. Lot Coverage (maximum): 2.5 percent
- v. Building Height (maximum): 12 metres
- vi. Parking Requirements:
 - A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or drive way;
 - B. There shall be provided and maintained on the lot a minimum 1 parking space per 4 persons capacity;
 - C. Subsections 5.19.2a), 5.19.2b) and 5.19.2k) of By-law 3037, as amended, shall not apply to the lands zoned "I(C)/CU".

h) Uses Permitted ("HMA" Zone)

No person shall within the lands zoned "HMA" use any lot except in accordance with Section 6 of By-law 3037, as amended, providing no buildings or structures are established.

i) Uses Permitted ("A" Zone)

No person shall within the lands zoned "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 6 of By-law 3037, as amended.

j) Uses Permitted ("G" Zone)

No person shall within the lands zoned "G" use any lot or erect, alter or use any building or structure for any purpose except in accordance with Section 14 of By-law 3037, as amended.

15.331 Exception Zone 331 (By-law 6336/04)

1. Definitions

- a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;
- d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;
- e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;
- f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;
- g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

- m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;
- q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;
- t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

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

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

- i. single detached dwelling residential use

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

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

- i. Lot Area (minimum): 0.6 of a hectare
- ii. Lot Frontage (minimum): 30 metres
- iii. Front Yard Depth (minimum): 15 metres
- iv. Side Yard Width (minimum): 7.5 metres

- v. Flankage Side Yard Width (minimum): 7.5 metres
 - vi. Rear Yard Depth (minimum): 15 metres
 - vii. Lot Coverage (maximum): 20 percent
 - viii. Building Height (maximum): 12 metres
 - ix. Dwelling Unit Requirements: minimum gross floor area residential of 140 square metres.
 - x. Parking Requirements:
 - A. minimum two parking spaces
 - B. a private detached garage may be erected in a side yard or a front yard provided that such garage is located not less than 7.5 metres from any side lot line and not less than 15 metres from any front lot line.
 - xi. Accessory Structure Requirements: all accessory structures, except a detached private garage, which is not part of the main building, shall be erected in the rear yard and shall be not less than one metre from any side or rear lot line.
- c) Special Regulations ("ER-2" Zone):
- A. Despite Subsection 5.18 (c) of By-law 3037, as amended, accessory buildings shall be permitted on lands zoned "ER-2", at a height not to exceed 5.0 metres.
 - B. Despite Subsection 2(b)(iv) of this By-law, where vehicular entrances to garages face a side yard, the minimum side yard on the opposite side shall be a minimum of 3.0 metres, provided that the distance between dwelling units shall be a minimum of 15.0 metres.
- d) Uses Permitted ("OS-HL-EP" Zone)
- No person shall within the lands zoned "OS-HL-EP", use any lot or erect, alter, or use any building or structure for any purpose except the following:
- i. conservation of the natural environment, soil and wildlife; and
 - ii. resource management
- e) Zone Requirements ("OS-HL-EP" Zone)
- No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

f) Uses Permitted (“OS-P1” Zone)

No person shall within the lands zoned “OS-P1”, use any lot or erect, alter, or use any building or structure for any purpose except passive and active recreational uses, which may include parks, play areas, tennis courts, an open air pavilion, and picnic areas.

g) Zone Requirements (“OS-P1” Zone)

No person shall within the lands zoned “OS-P1”, use any lot or erect, alter or use any building except in accordance with the following provisions:

- i. Yard Requirements (minimum): the minimum setback of any building or structure from every lot line shall be 7.5 metres.
- ii. Building Gross Floor Area (maximum): 10 square metres.

h) Uses Permitted: (“(H)” Holding Symbol)

Despite the Provisions of Section 2(g) of this By-law, while the “(H)” Holding Symbol is in place preceding the “OS-P1” Zone, no person shall use any lands for any purpose other than those uses permitted in the “OS-HL-EP” Zone as set out in Section 2(b) of this By-law.

i) Removal of the “(H)” Holding Symbol

Prior to an amendment to remove the “(H)” Holding Symbol preceding the “OS-HL-EP” Zone, on all or part of the area so zoned, the owner shall satisfy the Director, Planning & Development, in consultation with the Toronto and Region Conservation Authority, that the works proposed for channel redesign and relocation for Carruthers Creek and its tributaries on the subject lands have been approved to the satisfaction of the Toronto and Region Conservation Authority.

15.332 Exception Zone 332 (By-law 7022/10)

1. Definitions

In this By-law,

- a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;
- b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;
- c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;
- f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;
- g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;
- h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7,5 metres distant from the front lot line;
- j) "Neighbourhood Park" shall mean a municipal public park;

- k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- l) "Street" shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;
- m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.
- r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;
- s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;
- v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. single dwelling;
- ii. semi-detached dwelling;
- iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on adjacent lots;	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi-detached dwelling	Street single attached dwelling	Lane single attached dwelling
					wall on either lot;	wall on either lot	
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	100 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

The following special provisions shall be applicable to all lands zoned ("S-SD-SA-3")

xi. Corner Rounding Setback (minimum):

despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres;

xii. Parking Requirement (minimum):

two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit or for single attached dwelling that has its vehicular access from a lane or abut a village green the required parking may be provided in a garage, either attached or detached and/or one parking space in a garage and one parking space on a parking pad located beside a garage;

xiii. Garage Requirements (minimum):

one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xiv. Garage Parking Size (minimum):

each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

xv. Yard Encroachments:

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:

- 1) to front lot line: 1.0 metres;
- 2) to flankage lot line: 1.0 metres;
- 3) to interior side lot line: 0.6 metres;
- 4) to rear lot line: 5.0 metres;
- 5) to a corner rounding: 1.0 metres;
- 6) Eaves above these features may project:

a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;

B. uncovered steps minimum setback to a streetline: 0.4 metres

C. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:

- 1) to interior side lot line: 0.6 metres;
- 2) to flankage lot line: 1.0 metres;
- 3) to rear lot line: 3.0 metres;
- 4) steps from a deck:

may encroach an additional 1.2 metres onto the rear yard

D. bay, bow or box windows may encroach a maximum into required yards as follows:

- 1) front yard: 0.6 metres;
- 2) flankage yard: 0.6 metres;
- 3) rear yard: 1.0 metres;
- 4) Eaves above these features:

may project to a further 0.6 metres into the required front, flankage or rear yard;

xvi. Lane based Units that abut a Park or Village Green:

Despite anything other provision in this By-law where a lot line for lane based single attached dwelling in a "S-SD-SA-3" zone abuts a

Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line;

xvii. Detached Garages for Lane Based Dwelling Units:

A detached garage is not considered an accessory building for the purpose of lot coverage;

xviii. Detached Garage Requirements:

Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

- A. minimum side yard width of 0.0 metres;
- B. minimum flanking side yard width of 2.4 metres;
- C. minimum rear yard depth of 0.6 metres;
- D. a detached garage is not considered a main building for the purpose of the by-law.

3. Provisions ("OS-HL" Zone)

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

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

- i. resource management, including a stormwater management facility;
- ii. pedestrian and bicycle trails;

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

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

4. Provisions ("NP" Zone)

a) Uses Permitted ("NP" Zone)

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

- i. neighbourhood park.

15.333 Exception Zone 333 (By-law 7023/10)

1. Definitions

- a) "Bay, Bow, Box Window" shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;
- b) "Corner Rounding" shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;
- c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- e) "Dwelling, Single or Single Detached or Detached Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;
- f) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres;
- g) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;
- h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with an accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.
- i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;
- j) "Neighbourhood Park" shall mean a municipal public park;
- k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

- l) "Street" shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;
- m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
- n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
- o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
- p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
- r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;
- s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
- t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
- u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;
- v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S-SD-SA-3" Zone)

a) Uses Permitted ("S-SD-SA-3" Zone)

No person shall, within the lands zoned "S-SD-SA-3", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. single dwelling;
- ii. semi-detached dwelling;
- iii. single attached dwelling;

b) Zone Requirements ("S-SD-SA-3")

No person shall, within the lands zoned ("S-SD-SA-3"), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table. For a single dwelling the zoning provisions shall be based on the lot frontage with the exception of corner lots which will be based on the abutting lot size:

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi- detached dwelling	Street single attached dwelling	Lane single attached dwelling
i.	Lot Frontage (Minimum)	9.0 m	12.0 m	13.5 m	7.5 m	6.0 m	6.0 m
ii.	Lot Area (Minimum)	225 square metres	300 square metres	335 square metres	180 square metres	150 square metres	170 square metres
iii.	Lot Depth (Minimum)	25 m	25 m	25 m	24.5 m	24.0 m	29.0 m
iv.	Front Yard Depth (Minimum)	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
v.	Interior Side yard Width (Minimum)	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m on one side and 0.6 m on the other side and provided there is a minimum 1.2 m separation between dwellings on	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent	1.2 m, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent

		9.0 m single dwelling	12.0 m single dwelling	13.5 m single dwelling	semi- detached dwelling	Street single attached dwelling	Lane single attached dwelling
		adjacent lots;	adjacent lots;	adjacent lots;	to that wall on either lot;	to that wall on either lot;	to that wall on either lot;
vi.	Flanking Side Yard Width (Minimum)	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
vii.	Rear Yard Depth (Minimum)	7.0 m	7.0 m	7.0 m	7.0 m	7.0 m	12.0 m
viii.	Building Height (Maximum)	12.0 m	12.0 m	12.0 m	13.0 m	13.0 m	13.0 m
ix.	Driveway Width (Maximum)	55 percent	55 percent	55 percent	50 percent	50 percent	50 percent
x.	Lot Coverage of All Accessory Buildings (Maximum)	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres	15 square metres

The following special provisions shall be applicable to all lands zoned ("S-SD-SA-3")

xi. Corner Rounding Setback (minimum):

despite any front yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding shall be 1.75 metres;

xii. Parking Requirement (minimum):

two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit;

xiii. Garage Requirements (minimum):

one private garage per lot and if attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xiv. Garage Parking Size (minimum):

each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

xv. Yard Encroachments:

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. a covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following setbacks:

- 1) to front lot line: 1.0 metres;
- 2) to flankage lot line: 1.0 metres;
- 3) to interior side lot line: 0.6 metres;
- 4) to rear lot line: 5.0 metres;
- 5) to a corner rounding: 1.0 metres;
- 6) Eaves above these features may project:

a further 0.6 metres into the required front, flankage or rear yard or corner rounding setback;

B. uncovered steps minimum setback to a streetline: 0.4 metres

C. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:

- 1) to interior side lot line: 0.6 metres;
- 2) to flankage lot line: 1.0 metres;
- 3) to rear lot line: 3.0 metres;
- 4) steps from a deck:

may encroach an additional 1.2 metres onto the rear yard

D. bay, bow or box windows may encroach a maximum into required yards as follows:

- 1) front yard: 0.6 metres;
- 2) flankage yard: 0.6 metres;
- 3) rear yard: 1.0 metres;
- 4) Eaves above these features:

may project to a further 0.6 metres into the required front, flankage or rear yard;

xvi. Lane based Units that abut a Park or Village Green:

Despite anything other provision in this By-law where a lot line for lane based single attached dwelling in a "S-SD-SA-3" zone abuts a Neighbourhood Park or Village Green, said lot line shall be deemed the front lot line;

xvii. Detached Garages for Lane Based Dwelling Units:

A detached garage is not considered an accessory building for the purpose of lot coverage;

xviii. Detached Garage Requirements:

Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

- A. minimum side yard width of 0.0 metres;
- B. minimum flanking side yard width of 2.4 metres;
- C. minimum rear yard depth of 0.6 metres;
- D. a detached garage is not considered a main building for the purpose of the by-law.

3. Provisions ("OS-HL" Zone)

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

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

- i. resource management, including a stormwater management facility;
- ii. pedestrian and bicycle trails;

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

No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

4. Provisions ("NP" Zone")

a) Uses Permitted ("NP" Zone)

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

- i. neighbourhood park.

15.334 Exception Zone 334 (By-law 7444/15)

1. Definitions

- a) “Amenity Area” means an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.
- b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- c) “Bay, Bow or Box Window” means a window that protrudes from the wall of a dwelling usually bowed, canted, polygonal, segmental, semicircular or square sided with a window on the front face in plan; one or more storeys in height, which may or may not include a foundation and may or may not include a widow seat.
- d) “Building, Apartment” means a building containing more than four dwelling units where the units are connected by an interior corridor.
- e) “Building, Back-to-Back Townhouse” means a building containing a minimum of 4 units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.
- f) “Building, Back-to-Back Stacked Townhouse” means a building containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit.
- g) “Building, Stacked Townhouse” means a building containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance to the unit.
- h) “Commercial Fitness/Recreational Centre” means a commercial establishment in which indoor fitness and recreational facilities are provided and operated for gain or profit, but does not include a place of amusement.

- i) “Day Care Centre” means:
 - i. indoor and outdoor premises where more than 5 children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or,
 - ii. indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.
- j) “Dry-Cleaner’s Distributing Station” means premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a dry cleaning establishment.
- k) “Dry Cleaning Establishment” means premises in which the business of laundry or dry cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods is conducted.
- l) “Front Wall” means the closest point, measured at grade level, of the wall of a building facing or most nearly facing the street from which the building has its primary entrance door.
- m) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a governmental authority.
- n) “Park, Private” means a park which is maintained by a condominium corporation.
- o) “Patio” means an outdoor amenity area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.
- p) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.
- q) “Primary Entrance Door” means the principal entrance by which the public enters or exits a building or individual retail/commercial unit or the resident enters or exits a dwelling unit.
- r) “Restaurant” means a building or part of a building where the principal business is the preparation of food for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.
- s) “School, Commercial” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized

instruction but does not include a commercial fitness/recreation centre a college or university.

- t) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.
- u) “Street, Private” means:
 - i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;
 - ii. a private road condominium, which provides access to individual freehold lots;
 - iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;
 - iv. a private right-of-way over private property, that affords access to lots abutting the private street;but is not maintained by a public body and is not a lane.

2. Provisions

a) Uses Permitted (“MU-28”)

No person shall within the lands zoned “MU-28”, use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. apartment building
- ii. back-to-back stacked townhouse
- iii. commercial fitness/recreational centre
- iv. commercial school
- v. day care centre
- vi. dry-cleaner's distributing station
- vii. financial institution
- viii. office, business
- ix. office, professional
- x. personal service shop
- xi. restaurant
- xii. retail store
- xiii. stacked townhouse

b) Zone Requirements (“MU-28”)

No person shall within the lands zoned “MU-28” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Building Location and Setbacks:
 - A. No building, part of a building, or structure shall be erected outside of the building envelope illustrated on Figure 1.
 - B. No building or portion of a building or structure shall be erected unless a minimum of 60 percent of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60 percent of the length of the build-to-zone along the Street 'A' frontage, as illustrated on Figure 1, contains a building or part of a building.
 - C. 60 percent of the non-residential floor façade of the first storey of an apartment building along any street line shall consist of openings and transparent glazing along any street line.
 - D. The primary entrance door open to the public shall be incorporated into the wall of any building facing a street line.
 - E. For any portion of an apartment building located within the MU-28 Zone, and facing Brock Road, a minimum 3.0 metre setback shall be required between the 3rd and 8th storey.
 - F. Despite Section 2(b)(i)(A) above, below grade parking structures shall be permitted beyond the limits of the building enveloped identified on Figure 1, but no closer than 0.5 metres from the limits of the lands.
 - G. The minimum setback between buildings shall be 4.0 metres.
- ii. Number of Dwelling Units
 - A. Minimum number of apartment dwelling units – 220 units
- iii. Building Height (minimum):
 - A. Apartment Building – 20.0 metres (6 storeys)
 - B. Stacked Townhouses – 11.0 metres (3 storeys)
 - C. Back-to-Back Stacked Townhouses – 11.0 metres (3 storeys)
- iv. Building Height (maximum):
 - A. Apartment Building – 26.0 metres (8 storeys)
 - B. Stacked Townhouses – 13.0 metres (4 storeys)
 - C. Back-to-Back Stacked Townhouses – 13.0 metres (4 storeys)
- v. Minimum balcony depth – 1.5 metres
- vi. Private Residential Amenity Area – minimum 4.5 square metres per dwelling unit
- vii. Minimum ground floor height within an apartment building – 4.5 metres
- viii. Minimum gross leasable floor area of 1,000 square metres for all non-residential uses in an apartment building.

ix. Parking Requirements

- A. For residential uses, there shall be provided and maintained a minimum of 1.0 parking space per dwelling unit for residents, plus an additional 0.2 of a parking space per dwelling unit for visitors.
- B. For non-residential uses, there shall be provided and maintained a minimum of 4.0 parking spaces per 100 square metres of gross leasable floor area.
- C. Despite Section 2(b)(ix)(B) above, there shall be provided and maintained a minimum of 10 parking spaces per 100 square metres of gross leasable floor area for all restaurants that exceeds a total gross leasable floor area of 500 square metres.
- D. All required parking spaces, except for visitor parking shall be provided within an underground parking structure.
- E. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

x. Obstruction of Yards

Despite Section 2(b)(i), architectural projections, including balconies, covered porches, platforms and awnings may project outside the building envelope identified on Figure 1, to a maximum projection of 2.5 metres from the main wall of the building, uncovered steps may project outside the required building envelope to the lot line.

xi. Special Regulations

- A. Despite Section 2(b)(i), an outdoor patio associated with a restaurant is permitted to encroach beyond the building envelope identified on Figure 1.
- B. Despite Section 2(b)(ix)(B), an outdoor patio associated with a restaurant is not considered to be gross leasable floor area.
- C. Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 3037, as amended, shall not apply.

c) Uses Permitted (“MU-MD-1”)

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

- i. Stacked Townhouse
- ii. Back-to-Back Townhouse
- iii. Back-to-Back Stacked Townhouse

d) Zone Requirements (“MU-MD-1”)

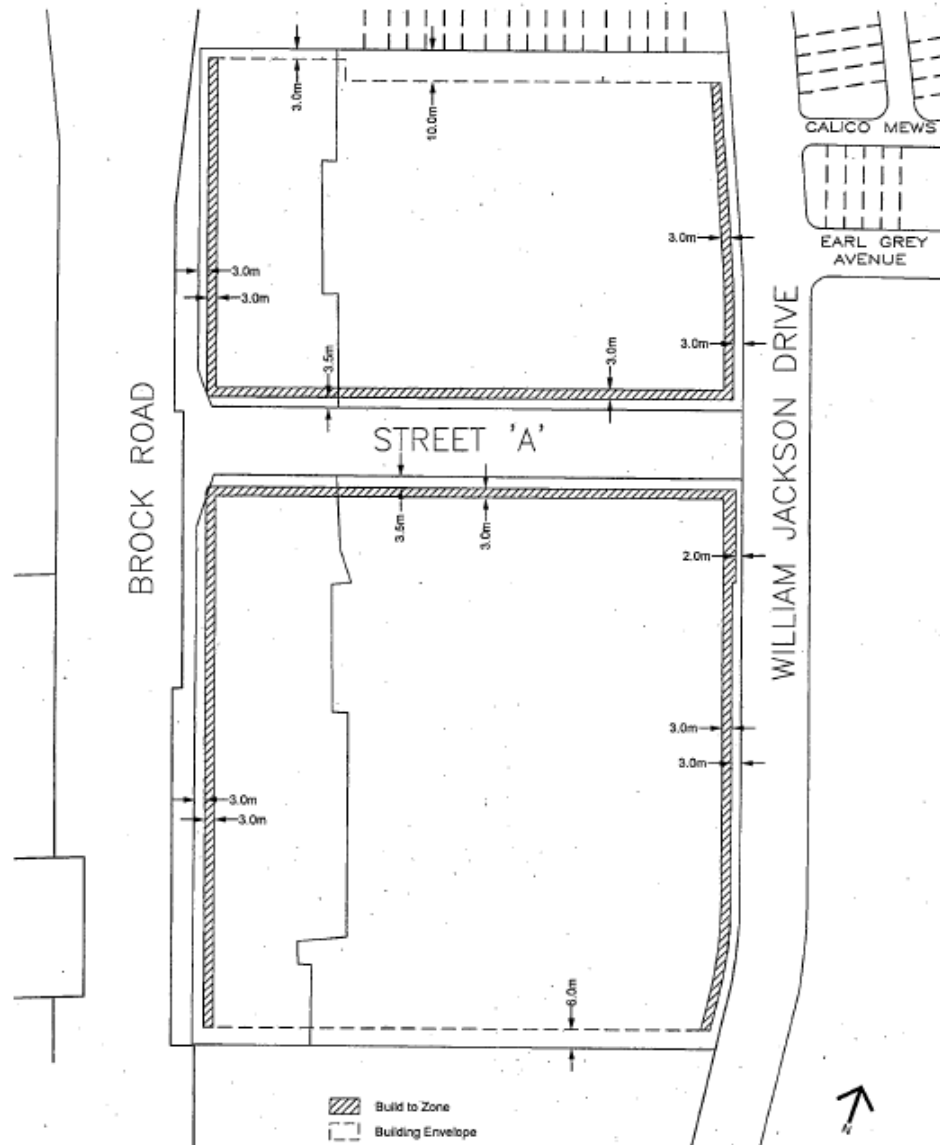
No person shall within the lands zoned “MU-MD-1”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. Building Location and Setbacks:
 - A. No building, part of a building, or structure shall be erected outside of the building envelope illustrated on Figure 1.
 - B. The minimum setback between buildings shall be 4.0 metres.
- ii. Building Height (maximum) – 12.0 metres
- iii. Minimum balcony depth – 1.5 metres
- iv. Residential Amenity Area – minimum 4.5 square metres per dwelling unit
- v. Parking Requirements
 - A. For stacked townhouse and back-to-back stacked townhouse dwelling units, there shall be provided and maintained a minimum of 1.5 parking spaces per dwelling unit for residents, plus an additional 0.2 of a parking space per dwelling unit for visitors.
 - B. For back-to-back townhouse dwelling units, there shall be provided and maintained a minimum of 2.0 parking spaces per dwelling unit for residents, plus an additional 0.2 of a parking space per dwelling unit for visitors.
 - C. Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.
 - D. Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps.
 - E. Each surface parking space, not within a private garage or on a driveway shall have a minimum width of 2.6 metres and a minimum depth of 5.3 metres.
 - F. No parking lot or parking space shall be permitted within 3.0 metres of a streetline.
- vi. Obstruction of Yards

Despite Section 2(d)(i) (A), architectural projections, including balconies, covered porches, platforms and awnings may project outside the building envelope identified on Figure 1, to a maximum projection of 2.5 metres from the main wall of the building, uncovered steps may project outside the required building envelope to the lot line.
- vii. Special Regulations
 - A. Minimum total area for private parks shall be 0.19 hectares, which can be built in 2 phases with the first phase having a minimum area of 0.12 hectares.

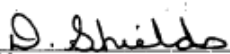
- B. The minimum pavement width for a private street shall be 6.5 metres.
- C. Despite the provisions of Section 5.6 of By-law 3037, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.
- D. Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 3037, as amended, shall not apply.

3. Figure 1



SCHEDULE II TO BY-LAW 7444/15
PASSED THIS 21st
DAY OF SEPTEMBER 2015

MAYOR 

CLERK 

15.335 Exception Zone 335 (By-law 7642/18)

1. Definitions

- a) “Aisle” shall mean an internal vehicle route immediately adjacent to a parking space or loading space which provides vehicular access to and from the parking space or loading space, and is not a driveway.
- b) “Amenity Space” shall mean the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.
- c) “Angular Plane” shall mean an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal.
- d) “Adult Entertainment Establishment” shall mean any premises or part thereof used in the pursuance of a business, if:
 - i. entertainment or services that are designed to appeal to exotic or sexual appetites are offered or provided in the premises or part of the premises, and without limiting the generality of the foregoing, includes services or entertainment in which a principal feature or characteristic is nudity or partial nudity of any person; or
 - ii. body rubs, including the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person’s body are performed, offered or solicited in the premises or part of the premises, but does not include premises or part or them where body-rubs performed, offered or solicited are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario; or
 - iii. adult videos are sold, rented, or offered or displayed for sale or rental, where the proportion of adult videos to other videos exceeds 1:10.
- e) “Bake Shop” shall mean an establishment where baked goods are made and sold to the public.
- f) “Balcony” shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.
- g) “Body Rub Establishment” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or

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

- h) “Building” shall mean a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor.
- i) “Building Height” shall mean the vertical distance between the established grade and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. A penthouse, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be excluded in calculating the height of such building.
- j) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.
- k) “Commercial Fitness/ Recreational Centre” a commercial establishment that has been designed for conduct of sport, athletic and leisure activities such as squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit, but does not include an adult entertainment establishment, or place of amusement as defined herein.
- l) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein.
- m) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood.
- n) “Day Care Centre” shall mean:
 - i. indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or
 - ii. indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.
- o) “Drive-Through Facility” shall mean the use of land, buildings or structures, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine to persons remaining in

motor vehicles that are in a zoned stacking land. A drive-through facility must be used in association with permitted uses.

- p) “Driveway” shall mean a private way used to provide vehicular access from a roadway to an off-street parking or loading space or aisle located on the same lot as the principal use.
- q) “Dry Cleaning Distribution Centre” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.
- r) Dwelling shall mean:
 - i. “Apartment Dwelling” shall mean a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.
 - ii. “Dwelling Unit” shall mean a residential unit that:
 - 1) consists of a self-contained set of rooms located in a building or structure;
 - 2) is used or intended for use as a residential premises;
 - 3) contains kitchen and bathroom facilities that are intended for the use of the unit only; and
 - 4) is not a mobile home or any vehicle.
 - iii. “Stacked Dwelling” shall mean a residential use building of four or fewer storeys in height containing three or more principal dwelling units where the units are divided horizontally and vertically, and in which each dwelling unit has an independent entrance to the interior.
 - iv. “Townhouse Dwelling” shall mean a residential use building containing three or more attached principal dwelling units divided vertically and where all dwelling units are located on a street
- s) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept lent or exchanged.
- t) “Food Store” shall mean a premises that sells food and other non-food items, primarily on a self-service basis.
- u) “Gross Floor Area” shall mean the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

- v) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.
- w) “Ground Floor” shall mean the floor of a building at or first above grade.
- x) “Landscaped Area” shall mean an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, stairs or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.
- y) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment.
- z) “Loading Space” shall mean an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.
- aa) “Main Wall” shall mean a primary exterior front, rear or side wall of a building, not including permitted projections.
- bb) “Medical Office” shall mean a premises designed and used for diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries which are limited to a maximum of 50 square metres of leasable floor area, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.
- cc) “Motor Vehicle” shall mean an automobile, motorcycle, recreational vehicle, trailer, and any other vehicle propelled, towed or driven otherwise than by muscular power.
- dd) “Night Club” shall mean a building, or part thereof, whose primary function is the provision of theatrical performances, pre-recorded music or live musical entertainment, whether such music is provided for listening or dancing by the patrons, or any combination of the above functions, and where food and/or beverages may be served, but does not include a restaurant or adult entertainment establishment.
- ee) “Office” shall mean a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration, but shall not include a medical office.
- ff) “Parapet Wall” shall mean the portion of an exterior wall extending above the roof.

- gg) “Parking Space” shall mean an unobstructed area of land that is accessible by an aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one motor vehicle.
- hh) “Patio” shall mean an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.
- ii) “Parking Area” shall mean one or more parking spaces, including related aisles, for the parking or storage of vehicles accessory or incidental to the main use.
- jj) “Personal Service Establishment” shall mean a building, structure, or part thereof, where services are provided and administered to individual and personal needs and where retail sale of goods accessory to the service provided is permitted and include, but is not limited to, hair care, aesthetics, health and beauty treatment, dressmaking, tailoring, shoe shining and repair, and laundromat.
- kk) “Place of Amusement” shall mean a premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public such as a billiard or pool rooms, bowling alleys, electronic games, indoor playground, miniature golf courses or roller skating rinks.
- ll) “Podium” shall mean the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.
- mm) “Primary Window” shall mean all windows except bathroom, hallway, closet or kitchen windows.
- nn) “Restaurant” shall mean a building or part of a building where the principal business is the preparation of food and drinks for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.
- oo) “Retail Store” shall mean a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.
- pp) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it.
- qq) “Street” shall mean a public highway but does not include a lane. Where 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3

metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

- rr) “Structure” shall mean anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or in ground swimming pools.
- ss) “Tower” shall mean means the storeys within that portion of a building or structure or part thereof located above the podium.
- tt) “Tower Floor Plate” shall mean the average floor area of all storeys within that portion of a building or structure or part thereof located above the podium, measured to the exterior faces of exterior walls of each storey of a building or structure.
- uu) “Unencumbered Transparent Materials” shall mean completely transparent glass or similar transparent material that does not include spandrel glazed windows.
- vv) “Veterinary Clinic” shall mean a building or part thereof, where the services of a veterinarian, and facilities for the medical treatment, examination, surgery, diagnosis, grooming, general health care, and observation of domestic animals and birds.

2. Provisions (“MU-32” Zone)

a) Uses Permitted (“MU-32” Zone)

No person shall within the lands zoned “MU-32”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Bake Shop
- ii. Commercial Fitness/Recreational Centre
- iii. Commercial School
- iv. Convenience Store
- v. Day Care Centre
- vi. Drive-through Facility
- vii. Dry Cleaning Distribution Centre
- viii. Financial Institution
- ix. Food Store
- x. Medical Office
- xi. Office
- xii. Personal Service Establishment

- xiii. Restaurant
- xiv. Retail Store
- xv. Veterinary Clinic

b) Zone Requirements (“MU-32” Zone)

No person shall within the lands zoned “MU-32”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Building Location and Setbacks:
 - A. Buildings and structures shall be located entirely within the building envelope as shown on Figure 1;
 - B. A minimum of 40 percent of the entire length of the build-to-zone, as shown, is required to be occupied by a continuous portion of a building;
 - C. Section 5.20 of By-law 3037, as amended, shall not apply to lands zoned “MU-32”;
- ii. Building Height and Functional Floors:
 - A. Minimum building height: 9.0 metres and 2 functional storeys;
 - B. Despite Section 2(b)(ii)(A) above, the minimum height of a building or structure wholly or partially located within the cross-hatched area as shown on Figure 2 shall have a minimum building height of 11.5 metres and 3 functional storeys;
 - C. Minimum ground floor height: 4.5 metres;
- iii. Floor Space Areas:
 - A. Minimum total gross floor area: 12,400 square metres
 - B. Despite Section 2(b)(iii)(A) above, a minimum gross floor area of 3,000 square metres shall be provided above the ground floor;
- iv. Landscaped Area
 - A. Minimum landscaped area width abutting the west property line: 3.0 metres
- v. Parking Requirements:
 - A. Parking spaces shall be a minimum of 2.6 metres in width and 5.3 metres in length, exclusive of any land used for access, manoeuvring, aisles, driveways or similar purpose;
 - B. For all uses listed in Section 2(a) of this by-law, there shall be provided and maintained a minimum of 4.5 parking spaces per 100 square metres of gross leasable floor area;
 - C. Despite Section 2(b)(v)(A) above, there shall be provided and maintained a minimum of 2.5 parking spaces per 100 square metres of gross leasable floor area for all permitted uses located above the ground floor;

- D. Parking shall be provided at grade, in a below grade structure or any combination thereof;
 - E. At grade parking areas and driving aisles shall be permitted no closer than 3.0 metres from any property line;
 - F. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;
 - G. Parking spaces for any uses listed in Section 2(a) of this by-law may be located on the adjacent Hydro Corridor lands immediately to the south, where a legal easement or an agreement exists;
 - H. Sections 5.19.1 and 5.19.2 of By-law 3037, as amended, shall not apply to lands zoned “MU-32”;
- vi. Drive-through Facility Requirements:
- A. A maximum of one (1) drive-through facility is permitted on lands zoned “MU-32”;
 - B. A drive-through queuing lane shall not be located between the building and any public street;
 - C. A drive-through queuing lane shall be setback a minimum of 15.0 metres from a residential use on an adjacent property;
 - D. A minimum of eight (8) vehicle queuing spaces before the order board and four (4) vehicles queuing spaces between the order board and pick-up window shall be provided.
- vii. Special Regulations:
- A. A minimum of 60 percent of all ground floor façades of a building facing Brock Road and Palmer’s Sawmill Road shall be comprised of openings and unencumbered transparent material;
 - B. A minimum of 33 percent of all façades above the ground floor for buildings facing Brock Road and Palmer’s Sawmill Road shall be constructed of unencumbered transparent material;
 - C. Despite Section 2(b)(i)(A) of this By-law, patios associated with a restaurant use are permitted to encroach beyond the building envelope, as identified on Figure 1;
 - D. Patios associated with a restaurant use is not considered to be gross floor area or gross leasable floor area;
 - E. Despite Section 2(b)(i)(A) of this By-law, canopies, awnings and associated supporting structures are permitted to project to within 1.5 metres of a property line;
 - F. Garbage and recycling areas are required to be contained within a fully enclosed structure attached or integrated into a building for which it is accessory to.

c) Special provisions for Apartment Dwelling (“MU-32” Zone)

i. In addition to the list of uses permitted in Section 2(a) of this by-law, the following additional use is permitted within the lands zoned “MU-32”:

1) Apartment Dwelling

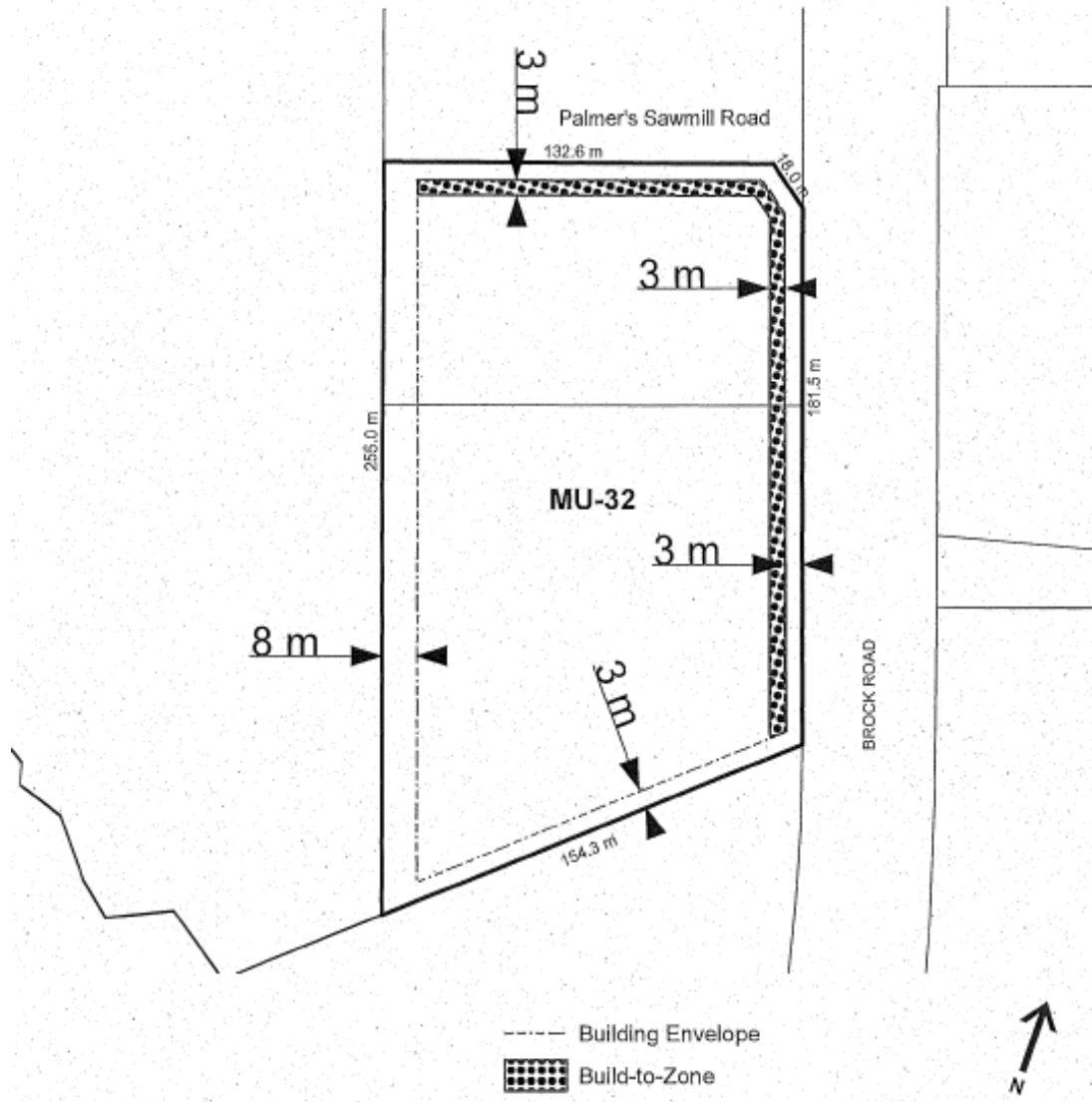
d) Zone Regulations for Apartment Dwelling (“MU-32” Zone)

In addition to Section 2(b) Zone Requirement (“MU-32” Zone) of this by-law, any building or structure partially or wholly used for an Apartment Dwelling shall be subject to the following requirements:

i. Building Height	<p>A. minimum – 11.5 metres and 3 storeys</p> <p>B. maximum – 62.0 metres and 20 storeys</p>
ii. Building Height Adjacent to a Residential Zone Category	<p>A. building height shall be limited by a 45-degree angular plane measured 7.5 metres from a property line abutting a residential use a height of 10.5 metres above grade</p>
iii. Podium Requirements	<p>Buildings greater than 37.5 metres in height shall have a podium and a tower component to the building, which shall meet the following requirements:</p> <p>A. minimum height of a podium – 10.5 metres</p> <p>B. maximum height of a podium – 20.0 metres</p> <p>C. minimum setback from a podium to a tower – 3.0 metres</p>
iv. Building Separation	<p>A. minimum – 11.0 metres, except that the separation may be reduced to 3.0 metres if there are no primary windows or balconies on the main wall facing the adjacent flanking building</p> <p>B. minimum – 18.0 metres for any portion of a building greater than 25.5 metres in height, except that the separation may be reduced to 11.0 metres if there are no primary windows or balconies on the main wall facing the adjacent flanking building</p> <p>C. minimum – 25.0 metres for any portion of a building greater than 37.5 metres in height</p>
v. Tower Floor Plates	<p>A. maximum tower floor plate for a residential building – 850 square metres</p>
vi. Balcony Requirements	<p>A. minimum depth – 1.5 metres</p>

	B. notwithstanding Section 2(d)(vi)(A), balconies are not permitted to project beyond the main wall less than 10.5 metres in height above grade
vii. Amenity Space Requirements for Apartment Dwellings	<p>(i) minimum – 2.0 square metres of indoor amenity space is required per apartment dwelling unit</p> <p>(ii) minimum – 2.0 square metres of outdoor amenity space is required per apartment dwelling unit (a minimum contiguous area of 40.0 square metres must be provided in a common location)</p>
viii. Parking Space requirements for Apartment Dwellings	(i) minimum – 1.0 space per dwelling unit and an additional 0.2 of a space per dwelling unit for visitors

3. Figure 1

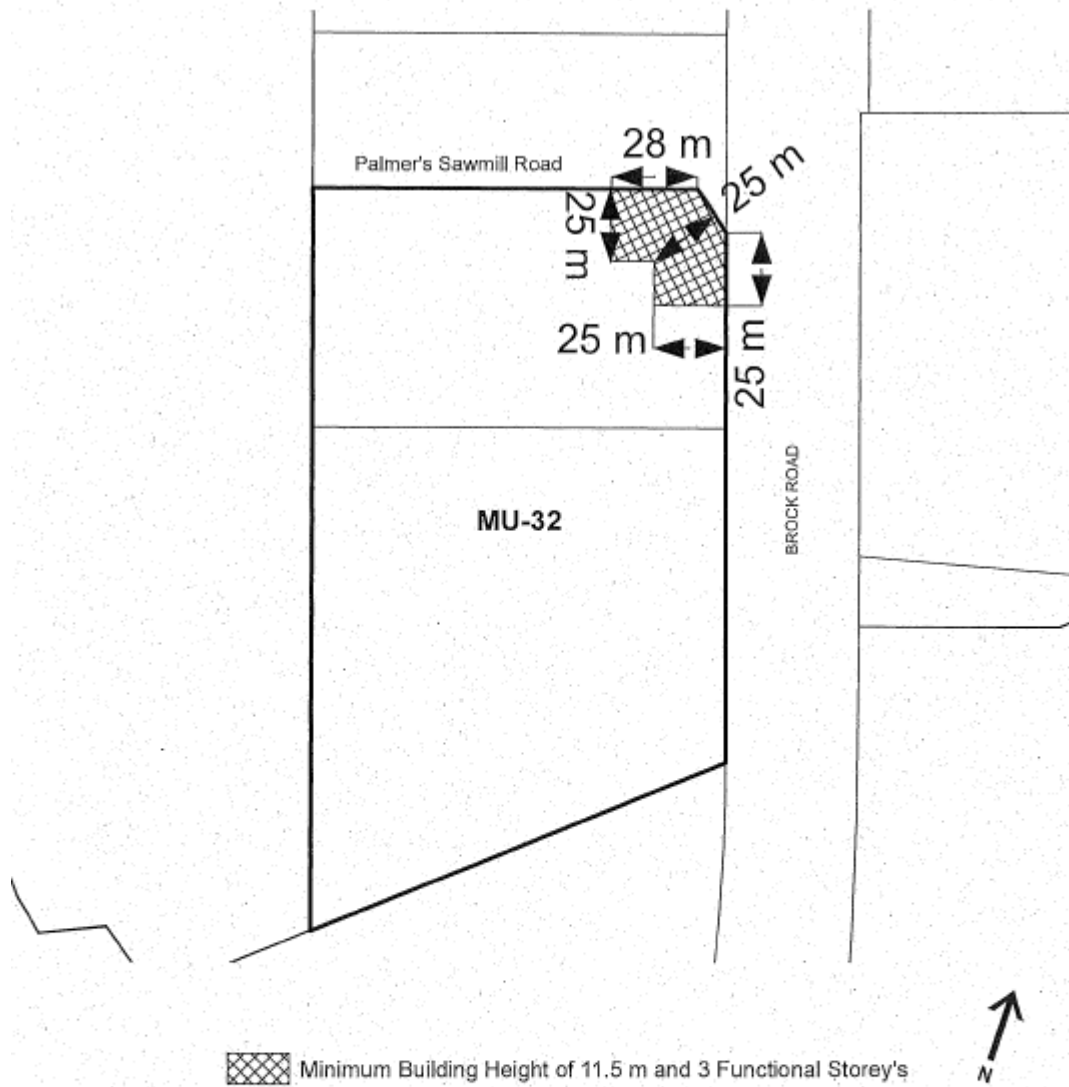



Schedule I to By-Law 7642/18
Passed This 25th
Day of June 2018

Mayor

D. Shields
Clerk

4. Figure 2



 Minimum Building Height of 11.5 m and 3 Functional Storey's

Schedule II to By-Law 7642/18
Passed This 25th
Day of June 2018

Mayor

D. Shields

Clerk

15.336 Exception Zone 336 (By-law 3155/89, as amended by By-law 4825/96, By-law 5129/97, By-law 6175/03, and By-law 7150/11)

1. Definitions

- a) “Conservation” shall mean the wise use, protection and rehabilitation of natural resources according to principles that assure their highest economic, social and environmental benefits.
- b) “Golf Course” shall mean an area of land, and any ancillary building structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.
- c) “Resource Management” shall mean the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society’s use, both in the present and the future, and shall also mean the management, development and cultivation of timber resources to ensure the continuous production of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource.

2. Provisions

a) Uses Permitted (“A/GC” Zone)

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

- i. any use permitted by section 6.1 of By-law 3037;
- ii. a golf course

b) Zone Requirements (“A/GC” Zone)

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

- i. for those uses permitted by section 2(a)(i), above, the provisions of section 6.2 of By-law 3037;
- ii. for golf courses, the provisions of section 6.2.4 of By-law 3037

c) Uses Permitted (“O2/GC” Zone)

No person shall within the lands zoned “O2/GC” use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. any use permitted by section 13.1 of By-law 3037;
- ii. a golf course

d) Zone Requirements (“O2/GC”)

No person shall within the lands zoned “O2/GC” use any lot or erect, alter or use any building except in accordance with section 13.2 of By-law 3037.

e) Uses Permitted (“OS-HL-EP” Zone)

No person shall within the lands zoned “OS-HL-EP” identified as lands being Parts 2, 3, 4 and 5, Plan 40R-27060, use any lot or block, or erect, alter, or use any building or structure for any purpose except the following:

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

f) Zone Requirements (“OS-HL-EP” Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

15.337 Exception Zone 337 (By-law 5706/00)

1. Definitions

- a) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf, and includes any associated recreational facility, such as a club house, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.

2. Provisions ("A/GC" Zone)

a) Uses Permitted ("A/GC" Zone)

No person shall, within the lands zoned "A/GC", use any lot or erect, alter or use any building or structure for any purpose except the following:

- i. any use permitted by section 6.1 of By-law 3037; and
- ii. an 18-hole golf course;

b) Zone Requirements ("A/GC" Zone)

No person shall, within the lands zoned "A/GC" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

- i. for those uses permitted by section 2(a)(i) above, the provisions of section 6.2 of By-law 3037; and
- ii. for golf courses, the provisions of section 6.2.4 of By-law 3037.

c) Special Regulation ("A/GC" Zone)

Despite section 2(a) above, no active recreational golfing activities shall be permitted within the area hatched in the "A/GC" Zone.

3. Provisions ("OS/HL" Zone)

a) Uses Permitted ("OS/HL" Zone)

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

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

b) Zone Requirements ("OS/HL" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management;

c) Special Regulation (“OS-HL” Zone)

Despite the provisions of sections 3(a) and 3(b) above, a detached residential dwelling and accessory buildings shall be permitted on the lands cross hatched on Figure 1 in accordance with the following provisions:


- i. for a detached residential dwelling, the provisions of Section 6.2.1 of By law 3037, shall apply.
- ii. for accessory buildings, the provisions of Section 5.18 of By law 3037, shall apply.

4. Figure 1



SCHEDULE I TO BY-LAW 5720/00
PASSED THIS 8th
DAY OF August 2000


MAYOR


DEPUTY CLERK

15.338 Exception Zone 338 (By-law 7218/12, as amended by By-law 7412/15)

1. Definitions

- a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;
- b) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;
- c) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;
- d) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located;
- e) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;
- f) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour;
- g) “Commercial Music School” shall mean a school which is operated for gain or profit and contains the studio of a music teacher;
- h) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;
- i) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for

retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

- j) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;
- k) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the *Day Nurseries Act*, or any successor thereto, and for the use as a facility for the daytime care of children;
- l) “Drug Store” shall mean a building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public, and where medicine, medical supplies and associated merchandise, confectionary items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessities are stored, displayed and offered for retail sale;
- m) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;
- n) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;
- o) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;
- p) “Dwelling, Single Attached or Single Attached Dwelling” shall mean one of a group of not less than 3 adjacent dwelling units attached together horizontally by an above ground common wall;
- q) “Dwelling, Back to Back Attached or Back to Back Attached Dwelling” shall mean a group of not less than 6 and no more than 16 adjacent dwelling units attached by common masonry walls, including a common rear wall without a rear yard and whereby each dwelling has an independent entrance to the dwelling from the outside accessed through the front yard or flankage side yard.
- r) “Dwelling, Stacked Townhouses or Stacked Townhouse Dwelling” shall mean a building or structure divided into a minimum of six dwelling units each dwelling unit being separated from the other vertically and/or horizontally where each dwelling unit has an independent entrance at the ground level or through a common entrance at the ground level or at the first storey above ground and may have a shared exit facilities above the first storey.

- s) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept lent or exchanged;
- t) “Food Store” shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public;
- u) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;
- v) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;
- w) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;
- x) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distance from the front lot line;
- y) “Multiple Dwelling-Vertical” shall mean a building containing three or more dwelling units attached horizontally and vertically by an above-grade wall or walls, or an above-grade floor or floors, or both;
- z) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;
- aa) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;
- bb) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;
- cc) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for

- immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;
- dd) “Retail Store” shall mean a building or part of a building in which goods; wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;
 - ee) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;
 - ff) “Street” shall mean a street as defined in the *Highway Traffic Act*, as amended from time to time, which may provide vehicular access to a lot.
 - gg) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;
 - hh) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;
 - ii) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;
 - jj) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
 - kk) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;
 - ll) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;
 - mm) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;
 - nn) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;
 - oo) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or

abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

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

2. Provisions ("MU-24" Zone)

a) Uses Permitted ("MU-24" Zone)

No person shall within the lands zoned "MU-24", use any lot or erect, alter, or use any building or structure for any purpose except the following:

- i. Business office;
- ii. Convenience store;
- iii. Commercial club;
- iv. Commercial music school;
- v. Commercial school;
- vi. Day nursery;
- vii. Drug store;
- viii. Dry cleaning depot;
- ix. Financial institution;
- x. Food store;
- xi. Laundromat;
- xii. Multiple Dwelling-Vertical
- xiii. Personal service shop;
- xiv. Professional office;
- xv. Restaurant – Type A
- xvi. Retail store

b) Zone Requirements ("MU-24" Zone)

No person shall within the lands zoned "MU-24", use any lot or erect, alter, or use any building except in accordance with the following provisions:

- i. Building Location and Setbacks:
 - A. Buildings and structures shall be located entirely within the building envelope shown on Figure 1;
 - B. No building, part of a building, or structure shall be erected unless a minimum of 60% of the length of the build-to-zone along the Brock Road frontage, and a minimum of 60% of the length of the build-to-zone along William Jackson Drive as illustrated on Figure 1, contains a building or part of a building;

- C. Notwithstanding Section 2(b)(i)(A) above, below grade parking structures shall be permitted beyond the limits of the building envelope identified on Figure 1, but no closer than 0.5 metres from the limits of the lands;
- ii. Building Height and Functional Floors:
 - A. Minimum: 3 storeys and 14.0 metres
 - B. Maximum: 6 storeys and 20.0 metres
- iii. Floor Space Areas:
 - A. The maximum gross leasable floor area for all non residential uses shall be 10,000 square metres;
 - B. The aggregate of the gross leasable floor area of medical professional offices shall not exceed 25% of the maximum permitted gross leasable floor area;
- iv. Parking Requirements:
 - A. There shall be provided and maintained a minimum of 4.0 parking spaces per 100 square metres of gross leasable floor area for all permitted uses listed in Section 2(a) of this by-law;
 - B. For multiple dwelling-vertical uses, there shall be provided and maintained a minimum of 1.0 parking space per dwelling unit for residents, and 0.25 of a parking space per dwelling unit for visitors. Parking spaces for residents shall be provided in a below grade structure, at grade or both. Visitor parking shall be provided at grade;
 - C. Notwithstanding Section 2(b)(iv)(A) above, there shall be provided and maintained a minimum of 10 parking spaces per 100 square metres of gross leasable floor area for any restaurant floor area that exceeds a total aggregate gross leasable area of 500 square metres in the building;
 - D. Parking shall be provided at grade, in a below grade structure, in an above grade structure or any combination thereof;
 - E. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;
 - F. At grade parking lots and driving aisles shall be permitted no closer than 3.0 metres from any road or property line;
 - G. Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 3037, as amended, shall not apply to lands zoned "MU-24";
- v. Special Regulations:
 - 1) Drive-through facilities are not permitted on lands zoned "MU-24";

- 2) Residential dwelling units shall be prohibited from the first two storeys of a building;
- 3) Despite Section 2(b)(i)(A) of this By-law, outdoor patios associated with a restaurant – type A are permitted to encroach beyond the building envelope identified on Figure 1;
- 4) Despite Section 2(b)(i)(A) of this By-law, covered walkways with supporting structures, are permitted to encroach beyond the building envelope as identified on Figure 1;
- 5) Despite Section 2(b)(iv)(C) outdoor patios associated with a restaurant – type A are not considered to be gross leasable floor area;
- 6) Despite Section 2(b)(iii)(B) gross leasable floor area excludes parking structures;
- 7) Despite Section 2(b)(ii), the minimum building height requirement does not apply to parking structures.

3. Provisions (“MU-MD” Zone)

a) Uses Permitted (“MU-MD” Zone)

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

- i. Stacked Townhouse Dwelling;
- ii. Single Attached Dwelling;

b) Zone Requirements (“MU-MD”)

No person shall, within the lands zoned “MU-MD”, use any lot or erect, alter or use any building or structure except in accordance with the provisions set out below.

- i. Lot Frontage (minimum) 75.0 metres
- ii. Lot Area (minimum) 0.5 hectares
- iii. Lot Depth (minimum) 50.0 metres
- iv. Building Location and Setbacks
 - A. Setback of buildings from Brock Road (minimum) 6.0 metres
 - B. Setback of buildings from all other streets (minimum) 3.0 metres
 - C. Setback of buildings from all other lot lines (minimum) 2.0 metres
- v. Despite Section 3(b)(iv)(C) where an interior side abuts a public walkway the minimum side yard width shall be 1.6 metres.
- vi. Building Height (maximum) 13.0

The following special provisions shall be applicable to all lands zoned (“MU MD”):

vii. Parking Requirements (minimum)

Two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit.

In addition, 0.25 parking spaces for each stacked townhouse dwelling shall be set aside and clearly identified for visitor parking.

viii. Garage Parking Size – Stacked Townhouse Dwelling (minimum)

Each parking space within a private garage for stacked townhouse dwelling unit shall have a minimum width of 2.7 metres and a minimum depth of 6.0 metres provided, however, that the depth may include two interior steps.

ix. Garage Parking Size – Single Attached Dwellings (minimum)

Each parking space within a private garage for a single attached dwelling unit shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps.

x. Setback Encroachments

In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

A. A covered or uncovered porch, veranda or balcony, with or without a foundation may have the following encroachments:

- 1) to Brock Road 2.0 metres
- 2) to any other street 1.5 metres

B. Uncovered steps maximum encroachment:

- 1) to Brock Road 3.0 metres
- 2) to any other streetline 1.5 metres

4. Provisions (“SA-13” Zone)

a) Uses Permitted (“SA-13” Zone)

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

- i. Single attached dwelling;
- ii. Back to back attached dwelling;

b) Zone Requirements (“SA-13”)

No person shall, within the lands zoned “SA-13”, use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table.

		Street Single Attached Dwelling	Lane Single Attached Dwelling	Back to Back Attached Dwelling
i.	Lot Frontage (Minimum)	6.0 metres	6.0 metres	6.0 metres
ii.	Lot Area (Minimum)	130 square metres	110 square metres	80 square metres
iii.	Lot Depth (Minimum)	22.0 metres	19.0 metres	14.0 metres
iv.	Front Yard Depth (Minimum)	3.0 metres	3.0 metres	3.0 metres
v.	Interior Side Yard Width (Minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot
vi.	Flanking Side Yard Width (Minimum)	2.4 metres	2.4 metres	2.4 metres
vii.	Rear Yard Depth (Minimum)	7.0 metres except where the rear lot line abuts a hydro easement, the minimum rear yard depth shall be 6.0 metres	0.5 metres	N/A
viii.	Building Height (Maximum)	13.0 metres	13.0 metres	13.0 metres
ix.	Driveway Width (Maximum)	50 percent of lot frontage	100 percent of lot frontage	50 percent of lot frontage
x.	Lot Coverage of all Accessory Buildings (Maximum)	15 square metres	10 square metres	N/A

The following special provisions shall be applicable to all lands zoned (“SA-13”)

xi. Corner Rounding Setback (Minimum)

Despite any front yard depth, rear yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding at the front of a lot shall be 1.75 metres;

xii. Parking Requirement (Minimum):

Two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit or for single attached dwelling that has its vehicular access from a lane the required parking may be provided in a garage, either attached or detached and/or ones parking space in a garage and one parking space on a parking pad located beside a garage;

xiii. Garage Requirements (Minimum):

One private garage per lot. Where the vehicular entrance of such garage is from the front yard it shall be located not less than 6.0 metres from the front lot line. Where the vehicular entrance of such garage is from the rear yard it shall be located not less than 0.5 metres from the rear lot line;

xiv. Garage Parking Size (Minimum):

Each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

xv. Detached Garage Requirements:

Where the rear lot line abuts a street and vehicular access is provided from that street the following shall apply:

- A. minimum side yard width of 0.0 metres;
- B. minimum flanking side yard width of 2.4 metres;
- C. minimum rear yard depth of 0.6 metres;
- D. a detached garage is not considered a main building for the purpose of the by-law.

xvi. Detached Garages for Lane Based Dwelling Units:

A detached garage is not considered an accessory building for the purpose of lot coverage;

xvii. Yard Encroachments

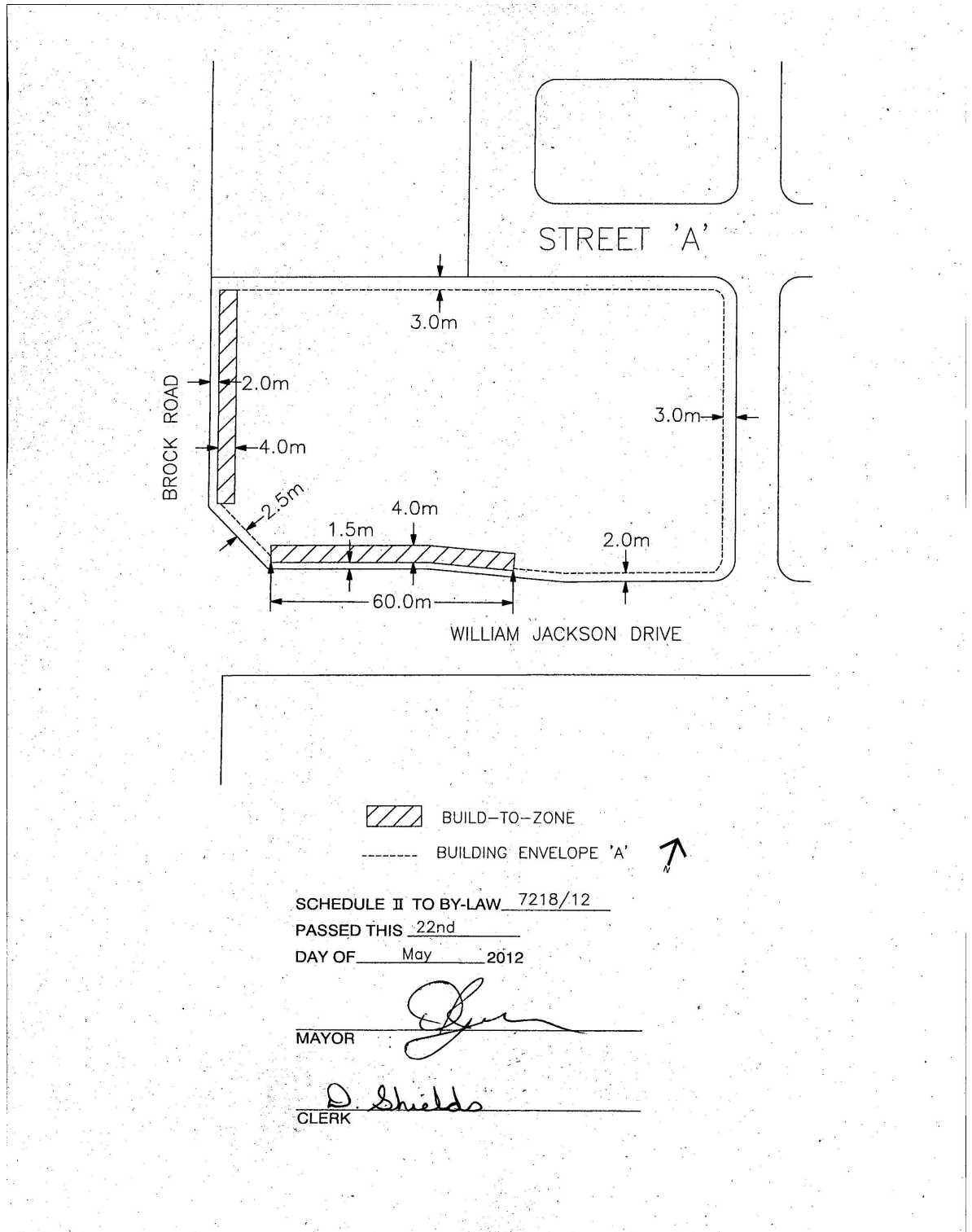
In addition to the provisions of Section 5.7 of By-law 3037, the following shall also apply:

- A. A covered or uncovered porch, veranda or balcony and with or without a foundation, may have the following maximum encroachments:
 - 1) to front lot line: 2.0 metres
 - 2) to flankage lot line: 1.5 metres
 - 3) to interior side lot line: 0.6 metres
 - 4) to rear lot line: 2.0 metres
 - 5) to a corner rounding: 1.0 metres
 - 6) eaves above these features may project: A further 0.6 metres into the required front, flankage or rear yard or corner rounding setback

- B. Uncovered decks of any height are permitted in the rear yard provided maximum encroachments as follows:
 - 1) to interior side lot line: 0.6 metres
 - 2) to flankage lot line: 1.0 metres
 - 3) to rear lot line: 2.5 metres
 - 4) steps from a deck: May encroach an additional 1.2 metres onto the rear yard

- C. Bay, bow or box windows may encroach a maximum into required yards as follows:
 - 1) front yard: 0.6 metres
 - 2) flankage yard: 1.0 metres
 - 3) rear yard: 0.6 metres
 - 4) eaves above these features: May project to a further 0.6 metres into the required front, flankage or rear yard

5. Figure 1



15.339 Exception Zone 339 (By-law 1132/80)

1. Notwithstanding any other provisions of this By-law, a one-family detached dwelling may be established on the lands designated "Q-1" in accordance with the provisions of section 6.2.1 of By-law 3037.

15.340 Exception Zone 340 (By-law 1763/83)

1. Definitions

- a) "Theatre-Type A" means a building or part of a building used for the indoor presentation of plays, operas and similar theatrical art;
- b) "Theatre-Type B" means a place, a building, or part of a building, used for outdoor presentation of plays, operas and similar theatrical arts, having a maximum seating capacity of 150 persons and maximum total capacity of 200 persons; and,
- c) "Restaurant-Type E" shall mean a building or part of a building where food is prepared or offered or kept for retail sale to the public for immediate consumption in the building or elsewhere on the premises.

2. Provisions

- a) Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the subject lands may be used for the purposes of a "Theatre-Type A", a "Theatre-Type B, an auction, an antique show and a "Restaurant-Type E", in accordance with the provisions of Section 6.2.5 of By-law 3037
- b) Notwithstanding any of the provisions of this By-law, a "Restaurant-Type E" may be permitted only in combination with a "Theatre-Type A" or "Theatre-Type B" on the site.
- c) Notwithstanding any of the provisions of this By-law, a residential use in a detached dwelling may be permitted on the subject lands subject to the provisions of Section 6.2.5 of By-law 3037.

15.341 Exception Zone 341 (By-law 4292/93)

1. Provisions

- a) Notwithstanding the lot frontage and the lot area provisions of Section 6.2.1 of By-law 3037, a minimum lot frontage of 4.5 metres and a minimum lot area of 0.4 of a hectare shall be permitted for a residential lot on the subject lands.

15.342 Exception Zone 342 (By-law 6614/06)

1. Definitions

- a) “Bed and Breakfast Establishment’ means an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public in up to three guest rooms within a detached dwelling that is the principal residence of the proprietor of the establishment.

2. Provisions

- a) Despite any provisions in this By-law to the contrary, in addition to any other uses that may be permitted thereon, the lands identified as Part of Lot 19, Concession 9, Part 1, 40R-15519 (1610 Central Street) may be used for the purpose of a bed and breakfast establishment; and,
- b) In addition to the parking requirements for a detached dwelling, a minimum of one parking space shall be provided on-site for each guest room associated with a bed and breakfast establishment.

15.343 Exception Zone 343 (By-law 3263/67)

1. Provisions

- a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purpose of the operation of a dog kennel, in accordance with Section 6.2.2 of By-law 3037 and provision of closed accommodation, satisfactory to the City.

15.344 Exception Zone 344 (By-law 3264/67)

1. Provisions

- a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purposes of the operation of a dog kennel, in accordance with the requirements of Section 6.2.2 of By-law 3037.

15.345 Exception Zone 345 (By-law 3307/67)

1. Provisions

- a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purposes of a dog kennel, in accordance with Section 6.2.2 of By-law 3037.

15.346 Exception Zone 346 (By-law 3308/67)

1. Provisions

- a) Notwithstanding the provisions of Section 6.1.2 of By-law 3037, the property may be used for the purposes of a dog kennel, in accordance with Section 6.2.2 of 3037.

15.347 Exception Zone 347 (By-law 7966/22)

1. Provisions (“ORM-R6-7”)
 - a) Section 5.20 of By-law 3037 (Yard Requirements with Respect to Certain Streets), shall not apply to lands zoned “ORM-R6-7”;
 - b) Despite Section 5.7 of By-law 3037, fences shall be permitted within the front yard of lands zoned “ORM-R6-7”; and
 - c) Notwithstanding Section 5.40 of By-law 3037, Minimum Distance Separation shall not apply to lands zoned “ORM-R6-7”.
2. Provisions (“ORM-R6-8”)
 - a) Notwithstanding Section 5.10 of By-law 3037, a front yard for lands zoned “ORM-R6-8” shall not be required from Brock Road;
 - b) Section 5.20 of By-law 3037 (Yard Requirements with Respect to Certain Streets), shall not apply to lands zoned “ORM-R6-8”;
 - c) Despite Section 5.7 of By-law 3037, fences shall be permitted within the front yard of lands zoned “ORM-R6-8”; and
 - d) Notwithstanding Section 5.40 of By-law 3037, Minimum Distance Separation shall not apply to lands zoned “ORM-R6-8”.
3. Provisions (“ORM-R6-9”)
 - a) Despite Section 8.6.2 (i) of By-law 3037, a minimum lot area of 0.27 of a hectare shall be provided for lands zoned “ORM-R6-9”;
 - b) Despite Section 5.7 of By-law 3037, fences shall be permitted within the front yard of lands zoned “ORM-R6-9”; and
 - c) Notwithstanding Section 5.40 of By-law 3037, Minimum Distance Separation shall not apply to lands zoned “ORM-R6-9”.

15.348 Exception Zone 348 (By-law 7623/18)

1. Provisions (“ORM-C2-2”)

- a) In addition to the uses permitted within subsection 9.3.1 of By-law 3037, the following use shall be permitted on lands zoned “ORM-C2-2”:
 - i. Dwelling, Duplex
- b) Despite Section 2.33 of By-law 3037, the following definition shall apply to the lands zoned “ORM-C2-2”:

“Dwelling, Duplex” shall mean the whole of a two-storey building divided vertically into two separate dwelling units, each of which has an independent entrance.
- c) Despite Section 9.3.1 (i) of By-law 3037, an accessory dwelling unit shall not be permitted on lands zoned “ORM-C2-2”.
- d) Despite Section 9.3.2 (iv) of By-law 3037 (Maximum Height), the maximum building height permitted on lands zoned “ORM-C2-2” shall be 9.0 metres.
- e) Section 15.19.2 of By-law 3037 (Supplementary Parking Regulation) shall not apply to lands zoned “ORM-C2-2” when such lands are occupied by a dwelling, duplex.
- f) Section 5.20 of By-law 3037 (Yard Requirements with Respect to Certain Streets) shall not apply to lands zoned “ORM-C2-2”.

15.349 Exception Zone 349 (By-law 7985/23)

1. Provisions (“ORM-C2-3”)
 - a) In addition to the uses permitted within subsection 9.3.1 of By-law 3037, a detached dwelling shall be permitted on lands zoned “ORM-C2-3”, subject to the provisions of Section 8.5.2 of By-law 3037.

15.350 Exception Zone 350 (By-law 3450/90)

1. Provisions

- a) Notwithstanding the lot frontage provisions of Section 6.1.2, Section 6.2.2, Section 6.2.4, and Section 6.2.5 of By-law 3037, the minimum lot frontage provision for the subject lands shall be 46.6 metres.

15.351 Exception Zone 351 (By-law 6577/05)

1. Provisions

- a) The only institutional uses permitted on any lands zoned "Rural Agricultural Zone - A" are as follows:
 - i. A church and religious institution, as defined herein, shall be permitted on the lands designated "Rural Agricultural Zone - A" located in Concession 8, S. Part of Lot 6, identified as Property Identification Numbers 26394-0056 and 26394-0091 and known as 3000 Eighth Concession Road;
 - ii. A church and cemetery, as defined herein, shall be permitted on the lands designated "Rural Agricultural Zone - A" located in Concession 9, N. Part, Lot 30, DPW #612, identified as Property Identification No. 26388-0012 and known as 5475 Sideline 30;
 - iii. A church and religious institution, as defined herein, shall be permitted on the lands designated "Rural Agricultural Zone - A" located in Plan 585, Pt. Lot 9, Now RP 40R2633, Parts 1 - 3, identified as Property Identification No. 26383-0033 and known as 2590 Brock Road;
- b) Institutional uses permitted by Clause 6.1.4.1 (a) shall be governed by the provisions of Section 5.15 of By-law 3037.

15.352 Exception Zone 352 (By-law 6640/06)

1. Provisions (“ORM-EP-1” Zone)

- a) In addition to the uses permitted in Subsection 14.4.1 of By-law 3037, a home-based business, a bed and breakfast establishment, and accessory structures shall be permitted on the lands zoned “ORM-EP-1”;
- b) Despite Clause 5.19(6) of By-law 3037, a home-based business may occupy 25 percent of the finished floor area of a building to a maximum of 75 square metres;
- c) Despite Clause 5.19(7) of By-law 3037, a home-based business may be permitted within an accessory building or structure;
- d) Despite section c) above, a home-based business located within an accessory structure may occupy 100 percent of the floor area of the accessory structure to a maximum of 75 square metres.

2. Provisions (“ORM-A-1” Zone)

- a) In addition to the uses permitted in Subsection 6.4.3 of By-law 3037, a bed and breakfast establishment shall be permitted within a single dwelling subject to the following requirements:
 - i. A maximum of three guest rooms shall be provided within the dwelling containing a bed and breakfast establishment;
 - ii. A minimum of one parking space shall be provided on site for each guest room associated with a bed and breakfast establishment; and
 - iii. A single dwelling that is the principal residence of the proprietor of the establishment.

3. Provisions (“ORM-A-2” Zone)

a) Permitted Uses

No person shall within the “ORM-A-2” Zone use any land or erect, alter or use any building or structure except in accordance with the following:

- i. agricultural use
- ii. bed and breakfast establishment
- iii. conservation projects and flood and erosion control projects
- iv. detached dwelling on a vacant lot that was zoned as of November 15, 2001
- v. farm vacation home
- vi. home-based business
- vii. home industry

- viii. low intensity recreational uses
 - ix. new publicly initiated transportation, infrastructure and utilities as defined in Section 5.39 of this By-law
 - x. resource management
 - xi. small-scale environmental educational facilities
 - xii. temporary detached dwelling accessory to an agricultural use
- b) Zone Requirements (“ORM-A-2” Zone)
- i. Minimum Lot Area: 4 hectares
 - ii. Minimum Lot Frontage: 150 metres
 - iii. Minimum Yard Requirements:
 - A. Front Yard: 15.0 metres
 - B. Interior Side Yard: 6.0 metres
 - C. Exterior Side Yard: 7.5 metres
 - D. Rear Yard: 15.0 metres
 - iv. Maximum Lot Coverage: 20%
 - v. Maximum Height: 12.0 metres
 - vi. Minimum Dwelling Unit Gross Floor Area: 139 square metres
 - vii. Maximum Building Ground Floor Area: 500 metres
- c) Special Regulations (“ORM-A-2” Zone)
- i. The maximum floor area for all buildings used for accessory small-scale environmental education facilities shall not exceed 350 square metres;
 - ii. A farm vacation home and a bed and breakfast establishment shall provide a maximum of three guest rooms;
 - iii. Temporary Detached Dwelling Requirements:
 - A. A temporary detached dwelling shall be permitted on a lot with a minimum lot area of 40 hectares;
 - B. Maximum of one temporary detached dwelling shall be permitted per lot; provided it is used by persons employed on the farm;
 - C. Where a detached dwelling exists, the maximum distance between the detached dwelling and a temporary detached dwelling shall be 50.0 metres, and the temporary detached dwelling shall not be located in the front yard.
 - iv. Where a home industry is permitted as an accessory use to a detached dwelling or agricultural operation, the following provisions shall apply:
 - A. In addition to persons living on the premises not more than two (2) employees shall be engaged in the home industry;

- B. A home industry may be located in part of a dwelling or in any accessory building located on a lot on which a dwelling is in existence, provided the total gross floor area utilized by the home industry does not exceed a maximum of 140 square metres;
- C. There shall be no display, other than a non-illuminated sign having a maximum surface area of 1.0 square metre;
- D. There shall be no outside storage of goods, materials or articles;
- E. Only motor vehicles associated with the home industry may be parked or stored on the lot in an interior side or rear yard;
- F. A boarding kennel shall not be permitted as a home industry;
- G. Home industry uses shall not include the generation of or storage of hazardous waste, liquid industrial waste, or any severely toxic contaminant listed in Schedule 3 to Ontario Regulation 347 RSO, 1990.

4. Provisions (“ORM-A-3” Zone)

- a) Despite Subsection 6.4 of By-law 3037, a detached dwelling shall be permitted in accordance with the following provisions:
 - i. Minimum Lot Area: 4,000 square metres
 - ii. Minimum Lot Frontage: 35 metres
 - iii. Minimum Yard Requirements:
 - A. Front Yard: 15.0 metres
 - B. Interior Side Yard: 6.0 metres
 - C. Exterior Side Yard: 7.5 metres
 - D. Rear Yard: 15.0 metres
 - iv. Maximum Lot Coverage: 20%
 - v. Maximum Height: 12.0 metres
 - vi. Dwelling Unit Requirements:
 - A. Maximum number of dwelling units per lot: one
 - B. Minimum gross floor area-residential: 95 square metres
- b) Exceptions
 - i. Despite the minimum front yard depth provision of Subsection 3(b)(iii)(A), the minimum front yard depth for a detached dwelling located on that Part of Lots 1, 2 and 3 of Plan 424 designated as Part 1, Plan 40R-14166, shall be 5.3 metres; and
 - ii. Subsection (i) above shall only apply to the detached dwelling as it existed on May 19, 1992 and shall not apply to any extension or addition thereof.

5. Provisions (“ORM-I-1” Zone)

- a) Despite Subsections 7.5.1 and 7.5.2 of By-law 3037, a school shall only be permitted on the lands zoned “ORM-I-1”, and all buildings or structures shall be setback a minimum of 30.0 metres from any “ORM-EP” zone.

6. Provisions (“ORM-I-2” Zone)

- a) Despite Subsections 7.5.1 and 7.5.2 of By-law 3037, a cemetery, and any accessory buildings or structures, shall only be permitted on the lands zoned “ORM-I-2” subject to the following:
 - i. Minimum Front Yard Depth of 9.0 metres
 - ii. Minimum Interior Side Yard Width of 3.0 metres
 - iii. Minimum Rear Yard Depth of 3.0 metres;
- b) Despite subsection a) above, a memorial stone or monument which is less than 3.0 metres in height, located a minimum of 3.0 metres from any front lot line and at least 1.0 metres from any side lot line, may be erected, altered or used;
- c) A mausoleum, columbarium or crematorium shall not be permitted;
- d) Despite subsection c) above, a mausoleum or columbarium which does not exceed 2.0 metres in height and has exterior dimensions such that the volume enclosed thereby does not exceed 15.0 cubic metres shall be considered to be a memorial stone or monument;
- e) Cemetery administrative buildings, cemetery equipment buildings and one chapel shall be permitted only as ancillary to, and in conjunction with, a cemetery use;
- f) The floor area of any cemetery administrative buildings, cemetery equipment buildings or chapel shall not exceed 200 square metres in size;
- g) G The combined floor area of all cemetery administrative buildings, cemetery equipment buildings or chapel shall not exceed 500 square metres;
- h) Subsections 5.19.2 and 2.2.1 of By-law 3037, as amended, shall not apply.
- i) Holding Provision (“H” Symbol)

Despite subsections 6(a) through 6(h), the following provisions shall apply to the lands known as Concession 9, Part of Lot 14, 40R-20211, Part 2:

- i. While the “(H)” Holding Symbol is in place preceding the “ORM-I-2” zone designation, no person shall use any lands for any purpose other than those uses permitted in Subsection 6.4.1 of By-law 3037;

- ii. Prior to an amendment to remove the "(H)" Holding Symbol preceding the "ORM-I-2" zone, the owner shall satisfy the City of Pickering with respect to the following:
 - iii. the completion and approval of a hydrogeological report;
 - iv. the satisfaction of all provincial guidelines applicable to cemetery developments;
 - v. the completion of an archaeological site inventory on all of the lands zoned "ORM-I-2" and approved by the Ministry of Citizenship, Culture and Recreation;
 - vi. the owner obtaining site plan approval, and adhering to resultant approved site plans as stipulated in an appropriate agreement with the City of Pickering; and
 - vii. the establishment and form of required operating by-laws, trust funds and/or care and maintenance funds appropriate to govern the operation and administration of the cemetery.
7. Provisions ("ORM-I-3" Zone)
- a) Despite Subsection 7.5.1 of By-law 3037, a cemetery and place of religious assembly shall only be permitted on the lands zoned "ORM-I-3".
8. Provisions ("ORM-R5-1" Zone)
- a) In addition to the uses permitted in Subsection 8.5.1 of By-law 3037, a day care centre shall be a permitted use on the lands zoned "ORM-R5-1" provided the lands and premises are duly licenced pursuant to the *Day Nurseries Act*, or any successor thereto, for use as a facility for the daytime care of not more than fifty-five (55) children at any one time.
9. Provisions ("ORM-R6-1" Zone)
- a) Despite Clause 5.18 (a) of By-law 3037, a detached garage shall be permitted in a side yard on the lands zoned "ORM-R6-1".
10. Provisions ("ORM-R6-3" Zone)
- a) In addition to the uses permitted in Subsection 8.6.1 of By-law 3037, where a detached dwelling exists on a lot, a garden suite may be established on the same lot in accordance with the following:
 - i. Despite the accessory building and use provisions of Section 5.18 of By-law 3037, a maximum of one garden suite, being defined as a dwelling unit which is detached from, but accessory to and sharing the same water and sanitary services as, a main detached dwelling located on the same lot; may be permitted per lot in the rear yard of any lot on the lands zoned "ORM-R6-3" in accordance with the rear yard depth, side yard width, exterior side yard width and lot coverage provisions of Section 8.6.2, and subject to the following provisions:

- A. the maximum floor area of a garden suite shall be 65 square metres;
- B. the maximum ground floor area of any structure containing a garden suite shall be 65 square metres;
- C. the maximum height of a garden suite shall be 5.0 metres, except where a garden suite is constructed as a second floor of a detached garage, in which case the maximum height of the entire structure shall be 6.0 metres;
- D. the minimum separation between a garden suite and the main dwelling shall be 6.0 metres.

11. Provisions (“ORM-R6-4” Zone)

- a) Despite Clause 8.6.2 i) of By-law 3037, for the lands zoned “ORM-R6-4” a minimum lot area of 0.2 of a hectare shall be provided.

12. Provisions (“ORM-R6-5” Zone)

- a) Despite Subsection 8.6.2 of By-law 3037, the following shall apply to the lands zoned “ORM-R6-5”:
 - (i) no buildings or structures shall be permitted within 15 metres of a railway right-of-way;
 - (ii) no buildings or structures including swimming pools, sheds, decks and other appurtenances shall be permitted within 10 metres of an “ORM-EP” Zone.
- b) Despite Clause 5.18 (a) of By-law 3037, a detached garage shall be permitted in a side yard.

13. Provisions (“ORM-R6-6” Zone)

- a) Despite Section 5.18 and Section 5.31 of By-law 3037, where a detached dwelling exists on a lot, a maximum of one additional dwelling unit may be permitted on the second floor of a detached garage located in any side or rear yard of any lot on the lands zoned “ORM-R6-6” in accordance with the following:
 - i. a detached garage, and any associated uncovered steps and platforms, may be erected in any side or rear yard, a minimum of 5.0 metres from any lot line;
 - ii. the maximum residential floor area of the additional dwelling unit shall be 90 square metres;
 - iii. the maximum height of the detached garage shall be 9.0 metres;
 - iv. a minimum of one parking space shall be provided and maintained on the lot to serve the additional dwelling unit.

14. Provisions (“ORM-C2-1” Zone)

- a) In addition to the uses permitted in Subsection 9.3.1 of By-law 3037, a maximum of four (4) dwelling units shall be permitted on the lands zoned “ORM-C2-1” subject to the following:
 - i. a minimum of 1.25 parking spaces shall be provided for each dwelling unit which contains one or less than one bedroom;
 - ii. a minimum of 1.75 parking spaces shall be provided for each dwelling unit which contains more than one bedroom.

15.353 Exception Zone 353 (By-law 5872-01)

1. Uses Permitted ("OS-HL-EP" Zone)

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

- a) conservation of the natural environment, soil and wildlife; and
- b) resource management

2. Zone Requirements ("OS-HL-EP" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

3. Uses Permitted ("(ND)" Zone)

No person shall within the lands designated and containing the abbreviation "(ND)" within the established zone category, use any lot or erect, alter, or use any building or structure for any purpose except the following:

- a) those uses permitted within the corresponding zone category together with this designation; and
- b) nitrate dilution

4. Zone Requirements ("(ND)" Zone)

No land shall be used except for the purpose of nitrate dilution from sewage effluent originating from private sewage systems serving residential development located within those adjacent lands.

15.412 Exception Zone 412 (By-law 5129/97)

1. Definitions

- a) "Golf Course" shall mean an area of land, and any ancillary building, structure, or part thereof, operated for the purpose of playing golf and includes any associated recreational facility, such as a clubhouse, snack bar, dining room, lounge, swimming pool and racquet sport court, operated in conjunction therewith.
- b) "Clubhouse Accommodation" shall mean a limited portion of a clubhouse accessory to a golf course use that is used for short term overnight accommodation also accessory to the golf course use;
- c) "Golf Course Child Care" shall mean a building or portion thereof accessory to a golf course use that is used for a baby-sitting service provided to golf course patrons while using the golf course.

2. Provisions ("A/GC" Zone)

a) Uses Permitted ("A/GC" Zone)

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

- i. any use permitted by section 6.1 of By-law 3037;
- ii. a golf course;
- iii. clubhouse accommodation;
- iv. golf course child care.

b) Zone Requirements ("A/GC" Zone)

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

- i. for those uses permitted by section 2(a)(i), above, the provisions of section 6.2 of By-law 3037;
- ii. for golf courses and associated uses, the provisions of section 6.2.4 of By-law 3037.

c) Special Regulations ("A/GC" Zone)

- i. notwithstanding section 2(a)(iii) above, clubhouse accommodation provided shall be limited to not more than 10 bedrooms.

3. Provisions ("OS/HL" Zone)

a) Uses Permitted ("OS/HL" Zone)

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

- i. conservation of the natural environment, soil, and wildlife;
- ii. resource management;
- iii. hiking trails, equestrian routes, and golf cart paths.

b) Zone Requirements ("OS/HL" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

c) Special Regulations ("OS/HL" Zone)

- i. notwithstanding section 3(a) and 3(b) above, within the area diagonally hatched on Schedule I attached hereto, golf fairways, tees, and greens may be permitted;
- ii. notwithstanding section 3(a) and 3(b) above, within the area cross hatched on Figure 1, facilities for the provision of water supplies to the golf course use identified in 2(a)(ii) may be permitted.

4. Provisions ("A" Zone)

a) Uses Permitted ("A" Zone)

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

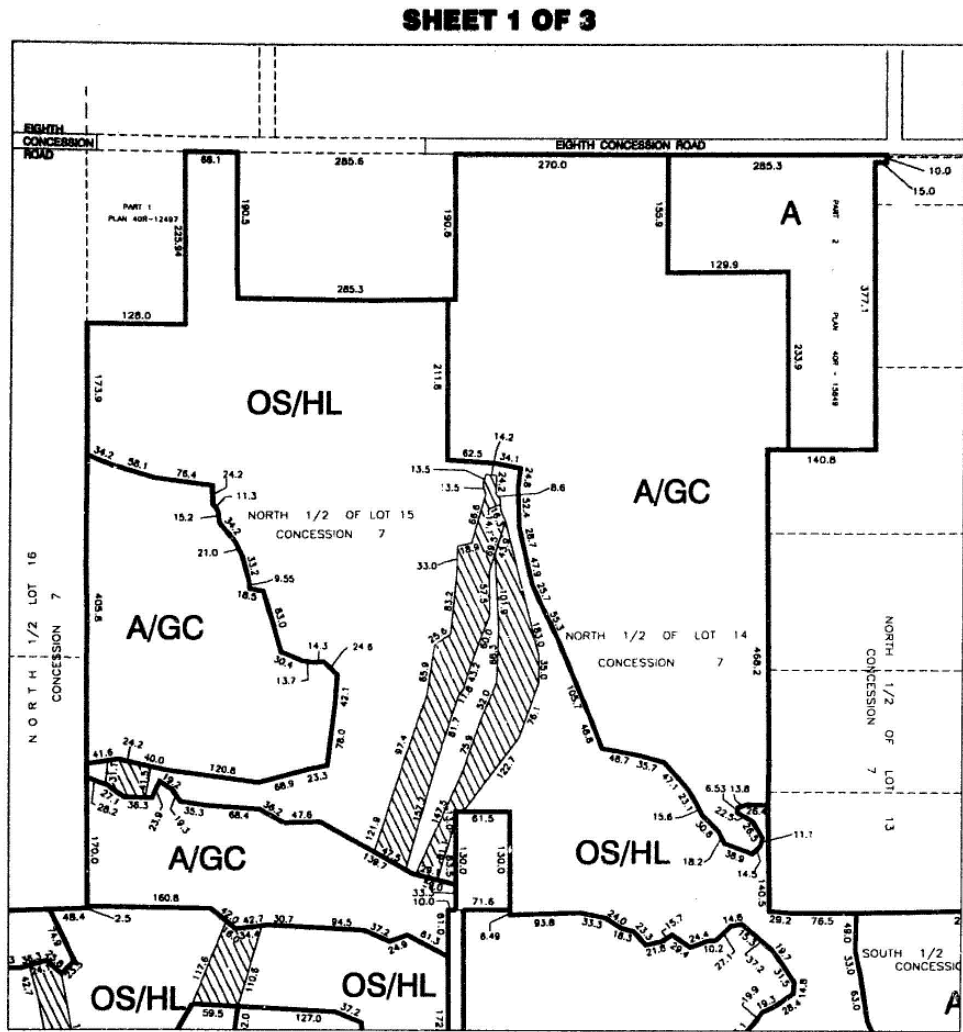
- i. any use permitted by section 6.1 of By-law 3037

b) Zone Requirements ("A" Zone)

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


- i. the provisions of section 6.2 of By-law 3037.

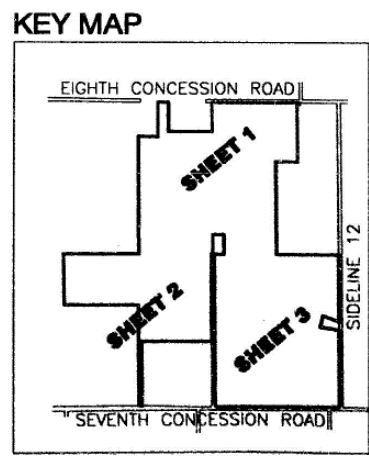
5. Figure 1



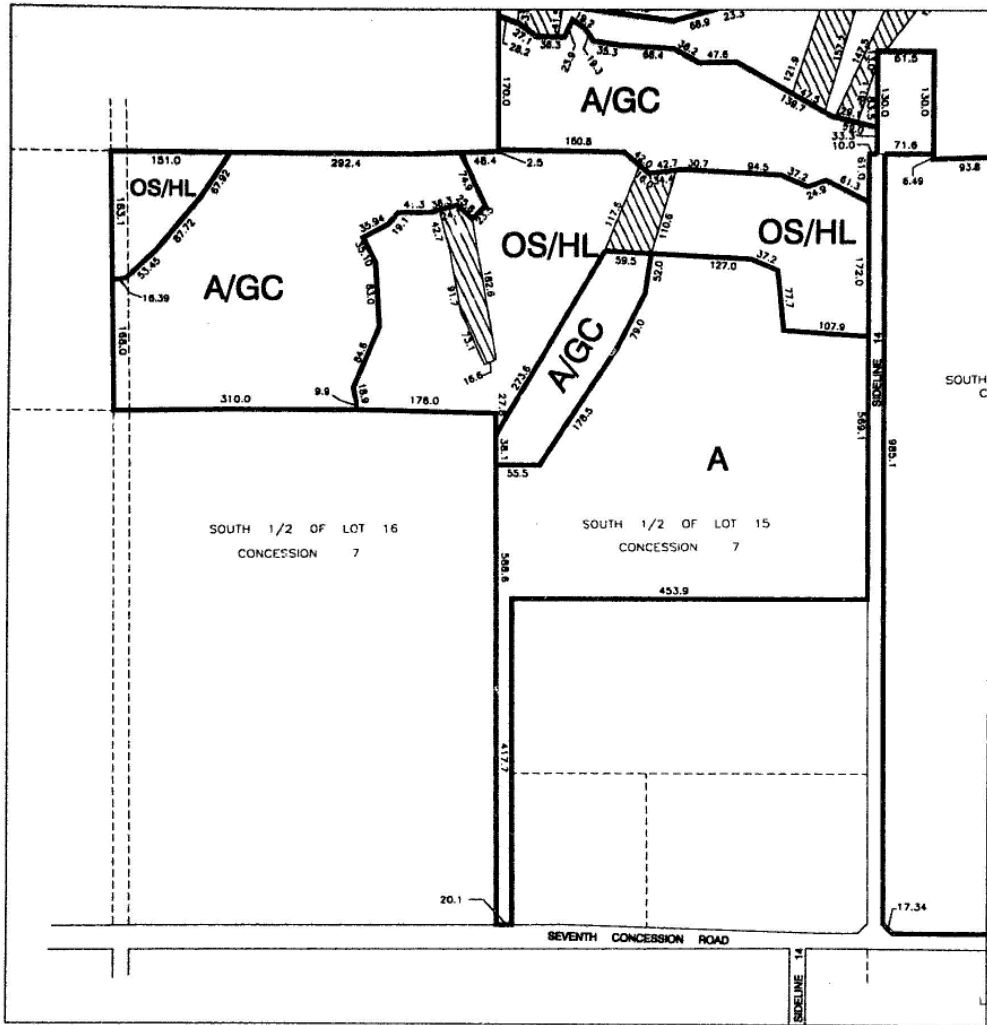
SCHEDULE I TO BY-LAW 5129/97
PASSED THIS 14th
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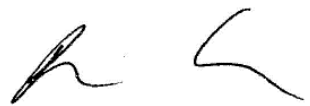


SHEET 2 OF 3

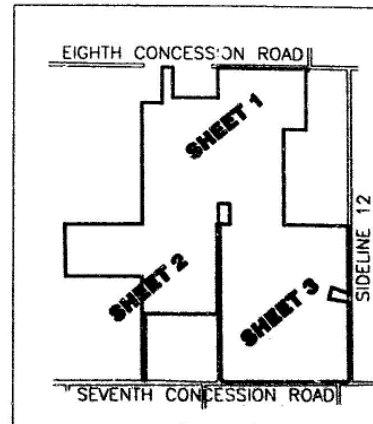


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DAY OF October 1997

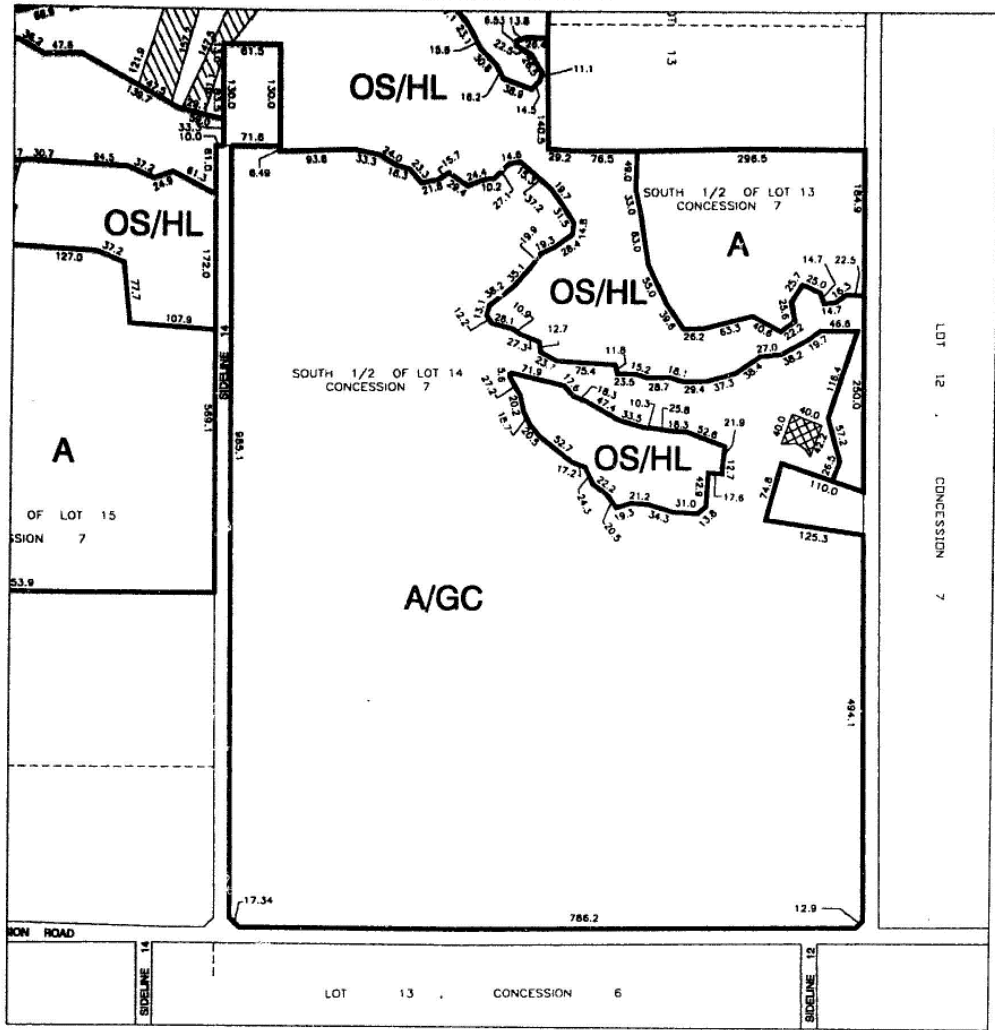

MAYOR


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KEY MAP



SHEET 3 OF 3



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DAY OF _____ October _____ 1997


MAYOR


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KEY MAP

