

December 2, 2013

The Corporation of the City of Pickering

Zoning By-law 7364/14

Seaton Zoning By-law

Approved by Ontario Municipal Board Decisions dated:
December 17, 2013, and
January 24, 2014

Ontario Municipal Board Decisions Confirmed
By Order in Council 470/2014 dated March 26, 2014

—*City of*—
PICKERING

Office Consolidation

Amendments to the Seaton Zoning By-law 7364/14

By-law 7652/18	September 17, 2018	Neighbourhood 19 Schedule
By-law 7659/18	October 1, 2018	Section 6.5 and Neighbourhood 21 Schedule
By-law 7829/21	March 22, 2021	Neighbourhood 16 Schedule
By-law 7838/21	April 26, 2021	Neighbourhood 20 Schedule
By-law 7840/21	April 26, 2021	Section 5.8 and Neighbourhood 16 Schedule
By-law 7857/21	June 28, 2021	Section 4.0, Section 5.0 and Section 10.0

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How to Read and Use This By-law

This introduction explains how to read and use this Zoning By-law and is solely for the purposes of assisting the reader. Readers unfamiliar with zoning by-laws are encouraged to read this introduction.

This introduction does not constitute a legal part of this By-law.

All properties within the boundaries of this Zoning By-law have a zone associated with them as shown on the maps in Section 12. Each zone is subject to requirements and restrictions. These requirements and restrictions are found in Sections 4 through 9. These Sections are differentiated based on five broad land use categories – Residential, Mixed Use, Employment, Community Use and Natural Heritage and Open Space.

Within each Section/land use category, multiple zones are described. At the beginning of each Section 4 through 9, the permitted uses for each zone are laid out in a table format, with any qualifications numbered within the table and listed directly following the table.

Following the table of permitted uses, each zone contains a table setting out minimum and maximum requirements for *lots* and *buildings* addressing such matters as *lot area*, *lot frontage*, *yard setbacks*, *building height* among others. In the residential and mixed use zone categories, these requirements are set out according to different *building* types. In the other zone categories, these requirements are generally set out according to the zone.

Site-specific provisions, where required, are detailed following the provisions of each zone.

In addition to the zone specific requirements and restrictions, a number of general provisions apply to development in all zones. These general provisions are set out in Section 2 and address such general matters as yard encroachments, legal *non-conforming uses*, garages and *accessory buildings*, swimming pools and other *accessory structures*, *accessory dwelling units*, and *home-based businesses* among others.

Section 3 contains parking regulations that also apply to development in all zones.

The recommended process to verify the zoning applicable to a property is to:

- a) Locate the property in the maps in Section 12 and identify which zone it is in;
- b) Determine which Section / land use category in the by-law that the zone is contained in (i.e. Section 4 Residential);
- c) Review the permitted uses applicable to that zone, which are contained in the “Uses Permitted” table at the beginning of each Section 4 through 9;
- d) Review the zone provisions applicable to that zone, which are contained in the “Lot and Building Requirements” table in the second subsection of each Section 4 through 9;
- e) Review any applicable site-specific zones contained within Sections 4 through 9;
- f) Review the general provisions and parking regulations in Sections 2 and 3; and
- g) Contact the city to ensure up-to-date information and whether the property is subject to any variances.

1.0 Administration

The Ontario Municipal Board hereby enacts By-law No. _____, being a bylaw for the Seaton Urban Area, as follows:

1.1 Title

This By-law may be cited as the “Seaton Zoning By-law”. Reference to “Zoning By-law” and “this By-law” within this document shall mean the “Seaton Zoning By-law”, unless otherwise specified.

1.2 Application

This By-law is intended to apply to the Seaton Urban Area in the Corporation of the City of Pickering, which is bounded by the C.P. Rail line to the south, the West Duffins Creek to the west, Highway 7 to the north and Sideline 16/ the Pickering-Ajax boundary to the east and also including lands approximately 600 metres north of Highway 7 and west of North Road and approximately 1.1 km north of Highway 7 and west of Sideline 32.

The zones and zone boundaries are shown on the zoning maps which are attached to and form part of this By-law.

This By-law will be applied to the above noted Seaton Urban lands through amendment once approved. The lands to which this By-law apply are shown as zoned on the zoning maps. The provisions of By-law 3037 shall continue to apply to the lands within the Seaton Urban Area that are not shown as zoned on the zoning maps.

Despite the boundary noted above, this By-law does not apply to lands within the Hamlets of Brougham, Green River or Whitevale.

1.3 Purpose

The purpose of this By-law is:

- a) to regulate the use of land, *buildings* and *structures*, and to regulate the construction and alteration of *buildings* and *structures* by statutory authority granted by the Ontario *Planning Act*; and
- b) to implement the policies within the Pickering Official Plan pertaining to the Seaton Urban Area.

1.4 Repeal of former By-laws

The provisions of By-law 3037 of the City of Pickering, and the associated amendments, are repealed in the areas that are covered by this By-law as shown as zoned on the zoning maps.

1.5 Effective Date

This By-law shall come into force on the day that the decision of The Ontario Municipal Board approving the by-law is confirmed or varied by the Lieutenant Governor in Council pursuant to subsection 34(29.1) of the *Planning Act*.

1.6 Certificate of Occupancy

- a) No person shall change the type of use of any land, *building* or *structure* in the area defined by this By-law without obtaining a certificate of occupancy.
- b) Certificates of occupancy shall not be required for residential uses, other than group homes, *home-based businesses*, *bed and breakfast establishments* and the introduction of a second suite.

1.7 Conformity and Compliance

- a) No person shall use any land, *building* or *structure*, or erect or alter any *building* or *structure*, after the passage of this By-law, except in conformity and compliance with the provisions of this By-law.
- b) Nothing in this By-law exempts compliance with other by-laws, legislation or the requirement to obtain any license, permission, permit, authority or approval required by this By-law, any other by-law or any other legislation.

1.8 Enforcement

1.8.1 Administration

The Chief Building Officer of the City of Pickering or his or her designate administers this By-law.

1.8.2 Penalties

Any person who contravenes this By-law is guilty of offence and liable to fines under the *Planning Act*. This includes a director or officer of a corporation who knowingly contravenes this By-law.

1.9 Severability

A court decision that one or more of the provisions of this By-law are invalid in whole or in part does not affect the validity, effectiveness or enforceability of the other provisions or parts of other provisions of this By-law.

1.10 Establishment of Zones

1.10.1 Zones

All lands covered by this By-law, as described in Section 1.2, are contained within one of these zones:

Zone	Symbol
Low Density Type 1	LD1
Low Density Type 1 – Heritage Lot	LD1-HL
Low Density Type 1 – Townhouses	LD1-T
Low Density Type 2	LD2
Low Density Type 2 – Multiple	LD2-M
Medium Density – Detached & Semi	MD-DS
Medium Density – Multiple	MD-M
High Density	H
Mixed Corridor Type 1	MC1
Mixed Corridor Type 2	MC2
Mixed Corridor Type 3	MC3
Minor Commercial Cluster	MCC
Local Node	LN
Community Node	CN
Community Node – Pedestrian Predominant Area	CN-PP
Prestige Employment General	PEG
Prestige Employment Node	PEN
Prestige Employment – Heritage Lot	PE-HL
Employment Service	ES
Community Use	CU
District/Community Park	DCP
Open Space	OS
Stormwater Management	SWM
Golf Course	GC
Natural Heritage System	NHS
Hamlet Heritage Open Space	HHOS
Cemetery	CE
Utility	UT

1.10.2 Location of Zone

- a) Zones are shown on the zoning maps in Section 12. The lands within each zone are subject to the provisions of that zone, as well as the general regulations of this By-law.
- b) Some properties such as schools sites are dual zoned which means more than one zone applies to the entirety of the property. Dual zoned sites are permitted to develop for the permitted uses in both zones subject to the zone requirements applicable to each specific permitted use.

1.10.3 Special Zone Symbols

Special zone symbols, indicated by a dash and number following a zone symbol on zoning maps in Section 12, correspond to site-specific provisions. These site-specific provisions are found, when applicable, following the general provisions of that zone.

1.11 Interpretation

1.11.1 Zone Boundaries

- a) If the zone boundary is shown in Section 12:
 - i) As following a *street*, *lane*, railway right-of-way, electric transmission line right-of-way or watercourse, then the centre line of the *street*, *lane*, railway right-of-way, electric transmission line right-of-way, municipal boundary or watercourse is the boundary;
 - ii) As substantially following *lot lines* shown on a registered plan of subdivision, then the *lot lines* are the boundary; and
 - iii) As not being in accordance with the above provisions, then the zone boundary shall be scaled from the zoning maps in Section 12.
- b) In addition to the above, if the zone boundary separates a *lot* into portions, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable zone.
- c) Notwithstanding 1.11.1 a), the zone boundaries for the CN-PP zone shown in Section 12 are schematic and shall be delineated through site plan approval.

1.11.2 Definitions

- a) Throughout this By-law, any italicized word is defined in Section 10 to provide clarity and ensure that the By-law and its intent are applied consistently.
- b) Where a use is defined, it shall not be interpreted to include any other defined use unless it is stated in the definition to the contrary.

1.11.3 Examples and Illustrations

Any illustrations throughout this By-law, as well as examples and margin notes, are for clarification and convenience and are not part of this By-law.

1.11.4 Reduction of Lot Area Due To Public Acquisition or Conveyance

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

2.0 General Regulation

2.1 Prohibited Uses

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

2.2 Human Habitation Not Within Main Buildings

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

2.3 Frontage on A Street

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

2.4 Public Uses Permitted In All Zones

- a) Notwithstanding anything else in this By-law, the City or Region of Durham or any of their local boards as defined in the *Municipal Act*, any communications or transportation system owned or operated by or for the City or Region of Durham, and any agency of the Federal or Provincial Government, may, for the purposes of the public service, use any land or *erect* or use any *building* or *structure* in any zone subject to the use or *building* or *structure* being in compliance with the most restrictive regulations contained in such zone for the use and the parking requirements of Section 3 of this By-law, for such use.
- b) Any *buildings erected* or used in a Residential Zone under the provisions of this Section, shall be designed so as not to intrude into the residential character of the area.
- c) This exemption for use in any zone shall not apply to:
 - i) the Natural Heritage System (NHS) Zone except for linear infrastructure and the uses otherwise permitted in the NHS Zone;
 - ii) permit any outdoor storage, or a waste transfer or waste processing facility; or
 - iii) any land or *building* used by any local School Board, University or College.

2.5 Linear Utilities Permitted in All Zones

- a) Notwithstanding anything else in this By-law, a utility company including Veridian, Bell, Rogers, Telus, Hydro One, Enbridge and other similar utility company may use any land or erect or use any *building or structure* in any zone for the purpose of a linear utility subject to the *building or structure* being in compliance with the most restrictive regulations contained in such zone for the use and the parking requirements of Section 3 of this By-law, for such use. Any *building or structure erected* or used in a Residential Zone under the provisions of this Section, shall be designed so as not to intrude into the residential character of the area.
- b) This exemption for use in any zone shall not apply to:
 - i) permit buildings or structures in the Natural Heritage System (NHS) Zone except for structures directly related to the linear utility and uses otherwise permitted in the NHS Zone;
 - ii) permit any outdoor storage or works/maintenance yards; or
 - iii) permit any land or *building* to be used for administrative offices, retail purposes, or vehicular or equipment maintenance.

2.6 Permitted Yard Encroachments

No part of any required *yard* shall be obstructed except as follows:

- a) Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required *yard*, provided that no such feature projects into the required *yard* more than 0.6 metres or half the distance of the required *yard*, whichever is less;
- b) A fire escape or exterior staircase may encroach into a required *side yard* or *rear yard* 1.5 metres or half the distance of the required *yard*, whichever is less;
- c) An unenclosed ramp for wheelchair access may encroach into any required *yard* provided it is no closer than 0.3 metres from a lot line;
- d) A *porch* or *deck* may encroach into any required *front yard* or *flankage yard* to a maximum of 2.0 metres or half the distance of the required *yard*, whichever is less;
- e) A *porch* or *deck* may encroach into any required *rear yard* to a maximum of 2.0 metres;
- f) A *porch* may encroach into an *interior side yard* to within 0.6 metres of the *side lot line*;
- g) Stairs to a *porch* or *deck* may encroach to within 0.3 metres of the *front lot line* or *flankage lot line*; to within 1.0 metres of a *rear lot line* and to within 0.6 metres of an *interior side lot line*.
- h) A *balcony* may encroach into any required *yard* to a maximum of 1.2 metres, except into a required *side yard* where it shall encroach not more than 1.2 metres or one-third of the distance of the required *yard*, whichever is less;

- i) Where a *balcony* is located on the roof of a *porch* or *deck* or above a *driveway*, it may encroach to the maximum permitted for the porch or deck in subsection d) and e); and
- j) A *bay*, *box* or *bow window*, with or without foundation, having a maximum width of 4.0 metres may encroach into any required *yard* to a maximum of 0.6 metres or half the distance of the required *yard*, whichever is less.

2.7 Legal Non-Conforming Uses

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

2.8 Legal Non-Complying Buildings or Structures

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

2.9 Legal Non-Complying Lots

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

2.10 Air Conditioners

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

2.11 Swimming Pools

Notwithstanding any other provisions of this By-law, an unenclosed, outdoor swimming pool, or hot tub may be permitted as an *accessory use* to a residential use in accordance with the following provisions:

- a) Such accessory swimming pool, or hot tub shall only be located in a *rear yard*;
- b) Any swimming pool, hot tub, or associated water circulating, heating or treatment equipment shall be set back 1.2 metres from any side or *rear lot line*;
- c) Any deck associated with an aboveground pool, or hot tub to a maximum *height* of 1.2 metres will be in accordance with the provisions of Section 2.6 of this By-law;
- d) Any recreational equipment, including slides, associated with a swimming pool, or hot tub shall not exceed a maximum *height* of 2.4 metres;
- e) An accessory outdoor swimming pool shall not be included in *lot coverage* calculations provided that no part of the swimming pool, or hot tub wall protrudes more than 1.2 metres above the *established grade*.

2.12 Satellite Dish Antenna

Satellite dish antennae are permitted in any Zone provided that:

- a) it does not exceed a diameter of 1.3 metres; and
- b) it is not attached to the front façade of the *principal building* or any *accessory structure* or *building* in the *front yard*.

2.13 Accessory Dwelling Unit

- a) Despite any provision in this By-law to the contrary, in any zone that permits a *detached dwelling*, *semi-detached dwelling* or a *townhouse dwelling*, an *accessory dwelling unit* is permitted within the *detached dwelling*, *semi-detached dwelling* or *townhouse dwelling* provided:
 - i) a total of three (3) *parking spaces* are provided on the property where the *accessory dwelling unit* is located;
 - ii) the maximum *floor area* of an *accessory dwelling unit* shall be one hundred (100) square metres; and
 - iii) a *home-based business* is prohibited in either *dwelling unit* of a *dwelling* containing an *accessory dwelling unit*.
- b) An *accessory dwelling unit* may be permitted within a *coach house* on a *lot* containing a *detached dwelling*, *semi-detached dwelling* or a *street townhouse dwelling* provided there is only one *accessory dwelling unit* on the *lot* and the requirements of Section 2.13 a) are met.

2.14 Home-Based Business

- a) A *home-based business* is permitted within a *dwelling unit* provided the *home-based business* is used by the resident of the *dwelling unit* and the resident is either a sole proprietor, partner, shareholder, or officer of the company operating the *home-based business*, or an employee who uses their *dwelling unit* as their principal place of business.

- b) The following specific uses are prohibited in a *home-based business*:
 - i) *adult entertainment establishment*;
 - ii) *animal hospital/veterinarian clinic*;
 - iii) *assembly, convention or conference hall*;
 - iv) *automobile body shop*;
 - v) *commercial fitness / recreation centre*;
 - vi) *contractor's yard*;
 - vii) *dating/escort service*;
 - viii) *funeral home*;
 - ix) *heavy machinery repair, sales, service*;
 - x) *kennel/animal boarding service*;
 - xi) *night club*;
 - xii) *place of amusement*;
 - xiii) *public bath/whirlpool*;
 - xiv) *restaurant*;
 - xv) *retail store*;
 - xvi) *taxi service*;
 - xvii) *vehicle dealership*;
 - xviii) *vehicle repair shop*;
 - xix) *warehousing*; and
 - xx) *wholesaling*.
- c) In addition, any use which constitutes a *nuisance*, or any use which is offensive or obnoxious in any way, including but not limiting the generality of the foregoing, any use which creates an *adverse effect* through the generation of traffic, parking, noise, vibration, dust, fumes, gas, odour, *waste*, *hazardous waste*, emissions, smoke, glare, radiation, electrical interference, or any use involving the use or storage of hazardous, toxic, or contaminant substances which constitutes a threat to public health and safety, or any combination thereof, is prohibited in a *home-based business*.
- d) The maximum combined *floor area* that all *home-based businesses* within one *dwelling unit* may occupy is 25 percent of the finished *floor area* of that *dwelling unit* to a maximum of 50 square metres.
- e) No use or activity relating to a *home-based business* is permitted in a *private garage* or *accessory building* or *structure*, however, limited storage relating to a *home-based business* is permitted to the extent that it does not prevent the parking of the number of *vehicles* the *private garage* or *accessory building* or *structure* was designed to accommodate.
- f) No outdoor storage or visible display relating to a *home-based business* is permitted.
- g) Customer or client parking is not required to be provided on the lot.

- h) External changes or alterations required for or relating to a *home-based business*, which would change the overall residential character of the *dwelling*, are not permitted.
- i) Despite the uses prohibited in a *home-based business* as specified in Section 2.14 b), the selling of products assembled or developed on the premises is a permitted use in a *home-based business*, and the sale and distribution of catalogue items is a permitted use in a *home-based business* provided that no catalogue items are stored on the premises.

2.15 Accessory Buildings and Structures

- a) *Accessory buildings and structures* are permitted on a *lot* where a *principal building* housing a principal permitted use, already exists or is under construction.
- b) Except as may be provided *herein*, *accessory buildings and structures* are only permitted to be *erected* in the *rear yard*.
- c) *Elementary school* or *secondary school* class room portables may be permitted within an *interior side yard* subject to an approved site plan.
- d) *Accessory buildings and accessory structures* must be set back a minimum of 1.2 metres from all *lot lines* except that the *setback* from the *interior side lot line* may be reduced to 0.6 metres if there are no doors or windows on the wall facing the *interior side lot line*.
- e) No *accessory building* shall exceed a *building height* of 3.5 metres except for:
 - i) *elementary school* or *secondary school* class room portables, which shall not exceed a *building height* of 4.5 metres; and
 - ii) a detached *private garage*, which for a flat roof shall not exceed a *building height* of 3.5 metres and for a pitched roof shall not exceed a *building height* of 4.5 metres.
- f) The total *lot coverage* of all *accessory buildings*, excluding detached *private garages*, shall not exceed 5 percent of the *lot area*. Where a detached *private garage* is also provided on the *lot*, the total *lot coverage* of all *accessory buildings* and detached *private garages* shall not exceed 15 percent of the *lot area*. Where *elementary school* or *secondary school* class room portables are provided, the total *lot coverage* of all *accessory buildings* shall not exceed 15 percent of the *lot area*.
- g) Human Habitation is not permitted in an *accessory building* or *accessory structure* except for a *coach house*.

2.16 Standards for Detached Private Garages Accessed by a Driveway from a Street

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

- a) Permitted locations and *setbacks* from *lot lines*:

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

- i) a minimum distance from an exterior lot line equal to the *flankage yard* requirement for the *main building*;
 - ii) a minimum of 1.2 metres from the interior *side lot line*, but notwithstanding this provision:
 - A) the *setback* from the interior *side lot line* may be reduced to 0.6 metres if there are no doors or windows on the wall facing the interior *side lot line*; and
 - B) a detached *private garage* may share a common wall with another detached *private garage* on an abutting *lot* and no *setback* from the interior *side lot line* is required on that side of the *lot*.
 - iii) a minimum of 0.6 metres from the *rear lot line* except on a *through lot* in which case Section 2.16 a) iv) applies;
 - iv) no closer than 6.0 metres to the *lot line* abutting the *street* where the wall of the *private garage* containing the opening for vehicular access faces the *lot line* abutting the *street*;
 - v) where the *private garage* faces the *front lot line*, no closer than 2.0 metres to the *main building* on the *lot* other than a *private garage* connected to the *main building* by an enclosed or covered walkway.
 - vi) where the *private garage* faces the *rear lot line* on a *through lot*, no closer than 5.0 metres to the *main building* on the *lot*. The parking of *motor vehicles* is not permitted between the *private garage* and the *main building*.
- b) *Driveway width:*
- i) The maximum *driveway width* accessed from a *street* abutting the *front lot line* shall:
 - A) for *lots* having a *lot frontage* of less than 15.0 metres, be no more than 6.0 metres and tapered so that the maximum width is 3.0 metres at the *street line*;
 - B) for *lots* having a *lot frontage* between 15.0 metres and less than 18.0 metres, be no more than 6.0 metres;
 - C) for *lots* greater than 18.0 metres, be no wider than the width of the garage door and tapered so that the maximum width is 6.0 metres at the *street line*; and
 - ii) The maximum *driveway width* accessed from a *street* abutting the *rear lot line* on a *through lot* shall:
 - A) for *lots* having a *lot frontage* of less 6.0 metres, be no more than 3.0 metres;
 - B) for *lots* having a *lot frontage* between 6.0 and 9.0 metres, be no more than 4.6 metres;
 - C) for *lots* between 9.0 metres and less than 15.0 metres, be no more than 6.0 metres;

- D) for *lots* greater than 15.0 metres, be no more than 9.0 metres and tapered so that the maximum width is 6.0 metres at the *street line*.
- c) Garage door width:
The total width of all garage doors shall be no wider than the permitted width of the *driveway*.

2.17 Standards for Detached Private Garages Accessed by a Lane

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

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

2.18 Standards for Attached Private Garages on Lots Accessed by Lanes

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

- a) Permitted locations and *setbacks* from *lot lines*:
Attached *private garages*, which are deemed to be part of the *main building* on the *lot*, are permitted provided that the wall of the *private garage* facing the *lane*:
 - i) is located no further than 7.5 metres from the *rear lot line*; and,
 - ii) is located no closer than 0.6 metres to the *rear lot line*.
- b) *Driveway width*:
The maximum *driveway width* that faces a *lane* shall be no wider than the total width of all garage doors.

2.19 Standards for Attached Private Garages Accessed by a Driveway from a Street

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

- a) Permitted locations and *setbacks* from *lot lines*:

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

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

- b) Projections of *private garages*:

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

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

- c) *Driveway width*:

The maximum *driveway width* shall:

- i) for *lots* having a *lot frontage* of less than 9.0 metres, be no more than 3.0 metres;
- ii) for *lots* having a *lot frontage* between 9.0 metres and less than 11.0 metres, be no more than 4.6 metres;
- iii) for *lots* between 11.0 metres and less than 18.0 metres, be no more than 6.0 metres;
- iv) for *lots* greater than 18.0 metres, be no wider than the width of the garage door and tapered so that the maximum width is 6.0 metres at the *street line*; and
- v) for lots greater than 15.0 metres, where the wall of a *private garage* containing the opening for vehicular access faces an *interior side lot line*, be no wider than 7.5 metres and tapered so that the maximum width is 6.0 metres at the *street line*.

- d) Garage door width:

The total width of all garage doors shall be no wider than the permitted width of the *driveway*.

2.20 Coach Houses

A *coach house* shall be permitted on a *corner lot* with a *lot frontage* of 10.0 metres or greater where the *corner lot* has access to a rear *lane* or on a *through lot* with a *lot frontage* of 10.0 metres or greater provided there is not an *accessory dwelling unit* in the *detached*, *semi-detached* or *street townhouse dwelling* and provided the *coach house*:

- a) is located a minimum distance of 0.6 metres from the *rear lot line*;
- b) is located a minimum of 1.2 metres from the interior *side lot line*;
- c) is *setback* a minimum of 5.0 metres from the *main building* on the *lot*. The parking of *motor vehicles* is not permitted in the *setback* area; and
- d) has a maximum *height* of 8.0 metres.

2.21 Live Work Unit

- a) The following specific uses are permitted in a *live work unit*:
 - i) *dwelling unit*;
 - ii) *art gallery*;
 - iii) *café*;
 - iv) *restaurant*;
 - v) *medical office*;
 - vi) *convenience store*;
 - vii) *dry-cleaner's distribution station*;
 - viii) *office*;
 - ix) *personal service establishment*; and
 - x) *retail store*.

2.22 Model Homes

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

2.23 Lots on Public and Private Streets

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

2.24 Yards abutting Daylighting Triangles

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

2.25 Primary Entrance Door Location on a Through Lot

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

3.0 Parking Regulations

3.1 Parking Space Requirements

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

Table 1: Minimum Parking Requirements

Residential Uses	
<i>Detached dwelling</i>	2 spaces per dwelling unit
<i>Semi-detached dwelling</i>	2 spaces per dwelling unit
<i>Accessory dwelling unit</i>	1 space per dwelling unit
<i>Street townhouse dwelling</i>	2 spaces per dwelling unit
<i>Duplex dwelling</i>	2 spaces per dwelling unit
<i>Multiple attached dwelling</i>	1.25 spaces per dwelling unit for residents and 0.25 of a space per dwelling unit for visitors
<i>Block townhouse dwelling</i>	2 spaces per dwelling unit plus 0.25 of a space per dwelling unit for visitors
<i>Back-to-back townhouse dwelling</i>	2 spaces per dwelling unit
<i>Apartment dwelling</i>	1.25 spaces per dwelling unit for residents and 0.25 of a space per dwelling unit for visitors
<i>Live work unit</i>	2 spaces per live work unit
<i>Bed and Breakfast establishment</i>	2 spaces per dwelling unit plus 1.0 parking space per guest room
<i>Retirement Home</i>	0.3 spaces per living unit for residents and 0.05 spaces per living unit for visitors
<i>Nursing Home or Long-Term Care</i>	1.0 spaces per 3 resident bed
Commercial Uses:	
<i>Animal Care Establishment</i>	4.5 spaces per 100 square metres of gross leasable floor area
<i>Arena</i>	1.0 space per 4 fixed seats, but where permanent fixed seating is open-style bench or pew, each 0.5 metres of bench or pew space is equal to one (1) seat for the purpose of calculating required parking
<i>Art Gallery</i>	4.0 spaces per 100 square metres of gross leasable floor area
<i>Assembly Hall, Convention Hall or Conference Hall</i>	10.0 spaces per 100 square metres of gross leasable floor area
<i>Bake Shop</i>	6.0 spaces per 100 square metres of gross leasable floor area

Commercial Uses: (continued)	
<i>Café</i>	6.0 spaces per 100 square metres of gross leasable floor area
<i>Car Washing Establishment</i>	4.5 spaces per 100 square metres of gross leasable floor area
<i>Commercial Fitness/Recreation Centre</i>	5.0 spaces per 100 square metres of gross leasable floor area
<i>Commercial School</i>	4.5 spaces per 100 square metres of gross leasable floor area
<i>Convenience Store</i>	4.5 spaces per 100 square metres of gross leasable floor area
<i>Day Care Centre</i>	3.5 spaces per 100 square metres of gross leasable floor area
<i>Dry-Cleaner's Distributing Station</i>	4.5 spaces per 100 square metres of gross leasable floor area
<i>Financial Institution</i>	5.0 spaces per 100 square metres of gross leasable floor area
<i>Funeral Home</i>	5.5 spaces per 100 square metres of gross leasable floor area
<i>Garden Centre</i>	3.2 spaces per 100 square metres of gross leasable floor area for retail sales and display of products and/or office; and 1.1 spaces per 100 square metres of gross leasable floor area for warehousing and/or wholesaling
<i>Gas bar, including an Accessory Convenience Store and/or Café</i>	4.5 spaces per 100 square metres of gross leasable floor area
<i>Home Improvement Centre</i>	3.0 spaces per 100 square metres of gross leasable floor area
<i>Hotel</i>	1.0 space per guest room; plus 10.0 spaces per 100 square metres non-residential gross floor area used for public use including meeting rooms, conference rooms, recreational facilities, dining and lounge areas and other commercial facilities, but excluding bedrooms, kitchens, laundry rooms, washrooms, lobbies, hallways, elevators, stairways and recreational facilities directly related to the function of the overnight accommodation
<i>Medical Office</i>	6.5 spaces per 100 square metres of gross leasable floor area
<i>Nightclub and Tavern/Bar/Pub</i>	10.0 spaces per 100 square metres of gross leasable floor area
<i>Office</i>	3.5 spaces per 100 square metres of gross leasable floor area
<i>Personal Service Establishment</i>	5.0 spaces per 100 square metres of gross leasable floor area

Commercial Uses: (continued)	
<i>Place of Amusement</i> other than a bowling alley	5.5 spaces per 100 square metres of gross leasable floor area
<i>Place of Worship</i>	1.0 space per 5 fixed seats or 4.0 metres of bench space, or 10.0 spaces per 100 square metres of gross leasable floor area of assembly floor area whichever is the greater
<i>Private Club</i>	5.0 spaces per 100 square metres of gross leasable floor area
<i>Retail Store</i>	4.5 spaces per 100 square metres of gross leasable floor area
<i>Restaurant</i>	6.0 spaces per 100 square metres of gross leasable floor area
<i>Service and Repair Shop</i> (non-vehicle)	4.5 spaces per 100 square metres of gross leasable floor area
<i>Supermarket</i>	5.0 spaces per 100 square metres of gross leasable floor area
<i>Vehicle Dealership</i>	3.0 spaces per 100 square metres of gross leasable floor area
<i>Vehicle Repair Shop</i>	4 spaces per repair bay
<i>Veterinary Clinic</i>	4.5 spaces per 100 square metres of gross leasable floor area
Industrial Uses	
Ancillary retail sales	3.5 spaces per 100 square metres of gross leasable floor area
Business services: such as industrial supply, industrial equipment repair, contractor shop, service and repair shop	3.5 spaces per 100 square metres of gross leasable floor area
Data and communications: such as film, radio and television studio, call centre, data centre, programming and software development, phone, phone and internet provider	3.5 spaces per 100 square metres of gross leasable floor area
Educational: such as community college, university, trade school, training centre, adult education	15 spaces per classroom
Food processing: such as industrial bakery, dairy, cannery, distillery, brewery, meat processor	1.0 space per 100 square metres of gross leasable floor area up to 3,000 square metres of gross leasable floor area plus 0.5 spaces per 100 square metres of gross leasable floor area over 3,000 square metres of gross leasable floor area
Graphics and design: such as printing, publishing, graphic design, web design	3.5 spaces per 100 square metres of gross leasable floor area

Industrial Uses: (continued)	
Light manufacturing: such as assembly, processing, packaging and fabricating wholly within an enclosed building	1.0 space per 100 square metres of gross leasable floor area up to 3,000 square metres of gross leasable floor area plus 0.5 spaces per 100 square metres of gross leasable floor area over 3,000 square metres of gross leasable floor area
Research/laboratory and research and development facility	3.5 spaces per 100 square metres of gross leasable floor area
Storage and warehousing as an accessory use	1.0 space per 100 square metres of gross leasable floor area up to 2,000 square metres of gross leasable floor area plus 0.5 spaces per 100 square metres of gross leasable floor area over 2,000 square metres of gross leasable floor area
Community/Open Space Uses	
Community Centre	1 space per 4 persons capacity or 3.5 spaces per 100 square metres of gross leasable floor area, whichever is greater
Community Gardens	1 space per garden plot
Curling rinks, tennis courts, bowling alleys or similar recreational facilities	4 spaces per ice sheet, court or lane or similar recreational facility provided that, where facilities for a <i>tavern/bar/pub</i> or <i>assembly hall</i> are provided, the greater parking requirement for either the recreational facilities or for the assembly floor area shall apply
Emergency Service Facility	3.5 spaces per 100 square metres of gross floor area
Elementary School	1.5 spaces per classroom plus day care centre requirements if applicable
Golf Course	50 spaces for every 9 holes
Library	3.0 spaces per 100 square metres of gross leasable floor area
Private School	3 spaces per classroom
Secondary School	3 spaces per classroom

3.2 Part Spaces

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

3.3 Parking for Multiple Uses on One Lot

- a) Despite Section 3.1, where there are multiple retail, service commercial and personal service uses on a lot within a Minor Commercial Cluster “MCC”, Local Node “LN”, Community Node “CN”, Community Node – Pedestrian Predominant Area “CN-PP”, Mixed Corridor Type 2 “MC2”, Mixed Corridor Type 3 “MC3” and Employment Service “ES” zone, the minimum required parking shall be as follows:
 - i) on a lot with less than 2,800 square metres of gross leasable area: 4.5 spaces per 100 square metres of *gross leasable floor area* provided that where a *restaurant, supermarket, nightclub, tavern/bar/pub or assembly hall, convention hall or conference hall* occupies ten percent or more of the *gross leasable floor area*, the individual parking requirements for that use shall apply to the *gross leasable floor area* devoted to that use;
 - ii) on a lot with between 2,800 square metres to 28,000 square metres of *gross leasable floor area*: 4.5 spaces per 100 square metres of *gross leasable floor area*;
 - iii) on a lot with more than 28,000 square metres of *gross leasable floor area*: 5.0 spaces per 100 square metres of *gross leasable floor area*.
- b) For all other uses in all other zones, where more than one *use* is being *used* on a *lot*, the required *parking space* will be the sum of the parking required for all *uses* on the *lot*.

3.4 Size of Parking Spaces and Aisles

- 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, *driveway* or similar purpose.
- b) *Parking lot aisles* shall be a minimum of 3.8 metres in width for one way traffic and a minimum of 6.5 metres in width for two way traffic.

3.5 Setbacks of Parking Spaces and Lots

- a) No *parking lot* or *parking space* shall be permitted within 3.0 metres of a *street line* or within any *daylighting triangle*.
- b) No *parking lot* or *parking space* shall be permitted within 3.0 metres of a property line abutting a residential zone.
- c) Notwithstanding Section 3.5 a) and b), individual *parking spaces* for a *detached dwelling, semi-detached dwelling, street townhouse dwelling, duplex dwelling, multiple attached dwelling, and back-to-back townhouse dwelling* may be located:
 - i) within 3.0 metres of a *street line* but not within a *daylighting triangle*;
 - ii) in a *rear yard* of a residential zone a minimum of 1.0 metre from the nearest *rear lot line* except where the *rear lot line* abuts a *lane* in which case the *parking space* shall be set back a minimum of 0.6 metres; and

- iii) in an *interior side yard* of a residential zone to a minimum of 0.6 metres to the nearest *interior side lot line*, except where the *driveway* is a mutual *driveway* in which case no set back is required to the *interior side lot line*.

3.6 Standards for Parking Pads

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

3.7 Parking and Loading within yards

- a) In the Community Node – Pedestrian Predominant Area “CN-PP” Zone, no *parking lot* shall be located in the *front yard* or between a *building* and the *street line* or between a *building* and the edge of a *private street*.
- b) No *loading space* shall be permitted in the *front yard* of any *zone*.

3.8 Parking Space Uses

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

3.9 Restrictions on Vehicles in a Residential Zone

No *person* shall, in any Residential Zone, use any *lot*, *building* or *structure* for the parking or storage of *vehicles* except in accordance with the following provisions:

- a) Number of Vehicles
 - A maximum of four (4) *vehicles*, only one of which may be a *trailer*, are permitted to park on the driveway of any *lot* in a residential zone.
- 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), one *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* or *flankage yard* except a *driveway* is to be used for the parking or storage of *vehicles* and no *vehicle* is to encroach onto any road allowance.
- d) Inoperative vehicles:
The parking or storage of an *inoperative vehicle* is not permitted on any *lot* in a residential zone, unless it is entirely within a fully enclosed *building* or *structure*.
- e) Construction Vehicles
The parking or storage of a *construction vehicle* or a *commercial vehicle* is not permitted on any *lot* in a residential zone, unless it is entirely within a fully enclosed *building* or *structure*.
- f) Oversize Vehicles:
A *vehicle* that exceeds the maximum permissible *vehicle* size provisions of Section 3.9b), is permitted to park temporarily on a *lot* in a residential zone for the sole purpose of delivering to, servicing or constructing the premises on that *lot*.

3.10 Loading Standards

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

3.11 Tandem Parking

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

3.12 Private Garage Parking Size

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

4.0 Residential Zone Regulations

4.1 Uses Permitted

The following Table 2 establishes the uses permitted in the Low Density Type 1 (LD1), Low Density Type 1 – Townhouse (LD1-T), Low Density Type 1 – Heritage Lot (LD1-HL) Low Density Type 2 (LD2), Low Density Type 2 – Multiple (LD2-M), Medium Density – Detached & Semi (MD-DS), Medium Density – Multiple (MD-M) and High Density (HD) zones.

Table 2: Permitted Uses in Residential Zones

Use	Zone							
	LD1	LD1-T	LD1-HL	LD2	LD2-M	MD-DS	MD-M	HD
<i>Detached dwelling</i>	*		*	*		*		
<i>Semi-detached dwelling</i>	*			*		*		
<i>Street townhouse dwelling</i>		*			*		*	1
<i>Duplex dwelling</i>		*			*		*	
<i>Multiple attached dwelling</i>					*		*	1
<i>Block townhouse dwelling</i>					*		*	
<i>Back-to-back townhouse dwelling</i>					*		*	
<i>Apartment dwelling</i>							*	*
<i>Retail store</i>								2
<i>Convenience store</i>								2
<i>Personal service establishment</i>								2
<i>Bake shop</i>								2
<i>Café</i>								2
<i>Restaurant</i>								2
<i>Office</i>								3
<i>Day Care Centre</i>								3
<i>Medical office</i>								3
<i>Accessory dwelling unit</i>	*	*	*	*	*	*	*	
<i>Model Home</i>	*	*	*	*	*	*	*	*

Notes:

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

4.2 Low Density Type 1 (LD1) Zone Provisions

4.2.1 Lot and Building Requirements by Building Type

The following Table 3 establishes the zone standards that apply to the Low Density Type 1 (LD1) zone.

Table 3: Low Density Type 1 (LD1) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Yard Land- scaped Open Space	Max. Building Height
<i>Detached dwelling – accessed from a street abutting the front lot line or flankage lot line</i>										
with attached private garage	225 m ²	9 m	3.0 m ⁽³⁾	NR	1.2 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25%	11 m
with detached private garage	275 m ²	11 m	3.0 m	NR	2.75 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25%	11 m
<i>Detached dwelling – accessed from a lane⁽⁴⁾</i>										
with detached private garage	210 m ²	8.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	NR	40 m ² ⁽¹⁾	50%	11 m
with attached private garage	210 m ²	8.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	NR	40 m ²	50%	11 m
<i>Semi-detached dwelling – accessed from a street abutting the front lot line or flankage lot line</i>										
with attached private garage	185 m ² / unit	7.5 m / unit	3.0 m ⁽³⁾	NR	0.9 m ⁽²⁾	2.4 m	6 m / 5 m adjacent to NHS zone	NR	22%	11 m
<i>Semi-detached dwelling – accessed from a lane⁽⁴⁾</i>										
with detached private garage	175 m ² / unit	7.0 m / unit	3.0 m	4.5 m	0.9 m ⁽²⁾	2.4 m	NR	35 m ² ⁽¹⁾	50%	11 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Yard Land-scaping Open Space	Max. Building Height
with attached <i>private garage</i>	175 m ² /unit	7.0 m / unit	3.0 m	4.5 m	0.9 m ⁽²⁾	2.4 m	NR	35 m ²	50%	11 m

Notes:

NR = No Requirement

1. With a minimum 5.0 metre separation between *private garage* and *dwelling*.
2. Where *semi-detached dwellings* on abutting *lots* share a common wall, no *interior side yard* shall be required, but where the dwellings do not share a common wall, a setback of 0.9 metres shall be required.
3. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
4. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

4.2.2 Additional Provisions

- a) No person shall erect more than one *detached dwelling* on any *residential lot*.
- b) Where a *lot* flanks a *lane*, the larger required minimum *interior side yard* shall abut the *lane*.
- c) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *detached dwelling* or *semi-detached dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4.3 Low Density Type 1, Heritage Lot “LD1-HL” Provisions

- a) On lands zoned LD1-HL the minimum *lot area* and minimum *lot frontage* shall be the *lot area* and *lot frontage existing* on the date this By-law came into effect.
- b) The minimum *yards* shall be the *yards existing* on the date this By-law came into effect. However, *yards*, except the *front yard*, may be decreased by 10 percent subject to an approved site plan application.

4.4 Low Density Type 1 - Townhouse (LD1-T) Zone Provisions

4.4.1 Lot and Building Requirements by Building Type

The following Table 4 establishes the zone standards that apply to the Low Density Type 1 – Townhouse (LD1-T) zone.

Table 4: Low Density Type 1 – Townhouse (LD1-T) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
Street townhouse dwelling										
with integrated <i>private garage</i> facing the <i>front lot line</i>	150 m ²	6 m / unit	3.0 m ⁽²⁾	NR	0.9 m for end unit	2.4 m	6 m / 5m adjacent to NHS zone	NR	25%	11 m
with detached <i>private garage</i> accessed from a <i>lane</i> ⁽³⁾	150 m ²	6 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	30 m ² ⁽¹⁾	50%	11 m
with integrated <i>private garage</i> accessed from a <i>lane</i> ⁽³⁾	140 m ²	6 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	11 m ²	50%	11 m
Duplex dwelling	360 m ²	12 m	3.0 m	4.5 m	3 m & 0.6 m	2.4 m	6 m / 5m adjacent to NHS zone	NR	35%	11 m

Notes:

NR = No Requirement

1. With a minimum 5.0 metre separation between *private garage* and *dwelling*.
2. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
3. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

4.4.2 Additional Provisions

- a) Maximum number of *street townhouse dwellings* in a *street townhouse building* shall be 8.
- b) Where a *lot* flanks a *lane*, the larger required minimum *interior side yard* shall abut the *lane*.
- c) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling* or *duplex dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4.5 Low Density Type 2 (LD2) Zone Provisions

4.5.1 Lot and Building Requirements by Building Type

The following Table 5 establishes the zone standards that apply to the Low Density Type 2 (LD2) zone.

Table 5: Low Density Type 2 (LD2) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<i>Detached dwelling – accessed from a street abutting the front lot line or flankage lot line</i>										
with attached private garage	225 m ²	9 m	3.0 m ⁽³⁾	NR	1.2 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	22%	11 m
with detached private garage	275 m ²	11 m	3.0 m	NR	2.75 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25%	11 m
<i>Detached dwelling – accessed from a lane⁽⁴⁾</i>										
with detached private garage	185 m ²	7.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	NR	35 m ² ⁽¹⁾	50%	11 m
with attached private garage	185 m ²	7.5 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	NR	35 m ²	50%	11 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
Semi-detached dwelling – accessed from a street abutting the front lot line or flankage lot line										
with attached <i>private garage</i>	185 m ²	7.5 m / unit	3.0 m ⁽³⁾	NR	0.9 m ⁽²⁾	2.4 m	6 m / 5 m adjacent to NHS zone	NR	30%	11 m
Semi-detached dwelling – accessed from a lane⁽⁴⁾										
with detached <i>private garage</i>	165 m ²	6.7 m / unit	3.0 m	4.5 m	0.9 m ⁽²⁾	2.4 m	NR	30 m ² ⁽¹⁾ / unit	50%	11 m
with attached <i>private garage</i>	165 m ²	6.7 m / unit	3.0 m	4.5 m	0.9 m ⁽²⁾	2.4 m	NR	30 m ² / unit	50%	11 m

Notes:

1. With a minimum 5.0 metre separation between *private garage* and *dwelling*.
2. Where *semi-detached dwellings* on abutting *lots* share a common wall, no *interior side yard* shall be required, but where the dwellings do not share a common wall, a setback of 0.9 metres shall be required.
3. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
4. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

4.5.2 Additional Provisions

- a) No person shall erect more than one *detached dwelling* on any *residential lot*.
- b) Where a lot flanks a lane, the larger required minimum interior side yard shall abut the lane.
- c) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *detached dwelling* or *semi-detached dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4.6 Low Density Type 2 – Multiple (LD2-M) Zone Provisions

4.6.1 Lot and *Building* Requirements by *Building* Type

The following Table 6 establishes the zone standards that apply to the Low Density Type 2 - Multiple (LD2-M) zone.

Table 6: Low Density Type 2-Multiple (LD2-M) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
Street townhouse dwelling										
with integrated <i>private garage</i> facing the <i>front lot line</i>	150 m ²	6 m / unit	3.0 m ⁽³⁾	NR	0.9 m for end unit	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25%	11 m
with detached <i>private garage</i> / <i>parking space</i> accessed from a <i>lane</i> ⁽⁴⁾	125 m ²	5 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	30 m ² ⁽¹⁾ / unit	50%	12 m
with integrated <i>private garage</i> accessed from a <i>lane</i> ⁽⁴⁾	105 m ²	5 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	11 m ² / unit	50%	12 m
Duplex dwelling	300 m ²	12 m	3.0 m	4.5 m	3 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	35%	11 m
Multiple attached building	450 m ²	27 m	3.0 m	4.5 m	0.9 m	2.4 m	NR	11 m ² / unit	40%	16 m
Back to back townhouse dwelling	70 m ²	5.5 m / unit	3.0 m ⁽³⁾	NR	0.9 m for end unit	2.4 m	NR	11 m ² / unit	22%	12 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
Block Townhouse Building	NR	50 m	3.0 m	NR	1.2 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25% ⁽²⁾	11 m

Notes:

NR = No Requirement

1. With a minimum 5.0 metre separation between *private garage* and *dwelling*.
2. Front *landscaped open space* shall be measured from the *front wall* of the *building* to the edge of the *private street*.
3. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
4. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

4.6.2 Additional Provisions

- a) Minimum depth of a *lot* for *back-to-back townhouse dwellings* shall be 13.0 metres.
- b) Maximum number of *street townhouse dwellings* in a *street townhouse building* shall be 8.
- c) Maximum number of *back-to-back townhouse dwellings* in a *back-to-back townhouse building* shall be 16.
- d) The minimum separation between *block townhouse buildings* on the same *lot* shall be 1.2 metres for a side wall to side wall condition, 12.0 metres for a rear wall to rear wall condition, and 13.5 metres for a *front wall* to *front wall* condition.
- e) No *private streets* shall be permitted between the *front wall* of a *block townhouse building* and a *street*.
- f) *Block townhouse buildings* adjacent to a *street* shall have their *primary entrance doors* oriented to the *street*.
- g) Where a *lot* flanks a *lane*, the larger required minimum *interior side yard* shall abut the *lane*.
- h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling*, *duplex dwelling*, *multiple attached building*, *back to back townhouse dwelling* or *block townhouse building* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4.7 Medium Density – Detached & Semi (MD-DS) Zone Provisions

4.7.1 Lot and Building Requirements by Building Type

The following Table 7 establishes the zone standards that apply to the Medium Density – Detached & Semi (MD-DS) zone.

Table 7: the Medium Density – Single & Semi (MD-S) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
<i>Detached dwelling – accessed from a street abutting the front lot line or flankage lot line</i>										
with attached private garage	200 m ²	8 m	3.0 m ⁽³⁾	NR	1.2 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	30%	12.5 m
<i>Detached dwelling – accessed from a lane⁽⁴⁾</i>										
with detached private garage	175 m ²	7.0 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	NR	35 m ² ⁽¹⁾	50%	12.5 m
with attached private garage	175 m ²	7.0 m	3.0 m	4.5 m	1.2 m & 0.6 m	2.4 m	NR	35 m ²	50%	12.5 m
<i>Semi-detached dwelling – accessed from a street abutting the front lot line or flankage lot line</i>										
with attached private garage	185 m ²	7.5 m / unit	3.0 m ⁽³⁾	NR	0.9 m ⁽²⁾	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25%	12.5 m
<i>Semi-detached dwelling – accessed from a lane⁽⁴⁾</i>										
with detached private garage	150 m ²	6.0 m / unit	3.0 m	4.5 m	0.9 m ⁽²⁾	2.4 m	NR	30 m ² ⁽¹⁾ / unit	50%	12.5 m
with attached private garage	150 m ²	6.0 m / unit	3.0 m	4.5 m	0.9 m ⁽²⁾	2.4 m	NR	30 m ² / unit	50%	12.5 m

Notes:

NR = No Requirement

1. With a minimum 5.0 metre separation between *private garage* and *dwelling*.
2. Where *semi-detached dwellings* on abutting *lots* share a common wall, no *interior side yard* shall be required, but where the dwellings do not share a common wall, a setback of 0.9 metres shall be required.
3. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
4. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

4.7.2 Additional Provisions

- a) Where a *lot* flanks a *lane*, the larger required minimum *interior side yard* shall abut the *lane*.
- b) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *detached dwelling* or *semi-detached dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4.8 Medium Density – Multiple (MD-M) Zone Provisions

4.8.1 Lot and Building Requirements by Building Type

The following Table 8 establishes the zone standards that apply to the Medium Density – Multiple (MD-M) zone.

Table 8: the Medium Density – Medium Density – Multiple (MD-M) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
Street townhouse dwelling										
with integrated <i>private garage</i> facing the <i>front lot line</i>	150 m ² / unit	6 m / unit	3.0 m ⁽⁵⁾	NR	0.9 m for end unit	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25%	12.5 m
with detached <i>private garage</i> accessed from a <i>lane</i> ⁽⁶⁾	125 m ² / unit	5 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	25 m ² ⁽¹⁾ / unit	50%	12.5 m
with integrated <i>private garage</i> accessed from a <i>lane</i> ⁽⁶⁾	105 m ² / unit	5 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	11 m ² / unit	50%	12.5 m
Duplex dwelling	300 m ²	12 m	3.0 m	4.5	3 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	35%	12.5 m
Multiple attached building	450 m ²	27 m	3.0 m	4.5	0.9 m	2.4 m	6 m / 5 m adjacent to NHS zone	11 m ² / unit	40%	16 m
Back to back townhouse dwelling	70 m ² / unit	5.5 m / unit	3.0 m ⁽⁵⁾	NR	0.9 m for end unit	2.4 m	NR	11 m ² / unit	22%	12.5 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
Apartment building	NR	45 m	2 m	4.5 m (2),(3)	6.0 m ⁽³⁾	0 m min / 2 m ^{(2),(3)} max	7.5 m ⁽³⁾	NR	NR	10.5 m min / 20 m max
Block Townhouse Building	NR	50 m	3.0 m	5.5 m	1.2 m	2.4 m	6 m	NR	25% ⁽⁴⁾	10.5 m

Notes:

NR = No Requirement

1. With a minimum 5.0 metre separation between *private garage* and *dwelling*.
2. 25 percent of the *building* facing the *street* can have a greater *yard*.
3. Except that for an underground garage the minimum *setback* is 0 metres.
4. Front *landscaped open space* shall be measured from the *front wall* of the *building* to the edge of the *private street*.
5. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
6. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

4.8.2 Additional Provisions

- a) Minimum depth of a *lot* for *back to back townhouse dwellings* shall be 13.0 metres.
- b) Maximum number of *street townhouse dwellings* in a *street townhouse building* shall be 8.
- c) Maximum number of *back-to-back townhouse dwellings* in a *back-to-back townhouse building* shall be 16.
- d) The minimum separation between *block townhouse buildings* on the same *lot* shall be 1.2 metres for a side wall to side wall condition, 12.0 metres for a rear wall to rear wall condition, and 13.5 metres for a *front wall* to *front wall* condition.
- e) No *private streets* shall be permitted between the *front wall* of a *block townhouse building* and a *street*.
- f) *Block townhouse buildings* adjacent to a *street* shall have their *primary entrance doors* oriented to the *street*.
- g) Where a *lot* flanks a *lane*, the larger required minimum *interior side yard* shall abut the *lane*.
- h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling*, *duplex dwelling*, *multiple attached building*, *back to back townhouse dwelling* or *block townhouse building* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4.8.3 Additional Apartment Provisions

- a) The minimum net density shall be 40 units per hectare.
- b) The maximum net density shall be 80 units per hectare.
- c) Minimum *balcony* depth: 1.5 metres
- d) Minimum *ground floor height* where *ground floor* commercial uses are provided: 4.5 metres (floor to floor)
- e) Maximum *building width*: 60 metres
- f) A minimum *pedestrian perception step-back* of 1.5 metres shall be required above the 4th storey.
- g) Where the *rear yard* or *side yard* of a *lot* containing an *apartment building* abuts a property in the Low Density or Medium Density zone, the *building height* above 12.0 metres shall be limited by a 45-degree *angular plane* measured from a *height* of 12.0 metres at the 7.5 metre *setback* from adjoining Low Density or Medium Density Zones.

4.9 High Density (H) Zone Provisions

4.9.1 Lot and Building Requirements by Building Type

The following Table 9 establishes the zone standards that apply to the High Density (H) zone.

Table 9: High Density (H) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Depth	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Min. Height	Max. Building Height
Apartment building	NR	45 m	2 m	4.5 m (1),(2)	6.0 m ⁽²⁾	2 m min / 4.5 m max ^{(1),(2)}	45 m	7.5 m ⁽²⁾	NR	NR	20 m	63 m
Multiple attached building	NR	45 m	3.0 m	4.5 m	0.9 m	2.4 m min	NR	6 m	11 m ² / unit	40%	NR	16 m
Block Townhouse Building	NR	45 m	3.0 m	4.5 m	1.2 m	2.4 m	NR	6 m	NR	25% ⁽³⁾	NR	10.5 m

Notes:

NR = No Requirement

1. 25 percent of the *building* facing the *street* can have a greater yard.
2. Except that for an underground garage the minimum *setback* is 0 metres.
3. Front *landscaped open space* shall be measured from the *front wall* of the *building* to the edge of the *private street*.

4.9.2 Additional Provisions

- a) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *multiple attached building* or *block townhouse building* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

4.9.3 Additional Apartment Provisions

- a) The minimum net density shall be 140 units per hectare.
- b) The maximum net density shall be 250 units per hectare.
- c) Minimum *balcony* depth: 1.5 metres
- d) Minimum *ground floor height* where *ground floor* commercial uses are provided: 4.5 metres (floor to floor)
- e) Maximum *building width*: 60 metres
- f) *Buildings* taller than 12 *storeys* shall have a *podium* and a *tower* component to the *building*, which shall meet the following requirements:
 - i) The minimum *height* of a *podium*: 3 *storeys* / 10.5 metres
 - ii) The maximum *height* of a *podium*: 5 *storeys* / 16.0 metres
 - iii) Minimum *setback* from a *podium* to a *tower*: 5.0 metres
 - iv) Maximum *tower floor plate*: 800 square metres
- g) For *buildings* 12 *storeys* and less, a minimum *pedestrian perception step-back* of 1.5 metres shall be required between the 4th *storey* and the 8th *storey*. An additional *pedestrian perception step-back* of 1.5 metres shall be required above the 8th *storey* between 80 percent and 90 percent of the *building height*.
- h) Where the *rear yard* or *side yard* of a *lot* containing an *apartment building* abuts a *lot* in the Low Density or Medium Density zone, the *building height* above 12.0 metres shall be limited by a 45-degree *angular plane* measured from a *height* of 12.0 metres at the 7.5 metre *setback* from adjoining Low Density or Medium Density Zones.

4.10 Exceptions

The following Table 10 establishes the permitted use exceptions that apply to the Residential Zones.

Table 10: Permitted Use Exceptions

Zone	#	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
LD1	1	Whitevale Road frontage, west of Sideline 26 SP-2009-01, Lots 137 and 138 SP-2009-05, Lots 249-251 and Lots 259-262 SP-2009-07, Lots 1-8, Lots 210-213 and Lot 215		Detached dwelling	

The following Table 11 establishes the Lot and Building and Structure exceptions that apply to the Residential Zones.

Table 11: Lot and Building and Structure Exceptions

Zone	#	Address	Description of Special Provision
LD1	1	Whitevale Road frontage, west of Sideline 26 SP-2009-01, Lots 137 and 138 SP-2009-05, Lots 249-251 and Lots 259-262 SP-2009-07, Lots 1-8, Lots 210-213 and Lot 215	Minimum <i>lot frontage</i> : 16.0 m. Minimum <i>lot area</i> : 430 sq. m. Minimum <i>front yard</i> where a <i>front yard</i> abuts Whitevale Road: 6.0 m. Minimum <i>interior side yard</i> where an <i>interior side yard</i> abuts Whitevale Road: 1.8 m. Minimum <i>flankage yard</i> : 6.0 m.
LD1	2	SP-2009-05, Street K, east of Sideline 28, Lots 233-235	Minimum <i>rear yard</i> : 7.5 m.
LD1	3	SP-2008-11, Street S and N, Lots 313-316 and Lots 384-387	The <i>lot line</i> facing the OS zone shall be deemed to be the <i>front lot line</i> . The <i>primary entrance door</i> shall face the <i>front lot line</i> . The zone standards in Table 3 shall apply as if the <i>lots</i> were <i>through lots</i> . For detached <i>private garages</i> , the <i>private garage</i> and <i>driveway</i> requirements of Section 2.16 would apply as if the <i>lots</i> were <i>through lots</i> .

Zone	#	Address	Description of Special Provision
LD1	4	SP-2009-01, Whitevale Road, east of Sideline 26, Lots 303 and 304	Minimum <i>lot frontage</i> : 22.0 m. Minimum front yard for Lot 303: 10.0 m.
LD1	5	SP-2008-12, Whitevale Road, east of Street P, Lots 121-125)	Minimum setback for <i>private garages</i> and <i>coach houses</i> from Whitevale Road: 6.0 m.
LD1	6	SP-2009-02, Street 3, Lot 38 SP-2009-03, Street 2, Lot 28	Minimum <i>rear yard</i> : 1.2 m. Minimum <i>interior side yard</i> : 1.2 m. and 6.0 m.
LD2	1	SP-2009-13, Street 3, Blocks 36 and 37, Street 11, Blocks 33, 34 and 35 and Street 13, Block 38 where they abut the Trans-northern pipeline	Any building, porch or deck shall have a minimum 5.0 m. setback from the lot line abutting the UT zone.
LD2-M	1	SP-2009-01, Sideline 26/ Whites Road, Blocks 229 to 236	Minimum <i>lot frontage</i> : 4.0 m. Minimum <i>amenity area</i> : 9 m ² Minimum <i>lot area</i> : 100 m ²
LD2-M	2	SP-2009-01, Sideline 26/ Whites Road, Block 375	For attached <i>private garages</i> accessed by a <i>lane</i> , the wall of the <i>private garage</i> facing the <i>lane</i> is located no further than 12.0 metres from the <i>rear lot line</i> .
LD2-M	3	SP-2009-01, Street 10, Blocks 369 and 370	Minimum <i>lot frontage</i> : 4.0 m. Minimum <i>amenity area</i> : 9 m ² Minimum <i>lot area</i> : 100 m ² The <i>lot line</i> facing the OS zone shall be deemed to be the <i>front lot line</i> . The <i>primary entrance door</i> shall face the <i>front lot line</i> . The zone standards in Table 3 shall apply as if the <i>lots</i> were <i>through lots</i> . For detached <i>private garages</i> , the <i>private garage</i> and <i>driveway</i> requirements of Section 2.16 would apply as if the <i>lots</i> were <i>through lots</i> .
MD-DS	1	SP-2009-04, Street 1, Lot 22 SP-2009-02, Street 30, Lot 395	Minimum <i>rear yard</i> : 1.2 m. Minimum <i>interior side yard</i> : 1.2 m. and 6.0 m.
MD-M	1	SP-2009-01, Sideline 26/ Whites Road, Blocks 225 to 228, 237 to 240 and 380. SP-2009-02, Sideline 26/ Whites Road, Blocks 1, 2, 10, 11, 291 to 299, 446, 447	Minimum <i>lot frontage</i> : 4.0 m. Minimum <i>amenity area</i> : 9 m ² Minimum <i>lot area</i> : 100 m ²
MD-M	2	SP-2009-05, Street Q, Block 380 SP-2009-06, Street N and Whitevale By-pass, Blocks 365 to 374	Minimum <i>front yard</i> : 2.4 m.

Zone	#	Address	Description of Special Provision
MD-M	3	SP-2009-07, Blocks 216 and 217	<p>The <i>lot line</i> facing the OS zone shall be deemed to be the <i>front lot line</i>.</p> <p>The <i>primary entrance door</i> shall face the <i>front lot line</i>.</p> <p>The zone standards in Table 8 shall apply as if the <i>lots</i> were <i>through lots</i>.</p> <p>For detached <i>private garages</i>, the <i>private garage</i> and <i>driveway</i> requirements of Section 2.16 would apply as if the <i>lots</i> were <i>through lots</i>.</p> <p>The minimum <i>lot frontage</i> abutting the OS zone for most westerly end <i>lot</i> in Block 216: 2.8 m.</p>

5.0 Mixed Use Zone Regulation

5.1 Uses Permitted

The following Table 12 establishes the uses permitted in the Mixed Corridor Type 1 (MC1), Mixed Corridor Type 2 (MC2), Mixed Corridor Type 3 (MC3), Minor Commercial Cluster (MCC), Local Node (LN), Community Node (CN) and Community Node – Pedestrian Predominant Area (CN-PP) zones.

Table 12: Permitted Uses in Mixed Use Zones

Use	Zone						
	MC1	MC2	MC3	MCC	LN	CN	CN-PP
<i>Street townhouse dwelling</i>	*	*					
<i>Duplex dwelling</i>	*	*					
<i>Multiple attached dwelling</i>	*	*					
<i>Block townhouse building</i>	*	*	*1		*1	*1	
<i>Back-to-back townhouse</i>	*	*	*1		*1	*1	
<i>Apartment dwelling</i>	*	*	*	*	*	*	*
<i>Live work unit</i>		*	*1	*	*1	*1	*
<i>Accessory dwelling unit</i>	*	*					
<i>Nursing Home or Long-Term Care</i>		*	*		*	*	
<i>Retirement home</i>		*	*		*	*	
<i>Model Home</i>	*	*	*	*	*	*	
<i>Commercial uses:</i>							
<i>Animal Care Establishment</i>		*	*		*	*	*2
<i>Art Gallery</i>		*	*	*	*	*	*
<i>Assembly, Convention or Conference Halls</i>		*	*			*	
<i>Arena</i>		*	*		*	*	
<i>Bake shop</i>		*	*	*	*	*	*
<i>Financial Institution</i>		*	*		*	*	*
<i>Café / restaurant</i>		*	*	*	*	*	*
<i>Medical office</i>		*	*	*	*	*	*2
<i>Commercial fitness / recreation centre</i>		*	*		*	*	*2
<i>Commercial school</i>	*	*	*		*	*	
<i>Convenience store</i>		*	*	*	*	*	*
<i>Day Care Centre</i>	*	*	*	*	*	*	*2
<i>Drive-through facility</i>		*	*		*	*	
<i>Dry-Cleaner's Distributing Station</i>		*	*	*	*	*	*
<i>Funeral home</i>		*	*		*	*	
<i>Gas bar</i>		*	*		*	*	
<i>Home improvement centre</i>						*	

Use	Zone						
	MC1	MC2	MC3	MCC	LN	CN	CN-PP
<i>Home-based business</i>	*	*		*			
<i>Hotel</i>		*	*			*	
<i>Nightclub</i>		*	*		*	*	*
<i>Tavern/bar/pub</i>		*	*		*	*	*
<i>Office</i>		*	*	*	*	*	*2
<i>Personal service Establishment</i>		*	*	*	*	*	*
<i>Place of amusement</i>		*	*		*	*	
<i>Place of worship</i>	*	*	*		*	*	
<i>Private club</i>		*	*		*	*	*2
<i>Retail store</i>		*	*	*	*	*	*
<i>Service and repair shop</i>		*	*		*	*	
<i>Supermarket</i>			*		*	*	
<i>Vehicle dealership</i>		*	*				
<i>Vehicle Repair Shop</i>		*	*				
<i>Veterinary clinic</i>		*	*		*	*	*2

Notes:

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

5.1.2 Additional Use Provisions

- a) Within a MC2, MC3, LN or CN zone, a *drive-through facility* and associated *stacking lanes* shall not be permitted between a *building* and a *street line* for any *building* located within 15.0 metres of a *street*.
- b) A car washing establishment shall only be permitted by site-specific by-law.

5.2 Mixed Corridor Type 1 (MC1) Zone Provisions

5.2.1 Lot and Building Requirements by Building Type

The following Table 13 establishes the zone standards that apply to the Mixed Corridor Type 1 (MC1) zone.

Table 13: Mixed Corridor Type 1 (MC1) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Land- scaped Open Space	Max. Building Height
Street townhouse dwelling										
with integrated <i>private garage</i> facing the <i>front lot line</i>	150 m ²	6 m / unit	3.0 m ⁽⁵⁾	NR	0.9 m for end unit	2.4 m	6 m / 5 m adjacent NHS zone	NR	25%	12.5 m
with detached <i>private garage</i> accessed from a <i>lane</i> ⁽⁶⁾	135 m ²	5 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	25 m ²⁽¹⁾ / unit	50%	12.5 m
with integrated <i>private garage</i> accessed from a <i>lane</i> ⁽⁶⁾	110 m ²	5 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	11 m ² / unit	50%	12.5 m
Duplex dwelling	300 m ²	12 m	3.0 m	4.5	3 m & 0.6 m	2.4 m	6 m / 5 m adjacent NHS zone	NR	35%	12.5 m
Multiple attached building	450 m ²	27 m	3.0 m	4.5	0.9 m	2.4 m	NR	11 m ² / unit	40%	16 m
Back to back townhouse dwelling	70 m ²	5.5 / unit	3.0 m ⁽⁵⁾	NR	0.9 m for end unit	2.4 m	NR	11 m ² / unit	22%	12.5 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Land- scaped Open Space	Max. Building Height
Apartment building / Nursing Home or Long-Term Care	NR	45 m	0 m	4.5 m (2),(3)	6.0 m ⁽³⁾	0 m min / 2 m ^{(2),(3)} max	7.5 m ⁽³⁾	NR	NR	10.5 m min / 20 m max
Block Townhouse Building	NR	50 m	3.0 m	5.5 m	1.2 m	2.4 m	6 m	NR	25% ⁽⁴⁾	10.5 m

Notes:

NR = No Requirement

1. With a minimum 5.0 metre separation between garage and *dwelling*.
2. 25 percent of the *building* facing the *street* can have a greater yard.
3. Except that for an underground garage the minimum *setback* is 0 metres.
4. Front *landscaped open space* shall be measured from the *front wall* of the *building* to the edge of the *private street*.
5. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
6. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

5.2.2 Additional Provisions

- a) Minimum depth of a *lot* for *back-to-back townhouse dwellings* shall be 13.0 metres.
- b) Maximum number of *street townhouse dwellings* in a *street townhouse building* shall be 8.
- c) Maximum number of *back-to-back townhouse dwellings* in a *back-to-back townhouse building* shall be 16.
- d) The minimum separation between *block townhouse buildings* on the same *lot* shall be 1.2 metres for a side wall to side wall condition, 12.0 metres for a rear wall to rear wall condition, and 13.5 metres for a front wall to front wall condition.
- e) No *private streets* shall be permitted between the *front wall* of a *block townhouse building* and a *street*.
- f) *Block townhouse buildings* adjacent to a *street* shall have their *primary entrance doors* oriented to the *street*.
- g) Where a *lot* flanks a *lane*, the larger required minimum *interior side yard* shall abut the *lane*.
- h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling*, *duplex dwelling*, *multiple attached building*, *back to back townhouse dwelling* or *block townhouse building* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

5.2.3 Additional Apartment Standards

- a) The minimum net density shall be 40 units per hectare and one *FSI*.
- b) The maximum net density shall be 140 units per hectare and up to and including 2.5 *FSI*.
- c) Minimum *balcony* depth: 1.5 metres
- d) Minimum *ground floor height* where *ground floor* commercial uses are provided: 4.5 metres (floor to floor)
- e) Maximum *building width*: 60 metres
- f) A minimum *pedestrian perception step-back* of 1.5 metres shall be required above the 4th storey.
- g) Where the *rear yard* or *side yard* of a *lot* containing an apartment *building* abuts a *lot* in the Low Density or Medium Density zone, the *building height* above 12.0 metres shall be limited by a 45-degree *angular plane* measured from a *height* of 12.0 metres at the 7.5 metre *setback* from adjoining Low Density or Medium Density Zones.

5.3 Mixed Corridor Type 2 (MC2) Zone Provisions

5.3.1 Lot and Building Requirements by Building Type

The following Table 14 establishes the zone standards that apply to the Mixed Corridor Type 2 (MC2) zone.

Table 14: Mixed Corridor Type 2 (MC2) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Land- scaped Open Space	Max. Building Height
Street townhouse dwelling										
with integrated <i>private garage</i> facing the <i>front lot line</i>	150 m ²	6 m / unit	3.0 m ⁽⁶⁾	NR	0.9 m for end unit	2.4 m	6 m / 5 m adjacent to NHS zone	NR	25%	12.5 m
with detached <i>private garage</i> accessed from a <i>lane</i> ⁽⁷⁾	125 m ²	5 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	25 m ²⁽¹⁾ / unit	50%	12.5 m
with integrated <i>private garage</i> accessed from <i>a lane</i> ⁽⁷⁾	100 m ²	4 m / unit	3.0 m	4.5 m	0.9 m for end unit	2.4 m	NR	9 m ² / unit	50%	12.5 m
Duplex dwelling	300 m ²	12 m	3.0 m	4.5	3 m & 0.6 m	2.4 m	6 m / 5 m adjacent to NHS zone	NR	35%	12.5 m
Multiple attached building	450 m ²	27 m	3.0 m	4.5	0.9 m	2.4 m	NR	11 m ² / unit	40%	16 m
Back to back townhouse dwelling	65 m ²	5 m / unit	3.0 m ⁽⁶⁾	NR	0.9 m for end unit	2.4 m	NR	11 m ² / unit	22%	12.5 m

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Min. Front Landscaped Open Space	Max. Building Height
Live work unit	125 m ²	5 m / unit	0 m	3.0 m	0.9 m for end unit	2 m	NR	25 m ² / unit	NR	9m min / 12.5 m max
Apartment building / Nursing Home or Long-Term Care / Retirement home	NR	45 m	0 m	3.0m ⁽²⁾⁽³⁾	6.0 m ⁽³⁾	0 m min/ 2 m ⁽²⁾⁽³⁾ max	7.5 m ⁽³⁾	NR	NR	20 m min / 63 m max
Building with sole retail / commercial uses		30 m	0 m	3.0 m ⁽²⁾	0 or 7.5m ⁽⁴⁾	0 m min / 2 m max	9 m	NR	NR	5 m min / 63 m max
Block Townhouse Building	NR	50 m	3.0 m	5.5 m	1.2 m	3.0 m	6 m	NR	25% ⁽⁵⁾	10.5 m

Notes:

NR = No Requirement

1. With a minimum 5.0 metre separation between garage and *dwelling*.
2. 25 percent of the *building* facing the *street* can have a greater *yard*.
3. Except that for an underground garage the minimum *setback* is 0 metres.
4. Adjacent to the other commercial uses, the minimum *side yard* shall be 0 metres. Adjacent to residential uses, the minimum *side yard* shall be 7.5 metres.
5. Front *landscaped open space* shall be measured from the *front wall* of the *building* to the edge of the *private street*.
6. The *front yard* setback of a *private garage* shall meet the requirements of Section 2.19 a).
7. Or accessed from a *street* abutting the *rear lot line* on a *through lot*.

5.3.2 Additional Provisions

- a) Minimum depth of individual *dwelling units* in a *back-to-back townhouse dwelling*: 13.0 metres
- b) Maximum number of *street townhouse dwellings* in a *street townhouse building* shall be 8.
- c) Maximum number of *back-to-back townhouse dwellings* in a *back-to-back townhouse building* shall be 16.
- d) The minimum separation between *block townhouse buildings* on the same *lot* shall be 1.2 metres for a side wall to side wall condition, 12.0 metres for a rear wall to rear wall condition, and 13.5 metres for a front wall to front wall condition.
- e) No *private streets* shall be permitted between the *front wall* of a *block townhouse building* and a *street*.
- f) *Block townhouse buildings* adjacent to a *street* shall have their *primary entrance doors* oriented to the *street*.
- g) Where a *lot* flanks a *lane*, the larger required minimum *interior side yard* shall abut the *lane*.
- h) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *street townhouse dwelling*, *duplex dwelling*, *multiple attached building* or *back to back townhouse dwelling* shall be 1.75 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
- i) Despite any *flankage yard* requirement, on a *corner lot*, the minimum *flankage yard* to a *corner rounding* for any *live work unit* shall be 1.5 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.
- j) Despite any *front yard* or *flankage yard* requirement, on a *corner lot*, the minimum *front yard* or *flankage yard* to a *corner rounding* for any *block townhouse building* shall be 1.75 metres at the front of a lot and 2.0 metres at the flankage of a lot. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

5.3.3 Additional Apartment Provisions

- a) The minimum net density shall be 60 units per hectare and one *FSI*.
- b) The maximum net density shall be 180 units per hectare and up to and including 2.5 *FSI*.
- c) Minimum *balcony* depth: 1.5 metres
- d) Minimum *ground floor height* where *ground floor* commercial uses are provided: 4.5 metres (floor to floor)
- e) Maximum *building width*: 60 metres
- f) *Buildings* taller than 12 *storeys* shall have a *podium* and a *tower component* to the *building*, which shall meet the following requirements:

- i) The minimum *Height of a podium*: 3 storeys / 10.5 metres
 - ii) The maximum *Height of a podium*: 5 storeys / 16.0 metres
 - iii) Minimum *setback* from a *podium* to a *tower*: 5.0 metres
 - iv) Maximum *floor plate* within a *tower*: 800 square metres
- g) For *buildings 12 storeys* and less, a minimum *pedestrian perception step-back* of 1.5 metres shall be required above the 4th *storey* and below the 8th *storey*. An additional *pedestrian perception step-back* of 1.5 metres shall be required above the 8th *storey* between 80 percent and 90 percent of the *building height*.
 - h) Where the *rear yard* or *side yard* of the apartment site abuts a property in the Low Density or Medium Density zone, the *building height* above 12.0 metres shall be limited by a 45-degree *angular plane* measured from a *height* of 12.0 metres at the 7.5 metre *setback* from adjoining Low Density or Medium Density Zones.

5.3.4 Additional Commercial Building Provisions

- a) In no case shall parking be permitted between a *building* and the *front lot line*.
- b) *Parking lots* abutting a *street* shall incorporate a 2.5 metre *landscape strip* between the *parking lot* and the *street line*.
- c) A *primary entrance door* open to the public shall be incorporated into the *front wall* of the *building* facing the *front lot line*.
- d) The maximum elevation of the *ground floor* above *grade* at the *primary entrance door* shall be 0.6 metres.
- e) The minimum *ground floor area* for a *retail/commercial unit* within a *live work unit* shall be 70 square metres.
- f) The maximum *gross leasable area* for a *retail/ commercial unit* within a *building* with sole retail /commercial uses shall be 4,000 square metres.

5.4 Mixed Corridor Type 3 – Gateway Sites (MC3) Zone Provisions

5.4.1 Lot and Building Requirements by Building Type

The following Table 15 establishes the zone standards that apply to the Mixed Corridor Type 3 – Gateway Sites (MC3) zone.

Table 15: Mixed Corridor Type 3 – Gateway Sites (MC3) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Lot Depth	Min. Rear Yard	Building Height
<i>Apartment building / Nursing Home or Long-Term Care / Retirement home</i>	NR	45 m	0 m	3 m ⁽¹⁾	6.0 m ⁽²⁾	0 m min / 2 m max ⁽¹⁾	45 m	7.5 m ⁽²⁾	20 m min / 63 m max
<i>Building with sole retail / commercial uses</i>	NR	30 m	0 m	3 m ⁽¹⁾	0 or 7.5m ⁽³⁾	0 m min / 2 m max ⁽¹⁾	NR	9 m	5 m min / 63 m max

Notes:

NR = No Requirement

1. 25 percent of the *building* facing the *street* can have a greater yard.
2. Except that for an underground garage the minimum *setback* is 0 metres.
3. Adjacent to the other commercial uses, the minimum *side yard* shall be 0 metres. Adjacent to residential uses, the minimum *side yard* shall be 7.5 metres.

5.4.2 Additional Apartment Provisions

- a) The minimum net density shall be 60 units per hectare and one *FSI*.
- b) The maximum net density shall be 180 units per hectare and up to and including 2.5 *FSI*.
- c) Minimum *balcony* depth: 1.5 metres
- d) Minimum *ground floor height* where *ground floor* commercial uses are provided: 4.5 metres (floor to floor)
- e) Maximum *building width*: 60 metres
- f) *Buildings* taller than 12 *storeys* shall have a *podium* and a *tower* component to the *building*, which shall meet the following requirements:
 - i) The minimum *height* of a *podium*: 3 *storeys* / 10.5 metres
 - ii) The maximum *height* of a *podium*: 5 *storeys* / 16.0 metres
 - iii) Minimum *setback* from a *podium* to a *tower*: 5.0 metres
 - iv) Maximum *floor plate* within a *tower*: 800 square metres
- g) For *buildings* 12 *storeys* and less, a minimum *pedestrian perception step-back* of 1.5 metres shall be required above the 4th *storey* and below the 8th *storey*. An additional *pedestrian perception step-back* of 1.5 metres shall be required above the 8th *storey* between 80 percent and 90 percent of the *building height*.
- h) Where the *rear yard* or *side yard* of a *lot* containing an *apartment building* abuts a *lot* in the Low Density or Medium Density zone, the *building height* above 12.0 metres shall be limited by a 45-degree *angular plane* measured from a *height* of 12.0 metres at the 7.5 metre *setback* from adjoining Low Density or Medium Density Zones.
- i) *Block Townhouse dwellings* and *back to back townhouse dwellings* constructed on a site in conjunction with an *apartment dwelling* shall meet the *setback*, *amenity area*, *landscaped open space* and *height* requirements of the MC2 zone for those *dwelling types*.

5.4.3 Additional Commercial Building Provisions

- a) In no case shall parking be permitted between a *building* and the *front lot line*.
- b) *Parking lots* abutting a *street* shall incorporate a 2.5 metre *landscape strip* between the *parking lot* and the *street line*.
- c) A *primary entrance door* open to the public shall be incorporated into the *front wall* of the *building* facing the *front lot line*.
- d) The maximum *gross leasable area* for a *retail/commercial unit* within a building with sole retail /commercial uses shall be 4,000 square metres.

5.5 Minor Commercial Clusters – (MCC) Zone Provisions

5.5.1 Building Types and Related Standards

The following Table 16 establishes the zone standards that apply to the Minor Commercial Clusters (MCC) zone.

Table 16: Minor Commercial Clusters (MCC) Zone Standards

Building Type	Min. Lot Area	Max. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Min. Amenity Area	Building Height
Live work Unit	110 m ²	NR	6 m / unit	0 m	3 m	0.9 m at <i>building</i> end	2 m	NR	11 m ²	9 m min / 12.5 m max
Building with sole retail / commercial uses	NR	NR	30 m	0 m	3 m	0 or 7.5m ⁽¹⁾	0 m min / 2 m max	9 m	NR	5 m min / 12.5 m max

Notes:

NR = No Requirement

1. Adjacent to the other commercial uses, the minimum *side yard* shall be 0 metres. Adjacent to residential uses, the minimum *side yard* shall be 7.5 metres.

5.5.2 Additional Provisions

- a) In no case shall parking be permitted between a *building* and the *front lot line*.
- b) *Parking lots* abutting a *street* shall incorporate a 2.5 metre *landscape strip* between the *parking lot* and the *street line*.
- c) A *primary entrance door* open to the public shall be incorporated into the *front wall* of the *building* facing the *front lot line*.
- d) The minimum *ground floor area* for an individual *retail/commercial unit* in a *live work unit* shall be 50 square metres, and the maximum *ground floor area* for an individual *retail/commercial unit* shall be 200 square metres.

- e) The minimum *gross leasable area* for an individual *retail/commercial unit* in a *building* with sole retail /commercial uses shall be 70 square metres, and the maximum *gross leasable area* for an individual *retail/commercial unit* shall be 200 square metres.
- f) The maximum elevation of the *ground floor* above *grade* at the *primary entrance door* shall be 0.6 metres.
- g) Despite any *flankage yard* requirement, on a *corner lot*, the minimum *flankage yard* to a *corner rounding* for any *live work unit* shall be 1.5 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

5.6 Local Node (LN) and Community Node (CN) – Zone Provisions

5.6.1 Building Types and Related Standards

The following Table 17 establishes the zone standards that apply to the Local Node (LN) and Community Node (CN) zones.

Table 17: Local Node (LN) and Community Node (CN) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Lot Depth	Min. Rear Yard	Building Height
Apartment building / Nursing Home or Long-term Care/Retirement home	NR	45 m	0 m	3 m ⁽³⁾	6.0 m ⁽¹⁾	0 m min / 2 m max	45 m	7.5 m ⁽¹⁾	20 m min / 63 m max
Building with sole retail / commercial uses	NR	30 m	0 m	3 m ⁽³⁾	0 or 7.5m ^{(1),(2)}	0 m min / 2 m max	NR	9 m	5 m min / 63 m max

Notes:

NR = No Requirement

1. Except that for an underground garage the minimum *setback* is 0 metres.
2. Adjacent to the other commercial uses, the minimum *side yard* shall be 0 metres. Adjacent to residential uses, the minimum *side yard* shall be 7.5 metres.
3. The maximum *front yard setback* applies to all *buildings* located within 30.0 metres of an adjacent *arterial road*, and for such *buildings*, the maximum *front yard setback* applies to 75 percent of the *front wall*; 25 percent of each *front wall* can have a greater *front yard setback*.

5.6.2 Additional Apartment Provisions

- a) The minimum net density shall be 80 units per hectare
- b) The maximum net density shall be 140 units per hectare and up to and including 2.5 FSI.
- c) Minimum *balcony* depth: 1.5 metres
- d) Minimum *ground floor height* where *ground floor* commercial uses are provided: 4.5 metres (floor to floor)
- e) Maximum *building width*: 60 metres
- f) *Buildings* taller than 12 *storeys* shall have a *podium* and a *tower* component to the *building*, which shall meet the following requirements:
 - i) The minimum *height* of a *podium*: 3 *storeys* / 10.5 metres
 - ii) The maximum *height* of a *podium*: 5 *storeys* / 16.0 metres
 - iii) Minimum *setback* from a *podium* to a *tower*: 5.0 metres
 - iv) Maximum *floor plate* within a *tower*: 800 square metres
- g) For *buildings* 12 *storeys* and less, a minimum *pedestrian perception step-back* of 1.5 metre shall be required above the 4th *storey* and below the 8th *storey*. An additional *pedestrian perception step-back* of 1.5 metres shall be required above the 8th *storey* between 80 percent and 90 percent of the *building height*.
- h) Where the *rear yard* or *side yard* of a *lot* containing an *apartment building* abuts a *lot* in the Low Density or Medium Density zone, the *building height* above 12.0 metres shall be limited by a 45-degree *angular plane* measured from a *height* of 12.0 metres at the 7.5 metre *setback* from adjoining Low Density or Medium Density Zones.
 - i) *Block Townhouse dwellings* and *back to back townhouse dwellings* constructed on a site in conjunction with an *apartment dwelling* shall meet the *setback*, *amenity area*, *landscaped open space* and *height* requirements of the MC2 zone for those *dwelling types*.

5.6.3 Additional Commercial Provisions

- a) *Parking lots* abutting a *street* shall incorporate a 2.5 metre *landscape strip* between the *parking lot* and the *street line*.
- b) A *primary entrance door* open to the public shall be incorporated into the *front wall* of all *buildings* facing the *front lot line* or alternatively on a side wall within 3.0 metres of the *front wall*.
 - i) For the Community Node Zone on Taunton Road, Taunton Road shall be deemed to be the front lot line;
 - ii) For the Community Node Zone at Sideline 26/Whites Road and the Whitevale Road By-pass, the Whitevale By-pass shall be deemed to be the front lot line; and
 - iii) For the Community Node Zone at Sideline 22 and the Whitevale Road By-pass, the Whitevale Road By-pass shall be deemed to be the front lot line.

- c) Within a Community Node (CN) zone and any adjacent CN-PP zone, the total *gross leasable area* on the *ground floor* of all *buildings* within the two zones that are available for the retailing of goods and services shall not exceed 20,000 square metres.
- d) For buildings under 4,000 square metres, at least 60 percent of the surface area of each wall facing and located within 30.0 metres of an adjacent *arterial road* shall be comprised of *openings*. For buildings 4,000 square metres, and larger, at least 40 percent of the surface area of each wall facing and located within 30.0 metres of an adjacent *arterial road* shall be comprised of *openings*. This provision only applies to that proportion of the wall that is within 3.0 metres of *established grade*.
- e) A minimum of 40 percent of the *street line* abutting an adjacent *arterial road* shall be the location of a *front wall* that is set back no further than 3.0 metres from the *street line*. The minimum requirement shall be deemed to be met when it is shown on an approved site plan.

5.7 Community Node – Pedestrian Predominant Area (CN-PP) – Zone Provisions

5.7.1 Building Types and Related Standards

The following Table 18 establishes the zone standards that apply to the Community Node – Pedestrian Predominant Area (CN-PP) zone.

Table 18: Community Node – Pedestrian Predominant Area (CN-PP) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Lot Depth	Min. Rear Yard	Building Height
Apartment building	NR	45 m	0 m	3 m ⁽¹⁾	6.0 m ⁽²⁾	0 m min / 2 m max ⁽¹⁾	45 m	7.5 m ⁽²⁾	20 m min / 63 m max
Live work unit	125 m	5 m / unit	0 m	3 m	0.9 m at <i>building</i> end	2 m	NR	25 m ² <i>amenity</i> <i>area</i>	12.5 m max
Building with sole retail / commercial uses	NR	30 m	0 m	3 m ⁽¹⁾	0 or 7.5m ⁽³⁾	0 m min / 2 m max ⁽¹⁾	NR	9 m	7.5 m min / 63 m max

Notes:

NR = No Requirement

1. For 75 percent of the *building* facing the *street*, 25 percent can have a greater *yard*.
2. Except that for an underground garage the minimum *setback* is 0 metres.
3. Adjacent to the other commercial uses, the minimum *side yard* shall be 0 metres. Adjacent to residential uses, the minimum *side yard* shall be 7.5 metres.

5.7.2 Additional Provisions

- a) Despite any *flankage yard* requirement, on a *corner lot*, the minimum *flankage yard* to a *corner rounding* for any *live work unit* shall be 1.5 metres. Where applicable, the requirements of Section 2.16, 2.17 and 2.18 shall continue to apply.

5.7.3 Additional Apartment Provisions

- a) The minimum net density shall be 80 units per hectare
- b) The maximum net density shall be 140 units per hectare and up to and including 2.5 *FSI*.
- c) Minimum *balcony* depth: 1.5 metres
- d) Minimum *ground floor height*: 4.5 metres (floor to floor)
- e) Maximum *building width*: 60 metres
- f) *Buildings* taller than 12 *storeys* shall have a *podium* and a *tower* component to the *building*, which shall meet the following requirements:
 - i) The minimum *height* of a *podium*: 3 *storeys* / 10.5 metres
 - ii) The maximum *height* of a *podium*: 5 *storeys* / 16.0 metres
 - iii) Minimum *setback* from a *podium* to a *tower*: 5.0 metres
 - iv) Maximum *floor plate* within a *tower*: 800 square metres
- g) For *buildings* 12 *storeys* and less, a minimum *pedestrian perception step-back* of 1.5 metres shall be required above the 4th *storey* and below the 8th *storey*. An additional *pedestrian perception step-back* of 1.5 metres shall be required above the 8th *storey* between 80 percent and 90 percent of the *building height*.
- h) Where the *rear yard* or *side yard* of a *lot* containing an *apartment building* abuts a *lot* in the Low Density or Medium Density zone, the *building height* above 12.0 metres shall be limited by a 45-degree *angular plane* measured from a *height* of 12.0 metres at the 7.5 metre *setback* from adjoining Low Density or Medium Density Zones.
- i) Residential uses shall be prohibited on the *ground floor* of *apartment dwellings* facing the *street* or the *private street* within the CN-PP Zone.

5.7.4 Additional Commercial Provisions

- a) *Parking lots* abutting a *street* shall incorporate a 2.5 metre *landscape strip* between the *parking lot* and the *street line*.
- b) The CN-PP zone shall straddle each side of a *street* or a *private street*. Where the CN-PP Zone does not straddle each side of a *street*, a *private street* shall be provided where:
 - i) the front of all *buildings* or *structures* located within the CN-PP zone, face each other along the *private street* provided, however, that *buildings* located on corners may front on two intersecting *streets/private streets*.

- ii) *buildings* shall be separated by a minimum 17.0 metres and a maximum of 20.0 metres to accommodate pedestrian sidewalks, two through *lanes* of traffic and parking parallel to the traffic *lanes*.
 - iii) pedestrian sidewalks on each side of the *private street* shall have a width of at least 3.0 metres.
- c) A *primary entrance door* open to the public shall be incorporated into the *front wall* of the *building* facing the *front lot line* along a *street* or facing the pedestrian sidewalk along a *private street*.
 - d) At least 60 percent of the surface area of each wall facing the *street*, or facing the pedestrian sidewalk along a *private street*, shall be comprised of *openings*. This provision only applies to that proportion of the wall that is within 3.0 metres of *established grade*.
 - e) A minimum of 75 percent of the *street line* abutting the *street*, or facing the pedestrian sidewalk along a *private street*, shall be the location of a *front wall* that is set back no further than 5.0 metres from the *street line*. The minimum requirement shall be deemed to be met when it is shown on an approved site plan.
 - f) The minimum ground floor *area* for a *retail/commercial unit* shall be 70 square metres and the maximum *gross leasable area* for a *retail/commercial unit* shall be 500 square metres.
 - g) The width of each individual permitted use facing the *street*, or facing the pedestrian sidewalk along a *private street*, shall not exceed 15.0 metres.
 - h) A minimum of 6,000 square metres of *gross leasable area* for the retailing of goods and services shall be provided within the CN-PP zone, except that the CN-PP zone located immediately north and/or south of Taunton Road between Sideline 22 and Sideline 24 shall have a minimum *gross leasable area* for the retailing of goods and services of 7,500 square metres.

5.8 Exceptions

The following Table 19 establishes the permitted use exceptions that apply to the Residential Zones.

Table 19: Permitted Use Exceptions

Zone	#	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
MC1	1	SP-2009-13, West of Sideline 24, south of the pipeline but excluding the lots fronting onto Sideline 24	Detached dwelling in accordance with the provisions of the LD2 zone.		
LN	1	SP-2008-12, north of Whitevale Road By-pass, west of Sideline 24, Lot 568	Car washing establishment		

The following Table 20 establishes the Lot and Building and Structure exceptions that apply to the Mixed Use Zones.

Table 20: Lot and Building and Structure Exceptions

Zone	#	Address	Description of Special Provision
MC1 MC2	2 1	SP-2009-13, South of Taunton Road west of Sideline 24, north of the pipeline	The minimum number of dwelling units: 267 units
MC2	1	Part of Lots 25 and 26, Concession 3, Now Parts 1 and 2, 40R-24268 and Part of Lot 3, 40R-29614	<p><i>Building, Multiple Attached</i> means a <i>building</i> containing three or more <i>dwelling units</i>, and may contain some of the <i>dwelling units</i> accessed directly from the outside.</p> <p><i>Building, Block Townhouse or Block Townhouse Building</i> means a <i>building</i> or <i>structure</i> that is vertically and/or horizontally divided into a minimum of three <i>dwelling units</i>, each of which has an independent entrance from <i>grade</i> to the front and rear of the <i>building</i>, and each of which are divided vertically and/or horizontally above <i>grade</i> by a common wall adjoining <i>dwelling units</i> or a <i>private garage</i> above <i>grade</i> and where all <i>dwelling units</i> are located on one lot and accessed from a <i>private street</i>, laneway or common condominium driveway.</p>

Zone	#	Address	Description of Special Provision
			<p><i>Park, Private</i> means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.</p> <p>Minimum number of dwelling units: 74 units.</p> <p>Minimum <i>Front Yard</i>: NR.</p> <p>Maximum Front Yard: 5.5 m.</p> <p>Minimum <i>Rear Yard</i>: NR.</p> <p>Minimum <i>Front Landscaped Open Space</i>: NR.</p> <p>Minimum <i>Park, Private</i>: 95 m².</p> <p>Maximum <i>Building Height for Block, Townhouse Building</i>: 16 m</p> <p>Section 3.5 b) and c) shall not apply.</p>
MC1	3	SP-2009-13, Street 2, Blocks 8 and 9 and Street 13, Blocks 38, 39 and 40 where they abut the Trans-northern pipeline	Maximum encroachment of a porch or deck into the required rear yard shall be 1.0 metre.
MC1	4	SP-2008-05, Sideline 26 / Whites Road, Blocks 165 to 169 SP-2008-06, Sideline 26 / Whites Road, Blocks 32 to 35 and 6 to 10	<p>Minimum <i>lot frontage</i>: 4.0 m.</p> <p>Minimum <i>amenity area</i>: 9 m²</p> <p>Minimum <i>lot area</i>: 100 m²</p>
MC2	2	SP-2008-05, Street 10, Blocks 222-225	<p>The <i>lot line</i> facing the OS zone shall be deemed to be the <i>front lot line</i>.</p> <p>The <i>primary entrance door</i> shall face the <i>front lot line</i>.</p> <p>The zone standards in Table 14 shall apply as if the <i>lots</i> were <i>through lots</i>.</p> <p>For detached <i>private garages</i>, the <i>private garage</i> and <i>driveway</i> requirements of Section 2.16 would apply as if the <i>lots</i> were <i>through lots</i>.</p>
MC2	3	SP-2009-13, South of Taunton Road, west of Sideline 24, east and west of Street 3, Blocks 5, 6, 12 and 14	Minimum <i>lot area</i> : 84 m ²

Zone	#	Address	Description of Special Provision
CN	1	Community Node straddling Taunton Road between Sideline 22 and Sideline 24, SP-2008-07 Blocks 190 - 191 and SP-2009-14 Block 76	The <i>gross leasable area</i> on the <i>ground floor</i> of all <i>buildings</i> within the Community Node (CN) including any adjacent CN-PP zone shall not exceed 60,000 square metres for the retailing of goods and services.

6.0 Employment Area Zone Regulation

6.1 Use Categories Permitted

The following Tables 21 and 22 establish the permitted uses in the Prestige Employment General (PEG), Prestige Employment Node (PEN), Prestige Employment – Heritage Lot (PE-HL) and Employment Service (ES) zones.

- a) The following categories of uses shall be permitted. The list of specific uses after each underlined category are intended as examples only. Other similar uses which may fall under the category will also be permitted.

Table 21: Categories of Uses Permitted in Employment Zones

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

- b) The following specific uses shall be permitted in addition to those permitted uses in 6.1 a).

Table 22: Specific Uses Permitted in Employment Zones

Use	Zone			
	PEG	PEN	PE-HL	ES
<i>Office</i>	*	*	*	*
<i>Commercial Fitness/ Recreation Centre</i>		*(1)		*
<i>Medical office</i>		*(1)	*	*
<i>Restaurant</i>		*(1)	*	*
<i>Bake shop</i>		*(1)	*	*
<i>Café</i>		*(1)	*	*
<i>Personal Service Establishments</i>		*(1)	*	*
<i>Day Care Centre</i>		*(1)	*	*
<i>Dry-Cleaner's distributing station</i>		*(1)		*
<i>Convenience store</i>		*(1)		*
<i>Financial Institution</i>		*(1)		*
<i>Gas bar, including an accessory car washing establishment, convenience store and/or café</i>				*
<i>Ancillary retail sales</i>	*	*		
<i>Dry-cleaning establishments</i>	*			
Storage and warehousing as an accessory use	*			

Notes:

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

6.2 Use Limitations

- a) Uses permitted in the ES zone shall be clustered on a *lot* with a minimum of 4 retail / commercial units on a *lot*.
- b) ES zones shall abut an *arterial road* and be located within 100 metres of a signalized intersection and a transit stop.
- c) Only one *gas bar* shall be located within 100 metres of a signalized intersection.
- d) For *ancillary retail* sales, up to a maximum of 15 percent of the total *gross leasable floor area* of a use may be used for the display and retail sale of products manufactured, fabricated, processed or assembled on the premises provided the retail sales and display area is separated from the principal industrial use by solid partition walls. The maximum *gross leasable floor area* for *ancillary retail* sales may be increased to 25 percent provided the total *gross leasable floor area* of the use is less than 1,000 square metres.

6.3 Uses Prohibited

The following uses shall be prohibited in the PEG and PEN zones:

- a) *Retail stores*;
- b) Outdoor storage;
- c) *Waste processing station, waste transfer station* and recycling facilities;

- d) Freight transfer, trucking terminals and similar uses;
- e) *Vehicle dealership, vehicle repair shop and automobile body shops;*
- f) *Places of worship;* and
- g) *Elementary schools, secondary schools and private schools.*

6.4 Employment Zone – Zone Provisions

6.4.1 Lot and Building Requirements

The following Table 23 establishes the zones standards that apply to the Prestige Employment General (PEG), Prestige Employment Node (PEN) and Employment Service (ES) zones.

Table 23: Employment Zone Standards

Zone	Min./Max. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Max. Building Height
PEG	0.8 ha / n/a	40 m	2 m	5 m	1.5 m	3 m	3 m	16 m
PEN	0.4 ha / n/a	30 m	2 m	5 m	1.5 m	3 m	3 m	60 m
ES	0.4 ha / 2 ha	30 m	2 m	5 m	1.5 m	3 m	3 m	12.5 m

6.4.2 Additional Provisions

- a) Notwithstanding Section 6.4.1, any *lot line* that abuts Highway 407 shall have a minimum *lot line* length of 60 metres.
- b) Notwithstanding Section 6.4.1, an *interior side yard* or *rear yard setback* abutting a residential zone shall be a minimum of 7.5 metres, 100 percent of which must be landscaped.
- c) In no case shall parking be permitted between a *building* and the *front lot line*.
- d) A *primary entrance door* shall be incorporated into the *front wall* of the *building* facing the *front lot line*.
- e) For *lots* abutting Highway 407, no *building*, *structure* or required *parking spaces* and aisles shall be permitted within 14.0 metres of the *lot line* abutting Highway 407.

6.4.3 Prestige Employment – Heritage Lot “PE-HL” Provisions

- a) On lands zoned PE-HL, the minimum *lot area* and minimum *lot frontage* shall be the *lot area* and *lot frontage* existing on the date this By-law came into effect.
- b) The minimum *yards* shall be the *yards* existing on the date this By-law came into effect. However, *yards* except the *front yard* may be decreased by 10 percent subject to an approved site plan application.

6.5 Exceptions

Table 24: Permitted Use Exceptions

Zone	#	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
PEG	1	Part of Lots 23 and 24, Concession 5, now Part 1, 40R-29998 and Part of Part 7, 40R-25010	Controlled Open Storage ¹ Accessory Display ²		

Notes:

1. Controlled open storage areas may be permitted if accessory and incidental to a manufacturing/assembly plant as the principle use on the same lot, subject to the following;
 - a) An open storage area shall be permitted only in a rear yard and not closer than 9.0 metres to any street line, provided that such storage area shall be so located that it is not visible from a street along any line that is perpendicular to such street.
 - b) An open storage area shall not extend over more than 15 percent of the lot area and such area shall be exclusive of parking spaces required by Section 3.0 of the By-law, and shall not exceed the ground floor area of buildings upon the lot.
 - c) An open storage area can be used for only:
 - (i) the temporary storage of products manufactured, assembled or used on the premises
2. As an accessory use to the manufacturing/assembly plant, limited display of finished products in a visible location may be permitted.

7.0 Community Use Zone Regulations

7.1 Uses Permitted

The following Table 24 establishes the uses permitted in the Community Use (CU) zone.

Table 25: Permitted Uses in the Community Use Zone

Use	Zone
	CU
Arena	
Elementary school	*
Secondary school	*
Private school	*
Places of worship	*
Library	*
Community centre	*
Day Care Centre	*
Emergency service facility	*

7.2 Community Use (CU) Zone – Zone Provisions

7.2.1 Lot and Building Requirements

The following Table 25 establishes the zones standards that apply to the Community Use (CU) zone.

Table 26: Community Use (CU) Zone Standards

Building Type	Min. Lot Area	Min. Lot Frontage	Min. Front Yard	Max. Front Yard	Min. Interior Side Yard	Min. Flankage Yard	Min. Rear Yard	Max. Building Height
All uses	NR	30 m	3 m	4.5 m ⁽¹⁾⁽²⁾	1.5 m	3 m	7.5 m	See 7.2.2

Notes:

NR = No Requirement

1. The maximum *front yard setback* shall not apply to garage bays for emergency vehicles.
2. 25 percent of the *building* facing the *street* can have a greater *yard*.
3. The *maximum front yard* requirement can alternatively apply to the *flankage yard* in which case no maximum front yard would apply.

7.2.2 Height Maximum

- a) The maximum *height* of a *day care centre* shall be 10.5 metres.
- b) The maximum *height* of a *secondary school* and *community centre* shall be 16.0 metres.
- c) The maximum *height* of all other uses shall be 12.5 metres.

7.2.3 Additional Provisions

- a) In no case shall parking be permitted between a *building* and the *front lot line* or alternatively a *flankage lot line* where applicable.
- b) *Parking lots* abutting a *street* shall incorporate a 2.5 metre *landscape strip* between the *parking lot* and the *street line*.
- c) *Parking lots* abutting a residential zone shall be set back 3.0 metres from the *lot line* with an intervening *landscape strip*.
- d) A *primary entrance door* shall be incorporated into the *front wall* of the *building* facing the *front lot line* or alternatively a *flankage lot line* where applicable.
- e) In the case of a *place of worship*, the *gross floor area* devoted to worship must be a minimum of 50 percent of the total *gross floor area* of the *building*.
- f) Where an adjacent zone permits a minimum *front yard* or *flankage yard* of 0 metres, the minimum *front yard* and minimum *flankage yard* shall be 0 metres where the adjacent *flankage yards* or *front yards* are located along the same *street*.
- g) Where the use is adjacent to a *detached, semi-detached, townhouse or multiple attached dwelling*, the minimum *interior side yard* shall be 3.0 metre and shall be increased by 1.0 metre for every metre of *height* in excess of 8.0 metres to a maximum of 7.5 metres.

7.3 Exceptions

The following Table 26 establishes the Lot and Building and Structure exceptions that apply to the Mixed Use Zones.

Table 27: Lot and Building and Structure Exceptions

Zone	#	Address	Description of Special Provision
CU	1	Block 615, Plan SP-2008-11, Sideline 24	The <i>secondary school</i> site shall be exempt from the provisions of Section 7.2.3 (d), which requires a <i>primary entrance door</i> to be incorporated into the <i>front wall</i> of the <i>building</i> facing the <i>front lot line</i> .

8.0 Natural Heritage and Open Space Zones

8.1 Uses Permitted

The following Table 27 establishes the uses permitted in the District/Community Park (DCP), Open Space (OS), Stormwater Management (SWM), Golf Course (GC), Natural Heritage System (NHS), Cemetery (CE) and Hamlet Heritage Open Space (HHOS) zones.

Table 28: Permitted Uses in Open Space Zones

Use	Zone						
	DCP	OS	SWM	GC	NHS	CE	HHOS
<i>Arena</i>	*						
<i>Community Centre</i>	*						
Community gardens	*	*			*		*
Library	*						
Outdoor public swimming pool	*						
Outdoor skating rink	*						*
Illuminated play fields / courts	*			*			*
Non-illuminated play fields / courts	*	*		*			*
Passive fringe areas to play fields / courts	*	*			*		*
Playground	*	*		*	*		*
Picnic area	*	*			*		*
Unorganized play areas	*	*		*	*		*
Public trails, trailheads, rest areas	*	*	*		*		*
Stormwater management facilities	*		*	*	*		*
<i>Existing detached dwellings</i>	*	*			*		*
Forest, fish and wildlife management and associated scientific and educational uses					*		
<i>Golf Course</i>				*			
<i>Associated parking lots</i>	*			*	*	*	*
<i>Cemetery</i>						*	
<i>Place of Worship</i>							*
Other social and institutional uses							*
Renewable energy systems							*

8.2 Open Space (OS) Zone – Zone Provisions

8.2.1 Lot and Building Requirements

The following Table 28 establishes the zone standards that apply to the District/Community Park (DCP), Open Space (OS), Stormwater Management (SWM), Golf Course (GC), Natural Heritage System (NHS) and Cemetery (CE) zones.

Table 29: Open Space Zone Standards

Zone	Min. <i>Front Yard</i>	Max. <i>Front Yard</i>	Min. <i>Interior Side Yard</i>	Min. <i>Flankage Yard</i>	Min. <i>Rear Yard</i>	Max. <i>Coverage</i>
DCP	3 m	6	1.5 m	3 m	7.5 m	25%
OS	3 m	NR	1.5 m	3 m	7.5 m	5%
SWMP	NR	NR	NR	NR	NR	0%
GC	15 m	NR	6 m	6 m	15 m	NR
NHS	NR	NR	NR	NR	NR	NR
CE	15 m	NR	6 m	6 m	7.5 m	NR
HHOS	15 m	NR	6 m	6 m	15 m	25%

Notes:

NR = No Requirement

8.2.2 Height Maximum

- a) The maximum *height* of a *community centre* shall be 16.0 metres.
- b) The maximum *height* of all other uses shall be 12.5 metres.

8.2.3 Additional Provisions

- a) *Parking lots* abutting a *street* shall incorporate a 2.5 metre *landscape strip* between the *parking lot* and the *street line*.
- b) *Parking lots* abutting a residential zone shall be set back 3.0 metre from the *lot line* with an intervening *landscape strip*.
- c) Expansions to *existing detached dwellings* shall meet the *lot* and *building* requirements of Section 4.2.1.

8.3 Exceptions

The following Table 29 establishes the permitted use exceptions that apply to the Open Space Zones.

Table 30: Permitted Use Exceptions

Zone	#	Address	Additional Uses Permitted	Sole Permitted Uses	Excluded Uses
OS	1	SP-2009-11, Street 4, Block C			Grading Infrastructure Utilities Buildings and structures

9.0 Utility Zone

9.1 Uses Permitted

The following Table 30 establishes the uses permitted in the Utility (UT) zone.

Table 31: Utility (UT) Zone Standards

Use	Permission
Water storage, pumping and/or treatment facilities	*
Sewage pumping and/or treatment facilities	*
Gas, oil or geothermal pipelines	*
Transmission and distribution of electric power, excluding generation of electric power	*
Limited access highways, including associated bridges, overpasses and transit corridors	*

9.2 Utility Zone – Zone Provisions

9.2.1 Lot and Building Requirements

- a) Buildings shall be in compliance with the most restrictive provisions of any zone(s) adjacent to the Utility (UT) zone.

9.3 Exceptions

10.0 Definitions

“Accessory Dwelling Unit” means one self contained *dwelling unit* contained within a permitted *detached dwelling, semi-detached dwelling, townhouse dwelling or coach house*.

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

“Adverse effect” means:

- a) impairment of the quality of the environment for any use that can be made of it;
- b) injury or damage to property or to plant or animal life;
- c) harm or material discomfort to any *person*;
- d) impairment of the health of any *person*;
- e) impairment of the safety of any *person*;
- f) rendering any *lot* unfit for its *existing* or permitted use;
- g) loss of enjoyment of normal use of property; and/or
- h) interference with a residential use or conduct of business.

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

- 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 of 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

“Adult Video” means any cinematographic film, videotape, video disc, or other medium designed to produce visual images that may be viewed as moving pictures, classified by the Ontario Film Review Board or any successor agency, as both “restricted” and “adult sex film”, or any similar successor designation.

“Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

“Aisle, Parking Lot” means an internal roadway immediately adjacent to a *parking space* or *loading space* which provides vehicular access to and from the *parking space* or *loading space*, and is not a *driveway*.

“Alterations, Structural” means any change in the supporting members of a *building* and “*structurally altered*” and “*structurally altering*” shall have a corresponding meaning.

“Amenity Area” means an outdoor area located anywhere on a *lot*, or the roof of a parking *structure*, *private garage* or any other *building* which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a *balcony*, porch or deck and which has direct access from the interior of the dwelling unit.

“Ancillary Retail Sales” means a retail use which is associated with, but clearly subordinate to, a principal use:

- i. with a maximum *gross leasable area* of 15 percent of the *building*;
- ii. with a maximum *gross leasable area* of 250 square metres per *ancillary retail* use, or service commercial use; and,
- iii. without a separate direct exterior access.

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

“Animal Boarding Establishment” means a *building*, *structure* or part thereof, where dogs and cats and other domesticated animals, excluding *livestock*, are bred, raised, groomed, trained or kept for a fee on a temporary basis and may include outdoor facilities.

“Animal Care Establishment” means a *building*, *structure* or part thereof, where dogs and cats and other domesticated animals, excluding *livestock*, are groomed and/or kept for a fee on a daily basis.

“Arena” means a *building* or part thereof, in which the principal facilities provide for recreational activities such as curling, skating, hockey, lacrosse, broomball or other similar athletic activities, and which facilities may include dressing rooms, concession booths for the provision of food and refreshments, bleachers, equipment for making artificial ice and other such accessory facilities.

“Art Gallery” means a premises where paintings, sculptures, or other works of art are exhibited or sold.

“Arterial Road” means a road identified in the Pickering Official Plan as an Arterial Road Type A, B or C.

“Assembly Hall” or “Convention Hall” or “Conference Hall” means a *building* or part of a *building* designed or intended to be used for such purposes as civic meetings, educational meetings, political meetings, conventions, conferences, trade shows, recreational activities or social activities and may include ancillary banquet facilities.

“Automobile Body Shop” means an establishment engaged in repairing or painting of vehicle bodies.

“Bake Shop” means an establishment where baked goods are made and sold to the public.

“Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a *building*, usually surrounded by a balustrade or railing, and does not have direct exterior access to *grade*.

“Basement” means that portion of a *building* below the *first storey*, where the finished floor is located below *established grade* and at least half of its height, from finished floor to underside of floor joists of the next above *storey*, is located above the *established grade*.

“Bay, Bow or Box Window” means a window that protrudes from the wall of a *dwelling* usually bowed, canted, polygonal, segmental, semicircular or square sided with a window on the front face in plan; one or more *storeys* in height, which may or may not include a foundation and may or may include a widow seat.

“Bed and Breakfast Establishment” means the provision of lodging with or without meals for the traveling public within a *detached dwelling*.

“Block” means all land fronting on one side of a *street* between the nearest *streets*, intersecting, meeting or crossing said *street*.

“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*.

“Building, Apartment” means a *building* containing more than four *dwelling units* where the units are connected by an interior corridor.

“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*.

“Building, Block Townhouse or Block Townhouse Building” means a *building* or *structure* that is vertically divided into a minimum of three *dwelling units*, each of which has an independent entrance from *grade* to the front and rear of the *building*, and each of which are divided vertically above *grade* by a common wall adjoining *dwelling units* or a *private garage* above *grade* and where all dwelling units are located on one lot and accessed from a *private street*, laneway or common condominium driveway.

“Building Height” means the vertical distance between the *established grade*, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean *height* level between eaves and ridge. A penthouse, *tower*, cupola, steeple or other roof *structure* which is used only as an ornament upon or to house the mechanical equipment of any *building* shall be excluded in calculating the *height* of such *building*.

“Building, Multiple Attached” means a *building* containing three or more *dwelling units*, with the *dwelling units* accessed by one or more common entrances and may contain some of the *dwelling units* accessed directly from the outside.

“Building, Principal or Main” means a *building*, which constitutes, by reason of its use, the primary purpose for which the *lot* is used.

“Building, Street Townhouse or Street Townhouse Building” means a *building* that is vertically divided into a minimum of three *dwelling units*, each of which has an independent entrance from *grade* to the front and rear of the *building*, and each of which are divided vertically above *grade* by a common wall adjoining *dwelling units* or a *private garage* above *grade* and where each *dwelling unit* is located on an individual *lot*.

“Café” means a *restaurant* with a maximum *gross leasable floor area* of 100 square metres and which serves non-alcoholic beverages, snacks and light meals and does not include a *drive-through facility*.

“Cellar” means that portion of a *building* below the first *storey*, where the finished floor is located below *established grade* and at least half its height, from finished floor to underside of floor joists of the next above *storey*, is located below the *established grade*.

“Cemetery” means the lands used or intended to be used for the interment of human remains.

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

“Coach House” means a detached *building containing a private garage* on the ground floor and an *accessory dwelling unit* on the second floor.

“Commercial Fitness / Recreational Centre” means a commercial establishment in which indoor fitness and recreational facilities such as bowling alleys, miniature *golf courses*, roller skating rinks, squash courts, swimming pools, exercise classes and other similar indoor recreational facilities are provided and operated for gain or profit, but does not an *arena*, stadium or *place of amusement* or entertainment as defined *herein*.

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

“Community Centre” means a multi-purpose facility or part of that facility owned and operated by the City of Pickering, which offers a variety of programs and facilities of a recreational, cultural, community service, information or instructional nature.

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

“Contractor’s Yard” means a premises of any general contractor or builder where equipment and/or materials are stored or where a contractor performs shop or assembly work.

“Convenience Store” means a retail store with a maximum leasable floor area of 300 square metres where articles for sale are restricted to a limited range of goods, primarily food, toiletries, housewares, stationary and other similar daily household necessities, but does not include a supermarket.

“Corner Rounding” means a *lot line* of a *corner lot* at the intersection of two *street lines* in the form of an arc that joins the *front lot line* to the *flankage lot line* or the *rear lot line* to the *flankage lot line*.

“Coverage” means the proportion of the *ground floor area* of all the *buildings* and *structures* on the *lot* to the *lot area* expressed as a percentage.

“Dating/Escort service” means a service providing companionship for and by individuals for profit or personal gain.

“Day Care Centre” means:

- 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.

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

“Deck” means a raised platform attached to the exterior wall of a *building* and with direct access from within a *building* and from *grade*.

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

“Driveway” means that portion of a *lot* used to provide vehicular access from a roadway to an off-street *parking area* or *loading space* located on the same *lot* as the principal use. On a lot containing a *detached dwelling*, *semi-detached dwelling*, *street townhouse dwelling*, *back-to-back townhouse dwelling* or *block townhouse dwelling*, the *driveway* may contain a *parking space*.

“Drive-Through Facility” means the use of land, *buildings* or *structures*, or parts thereof, to provide or dispense products or services through an attendant or a window or an automated machine, to *persons* remaining in *motor vehicles* that are in a designated *stacking lane*. A *drive through facility* may be in combination with other uses. A *drive-through facility* does not include a *vehicle repair shop*, *gas bar*, *car washing establishment* or kiosks located within *parking garage* or *public parking lot*.

“Dry-Cleaner's Distributing Station” means premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a *dry cleaning establishment*.

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

“Dwelling” means a *building* or part of a *building* containing one or more *dwelling units*, but does not include a *mobile home* or a *trailer*.

“Dwelling, Apartment” means a *dwelling unit* in an *apartment building*.

“Dwelling, Back-to-Back Townhouse” means a *dwelling unit* in a *back-to-back townhouse building*.

“Dwelling, Block Townhouse or Block Townhouse Dwelling” means a *dwelling unit* in a *block townhouse building*.

“Dwelling, Detached or Detached Dwelling” means a *building* containing only one primary *dwelling unit* but may also include an *accessory dwelling unit*.

“Dwelling, Duplex” means a *dwelling unit* in a *building* that is divided into two (2) separate *dwelling units*, each with an entrance that is either independent or through a common vestibule.

“Dwelling, Multiple Attached or Multiple Attached Dwelling” means a *dwelling unit* in a *multiple attached building*.

“Dwelling, Semi-Detached or Semi-Detached Dwelling” means a *dwelling unit* in a *building* that is divided vertically into two *dwelling units* that share a common wall above grade.

“Dwelling, Street Townhouse” means a *dwelling unit* in a *townhouse building*.

“Dwelling Unit” means one or more habitable rooms containing separate kitchen and bathroom facilities for the private use of one or *more persons* as a single housekeeping unit.

“Erect” means build, construct, reconstruct, alter and/or relocate a *building, structure* or part thereof and shall include any preliminary physical operation such as excavating, piling, cribbing, filling or draining, *structurally altering* any *existing building or structure* by an addition, deletion, enlargement or extension.

“Existing” or “Existed” means *existing* as of the date of the final passing of this By-law.

“Financial Institution” means a building, or part thereof, where money is deposited, withdrawn, kept, lent or exchanged.

“Floor area” means the total area of all floors of a *building* within the outside walls or outside finished furred partitions of the walls, but does not include a *porch*, non-walk-in bay window, attic, *basement*, enclosed or roofed walkways or loading dock.

“Floorspace index (FSI)” means the total gross floor area of all buildings on a lot divided by the total area of the lot.

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

“Frontage” means all property abutting on one side of a *street* measured along the *street line*.

“Funeral Home” means a *building*, or part of a *building*, used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of human body for interment or cremation and may include chapels, visitation rooms, and administrative offices.

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

“Gas Bar” means a building or structure used for the dispensing of *motor vehicle* fuels and accessories and may include an accessory *convenience store*.

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

“Governmental Authority” means the Government of Canada or the Province of Ontario or any public board or commission established by either, or the Corporation of the Regional Municipality of Durham or The Corporation of the City of Pickering or any local board or commission, and includes any conservation authority.

“Grade” or “Established Grade” means when used with reference to a *building*, the average elevation of the finished surface of the ground where it meets the exterior of the front of such *building*; and when used with reference to a *structure* shall mean the average elevation of the finished surface of the grounds immediately surrounding such *structure*, exclusive in both cases of any artificial embankment.

“Gross Floor Area” means the aggregate of all *floor areas* of a *building* or *structure* above or below *established grade*, which *floor areas* are measured between the exterior faces of the exterior walls of the *building* at each floor level but excluding any porch, veranda, *cellar*, mechanical room or penthouse, or areas dedicated to parking within the *building*. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

“Gross Leasable Floor Area” means the total *gross floor area* designed for tenant occupancy and exclusive use, including *basements*, mezzanines and upper floors if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.

“Ground Floor” means the floor of a *building* approximately at or first above *grade*.

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

“Heavy Machinery Repair, Sales, Service” means the service, repair, or sales of machinery or mechanical equipment of an industrial nature.

“Height” means, when the regulation establishes a specific dimension, the vertical distance between the *established grade* to the highest point of a *structure* excluding architectural features such as, but not limited to, chimneys, cupolas, clock towers, weather vanes, steeples, and radio transmission towers. When the regulation establishes *height* in *storeys*, means the number of *storeys*.

The *height* requirements of this By-law shall not apply to roof top mechanical penthouses provided they occupy less than 10 percent of the aggregate area of the roof of the *building* on which they are located and extend no higher than 5.0 metres above the maximum permitted *height*.

“Herein” means in this By-law and shall not be limited to any particular section of this By-law.

“Home-Based Business” means an accessory business, occupation or use conducted for gain or profit in a *dwelling unit* by a resident of that *dwelling unit* which is clearly subordinate to the primary residential use of that *dwelling unit*, and which does not create a public nuisance or *adverse effect* on the abutting lands and/or surrounding community.

“Home Improvement Centre” means a *building* or part of a *building* wherein building materials, hardware or accessories, including lumber, are displayed or offered for sale.

“Hotel” means a *building*, or group of *buildings*, each containing sleeping accommodation, catering primarily to the traveling public, for rent or hire for temporary lodging. *Hotel* may also include *restaurant*, public hall and *ancillary retail* uses, which are incidental and subordinate to the primary *hotel* function and oriented to serve the *hotel* patrons.

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

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

“Landscaped Open Space” means the open unobstructed space from ground to sky at *grade* which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio, stairs or similar area but does not include any *driveway*, or ramp, whether surfaced or not, any curb, retaining wall, *parking area*, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a *front yard* or exterior *side yard*.

“Landscaped Open Space, Front” or “Front Landscaped Open Space” means the amount of *landscaped open space* within a *front yard* as a proportion of the *front yard*.

“Landscape Strip” means an area which shall include a planting screen, or landscaped earth berm, or a combination of these features, and which may include fences and walls as part of the area. Walkways may traverse the *landscape strip*.

“Livestock” means cattle, swine, sheep, goats, poultry, horses, ponies, donkeys and mules.

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

“Loading Space” means an unobstructed area of land which is provided and maintained upon the same *lot* or *lots* upon which the principal use is located and which area is provided for the temporary parking of one *commercial vehicle* while merchandise or materials are being loaded or unloaded from such *vehicles*.

“Lot” means a parcel of land owned by one *person* or one group of *persons* which meets the requirements of this By-law having regard to the use to which it is put or the use to which it is proposed to be put or, if it does not meet the requirements of this By-law, is the entire holding of that one *person* or one group of *persons* put to that use at the date of the passing of this By-law or, is a parcel of land which has been legally excused from meeting the requirements of this By-law.

“Lot Area” means the total horizontal area of a *lot*, less the horizontal area of any part of the *lot* which does not lie within a zone in which the proposed use is permitted.

“Lot Coverage” means the total horizontal area of the part of the *lot area* covered by all *buildings* above ground level excluding eave projections to a maximum of 0.6 metres.

“Lot, Corner” means a *lot* situated at the intersection of, and abutting at least two *streets*, provided that the interior angle of intersection of such *streets* is not more than one hundred and thirty-five (135) degrees.

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

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

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

“Lot Line, Flankage” means the *side lot line*, which separates a *lot* from the *street* adjacent to it.

“Lot Line, Front” means the *lot line*, which separates a *lot* from the *street* in front of it. Where more than one lot line separates a lot from the *street*, the front lot line shall be the shorter lot line. Where a *lot* is a *through lot*, the *lot line* abutting the wider *street* right of way shall be the *front lot line*.

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

“Lot Line, Rear” means the *lot line* opposite to, and most distant from, the *front lot line*, but where the *side lot lines* intersect, as in the case of a triangular *lot*, the *rear lot line* shall be represented by the point of intersection.

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

“Lot, Residential” means a *lot* situated in a residential zone and having a *lot frontage* and *lot area* in accordance with the requirements of the zone in which the same is situated.

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

“Medical Office” means premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries which are limited to a maximum of 50 square metres in *gross leasable floor area*, waiting rooms, treatment rooms and blood testing *clinics*, but shall not include overnight accommodation for in-patient care.

“Mobile Home” means a factory-built *dwelling unit* manufactured in accordance with CSA standards that is designed to be made mobile and is intended to provide permanent residence but does not include any *trailer* otherwise defined in this By-law.

“Model Home” means a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display and marketing pursuant to an agreement with the City of Pickering.

“Motor Vehicle” means automobile, motorcycle, motor assisted bicycle or any other *vehicle* propelled or driven other than by muscular power, but does not include a *street car*, or other *motor vehicles* running only upon rails, or a motorized snow *vehicle*, traction engine, farm tractor, riding lawn-mower, self-propelled implement of husbandry or road-building machine within the meaning of the *Highway Traffic Act*. R.S.O. 1990, or successor thereto.

“Non-Complying” means a *lot*, *building* or *structure* which is permitted by this By-law but which does not meet the regulations of the Zone in which it is located as of the date of passage of this By-law.

“Non-Conforming” means a use or activity of any land, *building* or *structure* which is not an identified permitted use for the Zone in which it is located as of the date of passage of this By-law.

“Nightclub” means a *building*, or part thereof, whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such music is provided for listening or dancing by the patrons, or any combination of the above functions, and where food and/or beverages may be served, but does not include a *restaurant* or an *adult entertainment establishment*.

“Nursing Home or Long-Term Care” means a *building* in which *persons* are cared for and lodged, where, in addition to sleeping accommodation and meals, personal care, nursing services and medical care are provided or made available.

“Office” means a *building* or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a *medical office*.

“Openings” means spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof.

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

“Parking Area” means one or more *parking spaces*, including related aisles, for the parking or storage of *vehicles*.

“Parking Garage” means a *building*, or part thereof, used for the parking of *vehicles* and may include any permitted use in the *first storey*, but shall not include any area where *vehicles* for sale or repair are kept or stored. A *parking garage* includes underground parking and a parking *structure*.

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

“Parking Space” means an area of land or *building* that is accessible by a *driveway* or aisle, having access to a *street* or *lane* that is reserved for the purpose of the temporary parking or storage of one *vehicle*.

“Parking Pad” means an open area of land that is paved and/or treated with a stable surface that is used as one or more *parking spaces* and which is exclusively devoted to a residential use on the same *lot*.

“Pedestrian Perception Step-back” means the horizontal distance that the exterior wall of a *storey* must be offset, towards the interior of the *building*, measured from the outer edge of the exterior wall of the *storey* directly below it, or from the outer edge of the exterior wall of the *storey* that the by-law indicates from which it is to be offset.

“Person” means an individual, association, firm, partnership or incorporated company.

“Personal Service Establishment” means a *building*, *structure*, or part thereof, where services area provided and administered to individual and personal needs and where retail sale of goods accessory to the service provided is permitted and include, but is not limited to, hair care, aesthetics, health and beauty treatment, dressmaking, tailoring, shoe shinning and repair, laundromat and laundry depot.

“Place of Amusement” means premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public, and includes a cinema or other theatre, billiard or pool rooms, bowling alleys, or, electronic games.

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

“Podium” means that portion of the first two *storeys* of an *apartment dwelling*, *nursing home* or *long-term care building* or *retirement home*, excluding a *parking garage*, mechanical *floor area*, storage area, service room , refuse area and/or *loading space*, that is permitted to encroach into a required *front yard* and/or exterior *side yard*.

“Porch” means a roofed *deck* or portico *structure* attached to the exterior wall of a *building*. A *basement* may be located under the *porch*.

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

“Private Club” means a *building*, or part thereof, used for social, cultural, athletic or recreational activities by its members and guests or by a fraternal organization, which are not operated for profit.

“Public Bath/Whirlpool” means indoor or outdoor premises where people may bathe, swim, or lounge within pools or tanks of water.

“Public Hospital” means any institution, *building* or other premises established for the treatment of *persons* afflicted with or suffering from sickness, disease or injury, or for the treatment of convalescent or chronically ill *persons* that is approved under the *Public Hospitals Act* as a *public hospital* and may include a gift shop, cafeteria or other accessory uses normally associated with a *hospital*.

“Retail/commercial unit” means a *building* or a separate unit within a *building* that is separately owned or leased and used for retail or commercial purposes.

“Retirement home” means a building in which 6 or more persons are cared for and lodged, where, in addition to sleeping accommodation and meals, at least one other personal care service is provided such as nursing services, assistance with feeding, assistance with bathing or assistance with personal hygiene.

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

“Retail Store” means premises in which goods and merchandise are offered or kept for retail sale or rental to the public. This definition shall not include any establishment otherwise defined in this By-law.

“School, Commercial” or “Commercial School” means a *building*, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a *commercial fitness/recreation centre* a college or university.

“School, Elementary” or “Secondary School” means a place of instruction maintained and operated under the jurisdiction of a governmental authority.

“School, Private” means a place of instruction (excepting a *commercial school* or private career college) offering courses equivalent to those customarily offered in a *elementary school* or *secondary school*.

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

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

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

“Stacking Lane” means an area of land that is used exclusively for queued *vehicles* whose occupants are waiting to be provided with goods, materials or services from a *drive-through facility*.

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

“Storey, First” means the *storey* with its floor closest to *grade* and having its ceiling more than 1.8 metres above *grade*.

“Street” means a public highway but does not include a *lane*. Where a 0.3 metre reserve abuts a *street*, or where a *daylighting triangle* abuts a *street*, for the purposes of determining a *front lot line*, *flankage lot line*, *flankage yard* and *corner lot*, the *street* shall be deemed to include the 0.3 metre reserve and / or the *daylighting 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*

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

“Street, Private” means

- a) a right-of-way or roadway that is used by *vehicles* and is maintained by a condominium corporation;
- b) a private road condominium, which provides access to individual freehold *lots*,
- c) a roadway maintained by a corporation to provide vehicular and pedestrian access to *parking lots* and *individual retail/commercial units*;
- d) a private right-of-way over private property, that affords access to *lots* abutting the *private street*;

but is not maintained by a public body and is not a *lane*.

“Structure” means anything that is *erected*, built or constructed of parts joined together or any such *erection* fixed to or supported by the soil and/or any other *structure* but excludes in-ground swimming pools.

“Supermarket” means a *building*, or part thereof, containing a departmentalized food store, but does not include a *convenience store*.

“Tandem Parking Space” means two or more *parking spaces* abutting each other end to end with only one having access to an aisle.

“Tavern/bar/pub” means an establishment which supplies alcoholic drinks and may provide food and entertainment and contains a walk-up bar or counter where patrons may order, obtain and pay for food and alcoholic drinks.

“Taxi Service” means the operation of a service providing taxicab *motor vehicles* with drivers used for hire for the conveyance of goods and passengers.

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

“Tower Floor Plate” means the *gross floor area* of each *storey* within a *tower*.

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

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

“Vehicle Dealership” means a *building*, or part thereof, where new or *used vehicles* are displayed and/or offered for sale, rent or lease including the outside storage and display of *vehicles* and may include an associated *vehicle repair shop*.

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

“Vehicle Repair Shop” means a premises used to conduct diagnostic services, repairs, detail and cleaning services or equipping of *vehicles* or in which the replacement of parts and services to *vehicles* are completed while the customer waits.

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

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

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

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

“Warehousing” means the housing or storage of goods, wares, merchandise, food-stuffs, substances, articles, or things before wholesale distribution to a retailer.

“Wholesaling” means the distribution of goods, wares, merchandise, food-stuffs, substances, articles, or things, in large quantities, to a business or retailer for eventual or further distribution, processing, assembly, or retail sale.

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

“Yard, Flankage” means a *side yard* adjacent to a *street*.

“Yard, Front” means a yard extending across the full width of the *lot* between the *front lot line* and the nearest wall of any *main building* on the *lot* for which the *yard* is required.

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

“Yard, Rear” means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest wall of any *main building* on the *lot* for which the *yard* is required.

“Yard, Side” means a *yard* extending from the *front yard* to the *rear yard* between the *side lot line* and the nearest wall of any *building* or *structure* on the *lot* for which the *yard* is required.

11.0 Holding Provisions

Notwithstanding any other provisions of this By-law, where a zone symbol is preceded by an open bracket and the letter "H" and a closed bracket, the lands subject to that zone shall be used only for the uses, *buildings* and *structures* that *existed* at the date of the passing of this By-law, until the "H" is removed.

Council may pass a by-law to remove the Holding (H) Symbol, thereby placing the lands in the zone indicated by the zone symbol, when all of the applicable requirements have been met.

11.1 Holding Zones


The following Holding provisions apply to the properties specified:

The lands beyond the Phase 1 lands as identified on Figure C of the staged servicing and Implementation Strategy dated October 2012.

- a) The "(H)" Holding Symbol shall be removed when:
 - i) a transportation study is completed identifying the need, and if warranted, the extent and timing of additional transportation improvements including collector and arterial roads internal to the Seaton Urban Area, road linkages external to the Seaton Urban Area including linkages internal and external to Durham Region and interchanges with Highway 407 ETR that may be required to support development beyond the first phase, which shall not exceed 9,800 detached equivalent units, as defined in the Staged Servicing and Implementation Strategy. The transportation study is to be undertaken by the landowners in consultation with the City of Pickering, Durham Region, City of Toronto and York Region and shall be in accordance with Policy 11.74 (b) of the Pickering Official Plan, as amended by Pickering Official Plan Amendment 22; and
 - ii) the City is satisfied that the transportation improvements identified in the transportation study referred to in (i) above as required to support the development of the subsequent phase to be released from the H - holding provision will be provided in accordance with the timing recommended by the transportation study, and that satisfactory arrangements are in place for the funding of those transportation improvements.

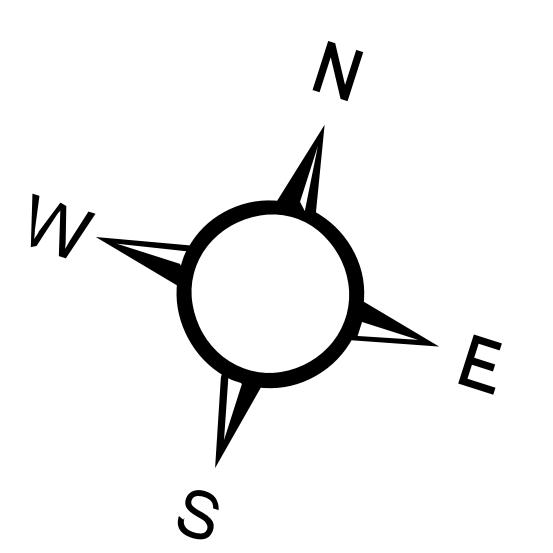
12.0 Zoning Maps

The zones and zone boundaries are shown on the Zone Maps, which are attached to and form part of this By-law.



Zoning

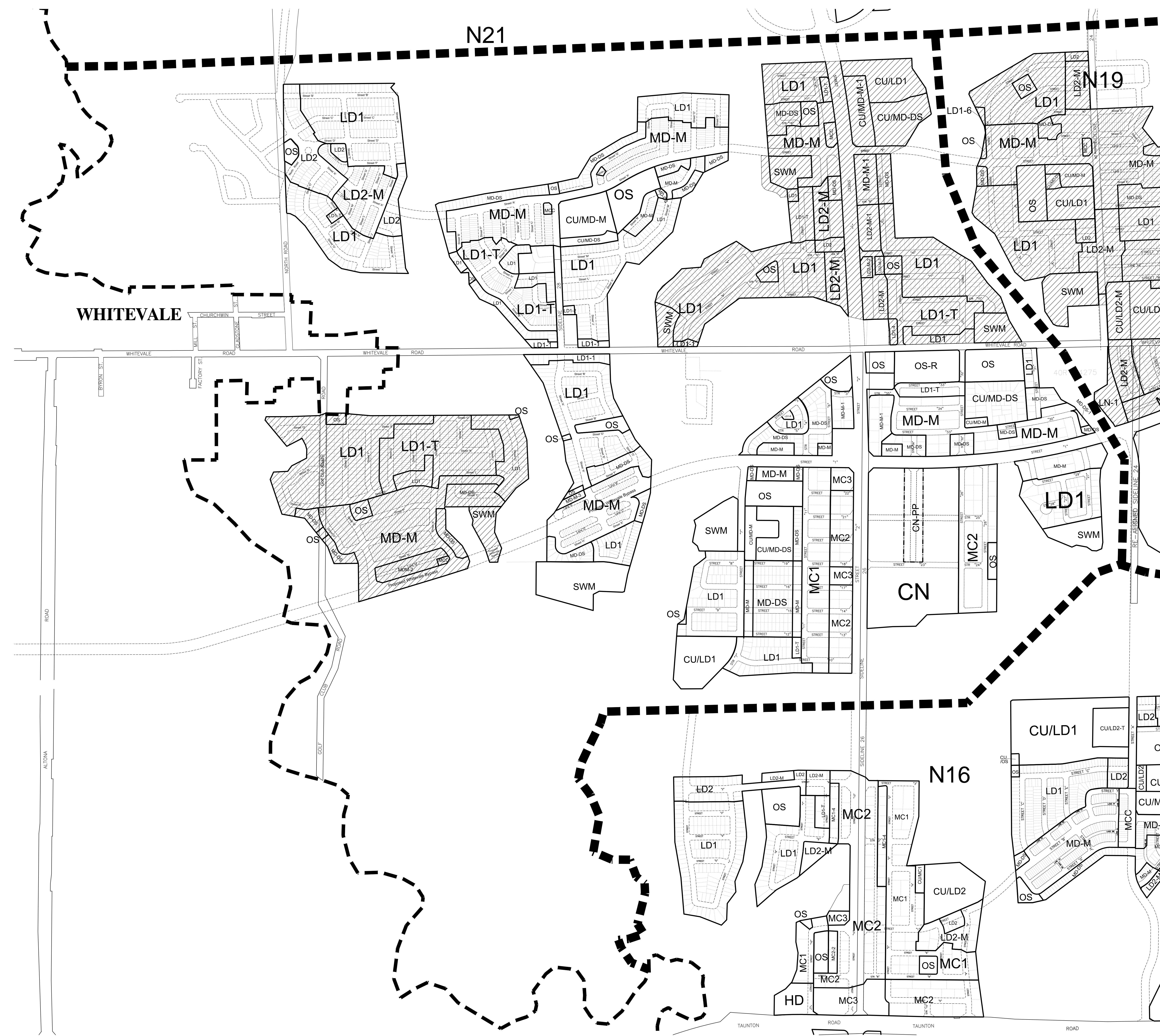
Neighbourhood 16: Lamoureux Neighbourhood



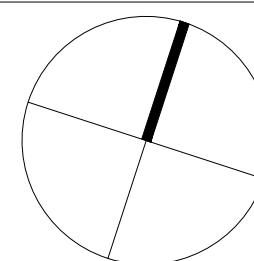
Zoning

Neighbourhood 18:
Mount Pleasant
Neighbourhood

DECEMBER 2, 2013



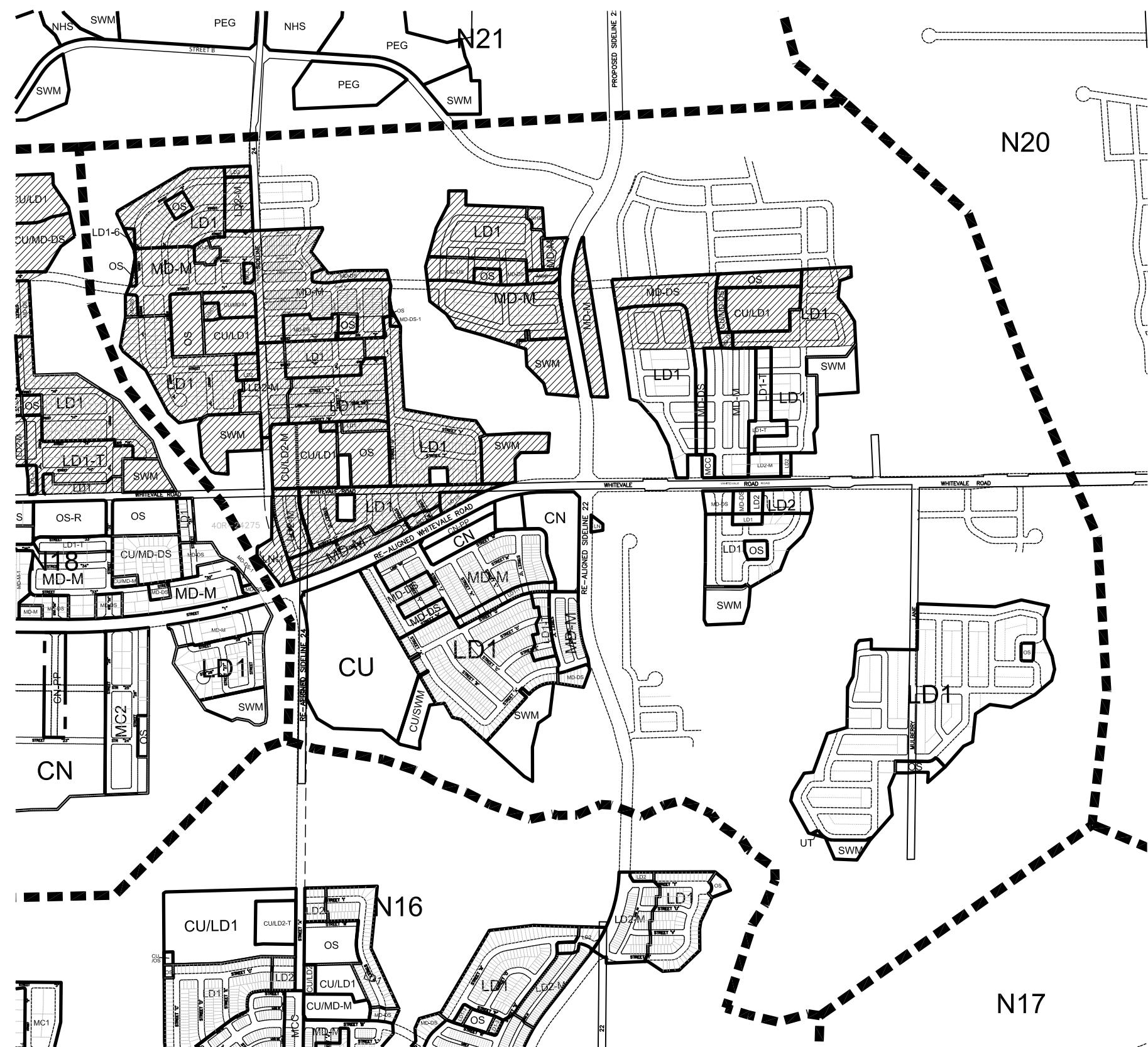
■ Hold Zone See
section 11.1 of
By-law



Zoning

Neighbourhood 19: Wilson Meadows Neighbourhood

December 11, 2018




 Hold Zone See
section 11.1 of
By-law



Zoning

Neighbourhood 20:
Thompson's Corners
Neighbourhood

September 01,
2021



Zoning

Neighbourhood 21: DECEMBER 11, 2018
Pickering Innovation Corridor

