



## **Kingston Zoning By-law Number 2022-62**



**Part 2 of 5: Section 20**

## Section 20: Legacy Exceptions

### 20.1. Legacy Exception Overlay

**20.1.1.** In accordance with Clauses 5.5.1. and 5.5.2., the following provisions apply to all lands that are subject to a Legacy Exception with the corresponding Exception Number on Schedule E:

**L1.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 247.2 square metres;
- (b)** Minimum Yard Setback from Couper Street: 0.2 metres; and
- (c)** Minimum Aggregate Side Yard: 0.7 metres.

[Note: Former A.392A and Section 6 of **former zoning by-law** 8499]

**L2.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 305.3 square metres;
- (b)** Minimum Front Yard Setback: 4.0 metres;
- (c)** Minimum Rear Yard Setback: 6.6 metres; and
- (d)** Maximum Lot Coverage: 39%.

[Note: Former A.393 and Section 6 of **former zoning by-law** 8499]

**L3.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Front Yard Setback: 12.6 metres;
- (b)** Unenclosed porches, decks, balconies, steps, and / or verandas, covered or uncovered, are not permitted to project into the front yard setback; and
- (c)** Minimum Aggregate Side Yard: 3.05 metres.

[Note: Former A.407 and Sections 5 and 6 of **former zoning by-law** 8499]

**L4.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area for 2 dwelling units: 425 square metres;
- (b) Maximum parking area in the rear yard: 33 square metres;
- (c) Maximum aggregate total number of bedrooms permitted: 9; and
- (d) Front yard parking is prohibited.

[Note: Former A.412 and Sections 5 or 6 of **former zoning by-law** 8499]

**L5.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum number of dwelling units: 2;
- (b) Maximum aggregate number of bedrooms: 9;
- (c) The use of a cellar as a portion of an existing dwelling unit is permitted; and
- (d) Front yard parking is prohibited;
- (e) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i) Common areas open to all occupants of the unit;
  - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (f) Minimum Lot Area for two dwelling units: 664 square metres; and
- (g) Minimum Front Yard Setback: 2.6 metres.

[Note: Former A.425 and Sections 5 or 6 of **former zoning by-law** 8499]

**L6.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Definitions:

- (i)** "Principal Residential Unit" means the main / core structure intended for human habitation, on a lot.
- (ii)** "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

**(b)** Additional Permitted Uses:

- (i)** A Second Residential Unit.

**(c)** Prohibited Uses:

- (i)** Garden Suite;
- (ii)** Boarding House;
- (iii)** Lodging House; and
- (iv)** Rooming House.

**(d)** Second Residential Unit:

- (i)** Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
  - (1)** Floor area occupied by mechanical, service, and electrical equipment that serve the building;
  - (2)** An open porch or balcony; and
  - (3)** Areas internal to the building that are intended for the storage of vehicles.
- (ii)** Second Residential Units per Dwelling House (maximum): 1 only.
- (iii)** Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the

front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage, from the front of the building to the access provided; and

**(iv) Parking and Driveway:**

- (1)** Second Residential Unit: 1 parking space
- (2)** The required parking may be provided through a tandem or stacked parking arrangement on a driveway located in the front yard and the driveway may have a maximum width of 4.2 metres.
- (3)** An additional driveway is not permitted for a second residential unit.

[Note: Former A.484 and Sections 5 or 6 of **former zoning by-law** 8499]

**L7.** This Exception only applies to regulate the buildings and structures existing as of the date of passing of the site specific by-law. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a) Zone Provisions:**

- (i)** The minimum lot area is 232 square metres per dwelling unit;
- (ii)** Minimum Rear Yard for the existing one-family dwelling: 1.4 metres;
- (iii)** Maximum Percentage of Lot coverage: 37%;
- (iv)** Maximum Yard Projection for the existing front porch and steps: 0.6 metres from the front lot line;
- (v)** Minimum Accessory Building Setbacks for the existing detached garage:
  - (1)** Minimum Front Yard: 3.7 metres; and
  - (2)** Minimum Rear Yard: 2.8 metres.

[Note: Former A.497 and Sections 5 or 6.3 of **former zoning by-law** 8499]

- L8.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Minimum Lot Area: 215 square metres per dwelling unit;
  - (b)** Minimum Front Yard: 2.0 metres;
  - (c)** Minimum Side Yard:
    - (i)** Where a rear yard is less than 5.0 metres in depth, one side yard is required to have a minimum width of 5.0 metres. The second side yard is required to have a minimum width of 0.6 metres.
    - (ii)** Where a rear yard has a minimum depth of 5.0 metres, the minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres in width.
  - (d)** Minimum Rear Yard: 2.4 metres;
  - (e)** Maximum Building Depth: There is no maximum building depth requirement;
  - (f)** Accessory Building:
    - (i)** An accessory building must be no closer than 0.6 metres from any lot line;
    - (ii)** An accessory building must be no closer than 0.6 metres from any window or door of the main building to which it is accessory; and
  - (g)** Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted 1.0 metre from a front lot line.

[Note: Former A.503 and Sections 5 or 6 of **former zoning by-law** 8499]

- L9.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** A Supportive Living Residence is permitted.
  - (b)** The following definition applies:
    - (i)** Supportive Living Residence means a residence providing accommodation primarily for retired persons or couples where each Supportive Living Residence Suite has a private bathroom, a

separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and a microwave oven but without full cooking facilities. Common facilities for the preparation and consumption of food are provided. Common lounges, recreation rooms, and guest / clinic rooms may also be provided for use by residents and support staff. The Manager's residence is a dwelling unit and is permitted to have full kitchen facilities.

- (c)** Supportive Living Residence provisions:
  - (i)** Maximum number of Supportive Living Residence Suites: 16.
  - (ii)** Maximum number of manager's residence: 1.
  - (iii)** Minimum front yard setback: 6.0 metres.
  - (iv)** Minimum side yard setback: 4.0 metres.
  - (v)** Minimum aggregate side yard Setback: 11.0 metres.
  - (vi)** Minimum rear yard setback: 19.0 metres.
  - (vii)** Maximum height: 12.5 metres.
  - (viii)** Minimum required number of parking spaces per Suite: 0.7.

[Note: Former A1.415 and Section 7 of **former zoning by-law** 8499]

**L10.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Front Yard Setback: 4.0 metres.
- (b)** Minimum Width of Driveway: 4.5 metres.

[Note: Former A.534 and Sections 5 or 6 of **former zoning by-law** 8499]

**L11.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Uses:
  - (i)** A Second Residential Unit.

**(b) Prohibited Uses:**

- (i)** Garden Suite;
- (ii)** Boarding House; and
- (iii)** Lodging House.

**(c) Second Residential Unit**

- (i)** Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
  - (1)** floor area occupied by mechanical, service, and electrical equipment that serve the building;
  - (2)** an open porch or balcony; and
  - (3)** areas internal to the building that are intended for the storage of vehicles.
- (ii)** Second Residential Units Per Dwelling House (maximum): 1 only.
- (iii)** Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.
- (iv)** Accessory Uses, Parking Etcetera:
  - (1)** In addition to any other parking requirements, parking space(s) must be provided for the second residential unit. Despite anything to the contrary in this by-law, the required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit must meet the yard and driveway provisions of the zone; and



- (2)** An additional driveway is not permitted for a second residential unit.

[Note: Former A2.466 and Section 8 of **former zoning by-law** 8499]

**L12.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Definitions:

- (i)** "Principal Residential Unit" means the main / core structure intended for human habitation, on a lot.
- (ii)** "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

**(b)** Additional Permitted Uses:

- (i)** A Second Residential Unit;

**(c)** Prohibited Uses:

- (i)** Garden Suite;
- (ii)** Boarding House;
- (iii)** Lodging House; and
- (iv)** Rooming House.

**(d)** Second Residential Unit:

- (i)** Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
  - (1)** floor area occupied by mechanical, service, and electrical equipment that serve the building;
  - (2)** an open porch or balcony; and

- [Note: Former A3.481 and Sections 5 or 8 of **former zoning by-law 8499**]

- (a)** Maximum Number of Dwelling Units: 3.
- (b)** Minimum Lot Area: 400 square metres.
- (c)** Minimum Lot Width: 10 metres.
- (d)** Minimum Front Yard Setback: 5.2 metres.
- (e)** Front Yard Projections:
  - (i)** A covered or uncovered unenclosed porch, deck, balcony, or veranda of any height may project into the required front yard, but must be no closer than 3.3 metres to the front lot line; and
  - (ii)** The steps associated with the covered or uncovered, unenclosed porch, deck, balcony, or veranda of any height may project into the required front yard, but must be no closer than 1.5 metres to the front lot line.

- (f) Maximum Height: 10.5 metres.
- (g) Minimum Side Yard: 1.2 metres.
- (h) Minimum Aggregate Side Yard: 2.7 metres.
- (i) Minimum Setback for Accessory Buildings: 0 metres from side or rear lot line.
- (j) A maximum of 75 square metres of uncovered parking is permitted.
- (k) Minimum required amenity space: 75 square metres.
- (l) Minimum required play space: 0 square metres.
- (m) Bicycle Parking:
  - (i) The minimum number of bicycle parking spaces is 3; and
  - (ii) Minimum Bicycle Parking Space dimension is 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres.
- (n) Access and Parking:
  - (i) The minimum number of parking spaces is 3;
  - (ii) An unobstructed 1.5 metre wide driveway must be located along the eastern portion of the subject property, adjacent to 783 King Street West, to provide vehicular access to a rear parking area; and
  - (iii) An unobstructed 3.0 metre wide drive aisle must be located along the northeastern portion of the subject property, adjacent to 783 King Street West and the parking spaces, to provide vehicular access at the rear of the subject property.

[Note: Former A5.537 and Sections 5 or 11 of **former zoning by-law** 8499]

**L14.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Residential Uses Permitted: Two-family dwellings; and
- (b) Maximum Driveway Width: 5.1 metres.

[Note: Former A7.404 and Section 12A of **former zoning by-law** 8499]

**L15.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Maximum Number of Residential Units: 4.
- (b)** Maximum Number of Bedrooms: 20.
- (c)** Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i)** Common areas open to all occupants of the unit;
  - (ii)** Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Despite the foregoing, a bachelor, bachelorette or studio unit is calculated to contain one bedroom.

- (d)** The minimum width of a drive aisle adjacent to a parking space is 3.25 metres.
- (e)** Minimum Amenity Space Area: 260 square metres.
- (f)** No minimum play area is required.
- (g)** Deemed to Comply:
  - (i)** The multiple family dwelling existing as of the date of the passing of the former site specific by-law is deemed to comply with the minimum front yard and minimum side yard of this Zoning By-Law. In the event that the existing building on the site is removed, any new development is subject to this By-law.

[Note: Former B.443 and Section 5 or 13 of **former zoning by-law** 8499]

**L16.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** the maximum number of permitted dwelling units is 167.
- (b)** the maximum permissible building height is 6 storeys.

- (c) Despite (a) above, the property known municipally as 358 Queen Mary Road is permitted a maximum of 6 additional dwelling units with 5 dwelling units in a cellar.

[Note: Former B1.160 of **former zoning by-law** 8499]

**L17.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Density: maximum density is 159 dwelling units per hectare.
- (b) Parking: minimum parking is 1.1 spaces per unit.
- (c) Minimum height for vehicle clearance in an enclosed parking structure for a barrier free parking space is 2.1 metres.
- (d) Parking is permitted in all yards.
- (e) Bicycle parking is 0.5 spaces per dwelling unit.
- (f) The minimum amenity space area is 16500 square metres.
- (g) The minimum aggregate side yard width is a measurement equal to 1.25 times the height of the building.
- (h) For the purposes of interpretation, the lands within this Exception are treated as a single parcel.

[Note: Former B3.423 and Sections 5 or 16 of **former zoning by-law** 8499]

**L18.** This Exception only applies to regulate the building existing as of the date of passing of the site specific by-law with approximately 500 square metres of gross floor area. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Only Permitted Uses:
  - (i) Convenience store;
  - (ii) Laundromat;
  - (iii) Pick-up / Drop-off Drycleaners;
  - (iv) Video Store;

- (v) Take out Restaurant;
  - (vi) Coffee Shop;
  - (vii) Personal Services Shop;
  - (viii) Professional office including medical office limited to a single practitioner;
  - (ix) Day care centre;
  - (x) One-family dwellings, two-family dwellings and three family dwellings, provided that such dwellings are located within a commercial structure;
  - (xi) Accessory buildings to any permitted use in this Exception; and
  - (xii) Professional dentist office, or professional office of a similar nature.
- (b) Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long and a minimum adjacent drive aisle width of 6.1 metres.
  - (c) Barrier free parking spaces must have minimum dimensions of 3.7 metres wide by 5.2 metres long. The drive aisle adjacent to a barrier free parking space must have a minimum width of 6.3 metres.

[Note: Former C1.493 of **former zoning by-law** 8499]

**L19.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the uses permitted, a maximum of 1 dwelling unit is permitted provided it is located within the walls of the existing building on the property on the date of the passing of the by-law.
- (b) A minimum of 6 off-street parking spaces are required for use by both the commercial office and 1 residential unit.
- (c) The existing building is deemed to be in conformity.
- (d) In the event that the existing building on site is removed or added to, any new building and the addition is subject to the regulations of this By-law.

[Note: Former C2.257 and Sections 22.3(h) and 22.3(i) of **former zoning by-law** 8499]

**L20.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted uses:
  - (i)** Theatre;
  - (ii)** Auditorium; and
  - (iii)** Accessory uses to a theatre and auditorium.
- (b)** Prohibited Uses:
  - (i)** Convocation ceremony.
- (c)** Off-Street Parking must be provided as follows:
  - (i)** A total of 180 parking spaces must be provided for Off-Street Parking. Required parking must be provided either on-site or in off-site parking facilities, but must not be provided using on-street parking;
  - (ii)** The minimum size of a parking space is 2.6 metres wide and 5.2 metres long;
  - (iii)** The minimum width of a drive aisle adjacent to a parking space is 6.7 metres; and
  - (iv)** Minimum Setback from Lake Ontario Waterfront to the face of any building is 15.8 metres.

[Note: Former E.386 and Sections 5 and 17 of **former zoning by-law** 8499]

**L21.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** retail stores (including retail stores selling general services), lunch counters, restaurants and accessory outdoor patios;
- (b)** retail warehouses;
- (c)** food stores;
- (d)** banks;
- (e)** drive-in restaurants;

- (f) motels, hotels and banquet halls;
- (g) shopping centres;
- (h) bowling alleys, theatres, auditoriums; and
- (i) accessory buildings to any use permitted in this Exception.

[Note: Former C2.342A of **former zoning by-law** 8499]

**L22.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following uses are also permitted as accessory uses:
  - (i) Specific day retail sales; and
  - (ii) Trade show.
- (b) The uses noted above are defined as follows:
  - (i) Specific Day Retail Sales means the use of any lot, building or structure, or part thereof, for an event that brings together members of the public or an industry for the purpose of selling or buying goods or services, including entering into contracts for the sale and/or purchase of goods or services, which are complementary to the principle permitted use.
  - (ii) Trade Show means the use of any lot, building or structure, or part thereof, for an event held to bring together members of a particular industry to display, demonstrate, and promote their latest products and services, which are complementary to the principle permitted use.
- (c) Parking Provision
  - (i) Parking for any recreational use and accessory use to a recreational use must be at a rate of 1 space for each 26 square metres of gross floor area.

[Note: Former P1.543 and Section 33.2 of **former zoning by-law** 8499]

**L23.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:



- (a)** Permitted uses are limited to:
  - (i)** accessory building to any use permitted in this Exception;
  - (ii)** bank or financial institutions;
  - (iii)** car wash;
  - (iv)** clinic;
  - (v)** dry cleaning and related services;
  - (vi)** gas station including a car wash;
  - (vii)** neighbourhood stores;
  - (viii)** personal service shop;
  - (ix)** restaurant, including a drive-through facility; and
  - (x)** retail stores.
- (b)** Minimum Front Yard Depth: 3 metres.
- (c)** Minimum Side Yard Depth: 3 metres.
- (d)** A loading zone must be provided for each building.
- (e)** Parking:
  - (i)** The required minimum parking ratio is 3.0 parking spaces per 100 square metres of gross floor area;
  - (ii)** The design standards of a regular parking stall must be 2.6 metres wide by 5.2 metres long; and
  - (iii)** The design standards of a barrier free parking stall must be 3.7 metres wide by 5.2 metres long.

[Note: Former C2.471 of **former zoning by-law** 8499]

**L24.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Rear Yard (minimum): 1.5 metres.

- (b) Interior Side Yard (minimum): 1.5 metres.
- (c) A minimum of 54% of the building frontage must be built to the front property line.
- (d) The property is not subject to a minimum ground floor height.
- (e) The property is not subject to a minimum streetwall height.
- (f) Off Street Parking:
  - (i) Parking may be permitted in a yard abutting a streetline; and
  - (ii) Parking spaces must have minimum dimension of 2.6 metres wide and 5.2 metres long;
- (g) Bicycle Parking:
  - (i) Horizontal parking stalls must have minimum dimensions of 1.8 metres by 0.3 metres; and
  - (ii) Vertical parking stalls must have minimum dimensions of 1.5 metres by 0.3 metres;
- (h) Minimum Amenity Area: 65 square metres.
- (i) This property is not subject to a rear yard angular plane.

[Note: Former C4.464 and Section 23C of **former zoning by-law** 8499]

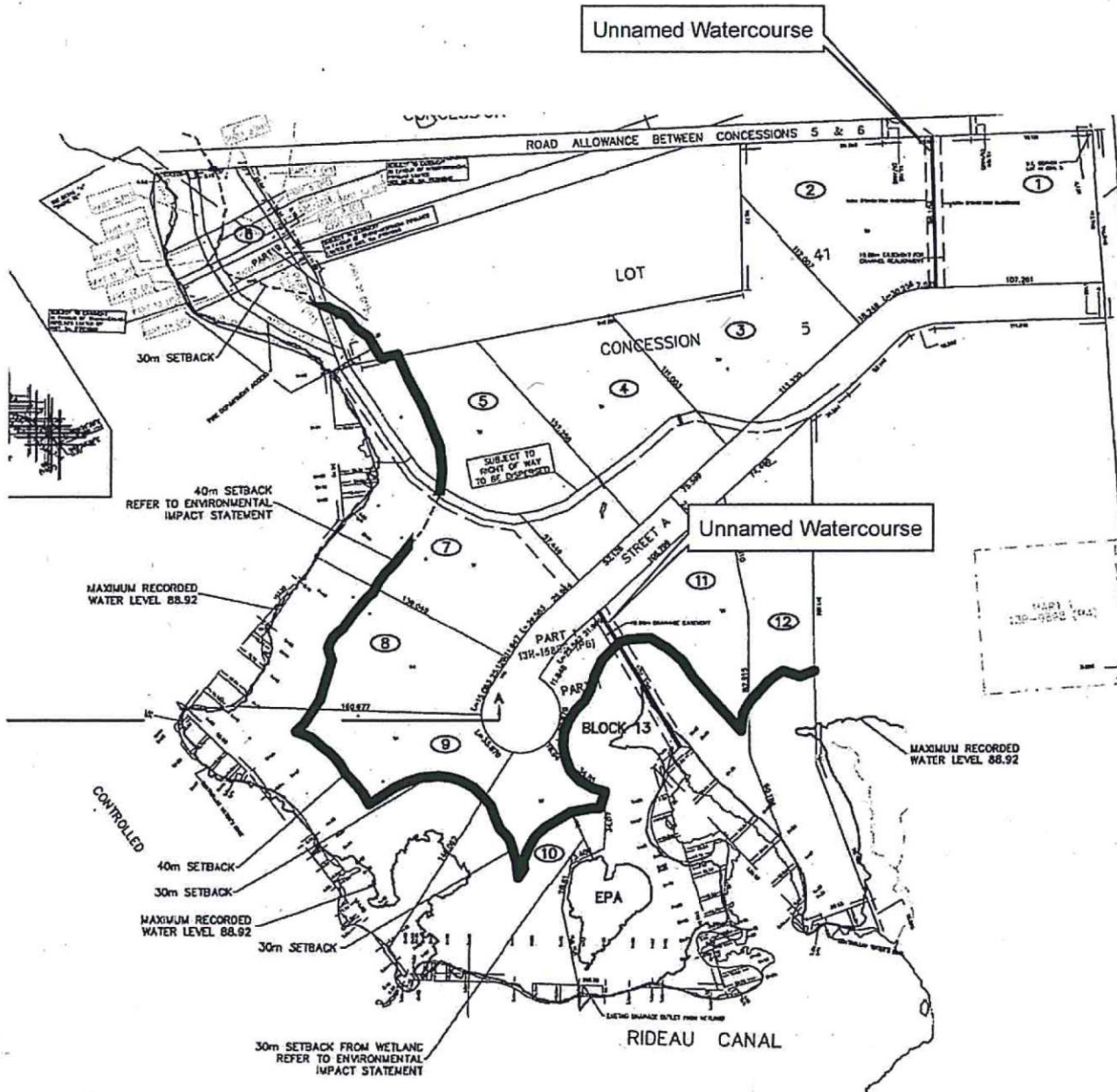
**L25.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The lands must be used for no other purpose than a public park, including a public pathway.
- (b) Any development/structures must be setback a minimum of 30 metres from the maximum recorded water level of Colonel By Lake/River Styx, defined as 88.92 metres G.S.C., as shown on Figure L25.
- (c) The distance of 30 metres inland from the maximum recorded water level, defined as 88.92 metres G.S.C., must be maintained as a 'no cut' buffer area within which there is no disturbance of the soil mantle or vegetation cover, with the exception of a public pathway. Marine facilities (including but not limited to boathouses and/or docks) are prohibited.

- (d) All structures must be setback a minimum of 5 metres from the unnamed watercourse, as shown on Figure L25.

[Note: Former OS-19 of **former zoning by-law 32-74**]

**Figure L25**



**L26.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use: detached single family dwelling house.

- (b)** Maximum Number of Dwellings per lot: 1.
- (c)** Minimum Lot Frontage: 19.2 metres.
- (d)** Water Setback:
  - (i)** The required setback for all buildings or structures is 75 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3 metres Geological Survey of Canada (GSC), whichever is the greater;
  - (ii)** The required setback for septic systems is 45 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3 metres GSC, whichever is the greater;
  - (iii)** The natural vegetation within 30 metres of the shoreline of the St. Lawrence River must be maintained in order to dissipate waves, filter runoff, prevent soil erosion and provide wildlife habitat. Selective trimming or removal of vegetation and creation of a walking path (not hardened or paved) to the shoreline would be acceptable in this area;
- (e)** Minimum Rear Yard Depth: 6.0 metres.

[Note: Former ER-10 and Sections 5 or 7 of **former zoning by-law** 32-74]

**L27.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The combined area of all zones on the lot must be used for the purpose of calculating minimum lot area, minimum landscaped open space and maximum lot coverage.
- (b)** The following uses are the only permitted uses:
  - (i)** Residential Uses:
    - (1)** a detached single family dwelling house.
  - (ii)** Non-Residential Uses:
    - (1)** a home occupation; and
    - (2)** a public use.

**(c)** Zone Provisions:

- (i)** Lot Area (minimum): 1.0 hectare.
- (ii)** Lot Frontage (minimum): 30 metres.
- (iii)** Front Yard Depth (minimum): 15 metres.
- (iv)** Interior Side Yard Width (minimum): 6 metres.
- (v)** Rear Yard Depth (minimum): 0 metres.
- (vi)** Dwelling Unit Area (minimum): 140 square metres.
- (vii)** Landscaped Open Space (minimum) : 50%.
- (viii)** Lot Coverage (maximum): 15%.
- (ix)** Height of Building (maximum): 9 metres.
- (x)** Dwelling Houses Per Lot (maximum): 1 only.
- (xi)** All structures must be setback a minimum of 5 metres from the unnamed watercourse, as shown on Figure L27.

[Note: Former ER-16 of **former zoning by-law** 32-74]





- (i) One mobile trailer up to a maximum size of 36 square metres may only be used for the purpose of a kitchen for a catering service operating as a home occupation.
- (e) A sight obscuring landscaped buffer must be maintained to conceal the trailer from the adjacent residential house at 1326 John F. Scott Road.

[Note: Former A1-63 and Sections 5 or 23 of **former zoning by-law** 32-74]

**L29.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The permitted uses also include a community hall for community functions and events, a union hall and office use.

[Note: Former M2.262 and Section 25.2 of **former zoning by-law** 8499]

**L30.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum front yard:
  - (i) From Princess Street: 3.0 metres; and
  - (ii) From Sir John A. Macdonald Boulevard: 6.6 metres.
- (b) Minimum side yard along the south lot line: 2.3 metres.
- (c) The maximum lot occupancy is 36.5%.
- (d) The minimum number of off-street parking spaces is:
  - (i) 4.6 spaces per 92.9 square metres of gross leasable area for a supermarket. and
  - (ii) 5.0 spaces per 92.9 square metres of gross leasable area for all other uses.
- (e) The off-street parking space requirement may be reduced by a maximum of 48 parking spaces while a seasonal garden centre is operational (from April 15 to October 15 each year).
- (f) A total of 112 off-street parking spaces are permitted off site within 100 metres of the subject property.
- (g) Off-street parking spaces must have a minimum length of 5.8 metres.

- (h) A maximum of 12 barrier free parking spaces are permitted to have a minimum length of 5.8 metres.
- (i) A minimum of 5 loading spaces must be provided on site.
- (j) A drive-through facility must be setback a minimum of 21 metres from a residential use or zone.

[Note: Former C3.85 and Section 23 of **former zoning by-law** 8499]

**L31.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Building Height:

- (i) No part of the mixed use building is permitted to exceed the height limits in metres specified by the numbers following the "H" as shown on Figure L31, this does not prevent the erection of:
  - (1) Window washing equipment, lighting fixtures, ornamental elements,
  - (2) lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements.
  - (3) Height is measured from the finished floor grade of 98.85 metres geodetic.
  - (4) Streetwall Height (maximum) 14.5 metres measure from 98.5 metres geodetic.

(b) The minimum angular plane does not apply.

(c) Off Street Parking:

- (i) 0.5 spaces per residential unit;
- (ii) 1 space per 150 square metres of gross leasable area for any permitted commercial use; and
- (iii) minimum 63 parking spaces to be provided onsite.

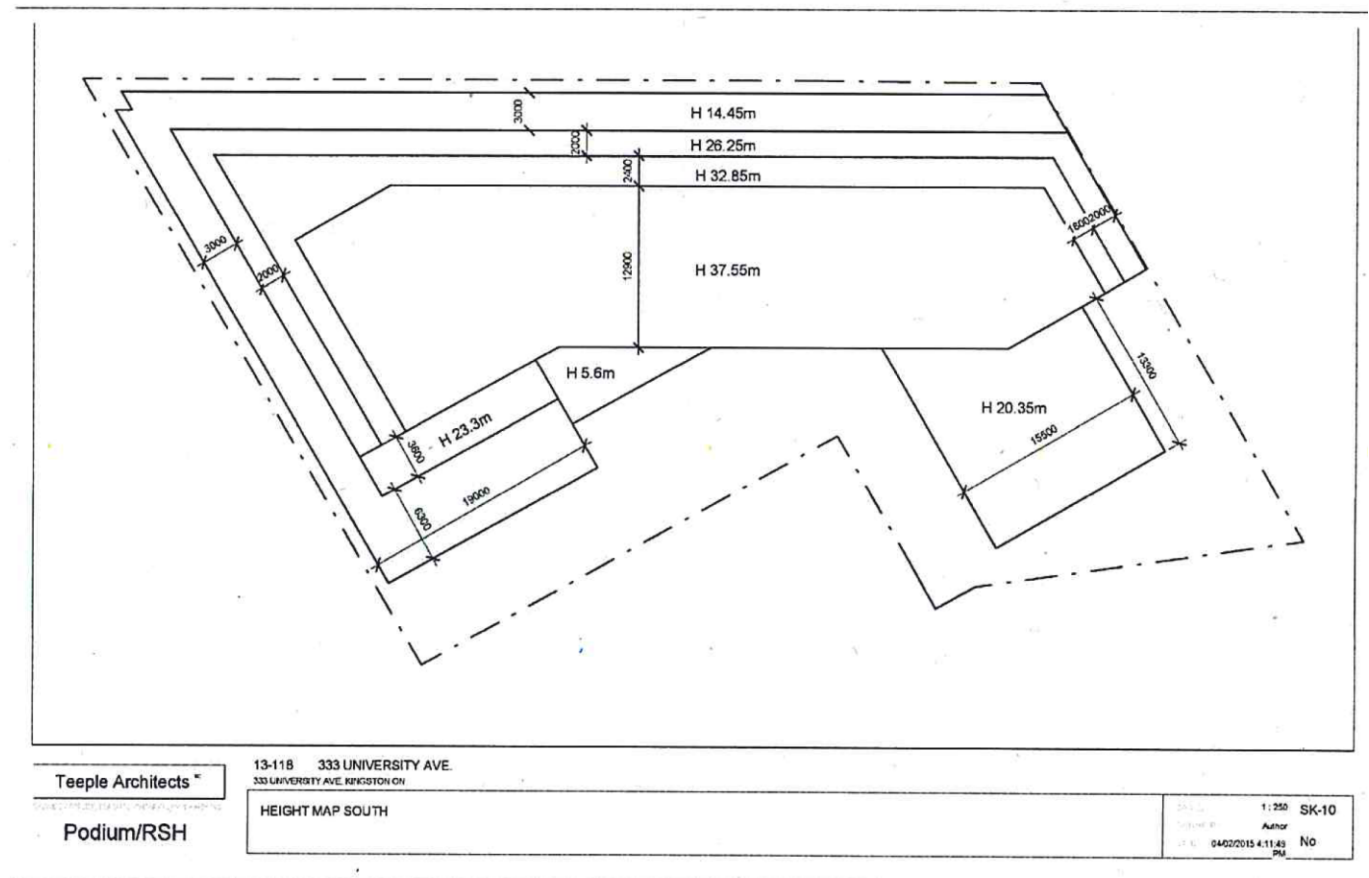


- (d)** Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (e)** Barrier Free parking spaces must have minimum dimensions of 3.7 metres wide by 5.2 metres long with a minimum required vertical clearance of 2.1 metres. If a 1.5 metres access aisle is provided beside a barrier free parking space the dimensions can be reduced to 3.2 metres wide by 5.2 metres long.
- (f)** Off-site residential parking must be provided within 500 metres of the property subject to this Exception.
- (g)** Loading Spaces: a minimum of one loading space is required which must have a minimum vertical clearance of 3.4 metres.
- (h)** Bicycle Parking:
  - (i)** Horizontal parking stalls must have minimum dimensions of 1.8 metres by 0.3 metres; and
  - (ii)** Vertical parking stalls must have minimum dimensions of 1.5 metres by 0.3 metres.
- (i)** Car Share Parking:
  - (i)** Car Share means the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car sharing organization, such car-share vehicles to be made available for short term rental, including hourly rental; and
  - (ii)** Two Car Share parking spaces must be provided and maintained on the site included in the required residential parking.
- (j)** Minimum Amenity Area: 3,600 square metres.
- (k)** Ground floor height means the floor-to-next floor height as measured from the finished grade of 98.85 metres geodetic and must not be less than 5 metres.
- (l)** Canopies may extend or project into a required yard not more than 1.0 metre.
- (m)** Residential Dwellings are not permitted on the 11th floor.
- (n)** The maximum number of bedrooms per unit is 3.

- (o) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i) Common areas open to all occupants of the unit;
  - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.

[Note: Former C4.465 and Section 23C of **former zoning by-law** 8499]

**Figure L31**



**L32.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definitions apply:

- (i)** 'Bedroom' means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater does not include:

  - (1)** Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen);
  - (2)** Common areas open to all occupants of the unit; or
  - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (b)** 'Planting Area' means an area of land that is used for the growth and maintenance of flowers, trees, shrubbery which contain a mix of native deciduous and coniferous trees.
- (c)** Building Height

  - (i)** No part of the building is permitted to exceed the height limits in metres as shown on Figure L32.
  - (ii)** Height must be measured from the finished floor grade of 99.3 metres geodetic.
  - (iii)** The maximum angular plane requirements do not apply.
- (d)** Density

  - (i)** The maximum number of residential dwelling units is 359.
  - (ii)** The maximum number of bedrooms is 565. A studio dwelling unit is considered a 1 bedroom dwelling unit.
  - (iii)** The ground floor must contain a minimum of commercial gross floor area of 800 square metres.
- (e)** Ground Floor Height

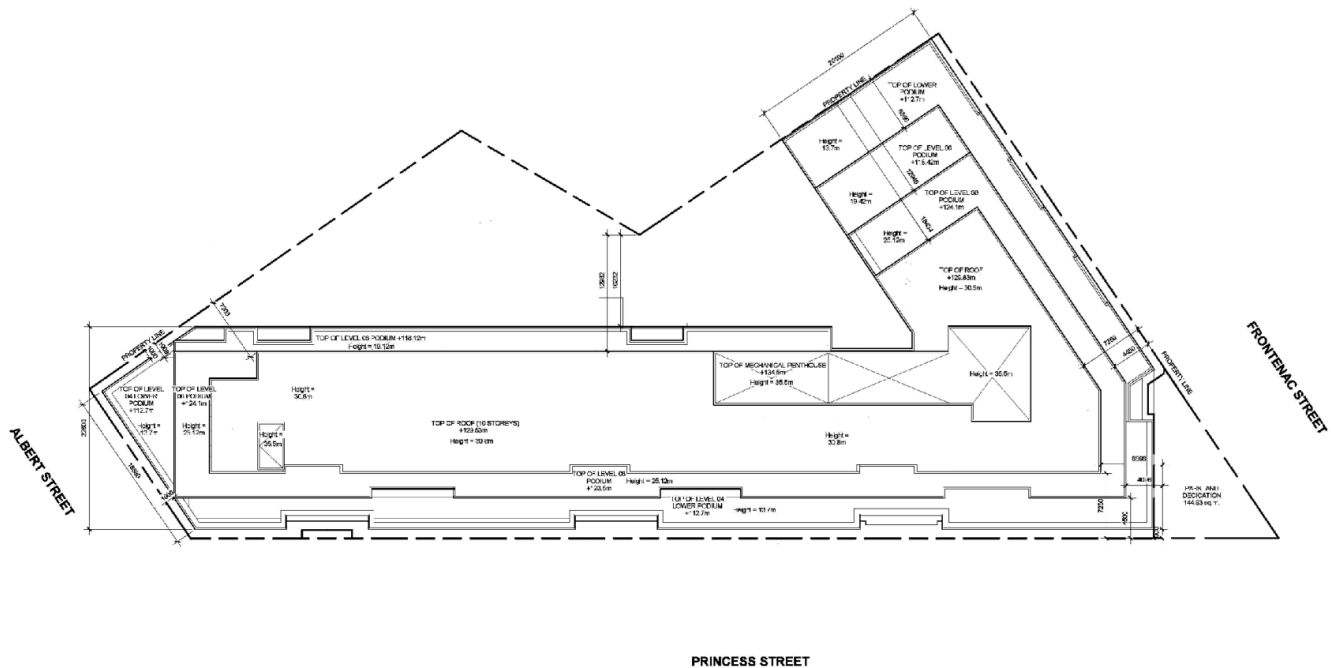
  - (i)** Ground floor height means the floor-to-floor height as measured from the finished grade of 99.0 metres geodetic.
  - (ii)** The minimum ground floor height is 4.5 metres.
- (f)** Yard Projections

- (i)** Stairs are permitted to project into the front yard adjacent to Frontenac Street with a minimum setback of 0.0 metres.
  - (ii)** The maximum width of the stairs projecting into the front yard adjacent to Frontenac Street is 1.5 metres. Areas in the front yard abutting Frontenac Street not occupied by stairs must be landscaped with a Planting Area.
- (g)** Off-Street Parking
  - (i)** A minimum parking ratio of 0.52 parking spaces per residential unit is provided.
  - (ii)** A minimum parking ratio of 1 space per 150 square metres of gross leasable area for any commercial use is provided.
  - (iii)** Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (h)** Off-Street Accessible Parking
  - (i)** A minimum of 10 accessible parking spaces are provided; 5 Type A and 5 Type B spaces.
  - (ii)** Type A spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.
  - (iii)** Type B spaces must have minimum dimensions of 2.4 metres wide by 5.2 metres long.
  - (iv)** An access aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long and marked with high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B spaces.
- (i)** Bicycle Parking
  - (i)** A minimum of 1 bicycle parking stall per residential unit must be provided.
  - (ii)** Horizontal bicycle parking stalls must have a minimum dimension of 1.8 metres by 0.45 metres with a vertical clearance of 2.1 metres.

- (iii) Vertical bicycle parking stalls must have a minimum dimension of 1.2 metres by 0.45 metres.
  - (iv) A minimum of 75% of on-site bicycle parking stalls must be covered.
  - (v) Up to a maximum of 25% of on-site bicycle parking stalls are permitted to be securely located outdoors and exposed to the elements.
- (j) Community Benefits
- (i) Securement and registration of any required agreements with respect to Community Benefits of the development under Section 37 of the **Planning Act**.

[Note: Former C4.555 and Sections 5 and 23C of **former zoning by-law 8499**]

Figure L32



- L33.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) The following definitions apply:
    - (i) 'Bedroom' means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater does not include:

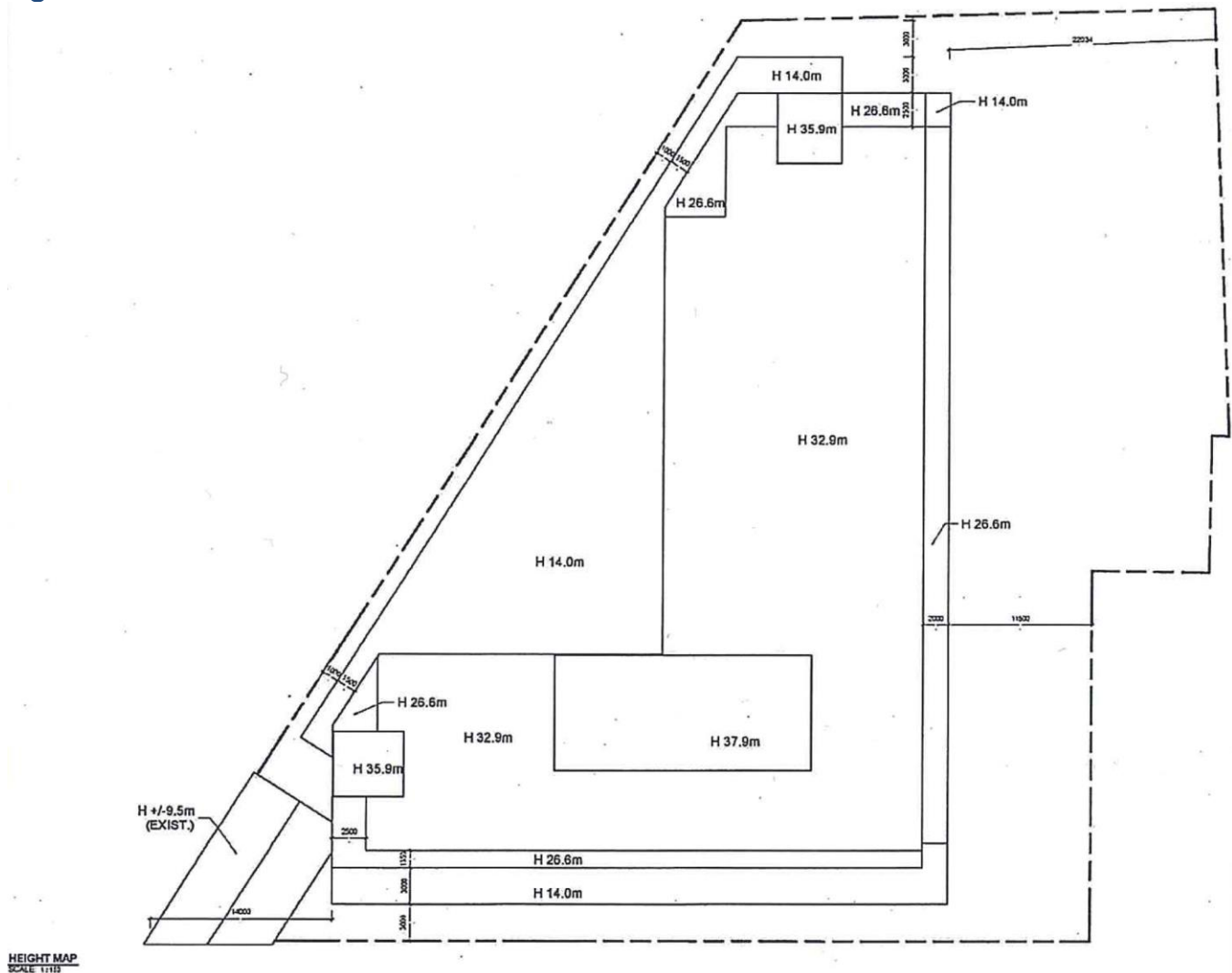
- (1)** Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen);
  - (2)** Common areas open to all occupants of the unit; and
  - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (ii)** 'Car Share' means the practice where a number of people share the use of one or more motor vehicles that are owned by a car sharing company or organization, such car share vehicles to be made available for short term rental, including hourly rental.
- (b)** Building Height
  - (i)** No part of the building is permitted to exceed the height limits in metres as shown Figure L33.
  - (ii)** The angular plane requirements do not apply.
- (c)** Yards
  - (i)** For Nelson Street only, a minimum of 22% of the frontage must be built to the 3.0 metres (minimum), for the height of the streetwall.
- (d)** Yards Projections
  - (i)** Stairs are permitted to project into the front yard adjacent to Victoria Street with a minimum setback of 0.0 metres.
- (e)** Density
  - (i)** The maximum number of residential dwelling units is 325.
  - (ii)** The maximum number of bedrooms is 432. A studio/bachelor dwelling unit is considered a 1 bedroom dwelling unit.
  - (iii)** The ground floor must contain a minimum of commercial gross floor area of 680 square metres.
- (f)** Ground Floor Height
  - (i)** The minimum ground floor height is 4.5 metres.
- (g)** Off-Street Parking

- (i)** A minimum parking ratio of 0.5 parking spaces per residential unit is provided.
  - (ii)** A minimum parking ratio of 1 space per 150 square metres of gross leasable area for any commercial use is provided.
  - (iii)** Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
  - (iv)** A vertical stacked parking structure or facility is permitted to be located within the south elevation of the building.
  - (v)** 3 Car Share parking spaces must be provided and maintained on site.
  - (vi)** 1 Car Share parking space is equivalent to 3 regular off-street parking spaces.
- (h)** Off-Street Accessible Parking
  - (i)** A minimum of 9 accessible parking spaces are provided; 5 Type A and 4 Type B spaces.
  - (ii)** Type A spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.
  - (iii)** Type B spaces must have minimum dimensions of 2.7 metres wide by 5.2 metres long.
  - (iv)** An access aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long and marked with high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B spaces.
  - (v)** Accessible parking spaces must have a minimum vertical clearance of 2.75 metres.
- (i)** Bicycle Parking
  - (i)** Vertical bicycle parking stalls must have a minimum dimension of 1.0 metres by 0.4 metres.
- (j)** Loading

- (i) A minimum of two loading spaces are required; and
- (ii) One space must have minimum dimensions of 3.5 metres wide by 8.5 metres long and the second space must have minimum dimensions of 3.5 metres wide by 7.1 metres long.

[Note: Former C4.557 and Sections 4, 5 and 23C of **former zoning by-law** 8499]

**Figure L33**



**L34.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Building Height: 38 metres exclusive of any elevator or service penthouse.



- (b) Maximum Number of Storeys: 14.
- (c) Maximum Dwelling Houses: 1 per lot.
- (d) Special Provision: For the explicit purpose of calculating density requirements only, the lands which are subject to this Exception are considered as one parcel.
- (e) Minimum Lot Area for an Apartment Dwelling House: 170 square metres per dwelling unit, however, the combined number of dwelling units in the lands subject to Exceptions L34 and L38 is 276 dwelling units in total;
- (f) Minimum Dwelling Unit Area:
  - (i) Dwelling unit containing 1 bedroom: 60 square metres; and
  - (ii) Dwelling unit containing 2 bedrooms: 74 square metres.
- (g) Parking areas are permitted in a required front yard, no closer than 1.5 metres from the road allowance.

[Note: Former R3-6 of **former zoning by-law** 32-74]

**L35.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Building Height
  - (i) The maximum height for buildings or structures is as follows:
    - (1) Height at Build-to-Plane 3 storeys, not to exceed 12.1 metres;
    - (2) Height at top of fourth storey 15.8 metres parapet;
    - (3) Maximum Building Height 6 storeys not to exceed (to the top of the parapet) 23.0 metres; and
    - (4) Maximum height at the top of a stair tower, elevator shaft, water tank, skylight, mechanical penthouse or other heating, cooling or ventilating equipment or a fence, wall or structure enclosing such elements or other similar roof construction not to exceed 25.5 metres.
- (b) Angular Plane
  - (i) The commencement height of the angular plane is 15.3 metres.

**(c) Fourth Storey Setback**

- (i)** Commencing at the top of the maximum build-to-plane the fourth storey setback must be not less than 1.5 metres from the build-to-plane along the Ontario Street blockface and along the Brock Street blockface.

**(d) Sight Triangle**

- (i)** No part of any building or structure above grade may be altered, enlarged, erected, renovated or used on that part of the lot at the intersection of Brock Street and Ontario Street which is composed of a corner sightline triangle having sides of 12 metres along each of Brock and Ontario Streets, measured from the street corner formed by the lot lines.

[Note: Former C1-15 of **former zoning by-law** 96-259]

**L36.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** All residential uses are prohibited.

[Note: Former A2-36 and Sections 5 and 24 of **former zoning by-law** 32-74]

**L37.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The permitted uses are limited to:

- (i)** a hotel with a maximum of 80 rooms;
- (ii)** a restaurant; and
- (iii)** one accessory dwelling unit to be located in the hotel.

- (b)** The regulations for the above uses are as follows:

- (i)** Maximum Building Height: The maximum building height of a hotel is 5 storeys, not to exceed 24.5 metres at the peak of the roof.
- (ii)** Maximum Gross Floor Area: The maximum gross floor area of the hotel is 5400 square metres.
- (iii)** Maximum Lot Coverage: The maximum lot coverage is 40%.

**(iv) Permitted Projections:**

- (1)** Bay windows and towers of the hotel are permitted to project over the water lots to a maximum projection of 1.5 metres.
- (2)** Projecting decks for public access and views of the waterfront are permitted to project over the existing waterlot areas of the property.

**(v) Parking**

- (1)** The minimum number of off street parking spaces to be provided is 58, a minimum of 2 of these spaces must be barrier free parking for the restaurant and hotel uses on the site.

**(vi) Minimum Required Setback from Waters Edge:** There is no specified building setback requirement from the waters edge.

**(vii) Landscaped Open Space:** The minimum landscaped open space requirement is 1,040 square metres.

**(viii) Location of Accessory Building:** There is no setback required for the garbage enclosure located in the North West portion of the site.

[Note: Former HR-1 of **former zoning by-law** 96-259]

**L38.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Maximum Building Height: 38 metres exclusive of any elevator or service penthouse.
- (b)** Maximum Number of Storeys: 14.
- (c)** Maximum Number of Dwelling Houses Permitted: 1 per lot.
- (d)** Minimum Lot Area for an Apartment Dwelling House: 170 square metres per dwelling unit; however, the combined number of dwelling units in the L34 and L38 Exceptions is limited to a maximum of 276 dwelling units in total.
- (e)** Minimum Dwelling Unit Areas:
  - (i)** Dwelling unit containing 1 bedroom: 60 square metres; and

(ii) Dwelling unit containing 2 bedrooms: 74 square metres.

(f) Parking areas may be provided in a required front yard, provided it is not within 1.5 metres of the road allowance.

[Note: Former R3-7 of **former zoning by-law** 32-74]

**L39.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Definitions:

- (i) "Amenity Area" means an area or areas, at or above ground level, intended for recreational purposes which may include landscaped site area, patios, balconies, communal lounges, swimming pools, and similar uses, but is not deemed to include areas occupied by service areas, parking or driveways.
- (ii) "Retirement Home" means accommodation where retirement home suites have a separate private bathroom and a separate entrance from a common hall and where common facilities for the preparation and consumption of meals are provided and where common lounges, recreation areas and medical care facilities may also be provided. Retirement homes may also include a subordinate number of 'dwelling units'.
- (iii) "Retirement Home Suite" means a habitable space designed for living and sleeping consisting of studios, one and two bedrooms, private bathroom and separate entrance from a common hall, and may include a kitchenette with convenience facilities but without full cooking facilities.

(b) Additional permitted uses:

- (i) an apartment dwelling house; and
- (ii) retirement home.

(c) Maximum Lot Coverage: 30%.

(d) Maximum Height of Building:

- (i) 27 metres where the building will not abut a residential zone; and

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from any ground floor habitable room window, this distance being measured radially from any point on the window. A window is considered to be located on the ground floor if any portion of the glazing is less than 2.5 metres above the adjacent ground floor level.

- (k) Minimum Parking for the residential use located at the property municipally addressed as 2395 Princess Street: 1.1 space per unit; and
- (l) Minimum Parking for Residential Uses at the 2.79 ha property municipally addressed as 950 Centennial Drive: 0.6 spaces per dwelling unit. For the purposes of calculating the minimum off-street parking requirement for a 'retirement home suite', as defined herein, a dwelling unit equivalency ratio of 2 retirement home suites to 1 dwelling unit applies.

[Note: Former C5-7 and Sections 4, 5 and 22 of **former zoning by-law** 76-26]

**L40.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Only the following use is permitted:
  - (i) A tradesman's shop.
- (b) Front Yard Depth (Minimum): 14.5 metres.
- (c) Interior Side Yard Depth: 13.3 metres.
- (d) Building Height (Maximum): 7 metres.
- (e) Maximum Total Floor Area of all Buildings: 817 square metres.
- (f) Parking:
  - (i) Maximum total number of outdoor parking spaces for the tradesman's shop use: 25; and
  - (ii) A maximum of 4 visitor parking spaces are permitted in the front yard, located no closer than 4 metres to any streetline.
- (g) Open storage is prohibited.
- (h) Planting Strip:
  - (i) No planting strip is required adjacent to the rear lot line and eastern interior side lot line; and

- (ii) A planting strip is required along the front lot line in accordance with the provisions of this By-law.
- (i) Buildings/structures and septic systems constructed after the date of passage of the site specific by-law must have a minimum separation of 30 metres from the top of bank of the watercourse (tributary to Little Cataraqui Creek).

[Note: Former M2-34 of **former zoning by-law** 76-26]

**L41.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definition:
  - (i) "Building Height" means the vertical distance measured from the average grade surrounding the building footprint to a point halfway up the pitched roof.
- (b) A row dwelling house may be vertically stacked, such that a portion of the dwelling units is located entirely or partially above the other dwelling units, and each dwelling unit has an independent entrance from exterior. Such an access may also be through a shared common vestibule.
- (c) Lot Area (minimum): 94 square metres per row dwelling house.
- (d) Lot Frontage (minimum): 6.7 metres per ground floor row dwelling house.
- (e) Dwelling Units (maximum): 18.
- (f) Front Yard Depth (minimum): 3.5 metres, except that this does not prevent the erection of a deck (covered or uncovered) and stairs providing access to the building or an upper floor balcony, provided the deck is no taller than 1.2 metres and that the deck and balcony project no closer than 2.0 metres to the front lot line, and that the stairs project no closer than 0.5 metres to the front lot line.
- (g) Group Setback: Not applicable.
- (h) Building Height (maximum): 12.5 metres.
- (i) Dwelling Houses Per Lot (maximum): There is no maximum number of dwelling houses per lot.
- (j) Guest Room Area (minimum): Not applicable.

- (k) Privacy Yard Depth (minimum): Not applicable.
- (l) Additional Setback Requirements: No building is permitted within 6 metre horizontal setback from the 1:100 floodplain of the Little Cataraqui Creek.
- (m) Landscaped Open Space (minimum): Not applicable.
- (n) Lot Coverage (maximum): 44%.
- (o) Amenity Area: Amenity Area: An amenity area must be provided in accordance with the following provisions:
  - (i) A minimum of 18.5 square metres of amenity area must be provided for each dwelling unit on a lot;
  - (ii) Amenity areas, or any part thereof, must be designed and located so that the length does not exceed four times the width; and
  - (iii) The area of an amenity area that is located at grade level and provided as an outdoor area exterior to the dwelling house may be included in the calculation of landscaped open space requirements.
- (p) Parking Space Dimensions (minimum): 2.6 metres wide by 5.2 metres long.

[Note: Former R4-45 and Sections 5 and 15 of **former zoning by-law** 76-26]

**L42.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Uses Permitted
  - (i) All uses permitted by the former provisions of the C2-1 Zone of **former zoning by-law** 76-26, except for an automatic car wash.
- (b) Special Yard Widths/Depths
  - (i) Minimum yard widths/depths abutting residential uses or vacant land in a Residential Zone are listed below for each permitted use:
  - (ii) an accessory dwelling unit, an appliance rental shop, a bank, a business or professional office, a church, a clinic, a commercial school, a day nursery, a dry cleaning or laundry outlet, a funeral home, an institute, a laundromat, a merchandise service shop, a



parking lot, a personal service shop, a copy shop, a private club, a public use, a restaurant- gross floor area of up to 93 square metres, a retail store, a take-out restaurant, an undertaking establishment, a veterinary clinic: 7.6 metres.

- (iii) an auditorium, an automobile service station, a beverage room, a boat sales establishment, a commercial club, a convention centre, a gasoline retail facility, a hotel, a motel, a recreational establishment, a restaurant - gross floor area in excess of 93 square metres, a supermarket, a vehicle sales or rental establishment: 30 metres.

**(c) Maximum Gross Leasable Area - Retail**

- (i) Up to 2,000 square metres of gross leasable area may be used for retail purposes.

**(d) Maximum Ground Floor Area**

- (i) The ground floor area of buildings or structures must be in accordance with the following:
  - (1) For buildings located within 180 metres of the intersection of the road rights-of-way of Princess Street and Taylor-Kidd Boulevard: as determined by other applicable provisions of this By-law.
  - (2) For buildings located wholly or in part within 30 metres of a residential zone: 1,200 square metres.
  - (3) For other buildings: 1,600 square metres.

**(e) Maximum Height of Buildings**

- (i) For buildings abutting Princess Street (County Road 2): 7 storeys provided that the upper four storeys stepback at least 4 metres.
- (ii) For buildings located wholly or in part within 30 metres of a residential zone: 10.6 metres including an elevator or service penthouse, provided that no exterior wall of any building exceeds a height of 6 metres measured from the finished grade elevation of the land adjoining said wall exclusive of parapets or cornices.
- (iii) For other buildings: 10.6 metres.

- (iv) For the purposes of this Exception, the term “stepback” mean a building design plan that recesses the upper stories of a building a specified distance from the established building setback and side yard depths where applicable, in a step-like manner.
- (f) Screening of Roof Equipment
  - (i) All mechanical, electrical, communications, heating, ventilation and air conditioning or other equipment including satellite dishes located on the roof of a building which is located within 30 metres of a residential zone must be screened from view to the extent that said equipment is not visible from the same elevation of a residential dwelling on an abutting lot.
- (g) Walls Abutting Residential Uses
  - (i) The combined length of the exterior walls of any building, located within 30 metres of a residential zone, which serve to define any yard width or depth abutting the residential zone, must not exceed 45 metres.
- (h) Commercial Patios
  - (i) Unenclosed porches, balconies, patios and verandahs, covered or uncovered, are permitted in a front yard and an exterior side yard only, but must not be located closer than 30 metres to a residential zone and not closer than 3 metres to any street line.
- (i) Loading Spaces - Yards Where Permitted
  - (i) Loading spaces required by this By-law must not be located in any yard abutting a residential use or undeveloped lands within an Urban Residential Zone or Urban Multi-Residential Zone.

[Note: Former C2-46 of **former zoning by-law** 76-26]

**L43.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Uses Permitted: In accordance with the provisions of the former C2-1 Zone of **former zoning by-law** 76-26.
- (b) Maximum Gross Leasable Area – Retail: Up to 2,000 square metres of gross leasable area may be used for retail purposes.

[Note: Former C2-47 of **former zoning by-law** 76-26]

- L44.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** The lands subject to this Exception must be used for no purpose other than the following uses:
    - (i)** a fabricating plant;
    - (ii)** a manufacturing plant;
    - (iii)** a contractor's or tradesman's shop;
    - (iv)** a processing plant; and
    - (v)** a retail outlet, a wholesale outlet or a business office accessory to a permitted use.
  - (b)** Front yard depth (minimum): 14 metres.
  - (c)** Visitor parking: A maximum of three visitor parking spaces may be located at a minimum distance of 2 metres from the street line and must be screened from the street with a landscaped planting strip, not less than 2 metres wide.
  - (d)** Open Storage: No open storage of goods or materials is permitted, except in accordance with the following provisions:
    - (1)** Every open storage use must be accessory to the main use of the building on the lot;
    - (2)** Every open storage use must comply with the yard and setback provisions of this By-law as if such open storage area were a building or structure provided, however, that such use complies with (1) above; and
    - (3)** Despite (2) above, open storage is not permitted in a front yard.
    - (4)** Open storage use must be visually screened within a closed wooden, metal, plastic fence constructed of durable materials and/or a landscaped screen consisting of coniferous planting,

extending at least 1.8 metres in height above the ground and maintained in good condition.

- (5)** Despite (3) and (4) above, a maximum of 30 square metres of open storage area may be located in the front yard without screening and must be used for product display only.

[Note: Former M2-33 and Section 25 of **former zoning by-law** 76-26]

**L45.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Permitted Uses are limited to the following:

- (i)** A park; and
- (ii)** A public use.

**(b)** All structures must be setback a minimum of 15 metres from the top of the bank of the watercourse.

[Note: Former OS-12 and Section 8 of **former zoning by-law** 76-26]

**L46.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Additional Permitted Use: Hotel, subject to the following provisions:

- (i)** The maximum building height is 15 metres.
- (ii)** The maximum building height does not prevent the erection of functional or mechanical elements approved under the Site Plan Agreement and required for the normal operation of the building and permitted uses.

**(iii)** The minimum yards are as follows:

- (1)** Front Yard Depth – 15 metres;
- (2)** Rear Yard Depth – 9 metres;
- (3)** Interior Side Yard Width – East – 17 metres; and
- (4)** Interior Side Yard Width – West – 19 metres.

- (iv)** The maximum front yard depth, measured to the nearest wall of the main building, is 17 metres.
- (v)** Canopies: Despite the required yard provisions set out in (iii) above, canopies may project up to 3.5 metres from the wall of the main building.
- (vi)** Accessory Building: An accessory building is permitted no closer than 1.5 metres from the rear lot line.
- (vii)** Loading Space:
  - (1)** A minimum of one loading space must be provided for a hotel.
  - (2)** The required loading space may also be used as a bus parking space.
  - (3)** The minimum dimensions of such loading space is 12 metres long by 3.2 metres wide.
  - (4)** Access to loading spaces must be by means of a driveway at least 6.0 metres wide for two-way operation.
- (viii)** Off-Street Parking:
  - (1)** The minimum parking ratio requirement is 0.9 spaces per guest room.
  - (2)** Standard parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
  - (3)** The minimum parking aisle width is 6 metres.
  - (4)** Access to the required parking spaces and parking areas must be provided by means of unobstructed driveways or passageways having a minimum width of 6 metres for combined ingress and egress.
- (ix)** Off-Street Accessible Parking
  - (1)** Type A accessible parking spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.

- (2)** Type B accessible parking spaces must have minimum dimensions of 2.7 metres wide by 5.2 metres long.
  - (3)** An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, is required adjacent to Type A and Type B accessible parking spaces. The accessible aisle may be shared between Type A and Type B accessible parking spaces.
- (x) Planting Strip**
- (1)** A minimum 2.0 metre wide planting strip is required along the front lot line and the east side lot line, with the exception of the east-west portion of the east lot line, where the minimum width of the planting strip is 1.3 metres. The planting strip will be regulated through Site Plan Control.

[Note: Former C2-75 and Sections 5 and 19 of **former zoning by-law** 76-26]

**L47.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following uses are also permitted as accessory uses within the building known as 100 Days Road (Centre 70 Arena):
  - (i)** specific day retail sales; and
  - (ii)** trade shows.
- (b)** The uses noted above are defined as follows:
  - (i)** Specific Day Retail Sales means the use of any lot, building or structure, or part thereof, for an event that brings together members of the public or an industry for the purpose of selling or buying goods or services, including entering into contracts for the sale and/or purchase of goods or services; which are complementary to the principle permitted uses.
  - (ii)** Trade Show means the use of any lot, building or structure, or part thereof, for an event held to bring together members of a particular industry to display, demonstrate, and promote their latest products and services; which are complementary to the principle permitted uses.

**(c)** Parking Provisions:

- (i)** Parking for any recreational use and accessory use to a recreational use must be at a rate of 1 space for each 26 square metres of gross floor area.

**(d)** 670 Front Road (Centre 70 Arena property):

- (i)** A retail store is permitted within the limits of the existing 170 square metre building located at 670 Front Road.
- (ii)** Parking for a retail store must be at a rate of 5.25 parking spaces per 100 square metres of gross floor area.
- (iii)** That the existing deficient rear yard setback of the building known as 670 Front Road, existing on the date of passing this By-Law, is permitted.

[Note: Former I-14 and Section 17(1) of **former zoning by-law** 76-26]

**L48.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Permitted Uses:

**(i)** Industrial Uses:

- (1)** research and development facilities, including laboratories;
- (2)** data processing facilities, including call centres;
- (3)** technologically advanced manufacturing, fabricating, and assembling operations for the production of high value products;
- (4)** film or recording studio;
- (5)** commercial school or training facility, provided the use is contained within an enclosed building(s); and
- (6)** the following light industrial uses, provided they are contained within an enclosed buildings: manufacturing, repairing, fabricating, processing and assembling operations; construction and transportation activities and facilities; storage

(does not include a self-storage facility), warehousing, and wholesale trade activities; and communications facilities and utilities.

**(ii) Office Uses:**

- (1)** corporate administrative offices and government offices; and
- (2)** administrative, professional and technical services, such as engineering and surveying firms, that are consistent with the image and amenity of a Business Park Industrial setting.

**(iii) Permitted Complementary Uses:**

- (1)** office and business services, such as printing and equipment repair, which are intended to serve the Business Park Industrial area;
- (2)** day care facilities;
- (3)** hotel and/or conference facilities, including banquet halls, trade show buildings, and similar uses;
- (4)** restaurants;
- (5)** drive-through facilities;
- (6)** financial institutions;
- (7)** personal services;
- (8)** medical and paramedical uses;
- (9)** convenience commercial uses; and
- (10)** sources of renewable energy.

**(b) Additional Complementary Use Provisions:**

- (i)** The maximum gross floor area of complementary uses must not, in the aggregate, exceed 25% of the total gross floor area of established, or concurrently developed space for permitted primary uses in the Cataraqui Estates Business Park;



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- (5)** no open storage use is permitted to cover more than 35% of the lot area;
- (6)** an open storage use must not generate any emissions, dust, or debris that cannot be contained on-site;
- (7)** an open storage use must be properly screened and/or buffered from view. Such screening and/or buffering will be addressed through the Site Plan Control process; and
- (8)** an open storage use must not abut a lot which is zoned for a non-industrial land use, except where the abutting lot is an Open Space Zone (OS) or Environmental Protection Area Zone (EPA).

**(xii) Parking**

- (1)** Minimum Parking Requirement for Industrial Uses: 1 parking space per 100 square metres of gross floor area.
- (2)** Minimum Parking Requirement for Office Uses: 3.4 parking spaces per 100 square metres of gross floor area.

**(xiii) Minimum Parking Requirement for Complementary Uses:**

- (1)** 10 parking spaces per 100 square metres of gross floor area for a restaurant; and
- (2)** 3.4 parking spaces per 100 square metres of gross floor area for all other complementary uses.

**(xiv) Parking Space Requirements:**

- (1)** Minimum width of a standard parking space: 2.6 metres.
- (2)** Minimum length of a standard parking space: 5.2 metres.

**(xv) Yards in Which Parking Area is Permitted:** Parking is permitted in any yard, provided that no part of any parking area, other than a driveway, is located closer than 7.6 metres to any street line and that the area between the street line and the parking area must be landscaped.

**(xvi) Accessible Parking:** In accordance with this By-law.

[Note: Former BP-8 and Sections 5 and 30A of **former zoning by-law** 76-26]

**L49.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Non-Residential Use: Open Storage including for a Waste Transfer Station and unconsolidated materials in accordance with the following provisions:
  - (i)** Interior Side Yard (minimum): 9 metres for open storage and 49 metres for an accessory structure.
  - (ii)** Front Yard (minimum): 6 metres for open storage.
  - (iii)** Visual Screen must be provided along any public road which abuts and open storage area.

[Note: Former M5-5 and Section 28 of **former zoning by-law** 76-26]

**L50.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 239.3 square metres.

[Note: Former A.394 and Section 6 of **former zoning by-law** 8499]

**L51.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted number of residential units for the existing building: 3.
- (b)** Required number of parking spaces per residential unit: 1.
- (c)** Maximum lot coverage for the existing building: 53%.
- (d)** Setback from lot line abutting Union Street: 0.5 metres.
- (e)** Setback from lot line abutting Collingwood Street: 2.9 metres.
- (f)** Setback from northerly lot line: 1.8 metres.

[Note: Former A.400 and Section 6 of **former zoning by-law** 8499]

**L52.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The use of a cellar as a dwelling unit or as a habitation unit is permitted.
- (b) Minimum lot area for two dwelling units is 556 square metres.
- (c) Maximum number of bedrooms per dwelling unit is 4.
- (d) The definition for bedroom is as follows:
  - (i) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
    - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (e) The second dwelling unit must not exceed 60% of the gross floor area of the main dwelling unit.

[Note: Former A.427 of **former zoning by-law** 8499]

**L53.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses:
  - (i) Semi-Detached Dwelling.
- (b) Minimum Lot Area: 260 square metres.
- (c) Minimum Front Yard: 2.4 metres.
- (d) Minimum North Interior Side Yard Setback: 0.0 metres.
- (e) Maximum Overall Building Height: 12.4 metres.
- (f) Maximum Height of Any Exterior Wall Exclusive of End Gable: 9.5 metres.
- (g) Existing Dormers: Dormers existing on the date of passage of the site specific by-law are permitted.
- (h) Maximum Permitted Floor Space Index: 1.1.
- (i) Parking:

- (i) Maximum Uncovered Rear Yard Parking Area: 40 square metres.
- (ii) Minimum standard parking dimensions must be 2.6 metres wide by 6.0 metres in length.
- (j) Projections into Yards: A covered or uncovered, unenclosed porch and steps of any height may project into the required front yard, but must be no closer than 0.0 metres to the front lot line.
- (k) Regulations for Dwellings with Common Party Walls: For the purpose of side yard, lot width, lot area, lot coverage and lot occupancy regulations, the subject semi-detached dwelling unit is considered as a separate dwelling on a separate lot.

[Note: Former A.477 and Sections 5 and 6 of **former zoning by-law** 8499]

**L54.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) Principal Residential Unit” means the main / core structure intended for human habitation, on a lot.
  - (ii) Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b) Additional Permitted Uses:
  - (i) Semi-Detached Dwelling;
  - (ii) A Second Residential Unit;
- (c) Prohibited Uses:
  - (i) Garden Suite;
  - (ii) Boarding House;
  - (iii) Lodging House;
  - (iv) Rooming House.
- (d) Minimum Lot Area: 350 square metres.

- (e)** Minimum Front Yard: 1.2 metres.
- (f)** Minimum Interior Side Yard Setback: 0.0 metres.
- (g)** Minimum Aggregate Side Yard Setback: 0.0 metres.
- (h)** Maximum Overall Building Height: 12.5 metres.
- (i)** Maximum Height of Any Exterior Wall Exclusive of End Gable: 9.5 metres.
- (j)** Existing Dormers: Dormers existing on the date of passing of the site specific by-law are permitted.
- (k)** Maximum Building Depth: 15.3 metres.
- (l)** Parking:
  - (i)** Maximum Uncovered Rear Yard Parking Area: 40 Square Metres;
  - (ii)** Minimum standard parking dimensions must be 2.6 metres wide by 6.0 metres in length.
- (m)** Projections into Yards:
  - (i)** A covered or uncovered, unenclosed porch and steps of any height may project into the required front yard, but must be no closer than 0.0 metres to any lot line.
- (n)** Regulations for Dwellings with Common Party Walls:
  - (i)** For the purpose of side yard, lot width, lot area, lot coverage and lot occupancy regulations, the subject semi-detached dwelling unit is considered as a separate dwelling on a separate lot.
- (o)** Second Residential Unit:
  - (i)** Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
    - (1)** floor area occupied by mechanical, service, and electrical equipment that serve the building;

- (2)** an open porch or balcony; and
    - (3)** areas internal to the building that are intended for the storage of vehicles.
  - (ii)** Second Residential Units per Dwelling House (maximum): 1 only
  - (iii)** Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.
  - (iv)** Parking and Driveway:
    - (1)** Second Residential Unit: 1 parking space.
    - (2)** An additional driveway is not permitted for a second residential unit.

[Note: Former A.478 and Sections 5 and 6 of **former zoning by-law** 8499]

**L55.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Definitions:
  - (i)** "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
  - (ii)** "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b)** Additional Permitted Uses: A Second Residential Unit
- (c)** Second Residential Unit:
  - (i)** Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below

grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (1) floor area occupied by mechanical, service, and electrical equipment that serve the building;
  - (2) an open porch; and
  - (3) areas internal to the building that are intended for the storage of vehicles,
- (ii) Maximum Second Residential Units per Dwelling House: 1 unit only,
- (iii) Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side of the building where a minimum 1.2 metre walkway from the front of the building to the access is provided.
- (iv) Parking
  - (1) A second residential unit must have a minimum of 1 parking space.
  - (2) An additional driveway is not permitted for a second residential unit.
  - (3) Tandem parking is permitted.

[Note: Former A2.490 of **former zoning by-law** 8499]

**L56.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Required Lot Area: 320 square metres for two dwelling units.
- (b) Minimum Required Lot Width: 10 metres for two dwelling units.

[Note: Former A4.556 and Sections 5 and 10 of **former zoning by-law** 8499]

**L57.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:



- (a)** Definitions: For the purpose of this Exception, the following definition applies:
  - (i)** Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1)** Common areas open to all occupants of the unit;
    - (2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
    - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (b)** For zoning interpretation, the lands subject to this Exception are considered one lot.
- (c)** Maximum Number of Dwelling Units:
  - (i)** Maximum Number of Dwelling Units: 4.
  - (ii)** No more than 2 dwelling units are permitted on each side of a common party wall.
- (d)** Maximum Aggregate Number of Bedrooms on Each Side of the Common Party Wall: 5.
- (e)** Maximum Permitted Parking Area: A maximum area of 25 square metres is permitted as an uncovered parking area in the rear yard of each side of a semi detached dwelling unit.
- (f)** Parking Space Dimensions: Minimum size of a parking space in the rear yard of a semi-detached building is 2.7 metres wide and 5.6 metres long.
- (g)** Walkway: An unobstructed 1.2 metre wide walkway, that does not impede drainage, must be provided to all dwelling unit entrances from Kingscourt Avenue.

[Note: Former A5.442 and Sections 5 and 11 of **former zoning by-law** 8499]

**L58.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (i)** Maximum number of dwelling units is 3.

- (ii) Additional dwelling units are prohibited.
- (iii) Minimum Front Yard Setback: 3.90 metres.
- (iv) Maximum number of bedrooms per dwelling unit: 4.
- (v) Maximum Aggregate bedrooms: 12.
- (vi) The Maximum parking area in the rear yard: 49 square metres.

[Note: Former B.413 and Sections 5 and 13 of **former zoning by-law** 8499]

**L59.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Number of Dwelling Units: 3.
- (b) Minimum Side Yard: 2.41 metres.
- (c) Minimum Aggregate Side Yard: 6.48 metres.
- (d) Off-Street Parking: One parking space in a driveway may be located within the required front yard is permitted.
- (e) Flood Plain Setback: No building or structure is permitted within 6.0 metres of an 'EPA' zone.

[Note: Former B.583 and Sections 5, 13 and 38 of **former zoning by-law** 8499]

**L60.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Side Yard: 1.2 metres.
- (b) Minimum Aggregate Side Yard: 2.5 metres.
- (c) Maximum Density: 105 dwelling units per net hectare.
- (d) Off-Street Residential Parking: A minimum parking ratio of 0.75 parking spaces per dwelling unit is required.
- (e) Required Accessible Parking Space: A minimum of one Type B accessible parking space is required.
- (f) Parking Design Standards: The minimum size of a standard parking space is 2.4 metres wide by 6.0 metres long.

- (g)** Minimum setback from front lot line for projections more than 0.6 metres in height above finished grade level:
  - (i)** Juliette Balconies: 5.9 metres.
- (h)** Minimum setback from interior side lot line for projections:
  - (i)** Front Steps: 1.3 metres;
  - (ii)** Front Porch: 1.3 metres;
  - (iii)** Juliette Balconies: 1.2 metres; and
  - (iv)** Rear Decks: 1.3 metres.
- (i)** Maximum Number of Bedrooms: 12.

[Note: Former B.600 and Sections 5 and 13 of **former zoning by-law** 8499]

**L61.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Maximum number of dwelling units: 6.
- (b)** Maximum aggregate number of bedrooms: 12.
- (c)** Maximum number of bedrooms per dwelling unit: 2.
- (d)** Minimum front yard setback: 2.64 metres.
- (e)** Minimum side yard setback: 0.3 metres.
- (f)** Minimum aggregate side yard setback: 2.6 metres.
- (g)** Maximum percentage of lot coverage 37%.
- (h)** Minimum amenity area: 55 square metres.
- (i)** There is no minimum play space requirement.
- (j)** Required number of parking spaces: 3.
- (k)** The front porch is permitted a minimum of 1.27 metres from the front lot line.
- (l)** Bicycle parking area: overhead clearance in covered spaces must be a minimum of 1.8 metres.

[Note: Former B.479 and Sections 5 and 13 of **former zoning by-law 8499**]

**L62.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Definitions

- (i)** Principal Residential Unit” means the main/core structure intended for human habitation, on a lot.
- (ii)** Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (iii)** Amenity Area, Private: means an indoor area or room within an individual dwelling unit which has a minimum clear ceiling height of 2.08 metres and a minimum floor area of 10 square metres, used by the residents of the unit for passive recreational purposes, and may include a living room, study, den, recreational room, and similar uses, but is not deemed to include a kitchen, lavatory, bedroom, foyer, lobby, hall, closet, garage, laundry room, furnace room or stairwell.

**(b)** Additional Permitted Uses:

- (i)** A Second Residential Unit.

**(c)** Minimum Front Yard Setback: 3.9 metres.

**(d)** Minimum Lot Area: 297 square metres.

**(e)** Maximum Lot Coverage: 38%.

**(f)** The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.

**(g)** Access:

- (i)** The second residential unit must have separate access from that of the principle residential unit. Access provided at the front of the building for the principle residential unit, and at the side or rear of the building for the second dwelling unit, where there is a minimum 1.0 metre wide unobstructed walkway, that does not impede drainage;

**(h) Off-Street Parking**

- (i)** Minimum standard parking dimensions must be 2.6 metres wide by 6.0 metres in length.
- (ii)** Parking in a stacked /tandem arrangement is permitted for a maximum of two parking spaces.
- (iii)** One parking space must be provided for each dwelling unit.

[Note: Former B.529 and Sections 5 and 13 of **former zoning by-law** 8499]

**L63.** This Exception only applies to regulate the existing structures as of the date of passing of the site specific by-law and a 2 storey addition to the detached garage. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area Per Dwelling Unit: 208 square metres.
- (b)** Maximum Lot Coverage: 43%.
- (c)** Maximum Building Height: 8.1 metres.

[Note: Former B.533 and Sections 4, 5, 6 and 13 of **former zoning by-law** 8499]

**L64.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Uses: Multiple Family Dwelling.
- (b)** Minimum Front Yard Setback: 3.0 metres.
- (c)** Minimum Side Yard: 1.75 metres to any structure at or below grade.
- (d)** Minimum Side Yard Setback to a Dwelling or Habitation Unit: 6.5 metres.
- (e)** Minimum Distance between Buildings: 4.5 metres regardless of the location of the building.
- (f)** Maximum Building Height: 11.0 metres.
- (g)** Maximum Lot Percentage Lot Occupancy: 145%.
- (h)** Maximum Number of Dwelling per Building: 28.

- (i) Maximum Aggregate Number of Dwelling Units: 28.
- (j) Maximum Density: 69 units per net hectare.
- (k) A density bonus may be applied to permit a density increase to 118 units per net hectare. The bonus is subject to the property owner entering into a development agreement with the City, which will establish a high quality of architectural design and human scale development consistent with the City's long term vision for the area.
- (l) Minimum Amenity Area: 1559 square metres.
- (m) Minimum Play Space: 57.5 square metres.
- (n) The for the purpose of zone interpretation the subject properties be considered as a single parcel.
- (o) That the maximum number of bedrooms for a dwelling unit is 4.
- (p) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i) Common areas open to all occupants of the unit;
  - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

[Note: Former B2.433 and Sections 5 and 15 of **former zoning by-law** 8499]

- L65.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Minimum Commercial Gross Floor Area: The ground floor must contain a minimum gross floor area of 200 square metres of commercial use.
  - (b) Maximum Residential Density
    - (i) Maximum number of dwelling units: 35.
    - (ii) Maximum number of bedrooms: 100.
    - (iii) Dwelling units are only permitted on floors 2 and above.

**(c) Ground Floor Height**

- (i)** Minimum ground floor height floor to floor: 4.5 metres.
- (ii)** Minimum height of building overhang on Garrett Street and Division Street: 4.1 metres, measured from the average finished grade of the sidewalk.
- (iii)** The height limits specified in (c)(ii) do not apply to prevent the erection of decorative elements approved under the Site Plan Control Agreement.

**(d) Building Height**

- (i)** No part of the building is permitted to exceed the height limits (in metres) as specified in Figure L65A.
- (ii)** The height limits specified in (d)(i) do not apply to prevent the erection of decorative, functional, or mechanical elements approved under the Site Plan Control Agreement.

**(e) Required Yards/Setbacks**

- (i)** The minimum main building wall setbacks are as specified in Figure L65A with a 5% variance on noted dimensions.
- (ii)** Despite (e)(i) above, the minimum grade level setbacks are as specified in Figure L65B with a 5% variance on noted dimensions.
- (iii)** Despite (e)(i) and (e)(ii) above, a balcony serving a dwelling unit may project not more than 2.5 metres out from the main building wall into a required yard, and there is no minimum setback from the property line for such balcony.
- (iv)** The setbacks identified in (e)(i) and (e)(ii) do not apply to prevent the erection of decorative or architectural detailing (e.g. banding, solar shading, awnings) approved under the Site Plan Control Agreement.

**(f) Lot Coverage**

- (i)** Maximum permitted lot coverage: 100%.

**(g) Off-Street Parking**

- (i)** A minimum parking ratio of 0.42 parking spaces per dwelling unit is required.
  - (ii)** A minimum parking ratio of 1 parking space per 150 square metres of gross leasable area for any commercial use is required.
  - (iii)** Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
  - (iv)** Off-site parking for residential uses is permitted within 500 metres of 168 Division Street.
  - (v)** On-site parking is permitted within a partially enclosed building.
- (h)** Off-Street Accessible Parking
  - (i)** A minimum of 2 accessible parking spaces is required.
  - (ii)** Type A accessible parking spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.
  - (iii)** Type B accessible parking spaces must have minimum dimensions of 2.4 metres wide by 5.2 metres long.
  - (iv)** An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, must be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.
  - (v)** Accessible parking spaces must have a minimum vertical clearance of 2.1 metres.
- (i)** Off-Street Bicycle Parking
  - (i)** A minimum of 1 bicycle parking space must be provided per dwelling unit.
  - (ii)** Bicycle parking may be provided in a stacked vertical arrangement. Bicycle parking stalls must have a combined minimum height of 2.5 metres, a minimum length of 1.9 metres, and a minimum width of 0.45 metres.



- (iii) Required bicycle parking spaces are not permitted in the residential units.
- (j) Amenity Space
  - (i) A minimum of 12.5 square metres of amenity space must be provided per dwelling unit.
- (k) Loading space
  - (i) A minimum of one loading space must be provided on-site.
  - (ii) The loading space must have minimum dimensions of 3.5 metres wide by 10.5 metres long with a vertical clearance of 4.3 metres.
- (l) Community Benefits
  - (i) Any authorized increases in height and density set out in this Exception are contingent upon the execution and registration of any agreements (including, without limitation, any Section 37 Agreement) required by the City with respect to the provision of Community Benefits (as defined in the City of Kingston's "Section 37 of the **Planning Act**: Community Benefit Guidelines").

[Note: Former C.570 and Sections 5 and 20 of **former zoning by-law** 8499]

Figure L65A

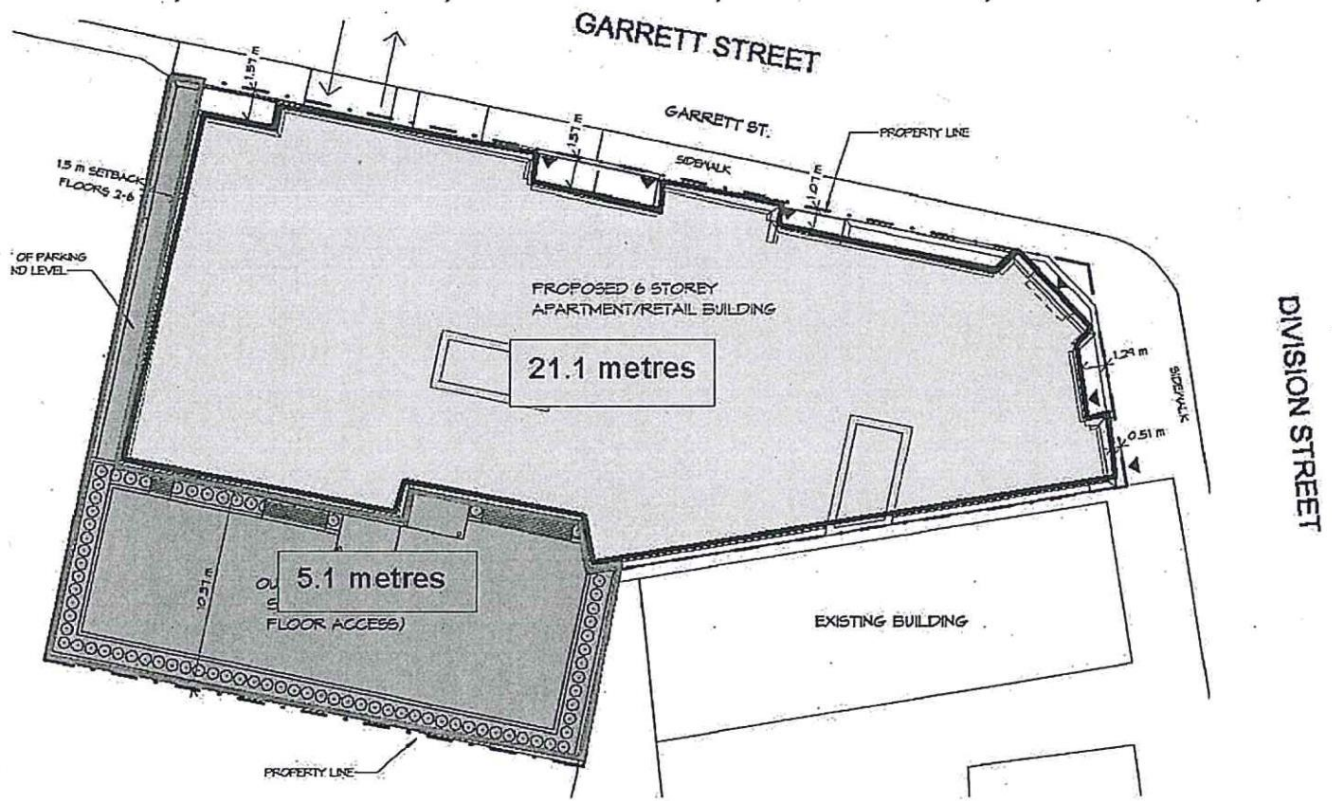
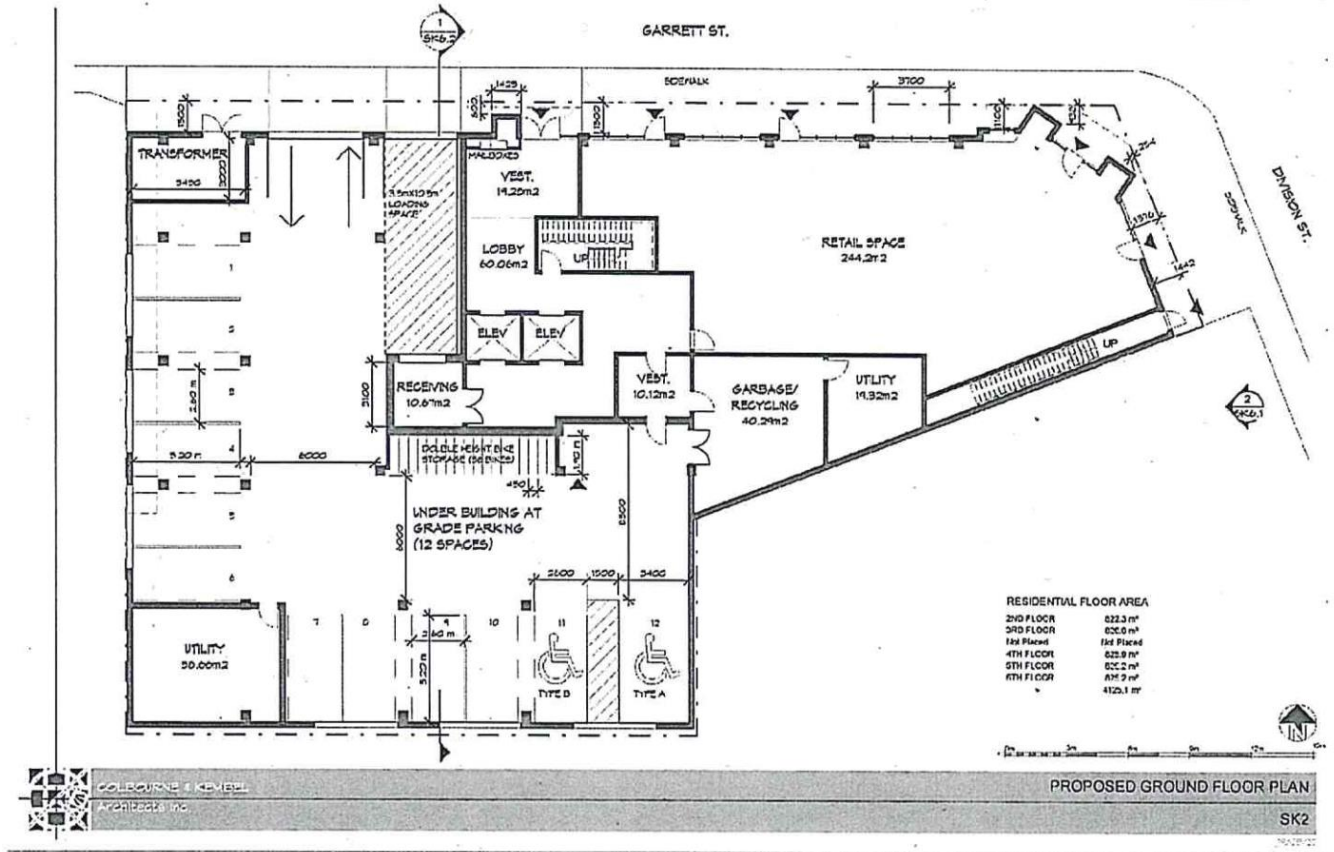


Figure L65B



**L66.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Front Yard: 3.9 metres, except:
  - (i) A canopy and associated ground support may project 1.9 metres into the minimum required front yard setback.
- (b) Minimum Side Yard:
  - (i) East 1.0 metres;
  - (ii) West 6.8 metres;
  - (iii) Aggregate 7.8 metres; and
  - (iv) Despite (ii) and (iii), a canopy may project 1.1 metres into the minimum required side yard setback.
- (c) Maximum Lot Occupancy 120%.

- (d)** Maximum Density 197 dwelling units per net hectare.
- (e)** Maximum Height:
  - (i)** The maximum permitted height to the top of the third floor parapet is 10.5 metres.
  - (ii)** Despite (i), an additional 2.5 metres in height is permitted for a partial fourth floor that is limited to an amenity room, rooftop mechanical equipment, stair and elevator shaft overruns and trellises.
  - (iii)** The maximum permitted gross floor area of the indoor amenity room located on the fourth floor is 90 square metres.
  - (iv)** The front wall of the amenity room located on the fourth floor, rooftop mechanical equipment, stair and elevator shaft overruns must be no closer than 7.0 metres from the front wall of the building.
  - (v)** Despite (iv), trellises must be located no closer than 5.5 metres from the front wall of the building.
- (f)** Access: The minimum width for a drive aisle is 6.0 metres.
- (g)** Off-Street Parking:
  - (i)** The minimum number of off-street parking spaces is 15 spaces.
  - (ii)** The minimum size of a parking space is 2.6 metres wide and 5.7 metres long.
  - (iii)** The minimum number of off-street barrier free parking spaces is 2 spaces.
  - (iv)** The minimum size of a barrier free parking space is 3.7 metres wide and 5.7 metres long.
  - (v)** Despite (iii), if a 1.5 metre side pedestrian access aisle is provided beside a barrier free parking space, the minimum barrier free parking space dimension can be 3.2 metres wide and 5.7 metres long.
- (h)** Bicycle Parking

- (i) The minimum number of off-street bicycle parking spaces is 29 spaces.
- (ii) The minimum size of a bicycle parking space is 0.45 metres wide and 1.2 metres of vertical clearance.

[Note: Former B3.517 and Sections 5 and 16 of **former zoning by-law** 8499]

**L67.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) For zoning interpretation purposes, the lands subject to this Exception are considered one lot.
- (b) Lot Lines: For zoning interpretation purposes, the King Street West and Portsmouth Avenue frontages are deemed to be the Front Lot Lines, the northern lot line opposite the King Street West frontage is deemed to be a Side Lot Line, and the eastern lot line opposite the Portsmouth Avenue frontage is deemed to be a Side Lot Line.
- (c) Additional Permitted Uses:
  - (i) Row dwellings.
- (d) Maximum Lot Occupancy: 160%.
- (e) Maximum Density: 115 dwelling units per net hectare.
- (f) Minimum Front Yard: 1.0 metres within 11.0 metres of the intersection of Portsmouth Avenue and King Street West, and beyond this point a minimum of 2.0 metre on King Street West and a minimum of 3.0 metres on Portsmouth Avenue.
- (g) Minimum Side Yard: 4.1 metres.
- (h) Maximum Residential Building Height: 12.0 metres.
- (i) Minimum Required Number of Parking Spaces: 0.9 spaces per unit.
- (j) Off-Street Parking:
  - (i) Parking spaces may be permitted to encroach 1.7 metres into the front yard.
  - (ii) The minimum required parking space length is 5.2 metres and the minimum required parking space width is 2.6 metres.

- (k)** Off-Street Bicycle Parking:
  - (i)** Bicycle parking stalls must have a minimum width of 0.3 metres.
- (l)** Projections into Yards:
  - (i)** Covered porches, canopies and stairs are permitted to encroach into the minimum required front yard.
  - (ii)** Balconies are permitted to encroach up to 1.3 metres into the east interior side yard.
- (m)** Parking area screening:
  - (i)** The area between the parking spaces and the Portsmouth Avenue right of way must be landscaped to screen the view of the parking area.

[Note: Former B3.560 and Sections 4, 5 and 16 of **former zoning by-law** 8499]

**L68.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted uses are limited to the following:
  - (i)** Recreational Use;
  - (ii)** Artisans workshop;
  - (iii)** Community Centre;
  - (iv)** Community Hall;
  - (v)** Creativity Centre;
  - (vi)** Education Centre;
  - (vii)** Restaurant;
  - (viii)** Offices for or in connection with a business or profession;
  - (ix)** Neighbourhood stores;
  - (x)** Retail stores; and
  - (xi)** Banks or financial institutions.

**(b) Minimum Rear Yard**

- (i)** As existing on the date of passing of the site specific by-law that implemented this Exception.

**(c) Off-Street Parking**

- (i)** A minimum of 9 standard parking spaces must be provided, of which up to 2 may be used for car share parking. 'Car share' means the practice where a number of people share the use of one or more motor vehicles that are owned by a car sharing company or organization, such car share vehicles to be made available for short term rental, including hourly rental.
- (ii)** Standard parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.

**(d) Off-Street accessible Parking**

- (i)** Type A accessible parking spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.
- (ii)** Type B accessible parking spaces must have minimum dimensions of 2.4 metres wide by 5.2 metres long.
- (iii)** An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, must be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.

**(e) Loading Facilities**

- (i)** A loading space must have minimum dimensions of 3.5 metres wide by 7.0 metres long.

**(f) Bicycle Parking**

- (i)** Minimum number of bicycle parking spaces: 15 spaces.
- (ii)** A bicycle parking space must have minimum dimensions of 0.3 metres wide by 1.8 metres long with a vertical clearance of 2.1 metres.

**(g) Accessory Structures**



- (i) A waste enclosure may be located within 1.0 metre of the rear lot line and interior side lot line.

[Note: Former C1.587 and Sections 5 and 21 of **former zoning by-law** 8499]

**L69.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) No new additions to existing buildings or structures, such as interior floor area, decks, porches, roofed structures or septic system, other than a marine facility, are permitted within 40 meters of the high water mark. Within 30 metres of the lot line, which abuts the waterbody (Leo Lake), only limited cutting or coppicing is permitted to permit water views and access, and for reasons of safety. No roads or widespread clearing is permitted within the 30 metres setback from the waterbody;
- (b) Despite (a), pedestrian access to a marine facility is permitted.

[Note: Former A2-38 and Sections 5 and 24 of **former zoning by-law** 32-74]

**L70.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The lands subject to this Exception are considered one lot for zoning purposes.
- (b) The maximum width of any combined ingress and egress driveway, measured along the street line, is 11 metres.
- (c) The minimum required distance between buildings is 5 metres.
- (d) Parking areas are prohibited in the required yard that abuts the western limits of this Exception.

[Note: Former BP-2 of **former zoning by-law** 32-74]

**L71.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted uses also include an asphalt plant, a concrete batching plant and any related accessory uses to aggregate extraction and processing and any combination of the foregoing uses.
- (b) The minimum setback for an asphalt plant, a concrete batching plant and any related accessory uses to aggregate extraction and processing and



any combination of the foregoing uses from the abutting properties known municipally as 3927 Highway 15 and 3931 Highway 15 is 200 metres.

[Note: Former MX-4 and Section 20 of **former zoning by-law** 32-74]

**L72.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional permitted uses:
  - (i) Universities and colleges; and
  - (ii) Clinics.
- (b) The minimum size of a parking space is 2.6 metres wide and 5.2 metres long.

[Note: Former E2.559 and Sections 5 and 19 of **former zoning by-law** 8499]

**L73.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are a shopping centre consisting of the uses permitted by former Section 15(1)(b) of **former zoning by-law** 32-74, and a day care centre and day nursery.
- (b) Front Yard Depth (minimum): 18.0 metres.
- (c) Interior Side Yard Width (minimum): 18.0 metres provided that where the interior side lot line abuts a Commercial or Institutional Zone, the interior side yard width may be reduced to 3.0 metres, and where the interior side lot line abuts a lot in a Commercial Zone, the interior side yard width may be reduced to 14.0 metres.
- (d) Rear Yard Depth (minimum): 22.5 metres.
- (e) Gross Floor Area (maximum): 8,000 square metres.
- (f) Parking Areas
  - (i) Parking must be provided on the basis of 1 space per every 19.25 square metres of gross floor area.
  - (ii) Required parking may form a part of public and private streets or lanes.

- (iii) The required parking area may be provided on another lot not occupied by the building, structure or use of which the said parking is required provided that such a parking area is not more than 250 metres from the lot requiring the parking area.

**(g) Landscaped Open Space**

- (i) Landscaped Open Space (minimum): 18%.
- (ii) A 4.5 metre-wide landscaped open space area along the northern and southern boundary of this Exception is required. For the purposes of this Exception, the northern boundary of the Zone is deemed to be adjacent to Gore Road.

- (h)** The planting strip provisions do not apply.

[Note: Former C-2 of **former zoning by-law** 32-74]

**L74. L174 Removed see By-Law Number 2024-113**

Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Prohibited Uses: commercial and mixed uses, apartment buildings, multiple dwellings and home occupations.

[Note: Former MU1\*8 of **former zoning by-law** 97-102]

**L75.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** All residential uses are prohibited.

[Note: Former A2-35 and Section 5 and 24 of **former zoning by-law** 32-74]

**L76.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Uses

- (i) The permitted uses also include an Apartment Dwelling, where access to the building and residential units may be provided through a common entrance or an entrance dedicated to a specific residential unit.

- (b)** Density
  - (i)** The maximum number of residential units is 10.
- (c)** Amenity Area
  - (i)** The minimum required Amenity Area for a two bedroom residential unit is 17.5 square metres.
- (d)** Equipped Children's Play Area
  - (i)** An equipped Children's Play Area is not required.
- (e)** Yard Setbacks and Build to Plane
  - (i)** Minimum Front Yard 0 metres;
  - (ii)** Minimum Exterior Side Yard 0 metres; and
  - (iii)** Build to Plane 0 metres.
- (f)** Yard Projections
  - (i)** Canopies, awnings and other overhanging structures may project from the foundation wall to the edge of the municipal road allowance.
- (g)** Parking Access
  - (i)** Ingress and egress of vehicles to and from the street may use forward or reverse motion to Ordinance Street.

[Note: Former C1-35 of **former zoning by-law** 96-259]

**L77.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The regulations are as follows:
  - (i)** Angular Plane: The Angular Plane provisions do not apply.
  - (ii)** Amenity Area: The minimum amount of amenity area is 600 square metres.
  - (iii)** Maximum Density: The maximum density for buildings or structures on this site is 545 residential units per net hectare.

- (iv) Off-Street Parking: The minimum number of off-street parking spaces is 19.
- (v) Location of Off-Site Parking: Off-site parking must be provided within the geographic area of **former zoning by-law** 96-259 with agreement(s) registered on title.

[Note: Former C1-30 of **former zoning by-law** 96-259]

**L78.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are one or more of the following uses: an existing airfield; a farm; a specialized farm; or a public use.

[Note: Former M2-1 and Section 19(1) of **former zoning by-law** 32-74]

**L79.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use: a detached single family dwelling house.
- (b) Lot Frontage (minimum):
  - (i) Corner Lot: 10.8 metres; and
  - (ii) Other Lot: 9 metres.
- (c) Front Yard Depth (minimum): 3.0 metres.
- (d) Rear Yard Depth (minimum): 6.75 metres.
- (e) Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R12-4 and Section 11I of **former zoning by-law** 32-74]

**L80.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use:

- (i) A second dwelling unit is permitted in a detached building, with a maximum gross floor area of 75 square metres and a maximum height of 6.0 metres.
  - (ii) All other dwelling units of any kind are prohibited.
- (b) Lot Area (minimum): 557 square metres.
- (c) Lot Frontage (minimum): 16.7 metres.
- (d) Yards: The required yards are defined as:
  - (i) Front Yard: Abutting Hillside Drive;
  - (ii) Rear Yard: Abutting Mona Drive; and
  - (iii) Exterior Side Yard: Abutting Hudson Drive.
- (e) Rear yard depth (minimum): 11.0 metres.
- (f) Accessory Buildings:
  - (i) No accessory buildings are permitted within any required front yard; required exterior side yard; or, required rear yard.
- (g) Driveways:
  - (i) A maximum of two driveways are permitted on the property, each with a maximum width of 6.0 metres, with a maximum of one driveway per public road.

[Note: Former R1-68 and Section 5 and 12 of **former zoning by-law** 76-26]

**L81.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Uses permitted:
  - (i) A public park;
  - (ii) A public use; and
  - (iii) A school.
- (b) Parking must be in the interior side and rear yards only, except that 10 non-visitor parking spaces are permitted in a front yard provided that no

part of any parking area, other than a driveway, is located closer than 1.3 metres to any street line. Visitor parking spaces are permitted within 5.8 metres of the front lot line.

[Note: Former OS-25 and Sections 5 and 8 of **former zoning by-law** 76-26]

**L82.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The only permitted uses are:

- (i)** A bank;
- (ii)** A business office or professional office;
- (iii)** A clinic;
- (iv)** A convenience store;
- (v)** A dry-cleaning or laundry outlet;
- (vi)** A home occupation;
- (vii)** A laundromat;
- (viii)** A mixed residential/commercial use;
- (ix)** A personal service shop;
- (x)** A public use;
- (xi)** A recreational establishment;
- (xii)** A restaurant and take-out restaurant;
- (xiii)** A retail store;
- (xiv)** A shopping centre consisting of any of the permitted uses listed herein;
- (xv)** A supermarket; and
- (xvi)** A day nursery.

[Note: Former C2-71 and Sections 5, 6 and 19 of **former zoning by-law** 76-26]

- L83.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) The only permitted use is a waste transfer station.
  - (b) "WASTE TRANSFER STATION" means a waste disposal site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent as may exist from time to time under this or any successor legislation, to allow the site to be used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site. Temporary storage of contaminated materials or contaminants in an enclosed building or storage tanks is also permitted. Accessory uses. Such as offices, equipment storage, vehicle storage, equipment maintenance and vehicle maintenance, are permitted.
  - (c) Open storage of materials, equipment or vehicles for working accessory to the principle use, is permitted.
  - (d) Open storage of decommissioned and non-contaminated material, such as fuel tanks and pumps, is permitted
  - (e) Minimum lot area: 8 hectares.
  - (f) No waste transfer use or facility, including tanks, buildings or open storage is permitted, save and except for an existing structure which may be used for an accessory office.
  - (g) Maximum storage capacity of liquid waste: 68,100 litres.
  - (h) Maximum storage capacity of solid contaminated waste: 299 tonnes.
  - (i) Solid contaminated waste stored under (g) above must be contained in a covered and enclosed building no greater than 250 square metres in area.
  - (j) No development is permitted to proceed until such time a site development agreement has been reached with the City and all required securities deposited.

[Note: Former M4-2 and Sections 27(1) and (2) of **former zoning by-law** 76-26]

- L84.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Only the following uses are permitted:

- (i) commercial garage
- (ii) contractor's or tradesman's shop
- (iii) contractor's yard
- (iv) equipment maintenance and repairs
- (v) industrial repair shop
- (vi) warehouse
- (vii) retail sales accessory to a principal use
- (viii) open storage associated with a permitted use
- (ix) an office associated with a permitted use
- (b) Minimum Required Yards:
  - (i) Front yard: 24 metres;
  - (ii) Rear yard: 12 metres; and
  - (iii) Interior side yard: 12 metres.
- (c) The zone boundaries are considered lot lines.
- (d) Landscape Strip:
  - (i) A minimum 5.0 metre wide landscaping strip must be provided along the lot line adjacent to Perth Road.
  - (ii) The landscape strip must include a mixture of coniferous and deciduous trees which will provide a sight obscuring buffer, and must include an existing quarry face.

[Note: Former M3-4 and Sections 5 and 26 of **former zoning by-law** 76-26]

**L85.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:



(i) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.

(b) Additional Permitted Uses:

(i) A Second Residential Unit.

(c) (c ) The second residential unit be limited to a maximum of one bedroom.

[Note: Former R1-72 and Sections 5 and 12 of **former zoning by-law** 76-26]

**L86.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Only the following uses are permitted:

(i) Residential Uses

(ii) Apartment Dwelling House

(b) For the purposes of zoning interpretation, the lands subject to this Exception are considered one lot.

(c) Dwelling Units (maximum): 120 units.

(d) Apartment Dwelling Houses per Lot (maximum): 2.

(e) Lot Area (minimum): 0.12 ha.

(f) Dwelling Unit Area (minimum): 60 square metres.

(g) Interior Side Yard Setback (minimum): 10.5 metres.

(h) Landscaped Open Space (minimum): 38%.

(i) Amenity Area (minimum). Not required.

(j) There is no minimum privacy yards requirement.

(k) Children's Play Area (minimum): Not required.

(l) Parking:

(i) The minimum number of on-site parking spaces is 140 spaces.

(ii) The minimum number of barrier free on-site parking spaces is 6 spaces.

[Note: Former R4-41 and Sections 5 and 15 of **former zoning by-law** 76-26]

- L87.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** The only permitted use is a waste transfer facility.
  - (b)** The following definition applies:
    - (i)** Waste Transfer Facility means a waste disposal site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent as may exist from time to time under this or any successor legislation, to allow the site to be used for the purpose of receiving, handling and temporary storage of non-hazardous general construction and demolition waste and/or solid non-hazardous municipal waste prior to the transferring of the waste to another facility or waste disposal site. Temporary storage of materials, equipment or vehicles for work accessory to the principal use, is permitted. Accessory uses such as office and scale and scale house are also permitted.
  - (c)** Maximum storage of waste is 500 metric tonnes.
  - (d)** Maximum quantity of waste received on any given day is 299 metric tonnes.
  - (e)** Maximum quantity of solid non-hazardous municipal waste received on any given day is 200 metric tonnes.
  - (f)** All solid non-hazardous municipal waste must be contained in a covered and enclosed building.
  - (g)** Municipal organic waste is prohibited.
  - (h)** Despite (a), the following provisions apply, providing the subject land is not used for a Waste Transfer Facility:
    - (i)** Additional permitted uses:
      - (1)** a cartage and transport yard;
      - (2)** a contractor's yard;
      - (3)** an open storage use;

- (4)** topsoil screening; and
    - (5)** a public use.
  - (ii)** Required yard (minimum) for uses abutting Industrial Zone:
    - (1)** Front yard depth: 15 metres;
    - (2)** Interior side yard width: 3 metres; and
    - (3)** Rear yard depth: 8 metres.
  - (iii)** Required yard (minimum) for uses abutting Any Other Zone:
  - (iv)** Front yard depth: 61 metres;
  - (v)** Interior side yard width: 61 metres; and
  - (vi)** Rear yard depth: 61 metres.

[Note: Former M4-4 of **former zoning by-law** 76-26]

**L88.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Uses:
  - (i)** Single Detached Dwelling House.
  - (ii)** Semi Detached Dwelling House.
  - (iii)** Three, Four or Five Unit Row Dwelling House.
- (b)** Lot Area (Minimum):
  - (i)** Single Detached Dwelling House: 292 square metres.
  - (ii)** Semi Detached Dwelling Unit: 200 square metres.
  - (iii)** Row Dwelling Unit: 170 square metres.
- (c)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses, is 42 dwelling units per net hectare.
- (d)** Lot Frontage – Corner Lot (Minimum):

- (i)** Single Detached Dwelling House: 12.75 metres.
  - (ii)** Semi Detached Dwelling Unit: 10.50 metres.
  - (iii)** Row Dwelling Unit: 9.20 metres.
- (e)** Lot Frontage – Other Lot (Minimum):
  - (i)** Single Detached Dwelling House: 9.75 metres.
  - (ii)** Semi Detached Dwelling Unit: 7.50 metres.
  - (iii)** Row Dwelling Unit: 6.10 metres.
- (f)** Front Yard Depth (Minimum)
  - (i)** To House 4.50 metres.
  - (ii)** To Garage 6.00 metres.
- (g)** Exterior Side Yard Width (Minimum): 3.00 metres.
- (h)** Interior Side Yard Width (Minimum):
  - (i)** With an attached garage: 1.20 metres.
  - (ii)** Without an attached garage: 1.20 metres one side and 3.00 metres on the other side, unless there is a common party wall, in which case the minimum side yard is 0.0 metres.
- (i)** Rear Yard Depth (Minimum):
  - (i)** 6.00 metres
  - (ii)** Despite (i), all lots backing onto Cataraqui Woods Drive must have a minimum rear yard depth of 8.50 metres.
- (j)** Lot Coverage (Maximum)
  - (i)** Single Detached Dwelling House: 50%.
  - (ii)** Semi Detached Dwelling Unit: 50%.
  - (iii)** Row Dwelling Unit: 50%.

- (k)** Interior Garage Width: For lots less than 12 metres wide, the minimum interior one-car garage dimensions are 3.0 metres wide by 6.0 metres deep. A maximum width of 5.0 metres may be applied to permit a one-car garage with storage.
- (l)** Driveway Width: The maximum width of a driveway for its entire length is:

  - (i)** Single Detached Dwelling House: lesser of 6.0 metres or 50% of lot width.
  - (ii)** Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width.
  - (iii)** Row Dwelling Unit: 4.0 metres.
  - (iv)** Corner Lots: a maximum driveway width of 5.0 metres where it is located in an exterior side yard.
- (m)** Parking: Parking is permitted in the interior side yard and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
- (n)** Landscaped Open Space: 30%.
- (o)** Maximum Height: 10.50 metres.
- (p)** Sight Triangles:

  - (i)** Uses Prohibited: Within any area defined as a sight triangle, the following uses are prohibited:

    - (1)** a building, structure or use which would obstruct the vision of drivers of motor vehicles
    - (2)** a fence, tree, hedge, bush or other vegetation, the top of which exceeds 1.0 metres in height above the elevation of the centerline of the adjacent street
    - (3)** an uncovered surface parking area
    - (4)** a finished grade which exceeds the elevation of the centerline of the adjacent street by more than 1.0 metres.
  - (ii)** Two sight triangles are required on a corner lot:

- (1)** The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.
  - (2)** The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.
  - (3)** Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines is deemed to be the intersection of the two lot lines.
- (q)** Yard Encroachments: A cantilevered fireplace may project into any required yard a maximum distance of 0.6 metres.
- (r)** Five Unit row Dwelling House: A maximum of 10% of all row dwelling house buildings are permitted to be five unit row dwelling house buildings.

[Note: Former R3-30 and Sections 5 and 14 of **former zoning by-law** 76-26]

**L89.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Zoning Interpretation: For the purposes of zoning interpretation the lands subject to this Exception are treated as a single parcel.
- (b)** Density:
  - (i)** Minimum: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 100 dwelling units per net hectare.
  - (ii)** Maximum: The maximum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 200 dwelling units per net hectare.

- (c)** Yard Depths (minimum):
  - (i)** West lot line: 3 metres;
  - (ii)** All other lot lines: 10 metres; and
  - (iii)** Despite (i) and (ii), a below grade parking structure may have a minimum yard depth of 0.3 metres to any lot line.
- (d)** Height of Building
  - (i)** The maximum permitted height above sea level is 136 metres
  - (ii)** Height exceptions and permitted projections above the maximum height do not apply to lands subject to this Exception.
- (e)** Privacy Yards:
  - (i)** A privacy yard must be provided for Apartment Dwelling Houses with a minimum depth of 3.0 metres measured at right angles from such wall the window adjoins except at front entrance and rear entrance where a 1.5 metre yard is required. There is no required privacy yard where a loading area abuts the wall of a building.
- (f)** Parking Space Dimensions (minimum): 2.6 metres wide by 5.2 metres long.
- (g)** Barrier-free Parking Space Vertical Clearance (minimum): 2.1 metres.
- (h)** Parking:
  - (i)** Parking is permitted in any yard.
  - (ii)** If parking is located within any yard adjacent to a street, a minimum 1.0 metre high berm must be provided, which includes a minimum 3.0 metres wide landscaping strip containing a mixture of coniferous and deciduous trees.
  - (iii)** Below grade parking may be located under a landscaping strip.
- (i)** Parking Aisle Lane Width (minimum): 6.1 metres.
- (j)** Lot coverage: Below grade parking structures are not included in the calculation of lot coverage.
- (k)** Children's Play Area (minimum): Not required.

[Note: Former R5-21 and Sections 5 and 15A of **former zoning by-law** 76-26]

**L90.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Lot Frontage (minimum): 5.4 metres.

[Note: Former R1-77 and Sections 5 and 12 of **former zoning by-law** 76-26]

**L91.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Permitted Uses

**(i)** Manufacturing, assembly, fabricating and processing operations;

**(ii)** Construction and transportation activities and facility;

**(iii)** Storage, warehousing and wholesale trade activities;

**(iv)** Communications and utilities facility;

**(v)** Institutional uses with General Industrial characteristics, such as a trade school;

**(vi)** Business or professional office; and

**(vii)** Public use.

**(b)** Permitted Complementary Uses

**(i)** Restaurant;

**(ii)** Financial institution;

**(iii)** Personal services and convenience commercial;

**(iv)** Automotive, heavy equipment or truck repair facility;

**(v)** Research and development facilities, including laboratories;

**(vi)** Clinic;

**(vii)** Public and private parks and recreation facilities; and

**(viii)** Parking lots or parking structure.



**(c) Permitted Uses**

- (i)** A maximum of 25% of the total gross floor area of a permitted use may be used for the purposes of a showroom, display area and retail sales for products that are manufactured, processed, fabricated or assembled on the premises.

**(d) Complementary Uses**

- (i)** Complementary uses are limited to a maximum of 25% of the total gross floor area of all buildings and structures on the lot.
- (ii)** Complementary uses may be established in advance of a primary permitted use, provided the gross floor area of such uses does not exceed 5% of the lot area.

**(e) Business or Professional Office Uses**

- (i)** A business office or professional office must be located within 90 metres of a street line.
- (ii)** A business office or professional office are restricted to a maximum of 50% of the total gross floor area of all buildings or structures occupying the lot.

**(f) The Lot Lines are as follows:**

- (i)** Front Lot Line: All lot lines that abut a street are deemed to be front lot lines.
- (ii)** All Other property lines are deemed rear lot lines.

**(g) Required Yards:**

- (i)** Minimum Front Yard Depth: 10 metres;
- (ii)** Minimum Rear Yard Depth: 7.6 metres; and
- (iii)** Maximum Building Height: 20 metres.

**(h) Parking**

- (i)** Minimum Parking Requirement for Industrial Uses: 1 parking space per 100 square metres of gross floor area.

- (ii) Minimum Parking Requirement for Office Uses: 3.4 parking spaces per 100 square metres of gross floor area.
  - (iii) Minimum Parking Requirement for Complementary Uses: 3.4 parking spaces per 100 square metres of gross floor area.
  - (iv) Parking Space Requirements: Minimum width of a parking space is 2.7 metres and the minimum length of a parking space is 5.5 metres.
  - (v) Yards in Which Parking Area Permitted: Parking may be permitted in any yard provided that no part of any parking area, other than a driveway is located closer than 3.5 metres to any street line.
  - (vi) Minimum Access Aisle Width: 6 metres.
- (i) Accessible Parking
  - (i) Type A spaces must have minimum dimensions of 3.4 metres wide by 5.5 metres long.
  - (ii) Type B spaces must have minimum dimensions of 2.7 metres wide by 5.5 metres long.
  - (iii) An accessible aisle with minimum dimensions of 1.5 metres wide by 5.5 metres long and marked with high tonal contrast diagonal lines is required adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B spaces.
- (j) Yards in which loading spaces are permitted: Loading spaces are permitted in any yard provided that such loading space is located no closer than 18.3 metres to any street line.
- (k) Sight Triangle: There is no sight triangle where Resource Road and Centennial Drive intersect as the sight triangle has already been assumed by the municipality.
- (l) Planting Strip: A 3.5 metre wide planting strip is required along the front yards in accordance with the planting strip requirements.

[Note: Former M1-17 and Sections 5 and 24 of **former zoning by-law** 76-26]

**L92.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** In addition to the uses permitted, the property may be used for a multi-sport recreational facility, a miniature golf course and may, as accessory to the primary use, be used for Trade Shows and Specific Day Retail Sales.
- (b)** The following definitions apply:

  - (i)** “Trade Show” means the use of any lot, building or structure, or part thereof, for an event held to bring together members of a particular industry to display, demonstrate, and promote their latest products and services; which are complementary to the principal permitted uses; and
  - (ii)** “Specific Day Retail Sales” means the use of any lot, building or structure, or part thereof, for an event that brings together members of the public or an industry for the purpose of selling or buying goods or services, including entering into contracts for the sale and/or purchase of goods or services; which are complementary to the principal permitted uses.
  - (iii)** “Multi-sport recreational facility” means a place designed and equipped for the conduct of sports, leisure and other recreational activities within an enclosed structure. Accessory permitted uses include office, retail of no more than 30 square metres, storage, change rooms, meeting space, and food vending area.
- (c)** Minimum Lot Area: 3.2 hectares.
- (d)** Minimum Landscaped Open Space: 35%.
- (e)** Maximum Lot Coverage: 35%.
- (f)** Maximum Building Height: 24 metres.
- (g)** Maximum Gross Floor Area: 10,500 square metres.
- (h)** Top of Bank Setback: No development or site alteration is permitted within 30 metres of the top of bank of the tributary.
- (i)** Minimum Required Parking: The minimum parking ratio for any multi-sport recreational facility, and any use accessory to a multi-sport recreational facility, is 1 parking space for each 26 square metres of gross floor area.
- (j)** Minimum Number of Loading Spaces: 1.

[Note: Former OS-15 and Sections 5 and 8 of **former zoning by-law** 76-26]

- L93.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Additional Permitted Uses within the building existing as of the date of the passing of the site specific by-law:
    - (i) Professional office; and
    - (ii) Multiple family dwelling.
  - (b) Maximum Number of Permitted Dwelling Units: 20.
  - (c) Minimum Lot Area: 3,150 square metres.
  - (d) Minimum Number of Off-Street Vehicle Parking: 19 parking spaces.
  - (e) Outdoor Storage / Outdoor Display: Outdoor storage and outdoor display associated with a professional office use is not permitted.
  - (f) Deemed to Comply: The building and site development existing as of the date of the passing of the site specific by-law is deemed to comply with the regulations of this Zoning By-Law. In the event that the existing building on the site is removed, any new development is subject to the regulations of this By-law.

[Note: Former A.375 of **former zoning by-law** 8499]

- L94.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Maximum Gross Floor Area: 310 square metres.
  - (b) Maximum Percentage of Lot Coverage: 52%.
  - (c) Maximum Floor Space Index: 1.5.
  - (d) That the maximum height of the rear wall and the pitch and slope of the roof of the second storey addition must match the abutting land owners second storey addition at 50 Colborne Street.
  - (e) That the maximum height of the rear wall of the one storey addition must not exceed 2.75 metres.

- (f) That any external openings along the eastern wall of the second storey addition be limited to transom windows at a minimum height of 2.0 metres from finished floor, subject to Ontario Building Code requirements.

[Note: Former A.449 and Sections 5 and 6 of **former zoning by-law** 8499]

**L95.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum number of dwelling units: 2.
- (b) Minimum lot area per dwelling unit: 345 square metres.
- (c) Maximum total lot coverage: 34%.
- (d) Maximum residential building height: 11.7 metres.
- (e) Maximum permitted height of exterior wall exclusive of end gable: 8.1 metres.
- (f) Maximum lot coverage for accessory buildings: 11%.
- (g) The maximum gross floor area of the residential unit located in the cellar is 90 square metres. Calculations for gross floor area refers to the total floor area, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
  - (i) Floor area occupied by mechanical, service and electrical equipment that serve the building;
  - (ii) An open porch or balcony; and
  - (iii) Areas internal to the building that are intended for the storage of vehicles.
- (h) The use of a cellar as a dwelling unit is permitted.

[Note: Former A.457 and Sections 5 and 6 of **former zoning by-law** 8499]

**L96.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Existing Six Unit Multiple Family Dwelling:
  - (i) Minimum Lot Area: 1,270 square metres;

- (b)** Existing Accessory Building:
  - (i)** Minimum Rear Yard: 0 metres;
  - (ii)** Maximum Floor Area: 135 square metres.

[Note: Former A.459 and Sections 5 and 6 of **former zoning by-law** 8499]

**L97.** This Exception only applies to regulate the existing structures as of the date of passing of the site specific by-law. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Zone Provisions
  - (i)** The minimum lot area is 184 square metres per dwelling unit.
  - (ii)** Minimum Yard Setbacks for the existing one-family dwelling:
    - (1)** Minimum Front Yard 3.2 metres;
    - (2)** Minimum (West) Side Yard: 0.0 metres; and
    - (3)** Minimum Rear Yard: 1.0 metres.
  - (iii)** Maximum Percentage of Lot coverage: 48%.
  - (iv)** Minimum Accessory Building Setbacks for the existing attached garage:
    - (1)** Minimum Front Yard: 3.2 metres;
    - (2)** Minimum Rear Yard: 3.2 metres; and
    - (3)** Minimum Distance from Window on Dwelling: 0.0 metres.

[Note: Former A.498 and Sections 5 and 6.3 of **former zoning by-law** 8499]

**L98.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Definitions:

- (i) “Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b) Additional Permitted Uses:
  - (i) A Second Residential Unit.
- (c) Minimum Lot Area: 255 square metres.
- (d) Maximum Number of Dwelling Units: 2.
- (e) Minimum side yard (north): 0 metres.
- (f) Maximum building depth: 16.2 metres.
- (g) Maximum rear yard parking area: 40 square metres.
- (h) Maximum site coverage: 40%.
- (i) Minimum number of parking spaces 1.

[Note: Former A.502 and Sections 5 and 6 of **former zoning by-law** 8499]

**L99.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 215 square metres per dwelling unit.
- (b) Minimum Front Yard: 1.5 metres.
- (c) Minimum Side Yard: The minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres in width.
- (d) Minimum Rear Yard: 5.8 metres.
- (e) Maximum Percentage of Lot Coverage: 37.5%.
- (f) Maximum Building Height:
  - (i) The maximum permitted height of any exterior wall exclusive of end gable is 9.0 metres.
  - (ii) A flat roof is not permitted above the 9.0 metre exterior wall.
- (g) Maximum Building Depth: There is no maximum building depth requirement.

**(h)** Accessory Building:

- (i)** An accessory building must be no closer than 0.6 metres from any lot line.
- (ii)** An accessory building must be no closer than 0.6 metres from any window or door of the main building to which it is accessory.

**(i)** Projections into Yards:

- (i)** Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted not less than 1.0 metre from a side lot line if located more than 0.6 metres above the established grade. If a minimum 1.5 metre high privacy screen is erected, the setback may be reduced to 0.6 metres.
- (ii)** Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered including an enclosed space located beneath are permitted 0.0 metre from a front lot line for a maximum length of 6.0 metres.

[Note: Former A.504 and Sections 5 and 6 of **former zoning by-law** 8499]

**L100.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 350 square metres.
- (b)** Maximum Number of Dwelling Units: 2.
- (c)** Maximum Building Depth: There is no maximum building depth requirement.
- (d)** Minimum Yard adjacent to Cowdy Street: 0.75 metres.

[Note: Former A.511 and Sections 5 and 6 of **former zoning by-law** 8499]

**L101.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Use: Three-unit Dwelling.
- (b)** Minimum lot area: 125 square metres per dwelling unit.
- (c)** Minimum Side Yard: The minimum aggregate side yard is 2.8 metres, with no side yard being less than 0.6 metre in width.



- (d)** Off-Street Parking:
  - (i)** 1 parking space per dwelling unit is required.
  - (ii)** The minimum size of a standard parking space is 2.6 metres wide by 5.2 metres long.
  - (iii)** Up to 45 square metres of the rear yard may be used as uncovered parking area.
- (e)** The minimum width of a driveway is 2.2 metres.
- (f)** Amenity Area:
  - (i)** A three-unit dwelling must comply with the amenity area requirements of this By-law.
  - (ii)** Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 47.5 square metres.

[Note: Former A.566 and Sections 5 and 6 of **former zoning by-law** 8499]

**L102.** Deleted see By-Law 2025-118

**L103.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** For the purposes of zoning interpretation, the lands subject to this Exception are treated as a single parcel.
- (b)** Definitions:
  - (i)** "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (c)** Additional Permitted Uses:
  - (i)** Second Residential Unit.
- (d)** Minimum Lot Area: 740 square metres.
- (e)** Minimum Rear Yard for 39 Churchill: 3.9 metres.
- (f)** Maximum Number of Principal Dwelling Units: 2.

- (g) Maximum Number of Second Residential Units: 2.
- (h) Maximum rear yard and interior side yard parking area: 70 square metres.
- (i) Where four parking spaces are required, a single entrance and exit lane with a minimum width of 3.0 metres is permitted.

[Note: Former A5.512 and Sections 5 and 11 of **former zoning by-law** 8499]

**L104.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
  - (ii) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b) Minimum Lot Area: 311 square metres.
- (c) Additional Permitted Uses: A Second Residential Unit.
- (d) Second Residential Unit:
  - (i) Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
    - (1) floor area occupied by mechanical, service, and electrical equipment that serve the building;
    - (2) an open porch; and
    - (3) areas internal to the building that are intended for the storage of vehicles.
  - (ii) Maximum Second Residential Units per Dwelling House: 1 unit only

- (iii) Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side of the building where a minimum 1.2 metre walkway from the front of the building to the access is provided. The walkway is permitted to be narrowed to 0.9 metres for a maximum distance of 2.0 metres.
- (iv) Parking: A minimum 1 parking space must be provided for the second residential unit.

[Note: Former A7.488 and Sections 5 and 12A of **former zoning by-law** 8499]

**L105.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) For the purposes of zoning interpretation, the lands subject to this Exception are considered as one property.
- (b) Maximum Density: 93 dwelling units per net hectare.
- (c) There is no Children's Play Space requirement for the 29 unit building known as 40 Cliff Crescent.
- (d) Parking:
  - (i) Minimum Off-Street Parking: 35 parking spaces.
  - (ii) Minimum Barrier Free Parking Spaces: 4.
  - (iii) Parking is not permitted in the front yard.

[Note: Former B1.467 of **former zoning by-law** 8499]

**L106.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The permitted uses are limited to:
  - (i) a two family dwelling; and
  - (ii) a three family dwelling.
- (b) Required Yards:
  - (i) Minimum Front Yard: 1.0 metre.

- (ii) Minimum Side Yard: The minimum aggregate side yard is 2.0 metres, with no side yard being less than 1.0 metre in width.
- (c) Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, may project into the front yard with no minimum setback from the front lot line.
- (d) Maximum Density: 71 dwelling units per net hectare.
- (e) Off-Street Parking:
  - (i) The minimum size of standard parking space is 2.6 metres wide by 5.2 metres long.
  - (ii) The minimum size of a Type A barrier free parking space is 3.4 metres wide by 5.2 metres long.
  - (iii) The minimum size of a required access aisle adjacent to a barrier free parking space is 1.5 metres wide by 5.2 metres long.
- (f) Access: Where four or more parking spaces are required, the parking area must be accessed by at least one lane for the combined purposes of ingress and egress, having a minimum width of 3.0 metres.

[Note: Former B.565 and Sections 5 and 13 of **former zoning by-law** 8499]

**L107.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a multiple family dwelling containing three dwelling units.
- (b) Maximum Number of Bedrooms: 11.
- (c) Maximum Building Height: 13.3 metres.
- (d) Minimum Front Yard: 0.3 metres from the west lot line and 0.0 metres from the south lot line.
- (e) Minimum Side Yard: 0.0 metres from the west lot line and 0.6 metres from the north lot line.
- (f) Minimum Aggregate Side Yard: 0.6 metres.
- (g) Maximum Density: 137 dwelling units per net hectare.

- (h) Minimum Percentage of Landscaped Open Space: 5.5%.
- (i) Maximum Lot Coverage: 77%.
- (j) Amenity Area:
  - (i) Amenity area must include private amenity areas and balconies.
  - (ii) Each dwelling unit must contain a minimum of 22.0 square metres of amenity area.
  - (iii) The basement and outdoor balcony space must be maintained as private amenity area for each respective attached dwelling unit.
- (k) Parking Design Standards: The minimum size of a parking space is 2.6 metres wide by 5.2 metres long.
- (l) Projection into Yards: Unenclosed porches and stairs may project 0.0 metres from the east lot line, 0.6 metres from the north lot line, and 1.7 metres from the west lot line, but in no case are permitted to exceed 1.2 metres in height above the finished grade.
- (m) Bicycle Parking Dimensions: The minimum bicycle parking dimensions are 0.6 metres wide by 1.8 metres long with a minimum overhead clearance of 1.6 metres.
- (n) Accessory Buildings:
  - (i) An accessory building used for the purpose of bicycle storage may be located 0.6 metres from the north lot line.
  - (ii) An accessory building used for the purpose of bicycle storage may be located within 1.2 metres from any window of the main building to which it is accessory.

[Note: Former B.601 and Sections 4, 5 and 13 of **former zoning by-law** 8499]

**L108.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) For the purposes of zoning interpretation, the lands subject to this Exception are treated as a single parcel.
- (b) Maximum Density: 66 dwelling units per hectare.
- (c) Maximum Number of Bedrooms: 17.

- (d) Minimum Aggregate Amenity Area: 197 metres.
- (e) Minimum Front Yard: 6.1 metres.
- (f) Minimum East Side Yard Setback for the existing one storey rear addition: 0.5 metres.
- (g) Minimum East Side Yard Setback for the existing three-storey structure: 1.6 metres.
- (h) Maximum Height: 11 metres.
- (i) Maximum Lot Coverage: 30%.
- (j) One shared entrance/exit lane for vehicle access to the rear parking area is permitted, with a minimum width of 3.0 metres.

[Note: Former B1.518 and Sections 5 and 14 of **former zoning by-law** 8499]

**L109.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) Stacked row dwelling: means a dwelling house containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance from the exterior.
  - (ii) Height: means the vertical distance measured from the average grade surrounding the building footprint to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs.
- (b) Additional Permitted Uses:
  - (i) Stacked row dwelling; and
  - (ii) Row dwelling.
- (c) For the purposes of interpretation, the lot lines are:
  - (i) Front Lot Line: The street line abutting Fray Street is deemed the front lot line.

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- (i) Minimum Bicycle Parking Space dimension is 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres
- (ii) No building containing dwelling units will be nearer to any other such building than 4.5 metres but a minimum distance of 10.0 metres must be maintained between rear faces of opposite housing blocks and/or apartment buildings.
- (j) The provisions of Section 5.22(c) of **former zoning by-law** 8499 applies to stacked row dwellings.

[Note: Former B2.510 and Sections 5 and 15 of **former zoning by-law** 8499]

**L110.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Uses:
  - (i) Multiple family dwellings;
  - (ii) Senior Citizen Apartments;
  - (iii) Residential Care Facilities; and
  - (iv) Accessory buildings to any permitted use.
- (b) Permitted Non-Residential Uses:
  - (i) Retail stores;
  - (ii) Neighbourhood stores;
  - (iii) Food stores with a maximum gross leasable floor area of 223 square metres;
  - (iv) Offices for or in connection with a business or profession;
  - (v) Banks or financial institutions;
  - (vi) Restaurants;
  - (vii) Restaurants, take-out;
  - (viii) Libraries, art galleries or museums;



- (ix) Day care centres; and
- (x) Accessory buildings to any permitted use.
- (c) Minimum Front Yard: 2.0 metres.
- (d) Maximum Front Yard 4.5 metres.
- (e) Minimum Exterior Yard: 3.0 metres.
- (f) Maximum Exterior Yard 4.5 metres.
- (g) Minimum Interior Side Yard 0.0 metres.
- (h) Minimum Rear Yard 7.5 metres.
- (i) Minimum Lot Frontage 60.0 metres.
- (j) Minimum Lot Area 0.4 hectares.
- (k) Minimum Lot Coverage 50% of the lot area.
- (l) Minimum Height 3 storeys.
- (m) Maximum Height 8 storeys.
- (n) Minimum Density 75 dwelling units per net hectare.
- (o) Maximum Density 123 dwelling units per net hectare.
- (p) Minimum Amenity Area: As required by Section 5.27 of **former zoning by-law** 8499 as of the date of passing of this by-law.
- (q) Parking Requirements As per Section 5.3 of **former zoning by-law** 8499 as of the date of passing of this by-law.
- (r) Loading Areas As per Section 5.4 of **former zoning by-law** 8499 as of the date of passing of this by-law.
- (s) Accessory Buildings As per Section 5.17 of **former zoning by-law** 8499 as of the date of passing of this by-law.
- (t) Courts The least permissible horizontal dimension of any court must not be less than the height of such court.
- (u) Multiple family dwelling units are not permitted on the first storey with lot frontage on King Street West.
- (v) Free-standing non-residential uses are not permitted.

- (w) Vehicle access, driveways, parking and loading areas are not permitted in the front yard abutting King Street West.
- (x) At least 70% of the front wall of the first storey of the main building must be located within 3.0 metres of the front lot line.
- (y) Buildings must be stepped back a minimum of 1.5 metres above the fourth storey.
- (z) Minimum floor to ceiling height of the first storey is 4.0 metres, for buildings with lot frontage on King Street West.
- (aa) The minimum building transparency is 50% of the front building façade and/or exterior side yard building façade, of the first storey for buildings with lot frontage on King Street West.
- (bb) Principal building entrances must be located on the front building facade for buildings with lot frontage on King Street West.
- (cc) Rooftop mechanical equipment, units and elevator penthouses must be fully screened and or integrated into the building or building parapet.

[Note: Former B3.527 of **former zoning by-law** 8499]

**L111.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) This Exception applies only to the existing building as of the date of passing of the site specific by-law. In the event the existing building is removed, new development must comply with this By-law.
- (b) The minimum required front yard is 11.5 metres. An unenclosed wheelchair ramp and one parking space may be located within the required front yard.
- (c) The minimum side yards for the existing building and any additions thereto must be:
  - (i) On the west side: 2.05 metres; and
  - (ii) On the east side: 5.79 metres.
- (d) The minimum number of required off-street parking spaces for the doctor's office is 5.

[Note: Former C2.290 of **former zoning by-law** 8499]

- L112.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Minimum Side Yard Setback: 5.4 metres.
  - (b)** Density: The maximum habitation unit density of lands owned by a higher educational or medical institution must not exceed 900 habitation units per net hectare.
  - (c)** All buildings on corner lots must be set back from the street line as to maintain the sight triangle which means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line to a point in the other street line, each such point being 8.0 metres from the point of intersection of the street lines (measured along the street lines). Where the two street lines do not intersect at a point, the point of intersection of the street lines is deemed to be the intersection of the projection of the street lines or the intersection of the tangents of the street lines.
  - (d)** Within any area defined as a sight triangle, the following uses are prohibited;
    - (i)** a building, structure of use which would obstruct the vision of drivers or motor vehicles which extends to a height of 4.15 metres;
    - (ii)** a fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line; and
    - (iii)** a finished grade which exceeds the elevation of the street line by more than 0.5 metres.

[Note: Former E.435 and Section 17 of **former zoning by-law** 8499]

- L113.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** The lands subject to this Exception are deemed a single parcel for zoning purposes.
  - (b)** Maximum Height: 33 metres, to allow for a modern interpretation of the malting tower and for rooftop mechanical installations at the south end of the building not to exceed one-third of the rooftop area in total.
  - (c)** Minimum Front, Side and Rear Yards: 0.0 metres.

- (d) Off-Street Parking: Not required.
- (e) Off-Street Loading: 1 loading area measuring 3.0 metres wide and 7.5 metres long must be provided.

[Note: Former P1.387 and Section 33 of **former zoning by-law** 8499]

**L114.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a tree protection area, excluding any buildings and excluding any marine facilities (including but not limited to boathouses and/or docks).

[Note: Former OS-17 of **former zoning by-law** 32-74]

**L115.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a naturalized area for potential bobolink habitat.

[Note: Former OS-18 of **former zoning by-law** 32-74]

**L116.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Prohibited Uses:

- (i) Seasonal Dwelling House; and
- (ii) Accessory Dwelling for non-farm use.

(b) Zone Provisions:

- (i) Minimum Front yard Depth: 1.3 metres.
- (ii) Any rebuilding, expansion, alteration or relocation of a non-conforming use is prohibited.
- (iii) The minimum setback from the high water mark for any building or structure is 30 metres.

[Note: Former A2-34 and Sections 4 and 24 of **former zoning by-law** 32-74]

- L117.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Minimum Front Yard: 12.0 metres.
  - (b)** Minimum Rear Yard: 7.5 metres, provided that the minimum rear yard setback for the building existing on the date of passing of By-Law Number 2021-18 is 3.8 metres.
  - (c)** Minimum Side Yard: 7.5 metres, provided that there are no minimum side yard requirement for the building existing on the date of passing of By-Law Number 2021-18.

[Note: Former M7.599 and Section 30 of **former zoning by-law** 8499]

- L118.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** In addition to the permitted uses, a linked dwelling house is a permitted use subject to the following provisions:
    - (i)** Minimum lot frontage: 10.8 metres corner lot.
    - (ii)** Minimum Interior Side Yard Width: 1.2 metres except on the side where the houses are linked, the minimum is 0.6 metres.
    - (iii)** Minimum Front Yard Depth: 3.0 metres.
    - (iv)** Minimum Rear Yard Depth: 6.75 metres.
    - (v)** Maximum Row Dwelling Units per Building: 4.

[Note: Former R12-3 and Section 11I of **former zoning by-law** 32-74]

- L119.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** The following definition applies:
    - (i)** Department Store means a retail store where a wide range of merchandise is sold, including but not limited to the following: Restaurant including without limitation fast food restaurant and/or coffee shop; fast-food restaurant with drive-through; optical facility and optical services; vision services; medical and medical office use; walk-in medical clinic; dental and dental office use; general office

use; hearing aid services; telephone and communication services; pharmacy; sale and installation of automotive parts; sale of off-road vehicles, snowmobiles and personal watercraft; vending machines; lottery sales; outdoor garden centre; sale of cut flowers, plants and floral supplies; financial services, including without limitation, provision of services pertaining to RESPs, RRSPs, cheque cashing and moneygrams; income tax and accounting services; sale of insurance related products; mortgage services; real estate services; one hour photo service; photography studio; sale of all food and beverage products; sale of pet food and pet supplies; children's amusement centre; travel sales; dry cleaner; hair salon; printer cartridge refill and toner services; sale of beer, wine and alcohol products; repair of jewelry; nail or beauty salon and bank, including automated teller machine.

- (b)** The following uses are also permitted:
  - (i)** department store
  - (ii)** restaurant
- (c)** The lands subject to this Exception are treated as one site for the purpose of zoning.
- (d)** A department store must have a maximum gross floor area of 12,000 square metres.
- (e)** The maximum combined gross leasable area of all permitted uses on the lands subject to this Exception is 20,000 square metres:
  - (i)** A maximum of 15,000 square metres of gross floor area is permitted for Phase I;
  - (ii)** An additional 5,000 will be permitted as future development.
- (f)** Minimum Front Yard: 3 metres.
- (g)** Wherever a lot line abuts a residential zone, a yard of not less than 6 metres wide must be provided within the zone.
- (h)** The minimum parking ratio requirement is 4.8 spaces per 100 square metres of gross floor area.

- (i) Parking may be located on a lot not more than 100 metres from the lands subject to this Exception, subject to an agreement registered on title.
- (j) The following provisions apply to loading spaces:
  - (i) For a building or structure with a gross leasable floor area up to and including 2,300 square metres, no loading spaces are required.
  - (ii) For a building or structure with a gross leasable area over 2,300 square metres but not exceeding 3,700 square metres, one loading space is required.
  - (iii) For a building or structure with a gross leasable area over 3,700 square metres, two loading spaces are required.
- (k) A seasonal outdoor display and sales centre with a maximum area of 950 square metres is permitted as an area set aside outside of and adjacent to a building or structure, used in conjunction with a business located on the same lot, and subject to the following provisions:
  - (i) The seasonal outdoor display and sales centre is seasonal in nature and does not include a permanent retailing area;
  - (ii) The seasonal outdoor display and sales centre is not located within a fire lane, a parking area or loading space required to fulfill the provisions of the Zoning By-Law; and
  - (iii) Open storage is permitted within the seasonal outdoor display and sales centre, consisting of a garden centre and pallet storage areas.

[Note: Former C2.491 and Sections 4, 5 and 22 of **former zoning by-law** 8499]

**L120.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Uses Permitted:
  - (i) a bank;
  - (ii) a dry cleaning or laundry outlet;
  - (iii) a laundromat;
  - (iv) a personal service shop;

- (v)** a public use;
  - (vi)** a restaurant;
  - (vii)** a convenience store; and
  - (viii)** a retail store.
- (b)** Exterior Side Yard Width along Windfield Crescent (minimum): 2.4 metres.
- (c)** Landscaped Open Space (minimum): 17%.
- (d)** Loading Space Location: The required loading spaces must be located in the rear yard and no closer than 9.2 metres to Windfield Crescent and no closer than 25 metres to Highway 15.
- (e)** Parking Area Regulations:
  - (i)** Parking Space Requirement (minimum): 32 parking spaces
  - (ii)** Parking Space Dimensions: Each parking space must have a minimum width of 2.6 metres and a minimum length of 5.2 metres.
  - (iii)** Barrier Free Vehicle Parking Space Requirement (minimum): 2 parking spaces
  - (iv)** Barrier Free Vehicle Parking Space Dimensions: Each barrier free parking space must have a minimum width of 3.7 metres and a minimum length of 5.2 metres.
  - (v)** Yards Where Parking Area Permitted: No part of any parking area, other than a driveway, is permitted closer than 1.2 metres to Highway 15 and closer than 0.8 metres to Grenadier Drive.
  - (vi)** The maximum width of any combined ingress and egress driveway, measured along the street line of Highway 15, is 10.5 metres.
- (f)** The minimum distance between a driveway and the intersection of the street lines of Grenadier Drive and Windfield Crescent is 9 metres.
- (g)** Planting Strip: A planting strip is required along Windfield Crescent and must have a minimum width of 2.4 metres.
- (h)** Sight Triangle: Two sight triangles are required on a corner lot.



- (i) The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.
- (j) The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.

[Note: Former C-9 and Sections 5 and 15 of **former zoning by-law** 32-74]

**L121.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The lands subject to this Exception are permitted to be developed as a vacant land condominium with up to 14 Condominium Units, subject to the following provisions:
  - (i) Dwellings per Condominium Unit (maximum): 1 only.
  - (ii) Bedrooms per Condominium Unit (maximum): 3.
  - (iii) Minimum Setback from the floodplain (elevation of 88.92 metres GSC) for any building, structures, including septic systems: 30 metres.
  - (iv) Minimum Setback of any building from a Condominium Unit Boundary that abuts an access lane: 5 metres.
  - (v) Minimum Setback of any building from a Condominium Unit Boundary: 1.5 metres.
  - (vi) Lot Coverage (maximum): the lesser of 25% or 200 square metres.
  - (vii) Building Height (maximum): 8 metres.
  - (viii) A vehicle parking area may be located no closer than 10.5 metres to a public street (Isle of Man Road).

- (ix) Accessory Uses must be in accordance with Section 5 of **former zoning by-law** 32-74 as it read on the date of passing of this By-law.
- (x) No finished floor of a building is permitted in an area below the 89.22 metres elevation Geodetic Survey of Canada.
- (xi) No building opening, such as a window, vent or floor drain, is permitted below 89.22 metres elevation Geodetic Survey of Canada.
- (xii) No new additions to existing buildings or structures, such as interior floor area, decks, porches, roofed structures or septic system, is permitted within 30 metres of the flood plain elevation of 88.92 metres Geodetic Survey of Canada.

[Note: Former RR-11 and Sections 8(1) and (2) of **former zoning by-law** 32-74]

**L122.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Interior Side Yard Width (minimum): 1.0 metres.

[Note: Former RR-12 and Sections 5 and 24 of **former zoning by-law** 32-74]

**L123.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following uses are permitted in addition to the uses permitted in the underlying Zone:
  - (i) Residential uses including residential uses on the ground floor.
- (b) The following definition applies:
  - (i) "Amenity Area" means an outdoor area exterior to the residential building, or interior area common to all residential units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building.
- (c) Maximum Height:
  - (i) Maximum Height at Build-to-Plane: 3 storeys not to exceed 12.75 metres.

- (ii) Maximum Building Height: 3 storeys not to exceed 12.75 metres.
- (d) Amenity Area:
  - (i) Amenity areas must be provided at a rate of 10 square metres per dwelling unit.
  - (ii) Amenity areas, or any part thereof, must be designed and located so that the length does not exceed 4 times the width.
  - (iii) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54 square metres.

[Note: Former C1-41 and Section 7 of **former zoning by-law** 96-259]

**L124.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted Commercial Uses are:
  - (i) Art Gallery, Bake Shop, Bank or Financial Establishment, Bed and Breakfast Establishment, Commercial Establishment, Commercial Recreation Facility, Commercial School, Day Care Centre, Drugstore/Pharmacy, Dry Cleaning Outlet, Florist, Hotel, Medical Clinic, Medical Office, Mixed Commercial/Residential Development, Nursing Home, Office, Personal Service Establishment, Pet-Grooming Establishment, Photo or Artist Studio, Private Social and Cultural Facility, Public Use, Restaurant, Restaurant, Outdoor Patio, Restaurant, Take-Out, Service Establishment, Specialty Retail Store.
- (b) The only permitted Non-Commercial Uses are:
  - (i) Community Home, Community Support House, Home Occupation, Recovery Home, Residential Care Facility, Senior Citizen Apartment Dwelling/Retirement Home, Multi-Unit Residential Dwelling,
- (c) Yard Setbacks:
  - (i) Exterior Side Yard: 0 metres; and
  - (ii) Rear Yard: 4 metres.
- (d) Building Height:

- (i) The minimum building height is one storey for the building existing as of the date of the passing of the site specific by-Law.
- (e) Lot Coverage:
  - (i) The minimum lot coverage is 40%.
- (f) Existing Accessory Structure
  - (i) The accessory structure existing as of the date of passing of the site specific by-law must be located a minimum of 0.3 metres from any lot line.

[Note: Former C1-45 and Section 7.3 of **former zoning by-law** 96-259]

**L125.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definitions apply:
  - (i) 'Gross Leasable Floor Area' means the total area of each floor whether located above, at or below grade, measured from the interior of the outside walls and including floor area occupied by interior walls and floor area created by bay windows, but excluding:
    - (1) Floor area occupied by shared mechanical, service and electrical equipment that serve the building;
    - (2) Common hallways, corridors, stairwells, elevator shafts and other voids, steps and landings;
    - (3) Bicycle parking, motor vehicle parking or loading facilities;
    - (4) Common laundry, storage and washroom facilities that serve the building or tenants;
    - (5) Common storage areas that are accessory to the principal use of the buildings; and
    - (6) Common amenity area and play areas accessory to the principal use on the lot.
  - (ii) 'Seniors Residence' means a building consisting of three or more dwelling units inclusive of nursing homes, rest homes, retirement

homes, convalescent facilities, and palliative care facilities. A seniors' residence must not include a hospital, maisonette dwelling, a townhouse dwelling, or a triplex dwelling.

- (b)** For the purposes of zoning interpretation, the lands subject to this Exception are treated as a single parcel.
- (c)** The following Residential Uses are also permitted:
  - (i)** Apartment Dwelling House; and
  - (ii)** Seniors Residence.
- (d)** The following Non-Residential Uses are also permitted:
  - (i)** Mixed Commercial / Residential Building;
  - (ii)** Laboratory, research, development facility;
  - (iii)** Data processing and related services operations; and
  - (iv)** Business or professional offices.
- (e)** A business or professional office is only permitted on the upper floor(s) of a building and may not comprise more than 25% of the gross floor area of the building
- (f)** Prohibited Uses:
  - (i)** Gasoline retail facility
- (g)** Non-Residential Uses Gross Leasable Floor Area
  - (i)** Maximum:
    - (1)** Total Gross Leasable Floor Area: 10,700 square metres.
    - (2)** Supermarket Floor Area: 4,200 square metres.
  - (ii)** Minimum: 2,500 square metres.
- (h)** Ground Floor Height (Minimum):
  - (i)** The ground floor storey of all buildings/structures must have a minimum floor-to-ceiling height of 4.0 metres.

- (i)** Yard Depths (minimum):
  - (i)** All yards must be a minimum depth of 3 metres.
  - (ii)** Despite (i) a minimum yard depth of 15 metres is required where a lot line abuts any Residential Zone.
  - (iii)** Despite (i) a minimum yard depth of 10 metres is required where a building or structure is greater than 13.5 metres in height above the grade at the lot line
- (j)** Height of Building:
  - (i)** The maximum permitted height above sea level is 136 metres
  - (ii)** Height Exceptions and projections above the height do not apply to the lands subject to this Exception.
- (k)** Privacy Yards
  - (i)** A privacy yard must be provided for Apartment Dwelling Houses with a minimum depth of 3.0 metres measured at right angles from such wall the window adjoins except at front entrance and rear entrance where a 1.5 metre yard is required. There is no required privacy yard where a loading area abuts the wall of a building.
- (l)** Parking Space Dimensions (minimum): 2.6 metres wide by 5.2 metres long.
- (m)** Barrier-free Parking Space Vertical Clearance (minimum): 2.1 metres.
- (n)** Parking:
  - (i)** Parking is permitted in any yard.
  - (ii)** If parking is located within any yard adjacent to a street, a minimum 1.0 metre high berm must be provided, which include a minimum 3.0 metres wide landscaping strip containing a mixture of coniferous and deciduous trees.
- (o)** Parking Aisle Lane Width (minimum): 6.1 metres.
- (p)** Landscaping Strip:

- (i) A minimum 3.0 metre wide landscaping strip containing a mixture of coniferous and deciduous trees must be provided adjacent to any lot line which abuts a Residential Zone.

**(q) Pedestrian Clearway:**

- (i) A minimum 3 metre wide 'pedestrian clearway' is provided between the park or Parnell Avenue and Taylor-Kidd Boulevard to provide a north south pedestrian connection between the commercial block and the residential neighbourhood. The 'clearway' must include pedestrian access and landscaping. No buildings are permitted to be included in the 'clearway'.

[Note: Former C5-13 and Sections 5 and 22 of **former zoning by-law** 76-26]

**L126.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a) Permitted Non Residential Uses:**

- (i) In addition to the uses permitted in Section 8(1)(b), a day nursery is also a permitted use.

[Note: Former OS-21 and Section 8 of **former zoning by-law** 76-26]

**L127.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a) In addition to the permitted uses, the following uses are also permitted:**

- (i) home improvement retail warehouse store;
- (ii) One restaurant or take-out restaurant in the interior of the home improvement and retail warehouse store;
- (iii) an outdoor seasonal display and sales area accessory to the home improvement retail warehouse store; and
- (iv) Open storage accessory to a home improvement retail warehouse store.

**(b) The following definition applies:**

- (i) Home Improvement Retail Warehouse Store means a building or part of a building devoted to wholesale and retail sales of

merchandise typically found in hardware stores, home and auto supply stores, home centres, building supply stores, and a garden sales centre (Garden sales centre means a part of a building and/or an enclosed area on the subject lands devoted to wholesale and retail sales of landscaping trees, shrubs and plants, and nursery materials, equipment and supplies), and includes sales of equipment and supplies, tool and equipment rental, and light truck rental for customer self-deliveries.

- (c)** Parking Space Requirements for a home improvement retail warehouse store and accessory uses (minimum): 498 spaces.
- (d)** Yard In Which Required Parking Area Permitted: all yards provided that no part of any parking area, other than a driveway, is located closer than:
  - (i)** 10 metres to any street line for a home improvement retail warehouse store and accessory uses above; or
  - (ii)** 15.5 metres to any street line for any other permitted use.
- (e)** Loading Spaces (minimum): 3 spaces.
- (f)** Rear Yard Depth (minimum): 11 metres.
- (g)** Gross Floor Area for a home improvement retail warehouse store (maximum): 16,200 square metres, including the area devoted to the garden sales centre.
- (h)** Height of Buildings or Structures (maximum): 14.5 metres.
- (i)** Outdoor Seasonal Display and Sales Area accessory to the home improvement retail warehouse store is permitted provided:
  - (i)** The outdoor seasonal display and sales area must be setback a minimum of 40 metres from Gardiners Road; and
  - (ii)** The outdoor seasonal display and sales area must have a maximum area of 2,600 square metres.
- (j)** Open Storage accessory to the home improvement retail warehouse store is permitted provided:
  - (i)** The open storage is located in a front, side or rear yard, but must not be located in any required front or side yard;



- (ii) The maximum area devoted to open storage is 800 square metres;
- (iii) The open storage use must comply with the yard and setback provisions hereof, with the exception that open storage must be setback a minimum of 3 metres from the rear lot line and a minimum of 80 metres from the front lot line; and
- (iv) The enclosure of temporary open storage areas within fencing is not required.

[Note: Former M1-11 of **former zoning by-law** 76-26]

**L128.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) No building or structure is permitted within 6 metres of the 100 year flood line.

[Note: Former OS-16 and Section 8 of **former zoning by-law** 76-26]

**L129.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a single detached dwelling.
- (b) For the purpose of determining lot frontage and front yard setbacks, the front lot line is deemed the lot line that forms the boundary with the private lane known as Italia Lane.

[Note: Former A1-15 and Section 9 of **former zoning by-law** 76-26]

**L130.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is the conservation of the existing natural heritage features.
- (b) Alteration of the natural heritage feature, excluding enhancement and protection, is prohibited.
- (c) The erection and alteration of any building or structure, other than a pedestrian bridge, is prohibited.

[Note: Former OS-17 and Sections 5 and 8 of **former zoning by-law** 76-26]

- L131.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Residential uses: Prohibited.
  - (b) Additional Permitted Non-Residential uses:
    - (i) Open storage; and
    - (ii) Accessory business office.
  - (c) Lot frontage (minimum): 200 metres.
  - (d) Front yard depth (minimum): 24 metres.
  - (e) Exterior side yard depth (minimum): 30 metres.
  - (f) Interior side yard depth (minimum): 15 metres.
  - (g) Rear yard depth (minimum): 100 metres.
  - (h) Open Storage:
    - (i) Every open storage use must comply with the yard and setback provisions as if such open storage use were a building or structure.
    - (ii) No open storage use is permitted in a front yard.
    - (iii) Fencing for the open storage use is optional.

[Note: Former M3-5 of **former zoning by-law** 76-26]

- L132.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Lot Area (minimum): 1.5 hectares.
  - (b) Lot Frontage (Minimum): 60 metres.
  - (c) Front Yard Depth (Minimum): 45 metres.
  - (d) Interior Side Yard (minimum): 5 metres.
  - (e) Rear Yard Depth (minimum): 90 metres.
  - (f) That the minimum setback for all accessory buildings and structures is 7.5 metres from the lot lines for the properties municipally known as 3252 and 3244 Princess Street. The minimum setback for one accessory

building and/or structure for all other lot lines is 2.5 metres. All additional accessory buildings and structures must comply with the regulations for accessory buildings and structures in Section 5 of **former zoning by-law** 76-26 and the provisions of this Exception.

- (g) The maximum height of one accessory structure must not exceed 6.1 metres in height. All additional accessory buildings and structures must comply with the regulations for accessory buildings and structures in Section 5 of **former zoning by-law** 76-26 and the provisions of this Exception.

[Note: Former D-4 and Sections 5 and 29 of **former zoning by-law** 76-26]

**L133.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Uses:
  - (i) Single Detached Dwelling House;
  - (ii) Semi Detached Dwelling House; and
  - (iii) Three and Four Unit Row Dwelling House.
- (b) Permitted Non-Residential Uses:
  - (i) Home Occupation
- (c) Lot Frontage (minimum):
  - (i) Single Detached Dwelling House: 12.7 metres (Corner Lot) and 10.0 metres (Other Lot);
  - (ii) Semi Detached Dwelling House: 19 metres (Corner Lot) and 15.0 metres (Other Lot);
  - (iii) Three and Four Unit Row Dwelling House: 11.5 metres (Corner Lot) and 6.1 metres (Other Lot); and
  - (iv) The Lot Frontage is measured along a line which is parallel to the front lot line and distant from the lot line 6.0 metres.
- (d) Garage Location: The front wall of a private garage, whether attached or detached from the main dwelling, containing the opening for vehicular

access must be setback a minimum of 6 metres from the lot line abutting the public street that the driveway crosses to access the private garage.

**(e)** Front Yard:

- (i)** Minimum setback from front lot line 4.5 metres.
- (ii)** Maximum setback from front lot line 7.0 metres.
- (iii)** Despite (i) and (ii) where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres.
- (iv)** Despite (i), (ii) and (iii) where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

**(f)** Exterior Side Yard (minimum):

- (i)** 4.5 metres on arterial and collector roads; and
- (ii)** 3.0 metres on local roads.

**(g)** Interior Side Yard (minimum):

- (i)** Single Family Dwelling House: 1.2 metres, except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres ;
- (ii)** Semi Detached Dwelling House: 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then one of the side yards must be 3.0 metres; and
- (iii)** Row Dwelling House: 1.2 metres, for a side that is not attached to another dwelling house except where there is a dwelling unit without an attached garage, then the side yards must be 3.0 metres.

**(h)** Rear Yard (minimum):

- (i) Those lots backing onto the buffer strip adjacent to the Collins Creek wetland must have a minimum rear yard of 12.0 metres. No accessory uses are permitted within 12.0 metres of the rear lot line abutting the buffer strip adjacent to the Collins Creek wetland; and
  - (ii) All other lots: 6.75 metres.
- (i) Lot Area (minimum): Not applicable.
- (j) Lot Coverage (minimum): Not applicable.
- (k) Driveways: Maximum driveway width as measured at the lot line is 6.0 metres or 50% of lot frontage, whichever is less.
- (l) Parking: Parking is permitted in the front yard, interior side yard and rear yard. Parking in the front yard is prohibited except where it is a driveway leading to a permitted parking area.
- (m) Sight Triangles:
  - (i) Two sight triangles are required on a corner lot.
  - (ii) The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.
  - (iii) The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.
  - (iv) Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.
- (n) Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R2-33 of **former zoning by-law** 76-26]

**L134.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Permitted Uses are limited to the following:

- (i) A Park;
- (ii) A Public walkway;
- (iii) A Stormwater management facility; and
- (iv) A Public use.

[Note: Former OS-23 of **former zoning by-law** 76-26]

**L135.** Reserved

**L136.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following definition applies:

- (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include
  - (1) Common areas open to all occupants of the unit;
  - (2) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
  - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Despite the foregoing, a bachelor, bachelorette or studio unit are calculated to contain one bedroom.

(b) Maximum Number of Dwelling Units: 3.

(c) Maximum Aggregate Number of Bedrooms: 7.

(d) Minimum Required Yards:

- (i) North Front Yard: 3.6 metres;
- (ii) East Front Yard: 6.0 metres;

- [Note: Former A.454 and Sections 5 and 6 of **former zoning by-law 8499**]

- (a)** Definitions:
  - (i)** "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
  - (ii)** "Second Residential Unit" means a legally existing separate residential dwelling unit, which is ancillary to a principal residential unit, and includes a separate, clearly defined, safe access, kitchen, washroom and living space.
- (b)** Additional Permitted Uses:
  - (i)** A Second Residential Unit.

- (c) Minimum Lot Area: 262 square metres.
- (d) Maximum Lot Coverage: 34%.
- (e) Minimum Front Yard: 1.9 metres, with the exception of a below grade stairwell with a length of 7.0 metres and a width of 1.9 metres, where the minimum front yard is 0.2 metres.
- (f) Minimum Rear Yard: 6.0 metres, with the exception of a below-grade patio with a length of 8.5 metres and a width of 4.2 metres, and a depth of 1.27 metres, where the minimum rear yard is 2.0 metres.
- (g) Maximum Residential Building Height: 11.6 metres.
- (h) Maximum Aggregate Length of all Dormers: 5.9 metres.
- (i) Projections into Yards:
  - (i) A covered porch and stairs are permitted 0.2 metres from the front lot line.
  - (ii) A bay window is permitted to encroach 0.5 metres into the front yard.
- (j) Off-Street Parking:
  - (i) Parking in a stacked/tandem arrangement is permitted for a maximum of two parking spaces.
  - (ii) The minimum required parking space length is 5.2 metres.
  - (iii) One parking space must be provided for both the principal residential unit and the second residential unit for a total of two required parking spaces.
- (k) Access: The second residential unit must have a separate access from that of the principal residential unit. Access must be provided at the front of the building for both the principle residential unit and the second residential unit, where there is a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage.

[Note: Former A.554 and Sections 5 and 6 of **former zoning by-law** 8499]

- L138.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:



- (a) The minimum lot area is 240 square metres per dwelling unit.
- (b) Minimum Rear Yard Setbacks for the existing one-family dwelling: 3.2 metres.
- (c) Maximum Percentage of Lot coverage: 37%.
- (d) Maximum Yard Projection for the existing front porch: 2.9 metres from the front lot line.
- (e) Maximum Building Depth for the existing one-family dwelling: 11.6 metres.

[Note: Former A.499 of **former zoning by-law** 8499]

**L139.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted uses are limited to a maximum of three dwelling units, with a maximum of one dwelling unit permitted in the existing carriage house.
- (b) For the purposes of zoning interpretation, the lands subject to this Exception are considered one lot, with King Street East defined as the front lot line.
- (c) The existing house and carriage house on the property as of the date of the passage of the by-law are deemed to comply.
- (d) The maximum building depth is 40.9 metres for the purpose of linking the main house at 85 King Street East to the carriage house at 46 Simcoe Street.
- (e) The minimum number of required parking spaces is 4.
- (f) Parking is permitted in the yard adjacent to Simcoe Street, provided that it is set back 5.4 metres from the lot line.
- (g) A maximum of 65 square metres of uncovered parking is permitted.
- (h) Any new construction or redevelopment must comply with this By-law.

[Note: Former A.508 and Sections 5 and 6 of **former zoning by-law** 8499]

**L140.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The use of a cellar as a portion of an existing dwelling unit or as a habitation unit is permitted.

[Note: Former A.513 and Sections 5 and 6 of **former zoning by-law** 8499]

**L141.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses: semi-detached dwelling.
- (b) Habitable space is permitted in a cellar.
- (c) Front Yard (minimum): 2.0 metres.
- (d) Uncovered stairs used to access the main entrance of a dwelling may project into the front yard, but is not permitted closer than 1.0 metre to the front lot line.
- (e) Lot Area (minimum): 245 square metres per unit.
- (f) Aggregate Side Yard:
  - (i) Minimum aggregate side yard: 2.3 metres; and
  - (ii) The calculation of the aggregate side yard may include one half of the width of the right-of-way between the two properties.
- (g) Building Depth (maximum): 17.5 metres.
- (h) Lot Coverage (maximum percentage): 38%.
- (i) Building Height: The maximum building height of a dwelling's exterior wall, exclusive of the end gable, is 7.2 metres.
- (j) Access to the rear yard and parking spaces must be provided by way of a shared driveway with a minimum width of 3.0 metres.

[Note: Former A.540 and Sections 5 and 6 of **former zoning by-law** 8499]

**L142.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Bedroom" means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:

- (1)** Common areas open to all occupants of the unit;
- (2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
- (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

A bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (ii)** “Principle Residential Unit” means the main / core structure intended for human habitation, on a lot.

- (b)** The use of a cellar as a portion of the principle residential unit for habitation is permitted.

[Note: Former A4.495 and Sections 5 and 10 of **former zoning by-law** 8499]

**L143.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 340 square metres.
- (b)** Maximum Number of Dwelling Units: 1.
- (c)** Projections into Yards:
  - (i)** Unenclosed porches, decks, balconies and verandas, covered or uncovered, are permitted 2.9 metres from the front lot line abutting Earl Street; and
  - (ii)** Uncovered stairs are permitted 1.4 metres from the front lot line abutting Earl Street.

[Note: Former A4.547 and Sections 5 and 10 of **former zoning by-law** 8499]

**L144.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 420 square metres.
- (b)** Maximum Number of Dwelling Units: 1.
- (c)** Minimum Front Yard:

- (i) 1.9 metres (Victoria Street); and
  - (ii) 0.4 metres (Earl Street).
- (d) Projections into Yards:
  - (i) Uncovered porches, decks, balconies and verandas, covered or uncovered, are permitted 0.4 metres from the front lot line abutting Earl Street;
  - (ii) Unenclosed porches, decks, balconies and verandas, covered or uncovered, are permitted 0.9 metres from the front lot line abutting Victoria Street; and
  - (iii) Uncovered stairs are permitted 0.0 metres from the front lot line abutting Victoria Street.
- (e) Accessory Buildings:
  - (i) Minimum Side Yard: 0.2 metres.

[Note: Former A4.548 and Sections 5 and 10 of **former zoning by-law** 8499]

**L145.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Uses:
  - (i) Row dwellings;
  - (ii) Multiple family dwellings;
  - (iii) Home occupation, provided it is located within a row dwelling; and
  - (iv) Accessory buildings to any permitted use.
- (b) Minimum Front Yard 3.0 metres.
- (c) Minimum Rear Yard:
  - (i) Multiple family dwellings: 7.5 metres; and
  - (ii) Row dwellings: 6.0 metres.
- (d) Minimum Exterior Side Yard 3.0 metres.

- (e) Minimum Interior Side Yard:
  - (i) Multiple family dwellings: 2.4 metres; and
  - (ii) Row dwellings: 1.2 metres for end unit.
- (f) Minimum Lot Area:
  - (i) Row dwellings: 158 square metres.
- (g) Minimum Lot Width:
  - (i) Row dwellings: 6.0 metres.
- (h) Minimum Lot Width of a Corner Lot:
  - (i) Row dwellings: 9.0 metres.
- (i) Minimum Lot Coverage:
  - (i) Multiple family dwellings: 50% of the lot area.
- (j) Maximum Height: 4 storeys.
- (k) Minimum Density: 30 dwelling units per net hectare.
- (l) Maximum Density: 75 dwelling units per net hectare.
- (m) Maximum Number of Row Dwelling Units per Building: 8 dwelling units.
- (n) Minimum Amenity Area:
  - (i) Multiple family dwellings: As required by this By-law.
- (o) Parking Requirements
  - (i) Multiple family dwellings: As required by this By-law.
  - (ii) Row dwellings: As required by this By-law.
- (p) Loading Areas
  - (i) Multiple family dwellings: As per Section 5.4 of **former zoning by-law 8499**.
- (q) Maximum Garage and Driveway Width

- (i) Row dwellings: As per Section 12B (n) of **former zoning by-law** 8499.
- (r) Garage Location
  - (i) Row dwellings: As per Section 12B (o) of **former zoning by-law** 8499.
- (s) Projections into Yards
  - (i) Row dwellings: As per Section 12B (p) of **former zoning by-law** 8499.
- (t) Accessory Buildings
  - (i) Multiple family dwellings: As per Section 5.17 of **former zoning by-law** 8499.
  - (ii) Row dwellings: As per Section 12B (u) of **former zoning by-law** 8499.
- (u) Home occupations: As per Section 5.20 of **former zoning by-law** 8499.

[Note: Former A8.526 of **former zoning by-law** 8499]

- L146.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (i) Minimum Required Lot Area: 155 square metres.

[Note: Former A8.550 and Section 12B of **former zoning by-law** 8499]

- L147.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Exterior Side Yard: 2.7 metres.
- (b) Minimum Rear Yard: 4.9 metres.
- (c) Minimum Lot Width of a Corner Lot: 8.75 metres; and
- (d) Minimum Private Amenity Area: 52 square metres.

[Note: Former A8.429 and Section 12B of **former zoning by-law** 8499]

**L148.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (i) Minimum Rear Yard: 4.4 metres.
- (ii) Minimum Private Amenity Area: 38 square metres.

[Note: Former A8.430 and Section 12B of **former zoning by-law** 8499]

**L149.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following definition applies:

- (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (1) Common areas open to all occupants of the unit;
  - (2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and,
  - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.

(b) Minimum lot area for two dwelling units: 465 square metres.

(c) Maximum number of dwelling units: 2.

(d) Maximum aggregate number of bedrooms: 9.

(e) Maximum number of bedrooms for a dwelling unit: 5.

(f) Minimum aggregate side yard setback: 1.6 metres.

(g) Maximum lot coverage: 36%.

(h) Maximum permitted rear yard parking area: 35 square metres.

[Note: Former B.448 and Section 5.3(B)(cc) and 13 of **former zoning by-law** 8499]

**L150.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following definition applies:
- (i)** Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1)** Common areas open to all occupants of the unit;
    - (2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
    - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Despite the foregoing, a bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (b)** The existing building on the passing of the site specific by-law, is only permitted to be converted to a maximum of 3 dwelling units, with the following requirements:
- (i)** Minimum Lot Area: 275 square metres.
  - (ii)** Maximum Number of Dwelling Units: 3.
  - (iii)** Maximum Aggregate Number of Bedrooms: 3.
  - (iv)** Minimum Amenity Area:
    - (1)** 54.1 square metres provided in the rear yard;
    - (2)** 10.4 square metres provided in the front yard; and
    - (3)** Aggregate amenity area of 64.5 square metres.
  - (v)** Off-Street Parking
    - (1)** A minimum of 2 parking spaces must be provided.
  - (vi)** Minimum Number of Bicycle Parking Spaces: 3.
  - (vii)** Minimum Bicycle Parking Space dimension is 0.3 metres wide by 1.8 metres in length.
  - (viii)** Projections into Yards:



- (1)** A covered or uncovered, enclosed stairwell 3.0 metres in height may project into the required side yard, but is not permitted closer than 2.4 metres to the side lot line.

[Note: Former B.492 and Sections 5 and 13 of **former zoning by-law** 8499]

**L151.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** That two dwelling units be permitted; and
- (b)** That the aggregate total maximum number of bedrooms permitted is 4.

[Note: Former B1.414 and Sections 5 and 14 of **former zoning by-law** 8499]

**L152.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Front Yard: 4.5 metres.
- (b)** Permitted Encroachment: There is no minimum front yard setback requirement for the underground parking ventilation system.
- (c)** Maximum Density: 246 dwelling units per net hectare.
- (d)** Off-Street Parking:
  - (i)** A minimum parking ratio of 1.1 parking spaces per dwelling unit is required.
  - (ii)** Not more than one parking space may be located closer to the lot line abutting Palace Road than the nearest wall of the main building.
- (e)** Bicycle Parking: Minimum bicycle parking space dimensions are 1.0 metre by 0.4 metres with a minimum overhead clearance of 1.5 metres.
- (f)** Amenity Area: A minimum of 14 square metres of amenity area must be provided per dwelling unit.
- (g)** Maximum Building Height: 6 storeys.
- (h)** Bachelor Dwelling Units: Within a multiple family dwelling, bachelor apartments must not be more than 25% of the total number of dwelling units.

- (i) Underground Parking Structure: Underground parking structure is permitted in all required yards.
- (j) Landscaped Open Space: Landscaped open space may be located above an underground structure.

[Note: Former B1.579 and Sections 4, 5 and 14 of **former zoning by-law** 8499]

**L153.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Front Yard Setback:
  - (i) That the minimum setback from the centre of the Princess Street right-of way is 11.0 metres;
  - (ii) That the minimum setback to a bedroom window on the first storey and facing the street is 1.2 metres;
  - (iii) That along Victoria Street and Bartlett Street South decorative fencing or planting is required to be provided between the sidewalk and any bedroom window to restrict access to the area within the required setback; and
  - (iv) That the minimum setback from Victoria Street and Bartlett Street South, excluding an exterior wall containing a bedroom window on the first storey and facing the street, is 0.0 metres.
- (b) Interior Side Yard Setback Minimum: 1.9 metres.
- (c) Maximum Building Height: 20.6 metres.
- (d) Bay windows and vertical projections above the first storey may extend or project into the required front yard on Princess Street not more than 0.8 metres.
- (e) Amenity Area, means the area situated within the boundaries of any residential development site intended for recreation purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, 'Children's Play Areas', and similar uses, but does not include any area occupied at grade by a building's service areas, parking areas, parking aisles or driveways.
- (f) Minimum amenity area is 6214 square metres.

- (g)** Minimum Aggregate Commercial Area is 525 square metres.
- (h)** Minimum Children's Play Area: 0.0 square metres.
- (i)** Balconies, excluding Juliet style window openings, below the third storey facing Princess Street are prohibited.
- (j)** Maximum number of bedrooms for a dwelling unit is 5.
- (k)** Maximum number of dwelling units consisting of 5 bedrooms is 25.
- (l)** Average number of bedrooms per dwelling unit is 3.5 bedrooms per unit.
- (m)** Maximum number of Dwelling units is 145.
- (n)** A dwelling unit(s) is permitted in a cellar.
- (o)** Maximum aggregate total number of bedrooms is 505.
- (p)** Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i)** Common areas open to all occupants of the unit;
  - (ii)** Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (q)** Maximum Density: The maximum permitted density may be increased to 235 units per hectare for a contribution towards the upgrading and improvement of Victoria Park in an amount equivalent to the required cash-in-lieu of parkland dedication contribution calculated for the approved development. The bonus is subject to the property owner entering into a development agreement with the City, which will establish a high quality of architectural design and human scale development consistent with the City's long term vision for the Williamsville Main Street Study area. The specific amount will be contained in the bonusing clause of the development agreement.
- (r)** Number of required loading spaces is 0.
- (s)** Minimum Number of Commercial Parking Spaces: 10.

- (t) Minimum Number of Residential Parking Spaces is 0.75 spaces per dwelling unit.
- (u) Minimum Bicycle Parking Dimensions are 1.8 metres by 0.3 metres and a minimum overhead clearance of 2.1 metres.
- (v) Minimum overhead clearance for an accessible parking space is 2.1 metres.
- (w) Minimum standard parking dimensions, excluding accessible parking dimensions are 2.6 metres by 5.2 metres with a minimum aisle width of 6.0 metres; and
- (x) The properties subject to this Exception are deemed a single parcel for the purpose of zoning interpretation.

[Note: Former C.421 and Sections 4, 5 and 20 of **former zoning by-law 8499**]

**L154.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) 464 Frontenac Street Permitted uses are limited to:
  - (i) a 21 residential dwelling unit building; and
  - (ii) a home occupation.
- (b) Front Yard Setback:
  - (i) 574 Princess Street must be a minimum setback of 4.7 metres;
  - (ii) 464 Frontenac Street must be a minimum setback of 1.6 metres.
- (c) Side Yard and Rear Yard Setback:
  - (i) 464 Frontenac Street minimum setback from south property line is 7.3 metres;
  - (ii) 464 Frontenac Street minimum setback from north property line is 0.0 metre; and
  - (iii) 464 Frontenac Street minimum setback from west property line is 2.1 metres.
- (d) Parking Dimensions:

- (i) Standard parking space: 2.6 by 5.2 metres;
  - (ii) Barrier free parking space 3.7 by 5.2 metres; and
  - (iii) Minimum aisle width is 6.1 metres.
- (e) Parking Spaces:
  - (i) Minimum number of total parking spaces is 51; and
  - (ii) Minimum number of barrier free parking spaces is 4.
- (f) Play Space Area: 0.0 square metres.
- (g) Amenity Space Area: minimum amenity space area is 1265 square metres.
- (h) "Amenity Area" means the area situated within the boundaries of any residential development site intended for recreation purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, 'Children's Play Areas', and similar uses, but does not include any area occupied at grade by a building's service areas, parking areas, parking aisles or driveways.
- (i) The average number of bedrooms must not exceed 3.5 bedrooms per unit.
- (j) The maximum number of bedrooms per unit is 4. Additional bedrooms per unit are prohibited.
- (k) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i) Common areas open to all occupants of the unit;
  - (ii) b) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (l) Encroachment:
  - (i) 464 Frontenac Street the minimum encroachment into the required front yard for porches, decks, steps and verandas, covered or uncovered is 1.6 metres.

- (m) A planting strip, a minimum 3.0 metres in width, must be established along the full extent of the south property line of 464 Frontenac Street and a planting strip is only permitted to be used as planting a row of trees or a continuous unpierced hedgerow of evergreens or shrubs, not less than 1.5 metres high, immediately adjacent to the lot line or portion thereof along which such planting strip is required hereunder; the remainder of the strip is only permitted to be used as the planting of ornamental shrubs, flowering shrubs, flower beds or a combination thereof. A fence is not considered a planting strip for the purpose of zone interpretation.
- (n) The lands subject to this Exception are deemed a single parcel for the purpose of zone interpretation.

[Note: Former C.422 and Sections 5 and 20 of **former zoning by-law** 8499]

**L155.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) "Parking Structure" means a building or structure used for the parking of vehicles above or below finished grade, and is permitted as a principle use on a lot.
- (b) Permitted Uses subject to the provisions of the UR5 Zone:
  - (i) Libraries, art galleries and museums.
- (c) Permitted Uses subject to the provisions of the URM3 Zone:
  - (i) Boarding houses and rooming houses;
  - (ii) Churches, community halls and parish halls;
  - (iii) Fraternal organizations or similar institutions of public character;
  - (iv) Lay or religious fraternity houses or boarding houses where occupied by students, used exclusively for the purposes of habitation or congregational meetings and supervised by the authorities of a public educational institution;
  - (v) Multiple family dwellings containing three or four dwelling units; and

- (vi)** Sanitariums, or institutions for philanthropic or charitable uses, other than correctional uses, and other than for the treatment of inebriates or persons suffering from insanity or other mental disease, infectious disease, or contagious disease.

**(d)** Permitted Uses:

- (i)** Accessory buildings subject to the provisions of the zone regulating the main building as set forth herein;
- (ii)** Bakeries (provided that the food products prepared on the premises are retailed directly from the same premises);
- (iii)** Banks;
- (iv)** Bowling alleys, pool and billiard halls;
- (v)** Community Centres, Community Homes, Community Support House, Crisis Care Shelters, Recovery Homes, Residential Care Facilities
- (vi)** Day Care Centre;
- (vii)** Fraternal organizations or similar institutions of public character;
- (viii)** Hospitals;
- (ix)** Hotels;
- (x)** Laundries and dry cleaners (provided that the cleaning operation takes place upon the same premises as an associated pick-up and delivery agency);
- (xi)** Multiple family dwellings containing five or more dwelling units and Senior citizen apartments;
- (xii)** Offices for or in connection with businesses or professions and offices for printing or publishing;
- (xiii)** Parking Lots and Parking Structures, subject to the following regulations:
  - (1)** All parking lots are subject to site plan control approval;

- (2)** The surface of the parking lot must be paved or properly leveled, drained and treated to prevent the escape of dust;
  - (3)** Any lights used to illuminate the parking lot must be arranged to deflect light downward and away from adjacent premises; and
  - (4)** No commercial business involving the repair of or service to vehicles is permitted thereon, nor the sale or display thereof is permitted to be conducted from or upon such premises
- (xiv)** Places of Amusement and Theatres;
- (xv)** Retail stores and Restaurants;
- (xvi)** Shopping centres; and
- (xvii)** Undertakers' establishments.
- (e)** Ground floor commercial:
  - (i)** The ground floor use of any building or structure is required to be commercial.
- (f)** Minimum Required Front Yard: 0.9 metres.
- (g)** Surface Parking:
  - (i)** Surface parking is permitted within any portion of a yard.
  - (ii)** Surface parking is permitted within 1.5 metres of any adjacent residential zone or zone which permits a residential use.
  - (iii)** Surface parking must be screened from any adjacent residential zone or zone which permits a residential use, by a sight obscuring buffer, such as, but not limited to; a fence; wall; hedge; or, barrier, a minimum of 1.4 metres high.
  - (iv)** Surface parking must be screened from any street by a sight obscuring buffer such as, but not limited to; a fence; wall; hedge; or, barrier, a minimum of 1.0 metre high
- (h)** Parking Structure:



- (i) A wall or barrier with a minimum height of 1.4 metres is required on each level of a parking structure.
- (i) Angular Plane:
  - (i) All buildings and structures adjacent to a residential zone must fit within an angular plane taken from a height of 7.0 metres above the established grade at the lot line. Above this height, subsequent storeys must fit within a 45 degree angular plane.
- (j) Minimum Parking Space Dimensions: 2.6 metres wide and 5.2 metres long, not including barrier free spaces.
- (k) Minimum Parking Access Lane Width: 6.0 metres.

[Note: Former C.482 and Sections 5 and 20 of **former zoning by-law** 8499]

**L156.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Side Yard: 1 metre for the existing building as of the date of passing of the site specific by-law.
- (b) Minimum Aggregate Side Yard: 7.0 metres.
- (c) Maximum Density: 130 units per net hectare.
- (d) Minimum Amenity Space: 0 square metres.
- (e) Minimum number of Parking Spaces: 14.
- (f) Any future additions or alterations to the building will be required to comply with the provisions of the URM6 Zone.

[Note: Former B3.462 and Section 16 of **former zoning by-law** 8499]

**L157.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The use of a cellar as a portion of a dwelling unit and/or as a habitation unit is permitted.
- (b) Vehicular Parking:
  - (i) The minimum number of off-street vehicular parking spaces for 4 or 5 residential units is 3.

- (c) Bicycle Parking:
  - (i) Bicycle parking may be provided within the existing building;
  - (ii) The minimum bicycle parking space dimensions are 1.8 metres x 0.3 metres x 2.1 metres; and
  - (iii) Covered bicycle parking may be located in a side or rear yard provided it is a minimum of 1 metre from the side lot line and rear yard lot line, respectively.
- (d) Lot Occupancy: The existing lot occupancy of the property is permitted to continue. Any future redevelopment of the site or a portion thereof must comply with the lot occupancy of the applicable parent zone.
- (e) A minimum 1.2 metre walkway must be provided for the full depth of the property from the front lot line to the rear lot line.
- (f) Existing and future building projections that are greater than 1.2 metres in height are permitted to have a combined maximum multi-level area of 55 square metres within the interior side yards and rear yard of the property.
- (g) The portion of the building identified as "Building 1" existing on the date of the passage of the site specific by-law and detailed on Figure L157 is deemed to be legal non-complying for the purposes of zoning.
- (h) The minimum interior side yard for existing and future projections attached to "Building 1" on Figure L157 is 0.5 metres on the west side of "Building 1" and 2 metres on the east side of "Building 1".
- (i) The minimum interior side yard for existing and future projections attached to "Building 2" on Figure L157 is 3 metres on the east side of "Building 2".
- (j) The existing interior side yard and aggregate side yard of "Building 2" existing on the date of the passage of the site specific by-law and detailed on Figure L157 are deemed to comply. Any future re-development of the site with a new building or a proposed building addition outside of the footprint of "Building 1" must comply with this By-law.

[Note: Former B3.561 of **former zoning by-law** 8499]

Figure L157



- L158.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Permitted uses are limited to the following:
    - (i)** Glass installation facility, excluding automotive glass installation;
    - (ii)** Commercial cleaning establishment, including offices and storage and sale of cleaning supplies;
    - (iii)** Neighbourhood commercial uses providing a range of convenience retail and service uses, including:
      - (1)** Convenience store;
      - (2)** Food store of less than 223 square metres;
      - (3)** Laundromat;
      - (4)** Drop off / pick up drycleaners;
      - (5)** Video store;
      - (6)** Take-out restaurant;
      - (7)** Personal services shop (for example, hairdresser, barber, esthetician, etcetera);
      - (8)** Bakery or Bake Shop;
      - (9)** Florist;
      - (10)** Copy centre; and
      - (11)** Consumer service and repair shop (for example small appliance and computer repair service, etcetera).
  - (b)** Minimum Front Yard: 9.5 metres.
  - (c)** Minimum Side Yard: 0.
  - (d)** Minimum Rear Yard: 0.
  - (e)** Maximum Lot Occupancy: 107%.
  - (f)** Minimum Lot Depth: 28 metres.

**(g) Minimum Parking Spaces:**

- (i)** Glass installation facility, excluding automotive glass installation: 3 Parking Spaces.
- (ii)** Commercial cleaning establishment, including offices and storage and sale of cleaning supplies: 3 Parking Spaces.
- (iii)** All other uses must be as per Section 5.3 of **former zoning by-law** 8499 unless the Holding Overlay is removed, in whole or in part, in which case the minimum number of parking spaces is 3 for the respective uses.

[Note: Former C2.244 and Sections 5 and 22 of **former zoning by-law** 8499]

**L159.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Lot lines: For the purposes of zoning interpretation, the King Street West frontage is deemed to be the front lot line, the northern lot line opposite the King Street West frontage is deemed to be the rear lot line, the western lot line fronting Albert Street is deemed to be the exterior side lot line, and the opposite lot line adjacent 187 King Street West is deemed to be the interior side lot line.
- (b)** Permitted Commercial Uses:
  - (i)** Offices for or in connection with a business or profession;
  - (ii)** Professional medical clinic, or professional clinic of similar nature;
  - (iii)** Library, art gallery or museum;
  - (iv)** Day care centre; and
  - (v)** Accessory buildings to any permitted use.
- (c)** Permitted Residential Uses:
  - (i)** One-family dwelling;
  - (ii)** Two-family dwelling;
  - (iii)** Three-family dwelling; and

- (iv) Accessory buildings to any permitted use.
- (d) Maximum Building Height: 10.7 metres.
- (e) Minimum Front Yard: 15 metres.
- (f) Minimum Interior Side Yard: 1.2 metres.
- (g) Minimum Exterior Side Yard: 4.0 metres.
- (h) Minimum Rear Yard: 12 metres.
- (i) Minimum setback for accessory buildings: 0.0 metres from any interior side or rear lot line.
- (j) Bicycle Parking: The minimum bicycle parking space dimensions are 1.8 metres in length by 0.3 metres in width with a minimum overhead clearance of 2.1 metres.
- (k) Access and Parking
  - (i) The minimum number of parking spaces for commercial uses is 1 parking space per 30 square metres of gross leasable area.
  - (ii) The minimum number of parking spaces for residential uses is 0.66 parking spaces per dwelling unit, rounded up to the nearest whole number.
  - (iii) The minimum parking space dimensions are 2.6 metres in width and 5.2 metres in length.
  - (iv) Parking is permitted in the exterior side yard adjacent to Albert Street, provided that it is set back at least 1.0 metre from the exterior side lot line.
  - (v) A driveway leading to residential parking facilities may be a maximum of 4 metres wide.

[Note: Former C1.577 and Sections 5 and 21 of **former zoning by-law** 8499]

**L160.** This Exception only applies to regulate the building existing as of the date of passing of the site specific by-law. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) A maximum of 1 dwelling unit is permitted provided it is located within the walls of the building existing as of the date of passing of the site specific by-law.
- (b) The minimum required front yard is 13.5 metres.
- (c) The minimum side yard on the east side of the existing building and any additions thereto is 3.9 metres.
- (d) The minimum number of required off-street parking spaces for the beauty salon and 1 residential unit is 6.

[Note: Former C2.310 and Sections 5.3 and 22 of **former zoning by-law** 8499]

**L161.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum setback from the high water mark for any building or structure (including septic systems) other than a marine facility is 40 metres. Within 30 metres of the lot line, which abuts the waterbody (Leo Lake), only limited cutting or coppicing is permitted to permit water views and access, and for reasons of safety. No roads or widespread clearing is permitted within the 30 metre setback from the waterbody.
- (b) Despite (a), pedestrian access to a marine facility is permitted.
- (c) Minimum setback from a watercourse for any building or structure (including septic systems) is 30 metres.
- (d) Minimum setback from the top of bank of the steep slope (elevation of 110 metres GSC) is 15 metres for any building or structure.

[Note: Former A2-39 and Sections 5 and 24 of **former zoning by-law** 32-74]

**L162.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a conservation use. Structures and/or marine facilities (including but not limited to boathouses and/or docks) are prohibited.

[Note: Former OS-20 of **former zoning by-law** 32-74]

**L163.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted use: detached single family dwelling house.
- (b) Maximum number of dwellings per lot: 1.
- (c) Minimum Lot Frontage: 19.2 metres.
- (d) Water Setback:
  - (i) The required setback for all buildings or structures is 75 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3 metres Geological Survey of Canada (GSC), whichever is the greater;
  - (ii) The required setback for septic systems is 45 metres from the high water mark or 15 metres from the regulatory flood plain elevation of 76.3 metres GSC, whichever is the greater; and
  - (iii) The natural vegetation within 30 metres of the shoreline of the St. Lawrence River must be maintained in order to dissipate waves, filter runoff, prevent soil erosion and provide wildlife habitat. Selective trimming or removal of vegetation and creation of a walking path (not hardened or paved) to the shoreline would be acceptable in this area.

[Note: Former ER-11 and Sections 5 and 7 of **former zoning by-law** 32-74]

**L164.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 203 square metres per dwelling unit.
- (b) Minimum Front Yard Setback: 1.3 metres.
- (c) Minimum Side Yard: 0.2 metres.
- (d) Minimum Aggregate Side Yard: 1.3 metres.
- (e) Maximum Percentage of Lot Coverage: 37%.
- (f) Maximum Yard Projections for Deck:
  - (i) The existing deck may project to a setback of: 0 metres.

[Note: Former E.552 and Sections 5 and 6 of **former zoning by-law** 8499]



**L165.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Any buildings existing as of the date of passing of the site specific by-law, or for the construction of which a building permit has been issued by the Building Inspector before the date of passing of the site specific by-law, which was constructed in accordance with all by-laws of the City in force at that date, is deemed to conform with the provisions of this By-law.
- (b)** Density: The maximum habitation unit density of lands owned by a higher educational or medical institution must not exceed 550 habitation units per net hectare.

[Note: Former E.70 and **former zoning by-law** 8499]

**L166.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following uses are the only permitted uses:
  - (i)** Administrative offices for an institutional organization, including a non-profit organization which provides healthcare, community and other social support services;
  - (ii)** Church;
  - (iii)** Clinic;
  - (iv)** Community Centre;
  - (v)** Community Hall;
  - (vi)** Convents;
  - (vii)** Daycare centre;
  - (viii)** Education Centre;
  - (ix)** Education Facility;
  - (x)** Hospitals as defined by the Public Hospitals Act, R.S.O. (1970) Chapter 378;
  - (xi)** Library;

**(xii)** School;

**(xiii)** Neighbourhood Commercial Uses:

- (1)** Banks;
- (2)** Commercial Schools;
- (3)** Neighbourhood Stores;
- (4)** Restaurants; and
- (5)** Retail Stores.

- (b)** The maximum permitted aggregate gross floor area of all neighbourhood commercial uses must not exceed 25% of the total gross floor area on the property
- (c)** A maximum of 4 individual neighbourhood commercial uses are permitted.
- (d)** Minimum Required Yards:
  - (i)** Weller Street Front Yard: 9.0 metres;
  - (ii)** Compton Street Front Yard: 9.0 metres;
  - (iii)** West Side Yard: 15.0 metres; and
  - (iv)** North Side Yard: 7.0 metres.
- (e)** Landscaping Strip: A minimum 5.0 metre wide landscaping strip is required along the entire western property line.
- (f)** Maximum Height: 15.0 metres.
- (g)** Off-Street Parking: A minimum of 3 parking spaces per 100 square metres of gross floor area is required.
- (h)** Bicycle Parking: A minimum of 1 bicycle parking space per 100 square metres of gross floor area is required.

[Note: Former E2.83 and Sections 5 and 19 of **former zoning by-law** 8499]

**L167.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Residential Uses:
  - (i)** Single Detached Dwelling House
  - (ii)** Semi Detached Dwelling House
- (b)** Non-Residential Uses:
  - (i)** Home Occupation
  - (ii)** A public use.
- (c)** Lot Frontage (minimum):
  - (i)** Single Detached Dwelling House: 12.7 metre (Corner Lot) and 9 metres (Other Lot);
  - (ii)** Semi Detached Dwelling House: 19 metres (Corner Lot) and 15 metres (Other Lot);
  - (iii)** Semi Detached Dwelling Unit: 11.5 metres (Corner Lot) and 7.5 metres (Other Lot); and
  - (iv)** The Lot Frontage is measured along a line which is parallel to the front lot line and distant from the lot line 6.0 metres. In the case of a corner lot with a sight triangle, the exterior side lot line is deemed to extend to its hypothetical point of intersection with the extension of the front lot line for the purposes of calculating lot frontage.
- (d)** Front Yard:
  - (i)** Minimum setback from front lot line: 4.5 metres;
  - (ii)** Despite (i), where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres; and
  - (iii)** Despite (i) and (ii), where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

- (e)** Exterior Side Yard (minimum): 3.0 metres.
- (f)** Interior Side Yard (minimum):
  - (i)** Single Family Dwelling House 1.5 metres;
  - (ii)** Semi Detached Dwelling House 1.5 metres for a side that is not attached to another dwelling house; and
  - (iii)** Rear Yard (minimum): 6.0 metres.
- (g)** Garage:
  - (i)** The wall of an attached private garage that contains the opening for vehicular access must be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.
  - (ii)** The wall of the attached private garage facing the public street must not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry feature or main front entrance of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.
  - (iii)** The main entry feature means a platform, with at least one side open, covered by either a roof, balcony or enclosed space, with or without a foundation and/or basement that provides access to the dwelling unit.
  - (iv)** The main front entrance means the door which is designed as the primary access point into the dwelling unit.
- (h)** Driveway Width:
  - (i)** Maximum driveway width as measured at the lot line and must be as follows:
    - (1)** Single Detached Dwelling House 6.0 metres or 50% of the lot frontage, whichever is lesser; and
    - (2)** Semi Detached Dwelling House 3.5 metres.

- (i)** Height (maximum):
  - (i)** Single Detached Dwelling House: 11 metres; and
  - (ii)** Semi Detached Dwelling House: 12 metres.
- (j)** Parking
  - (i)** Parking is permitted in the front yard, interior side yard and rear yard.
  - (ii)** Front yard parking is prohibited except where it is a driveway leading to a permitted parking area.
- (k)** Sight Triangle
  - (i)** Two sight triangles are required on a corner lot.
  - (ii)** The location of the first sight triangle is located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior size lot line.
  - (iii)** The location of the second sight triangle is located by drawing a line between a point on the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.
- (l)** Fencing
  - (i)** Fences crossing the pipeline right-of-way in Lots 46 to 49, 174 to 193 and 310 to 315 must be chain link, no taller than 1.8 metres and equipped with lock gates accessible to Trans-Northern Pipelines Inc.
  - (ii)** Fencing crossing the pipeline right-of-way must be chain link, no taller than 1.8 metres.
- (m)** Minimum Lot Area: Not Applicable.
- (n)** Maximum Lot Coverage: Not Applicable.
- (o)** Minimum Landscaped Open Space: 30%.

[Note: former R2-44 and Section 13 of **former zoning by-law** 76-26]

**L168.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted uses: The permitted uses also include the following accessory uses within a building containing a public use:
  - (i)** Club, Commercial;
  - (ii)** Club, Private;
  - (iii)** Offices;
  - (iv)** Day Nursery;
  - (v)** Multi-use program spaces;
  - (vi)** Gymnasium;
  - (vii)** Walking Track; and
  - (viii)** Change rooms with showers and locker facilities.
- (b)** Parking Requirements:
  - (i)** Minimum number of parking spaces: 1 space per 38.0 square metres of gross floor area.
  - (ii)** Minimum area for non-barrier free parking space: 14.3 square metres.
  - (iii)** Location: non-barrier free parking facilities may also be permitted on a lot not more than 400 metres from the lot upon which the main building is situated.
  - (iv)** Minimum number of barrier free parking spaces: 6 (3 Type 'A' and 3 type 'B' parking spaces).

[Note: Former I-9 of **former zoning by-law** 32-74]

**L169.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted uses are limited to one or more of the following:

- (i)** Mine for the extraction of minerals and ancillary materials;
  - (ii)** Outside storage associated with any of the permitted uses set out herein;
  - (iii)** Crushing, screening and processing of minerals and ancillary materials, including use of a mineral and ancillary materials processing plant;
  - (iv)** Conservation, forestry and reforestation;
  - (v)** Any combination of the above; and
  - (vi)** Accessory uses, buildings and structures ancillary to any of the permitted uses set out herein.
- (b)** Mine for the extraction of minerals and ancillary materials, crushing, screening and processing of minerals and ancillary materials, including use of a mineral and ancillary materials processing plant:
  - (i)** Rear Yard (minimum): 15 metres.
  - (ii)** Side Yard (minimum): 15 metres, except where the yard abuts land zoned for mineral extraction, in which case the side yard is 0 metres.
  - (iii)** Planting Strip: In accordance with an accepted closure plan under the Mining Act (Ontario).
  - (iv)** Fencing: In accordance with an accepted closure plan under the Mining Act (Ontario).
  - (v)** Minimum Distance Separation:
    - (1)** No building or plant, including screening, or washing or any stockpiling operation associated therewith, is permitted within 30 metres of the boundary of this Exception or within 100 metres of a dwelling house or dwelling unit or area zoned solely for residential purposes where such lands are held under distinct and separate ownership.
    - (2)** That part of the operation involving the extraction of wollastonite or ancillary materials is prohibited within 100 metres of a dwelling house or dwelling unit or area zoned

solely for residential purposes where such lands are held under distinct and separate ownership.

[Note: Former MX-5 of **former zoning by-law** 32-74]

- L170.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Definitions:
    - (i)** “Principal Residential Unit” means the main/core structure intended for human habitation, on a lot.
    - (ii)** “Second Residential Unit” means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
  - (b)** Additional Permitted Uses:
    - (i)** A Second Residential Unit.
  - (c)** Prohibited Uses:
    - (i)** Garden Suite;
    - (ii)** Boarding House;
    - (iii)** Lodging House; and
    - (iv)** Rooming House.
  - (d)** Multiple Uses on the Same Lot: Multiple uses permitted in both the UR5 Zone and the WM1 or WM2 Zones are not permitted to exist at the same time on the same lot.
  - (e)** The following provisions apply to uses permitted in the UR5 Zone:
    - (i)** Minimum Lot Area: 420 square metres.
    - (ii)** Minimum Front Yard: 4 metres.
    - (iii)** Minimum Aggregate Side Yard: 1.5 metres.
    - (iv)** Uncovered Parking Area: Up to 34 square metres of the rear yard may be used as an uncovered parking area.



- (f) The following provisions apply to Second Residential Units:
- (i) A second residential unit is only permitted within a building or structure permitted in the UR5 Zone.
  - (ii) A second residential unit is permitted to be located within a cellar.
  - (iii) Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
    - (1) floor area occupied by mechanical, service, and electrical equipment that serve the building;
    - (2) an open porch or balcony; and
    - (3) areas internal to the building that are intended for the storage of vehicles.
  - (iv) Second Residential Units Per Dwelling House (maximum): 1 only
  - (v) Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 0.9 metre wide unobstructed walkway from the front of the building to the access is provided.
  - (vi) Parking and Driveway:
    - (1) Second Residential Unit: 1 parking space; and
    - (2) An additional driveway is not permitted for a second residential unit.

[Note: Former C4.480 and Sections 5, 6 and 23C of **former zoning by-law** 8499]

- L171.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Use: a detached single family dwelling house.
- (b)** Lot Frontage (minimum):
  - (i)** Corner Lot: 10.8 metres; and
  - (ii)** Other Lot: 9 metres.
- (c)** Front Yard Depth (minimum): 3.0 metres.
- (d)** Rear Yard Depth (minimum): 6.75 metres.
- (e)** Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R12-4 and Section 11I of **former zoning by-law** 32-74]

**L172.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Residential Uses:
  - (i)** Multiple family dwellings.
- (b)** Permitted Non-Residential Uses:
  - (i)** Neighbourhood commercial uses providing a range of convenience retail and service uses, including:
    - (1)** Convenience store;
    - (2)** Food store;
    - (3)** Retail store;
    - (4)** Laundromat;
    - (5)** Pick-up / Drop-off Drycleaners;
    - (6)** Video Store;
    - (7)** Take out restaurant;
    - (8)** Coffee Shop;

- (9)** Personal Services shop (for example hairdresser, barber, esthetician, etcetera); and
  - (10)** Copy Centre.
- (c)** Zone Provisions for Residential Uses:
  - (i)** Residential uses are not permitted on the first storey.
  - (ii)** A maximum of 8 residential dwelling units are permitted.
  - (iii)** A maximum of 8 bedrooms are permitted.
  - (iv)** A maximum of 4 bedrooms per dwelling unit is permitted.
- (d)** Zone Provisions for Non-Residential Uses:
  - (i)** A maximum of 1 non-residential unit is permitted;
  - (ii)** Commercial use on the first storey is mandatory;
  - (iii)** Non-residential uses are permitted in the first storey and cellar only;
- (e)** Maximum number of buildings on the lands subject to this Exception: 1 only.
- (f)** Maximum Height: 12 metres. Roof-mounted equipment such as mechanical units and solar panels may project an additional 3 metres above the maximum permitted height.
- (g)** Minimum Front Yard: 0 metres.
- (h)** Minimum Side Yard: 1.5 metres.
- (i)** Aggregate Side Yard: 4.5 metres.
- (j)** Sight Triangles:
  - (i)** The first storey of all buildings on corner lots must be set back from the street line as to maintain the sight triangle except for a single support column with a maximum horizontal cross-section of 0.65 metres.
  - (ii)** The sight triangle means the triangular space formed by the street lines of a corner lot and a line drawn from a point in one street line

to a point in the other street line, each such point being 5 metres from the point of intersection of the street lines;

- (k) Amenity Space: 90 square metres.
- (l) Parking:
  - (i) Minimum Number of Parking Spaces: 0 parking spaces;
  - (ii) Minimum Number of Barrier Free Parking Spaces: 0 parking spaces;
- (m) Loading Spaces:
  - (i) Minimum Number of Loading Spaces: 1 Loading Space;
  - (ii) The minimum width of a loading space is 3 metres wide by 6 metres long;
- (n) One Lot For the Purpose of Zoning: For the purpose of zoning all lands subject to this Exception are considered one lot.

[Note: Former E.475 and Section 5 and 17 of **former zoning by-law** 8499]

**L173.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum lot frontage required for a townhouse building on a lot not accessed by a lane is 6.0 metres per unit.
- (b) Special Provisions (2) and (5) for the former LDR and LDR1 Zones of **former zoning by-law** 97-102 do not apply.

[Note: Former LDR\*17 and Table B1 of **former zoning by-law** 97-102]

**L174.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted use: Apartment Dwelling.
- (b) Minimum Front Yard: 0 metres.
- (c) Minimum Exterior Side Yard: 0 metres.
- (d) Minimum Lot Coverage: 45%.
- (e) Maximum Density: 500 dwelling units per net hectare.

- (f) Number of Units: The maximum number of Permitted dwelling units is 120.
- (g) Off-Street Parking: The minimum number of off-street parking spaces is 94 (ninety-four).
- (h) Maximum Height at Build-to-Plane: 17 metres.
- (i) Maximum Height along Angular Plane: 31.5.
- (j) Amenity Area: The minimum amount of amenity space is 520 square metres.
- (k) Maximum Encroachment into Angular Plane:
  - (i) South Property Line:
    - (1) Vertical encroachment of 11.0 metres; and
    - (2) Horizontal Encroachment of 10.0 metres.
  - (ii) East Property Line:
    - (1) Vertical encroachment of 1.0 metres; and
    - (2) Horizontal encroachment of 1.0 metres.
- (l) That the Build-to-Plane is measured from the property line.

[Note: Former C1-23 of **former zoning by-law** 96-259]

**L175.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Off-Street Parking:
  - (i) A minimum parking ratio of 0.5 parking spaces per dwelling unit is required.
  - (ii) Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (b) Off-Street Accessible Parking:
  - (i) Type A accessible parking spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.

- (ii) Type B accessible parking spaces must have minimum dimensions of 2.4 metres wide by 5.2 metres long.
- (iii) An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, must be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.

[Note: Former C1-50 and Sections 5.22.4.3. and 5.22.6.2. of **former zoning by-law** 96-259]

**L176.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses:
  - (i) Private School; and
  - (ii) Day Nursery.
- (b) Definition:
  - (i) 'Private School' means a premises used as an academic school which secures the major part of its funding from sources other than government agencies and may include a day nursery as an accessory use.
- (c) Interior Side Yard Width for Additional Permitted Uses:
  - (i) Minimum: 9 metres.
- (d) Primary Use Buildings:
  - (i) Only one primary use building is permitted on the subject property until such time as the Holding Overlay has been removed from the property.
- (e) Accessory Buildings:
  - (i) Accessory buildings are only permitted to be used for purposes that are secondary to the primary day nursery and private school use, such as storage or as a private garage and must not be used as a classroom or related use until such time as the Holding Overlay has been removed from the property.

- (f) Existing Accessory Structure:
  - (i) Rear Yard Depth (minimum) 1.5 metres; and
  - (ii) Expansion Prohibited: No expansion of an accessory building that would increase the floor area of the building within 7.5 metres of the rear lot line is permitted.

[Note: Former RR-13 and Sections 5 and 8 of **former zoning by-law** 32-74]

**L177.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted commercial uses are the following: Art Gallery, Bakery, Bake Shop, Bank or Financial Establishment, Bed or Breakfast Establishment, Church or Religious Institution, Commercial Entertainment Establishment, Commercial Establishment, Commercial Recreational Facility, Commercial School, Computer Programming Establishment, Community or Recreation Centre, Convenience Store, Data Processing Establishment, Day Care Centre, Drugstore/Pharmacy, Florist, Food Store, Government Office, Coin Operated Laundry, Medical Clinic, Medical Office, Mixed Commercial/Residential Development, with residential uses permitted on the ground floor, Office, Office Supply and Equipment Sales, Rental and Service, Parking Structure, Personal Service Establishment, Pet-Grooming Establishment, Photo or Artist Studio, Photocopying or Blueprinting Shop, Photofinishing Establishment, Postal or Courier Service, Private Social and Cultural Facility, Public Use, Radio or Television Studio, Rental Outlet, Repair Service, Restaurant, Restaurant, Outdoor Patio, Restaurant, Take-Out, Service Establishment, Specialty Retail Store, Telecommunications Services, Video Rental, Permitted Non-Commercial Uses.
- (b) The only permitted non-commercial uses are the following: Single-Detached Dwelling, a building with a maximum of 3 units (the units may be any combination of residential or other permitted uses), Home Occupation, Community Home, Community Support House, Crisis Care Shelter, Recovery Home, Residential Care Facility.
- (c) Off Street Parking: The calculation and provision of minimum parking, amenity space and minimum lot coverage requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.

- (d) Amenity Space: The calculation and provision of amenity requirements is based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (e) Minimum Lot Coverage: The calculation and provision of minimum lot coverage requirements is based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (f) Equipped Children's Play Area: Not required.
- (g) Minimum Front Yard: 0 metres.
- (h) Minimum Building Height: 6.7 metres.
- (i) Loading: The number of loading spaces required in support of "Other Commercial" uses, provided in the amount of 0-550 square metres is 0.

[Note: Former C1-32 of **former zoning by-law** 96-259]

**L178.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Density: 244 residential units per net hectare.
- (b) Bicycle Parking Area: Each space within the Bicycle Parking Area is a minimum of 0.45 metres wide by 1.9 metres long.
- (c) Height at Build-to-Plane: 4 storeys, not to exceed 17 metres.
- (d) Maximum Building Height: 4 storeys, not to exceed 17 metres.

[Note: Former C1-54 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L179.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted uses, limited to: a retail use; a restaurant, except a drive through restaurant; a clinic, a veterinary clinic, a commercial club, a personal service shop, a day nursery, a public use, a professional and business office use; a commercial school, a financial institution; a mixed commercial/residential use.
- (b) Prohibited uses: automobile and vehicle sales and service establishment, a gasoline retail facility; boat sales and rental establishment, ground floor residential use, a drive through facility accessory to a permitted use.



- (c) Lot Area Minimum: 3,700 square metres.
- (d) Lot Frontage Minimum: 23 metres.
- (e) Exterior Side Yard Minimum: 9.0 metres.
- (f) Interior Side Yard Minimum: 9.0 metres for end units.
- (g) Landscaped Open Space Minimum: 15%.
- (h) Lot Coverage Maximum: 60%.
- (i) Building Height Maximum: 15 metres.
- (j) The minimum height of ground floor commercial in a mixed commercial/residential building is 4.0 metres.
- (k) Maximum Floor Area per Professional and/or Business Office Use: 200 square metres
- (l) Maximum aggregate floor area of Professional and/or Business Office Uses: 600 square metres
- (m) For the purposes of this Exception, a Mixed Commercial/Residential use is defined as, "a building or structure which is used for a mixture of commercial and residential uses, where the entire ground floor of such building or structure is used for commercial purposes.

[Note: Former C2-67 and Section 20 of **former zoning by-law** 76-26]

**L180.** This Exception only applies to regulate the uses within the existing structure as of the date of passing of the site specific by-law. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Uses:
  - (i) an accessory dwelling unit;
  - (ii) a converted dwelling house; and
  - (iii) a single-family dwelling house.
- (b) Permitted Non-Residential Uses:
  - (i) a medical or dental clinic;

- (ii) a business or professional office;
  - (iii) a personal service shop;
  - (iv) a dry-cleaning outlet or laundry outlet;
  - (v) a day nursery;
  - (vi) a convenience store;
  - (vii) a restaurant; and
  - (viii) a take-out restaurant.
- (c) Provisions for Non-Residential Uses within the structure existing on the date of the passage of the site specific by-law:
- (i) The maximum gross floor area of the ground floor commercial use is 205 square metres; and
  - (ii) An accessory staff room to the ground floor commercial use is permitted on the second floor of the existing structure, up to a maximum gross floor area of 26 square metres.

[Note: Former C1-12 and Sections 5 and 18 of **former zoning by-law** 76-26]

**L181.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses:
- (i) Single Detached Dwelling House;
  - (ii) Semi Detached Dwelling House; and
  - (iii) Three or Four Unit Row Dwelling House.
- (b) Lot Area (Minimum):
- (i) Single Detached Dwelling House: 292 square metres;
  - (ii) Semi Detached Dwelling Unit: 200 square metres; and
  - (iii) Row Dwelling Unit: 170 square metres.

- (c)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses, is 21 dwelling units per net hectare.
- (d)** Lot Frontage – Corner Lot (Minimum):

  - (i)** Single Detached Dwelling House: 12.75 metres;
  - (ii)** Semi Detached Dwelling Unit: 10.50 metres; and
  - (iii)** Row Dwelling Unit: 9.20 metres.
- (e)** Lot Frontage – Other Lot (Minimum):

  - (i)** Single Detached Dwelling House: 9.75 metres;
  - (ii)** Semi Detached Dwelling Unit: 7.50 metres; and
  - (iii)** Row Dwelling Unit: 6.10 metres.
- (f)** Front Yard Depth (Minimum)

  - (i)** To House 4.5 metres; and
  - (ii)** To Garage 6.0 metres.
- (g)** Exterior Side Yard Width (Minimum): 3.0 metres.
- (h)** Interior Side Yard Width (Minimum):

  - (i)** With an attached garage: 1.2 metres; and
  - (ii)** Without an attached garage: 1.2 metres one side and 3.0 metres on the other side, unless there is a common party wall, in which case the minimum side yard is 0.0 metres.
- (i)** Rear Yard Depth (Minimum): 6.0 metres.
- (j)** Lot Coverage (Maximum):

  - (i)** Single Detached Dwelling House: 50%;
  - (ii)** Semi Detached Dwelling Unit: 50%; and
  - (iii)** Row Dwelling Unit: 50%.

- (k)** Interior Garage Width: For lots less than 12 metres wide, the minimum interior one-car garage dimensions are 3.0 metres wide by 6.0 metres deep. A maximum width of 5.0 metres may be applied to permit a one-car garage with storage.
- (l)** Driveway Width: The maximum width of a driveway for its entire length is:

  - (i)** Single Detached Dwelling House: lesser of 6.0 metres or 50% of lot width;
  - (ii)** Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width; and
  - (iii)** Row Dwelling Unit:

    - (1)** 4.0 metres; and
    - (2)** Corner Lots - a maximum driveway width of 5.0 metres where it is located in an exterior side yard.
- (m)** Parking: Parking is permitted in the interior side yard and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
- (n)** Landscaped Open Space: 30%.
- (o)** Maximum Height: 10.5 metres.
- (p)** Sight Triangles:

  - (i)** Uses Prohibited: Within any area defined as a sight triangle, the following uses are prohibited:

    - (1)** a building, structure or use which would obstruct the vision of drivers of motor vehicles;
    - (2)** a fence, tree, hedge, bush or other vegetation, the top of which exceeds 1.0 metres in height above the elevation of the centerline of the adjacent street;
    - (3)** an uncovered surface parking area; and
    - (4)** a finished grade which exceeds the elevation of the centerline of the adjacent street by more than 1.0 metres.

- (ii) Two sight triangles are required on a corner lot:
  - (1) The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.
  - (2) The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line. Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.

- (q) Yard Encroachments: A cantilevered fireplace may project into any required yard a maximum distance of 0.6 metres.

[Note: Former R3-31 and Sections 5 and 14 of **former zoning by-law** 76-26]

- L182.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Lot Area (minimum): 2 hectares.
- (b) Lot Frontage (minimum): 200 metres.

[Note: Former A1-20 and Section 9 of **former zoning by-law** 76-26]

- L183.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 7 hectares.
- (b) Minimum Landscaped Open Space: 6%.
- (c) Minimum Number Of Parking Spaces For A Pit Or Quarry Use: 8
- (d) The main building existing on the site as of the date of the passing of the site specific by-law is deemed to comply with the front yard depth and

side yard width regulations. In the event that the existing main building on the site is removed or expanded, any new development is subject to this By-law.

[Note: Former M5-4 and Sections 5 or 28 of **former zoning by-law 76-26**]

**L184.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) No buildings are permitted within 15 metres of a railway right-of-way. A minimum 1.83 metre high chain-link fence must be constructed parallel along the railway right-of-way.

[Note: Former C2-43 and Section 19(2) of **former zoning by-law 76-26**]

**L185.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Lot Frontage (minimum): 34 metres.

[Note: Former R1-30 and Sections 5 and 12 of **former zoning by-law 76-26**]

**L186.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Prohibited use: Residential.
- (b) Only the following uses are permitted:
  - (i) A contractor's yard; and
  - (ii) A tradesman's shop.
- (c) Front Yard Depth (minimum): 13.8 metres.
- (d) Interior Side Yard Depth (minimum): 3.1 metres.
- (e) Aggregate Side Yard Depth (Minimum): 18 metres.
- (f) Parking:
  - (i) Maximum total number of outdoor parking spaces: 21.
  - (ii) A maximum of 8 parking spaces are permitted in the front yard, located no closer than 4.5 metres to any streetline.
- (g) Height of Building (maximum): 7.8 metres.

- (h)** Maximum Total Floor Area For All Buildings: 739 square metres.
- (i)** Planting Strips:
  - (i)** A planting strip is required along the front lot line in accordance with the provisions of this By-law.
  - (ii)** A planting strip is not required adjacent to the rear lot line and western interior side yard lot line.
  - (iii)** A planting strip adjacent to the eastern interior side lot line is required in accordance with the provisions of this By-law and must have a minimum linear depth from the front lot line of 78 metres.
- (j)** Open Storage:
  - (i)** The maximum permitted area of open storage area is 200 square metres; and
  - (ii)** All open storage must be located in the rear yard located a minimum of 35 metres from the rear yard lot line and visually screened on three sides by a combination of a pre-cast block wall, berm and landscaping.

[Note: Former M2-35 of **former zoning by-law** 76-26]

**L187.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Uses:
  - (i)** Contractor's or Tradesman's shop or yard.
- (b)** A maximum of 25% of the total floor area of a permitted use may be used for the purposes of a showroom, display area and retail sales for products that are manufactured, processed, fabricated or assembled on the premises.
- (c)** Minimum Lot Area: 2,000 square metres.
- (d)** Minimum Lot Frontage: 30.48 metres.

[Note: Former M6-23 and Section 28A of **former zoning by-law** 76-26]

- L188.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Permitted uses are limited to:
    - (i)** Single detached dwelling; and
    - (ii)** Home occupation.
  - (b)** Prohibited Uses:
    - (i)** Additional habitation units are prohibited; and
    - (ii)** Additional dwelling units are prohibited.
  - (c)** Minimum Distance Separation: 85 metres.
  - (d)** Minimum Lot Frontage: 6.0 metres.
  - (e)** Maximum Rear Yard Depth is 14 metres.
  - (f)** No building, structure, stall, or parking area is permitted within 7.5 metres of an environmental protection area zone (EPA).

[Note: Former A1-18 and Sections 5 and 9 of **former zoning by-law** 76-26]

- L189.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Only Permitted Uses:
    - (i)** Corporate administrative office;
    - (ii)** Research and development facility carried out within enclosed buildings;
    - (iii)** Data processing and related services, including call centre;
    - (iv)** Administrative, professional and technical services supporting a permitted use;
    - (v)** Indoor storage of equipment; and
    - (vi)** Public use.
  - (b)** Only Complementary Permitted Uses:



- (i) Office and business services such as printing and equipment repair intended to serve the Business Park Industrial area;
  - (ii) Restaurant;
  - (iii) Financial institution;
  - (iv) Personal services and convenience commercial;
  - (v) Public and private parks and recreation facilities; and
  - (vi) Parking lots and structure.
- (c) Minimum Front Yard Depth: 10 metres.
- (d) Minimum Exterior Side Yard Width: 10 metres.
- (e) Maximum Lot Coverage: 60%.
- (f) Maximum Building Height: 20 metres.

[Note: Former BP-6 and Section 30A(1) of **former zoning by-law** 76-26]

**L190.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Only Permitted Uses:
- (i) Manufacturing, assembling, fabricating, and processing operations;
  - (ii) Construction and transportation activities and facility;
  - (iii) Storage, warehousing and wholesale trade activities;
  - (iv) Communications and utilities facility;
  - (v) Institutional uses with General Industrial characteristics, such as a trade school; and
  - (vi) Public use.
- (b) Only Complementary Permitted Uses:
- (i) Office and business services such as printing and equipment repair intended to serve the General Industrial area;

- (ii) Restaurant;
  - (iii) Financial institution;
  - (iv) Personal services and convenience commercial;
  - (v) Automotive, heavy equipment or truck repair facility;
  - (vi) Public and private parks and recreation facilities; and,
  - (vii) Parking lots and structure.
- (c) Minimum Front Yard Depth: 10 metres.
  - (d) Minimum Exterior Side Yard Width: 10 metres.
  - (e) Minimum Interior Side Yard Width: 3 metres.
  - (f) Minimum Rear Yard Depth: 7.6 metres.
  - (g) Maximum Building Height: 20 metres.

[Note: Former M1-12 and Section 24(1) of **former zoning by-law** 76-26]

**L191.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Uses:
  - (i) Single Detached Dwelling House;
  - (ii) Semi Detached Dwelling House; and
  - (iii) Three and Four Unit Row Dwelling House.
- (b) Permitted Non-Residential Uses:
  - (i) Home Occupation.
- (c) Lot Frontage (minimum):
  - (i) Single Detached Dwelling House: 12.7 metres (Corner Lot) and 10.0 metres (Other Lot);
  - (ii) Semi Detached Dwelling House: 19 metres (Corner Lot) and 15.0 metres (Other Lot);



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[Note: Former R2-35 of **former zoning by-law** 76-26]

**L192.** Deleted see By-Law 2025-118

**L193.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following definition applies:

(i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:

(1) Common areas open to all occupants of the unit;

(2) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and

(3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

(b) Maximum Number of Dwelling Units: 2.

(c) Maximum Aggregate Number of Bedrooms: 9.

[Note: Former A.437 and Sections 5 and 6 of **former zoning by-law** 8499]

**L194.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the permitted uses, the property may be used for a multiple family dwelling containing three units.

(b) Maximum Number of Dwellings per Lot: 1.

(c) Minimum Lot Area: 712 square metres.

(d) Maximum Number of Bedrooms: 7.

(e) Minimum Number of On-Site Parking Spaces: 3 parking spaces.

(f) Maximum Size of a Parking Area: up to 50 square metres of the rear yard of the multiple family dwelling containing three units may be used as uncovered parking area.

- (g) Deemed To Comply: The multiple family dwelling containing three units existing as of the date of the passing of the site specific by-law is deemed to comply with the maximum building height regulations of this By-Law. In the event that the existing building on the site is removed, any new development required to comply with this By-law.

[Note: Former A.401 and Sections 5 and 6 of **former zoning by-law** 8499]

**L195.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area 260 square metres per dwelling unit.
- (b) Maximum Number of Dwelling Units: 2.
- (c) Minimum Aggregate Side Yard Setback 2.6 metres.

[Note: Former A.417 and Sections 5 and 14 of **former zoning by-law** 8499]

**L196.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use: In addition to the permitted uses, the dwelling existing on the date of passing of the site specific by-law may be used for a multiple family dwelling containing a maximum of six units. Extension, expansion or structural alteration to the building as it exists on the date of the passing of the site specific by-law which has the effect of adding new floor area or dwelling units to the said multiple family dwelling is prohibited.
- (b) Maximum Number of Bedrooms: 10.
- (c) The following definition applies:
  - (i) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen);
    - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment; and

Despite the foregoing, a bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (d) Minimum Amenity Space Area: 78 square metres.
- (e) Minimum Number of On-Site Parking Spaces: 3 parking spaces.
- (f) Maximum Size of a Parking Area: up to 50 square metres of the rear yard of the multiple family dwelling containing three units may be used as uncovered parking area.
- (g) No minimum barrier free vehicle parking is required.
- (h) No minimum play area is required.
- (i) The use of a cellar as a habitation unit is permitted providing that the cellar complies with the applicable Ontario Building Code.
- (j) An accessory building for a bicycle parking area is permitted in the interior side yard and is not permitted closer than 5.5 metres to a front lot line or 1.2 metres from a side lot line.
- (k) Deemed to Comply: The lot and building existing as of the date of the passing of the site specific by-law are deemed to comply with the minimum lot area, minimum front yard, minimum side yard, maximum percentage of lot coverage and maximum permitted floor space index regulations of this By-Law. In the event that the existing building on the site is removed, any new development is subject to the regulations of this By-law.

[Note: Former A.431 and Sections 5 and 6 of **former zoning by-law** 8499]

**L197.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 712 square metres.
- (b) Deemed to Comply: The existing residential building and shed as of the date of the passing of the site specific by-law is deemed to comply with the regulations of this Zoning By-Law. In the event that the existing structures on the site are removed, any new development or re-development is subject to this by-law.

[Note: Former A.436 and Section 17 of **former zoning by-law** 8499]

**L198.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Aggregate Side Yard, Minimum: 2.7 metres.
- (b) Uncovered Parking Area, Maximum: 36 square metres.
- (c) A dwelling unit is permitted in a cellar.

[Note: Former A.456 and Sections 5 and 6 of **former zoning by-law** 8499]

**L199.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses:
  - (i) One-Family Dwelling Only.
- (b) Minimum Lot Area: 195 square metres.
- (c) Minimum Front Yard: 0.1 metre.
- (d) Maximum Percentage of Lot Coverage: 47%.
- (e) Maximum Permitted Residential Building Depth: 13.4 metres.
- (f) Parking:
  - (i) The minimum size of a parking space is 2.6 metres wide and 5.2 metres long.

[Note: Former A.472 and Sections 5 and 6 of **former zoning by-law** 8499]

**L200.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses:
  - (i) One-Family Dwelling; and
  - (ii) Two-Family Dwelling.
- (b) Minimum Lot Area: 195 square metres.
- (c) Minimum Front Yard: 1 metre.
- (d) Maximum Permitted Residential Building Depth: 11 metres.



**(e) Parking:**

- (i)** The minimum size of a parking space is 2.6 metres wide and 5.2 metres long.

[Note: Former A.473 and Sections 5 and 6 of **former zoning by-law** 8499]

**L201.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Use: Multiple family dwelling containing a maximum of three dwelling units.
- (b)** Maximum Number of Dwelling Units: 3.
- (c)** Projections into Yards: A covered or uncovered unenclosed porch, deck, balcony or veranda may project into the required front yard, but is not permitted closer than 2.4 metres to the front line.
- (d)** Minimum Lot Area: 185 square metres per dwelling unit.
- (e)** Maximum Permitted Building Depth: 18.6 metres.
- (f)** Minimum Front Yard Setback: 3.6 metres.
- (g)** Maximum Size of a Parking Area: Up to 41 square metres of the rear yard may be used as uncovered parking area.
- (h)** Off-Street Parking: The minimum size of a standard parking space is 2.6 metres wide by 5.2 metres long.
- (i)** Off-Street Parking: 1 parking space per dwelling unit.
- (j)** Maximum Aggregate Length of all Dormers: 6.2 metres.

[Note: Former A.582 and Sections 5 and 6 of **former zoning by-law** 8499]

**L202.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Uses:
  - (i)** Three-unit dwelling.
- (b)** The maximum area in the rear yard that may be used for uncovered vehicle parking is limited to 54 square metres.

- (c) Deemed to comply: The multiple family dwelling existing as of the date of the passing of the site specific by-law is deemed to comply with the requirements of the Zoning By-Law. In the event that the existing building on the site is removed, any new development is subject to the provisions of this By-Law.

[Note: Former A2.507 and Sections 5 and 8 of **former zoning by-law** 8499]

**L203.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use: Three-Unit Dwelling.
- (b) Minimum Front Yard: 6.1 metres.
- (c) Minimum Lot Area: 490 square metres for a Three-Unit Dwelling.
- (d) Maximum Number of Bedrooms in a Basement or Cellar: 1.
- (e) Minimum Number of Parking Spaces: 2 parking spaces.
- (f) Minimum Parking Space Dimensions: 2.6 metres by 5.2 metres.
- (g) Parking Location: Two parking spaces are permitted in the front yard in a permitted driveway.

[Note: Former A5.602 and Sections 5 and 11 of **former zoning by-law** 8499]

**L204.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Front Yard: 2.5 metres.
- (b) Minimum Side Yards:
  - (i) 1.2 metres from the west property line;
  - (ii) 4.2 metres from the east property line; and
  - (iii) 5.4 metres aggregate side yard.
- (c) Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted not less than 1.6 metres from the front lot line.
- (d) Maximum Density: 74 dwelling units per net hectare.

- (e) Maximum Lot Coverage: 40%.
- (f) Minimum Parking Space Dimensions: 2.6 metres x 5.5 metres for standard parking spaces.
- (g) Minimum Width of Driveway: 3.0 metres.
- (h) Minimum Bicycle Parking Space Dimensions: 1.2 metres x 0.3 metres.

[Note: Former B.569 and Sections 5 and 13 of **former zoning by-law** 8499]

**L205.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Number of Residential Units: 214.
- (b) The limestone building existing on the date of the passing of the site specific by-law and known municipally as 730 John Counter Boulevard may only be used as a commercial school, provided that no such operation emits any noise, vibration, glare, fumes, odours, etcetera, which cause a nuisance or inconvenience within or outside of the premise. Subject to the removal of the Holding Overlay, the existing limestone building may only be used as a single family dwelling or a day nursery but not a commercial school. This single family dwelling unit is included as part of the maximum number of permitted residential units.
- (c) Minimum Off-Street Parking for Commercial School Use: 15 spaces.
- (d) Minimum Setback from the Adjacent Rail Line: 30 metres.
- (e) The metal clad accessory building existing on the southwest corner of the site as of the date of the passing of the site specific by-law is deemed to comply with the regulations of this By-Law. In the event that this existing accessory building is removed, any new accessory building or structure is subject to this By-law.
- (f) Parking is not permitted closer to any street line than the nearest wall of the building to the street. The existing parking, as of the date of the passing of the site specific by-law, along Maple Street is deemed to comply with the regulations of this By-Law.

[Note: Former B1.225 and Section 14 of **former zoning by-law** 8499]

**L206.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Front Yard Along Division Street:
  - (i)** 5.0 metres for a row dwelling; and
  - (ii)** 7.5 metres for an apartment building.
- (b)** Maximum Density: 80 dwelling units per hectare.

[Note: Former B1.61 and Section 14 of **former zoning by-law** 8499]

**L207.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Uses:
  - (i)** Office;
  - (ii)** Crisis Care Shelter;
  - (iii)** Recovery Home;
  - (iv)** Community Centre; and
  - (v)** Community Support House.
- (b)** The above uses are subject to the General Provisions of Section 5 this By-law.
- (c)** The following Accessory Uses to an Additional Permitted Use, listed above, or a Community Home or Residential Care Facility are permitted:
  - (i)** Clinic;
  - (ii)** Education Centre;
  - (iii)** Education Facility;
  - (iv)** Restaurant use, excluding a drive through and not greater than 60 square metres; and
  - (v)** Retail Use; not greater than 80 square metres.
- (d)** Minimum Parking Spaces: 18.
- (e)** Offsite Parking within 150 metres is permitted.
- (f)** Minimum Bicycle Parking Spaces: 12.

- (g)** Maximum Height: 11 metres.
- (h)** Minimum Front Yard: 1.2 metres.
- (i)** Minimum Side Yard: 1.6 metres.
- (j)** Minimum Rear Yard: 7.0 metres.
- (k)** That there are no minimum separation requirements for the following uses:
  - (i)** Community Home;
  - (ii)** Crisis Care Shelter;
  - (iii)** Residential Care Facility;
  - (iv)** Recovery Home; and
  - (v)** Community Support House.
- (l)** Total minimum amenity area and play space is 46 square metres.
- (m)** No loading space is required.

[Note: Former B1.419 of **former zoning by-law** 8499]

**L208.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Use: multiple family dwelling.
- (b)** Minimum Yards:
  - (i)** from north property line: 7.1 metres;
  - (ii)** from east property line: 1.4 metres;
  - (iii)** from south property line: 3.5 metres; and
  - (iv)** from west property line: 10.6 metres.
- (c)** Maximum Lot Occupancy: 128%.
- (d)** Maximum Number Of Residential Units: 23.
- (e)** Minimum Number Of On-Site Parking Spaces: 1 parking space per unit.

- (f) Minimum Amenity Space Area: 1,045.0 square metres.
- (g) Maximum Number Of Bedroom Per Unit: 4.
- (h) Maximum Number Of Bedrooms: 70.
- (i) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i) Common areas open to all occupants of the unit;
  - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (j) Any side yard abutting any part of a lot occupied by a one-family dwelling or a two-family dwelling must be fenced with a 1.83 metre high wood board fence.
- (k) Projection Into Yards:
  - (i) A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 0.3 metres to the east lot line and 2.0 metres to the south lot line.
  - (ii) Uncovered steps may project out from the main building wall up to the front lot line.
- (l) Residential Units Fronting On A Street: The building known as 11 Mack Street existing on the site as of the date of the passing of the site specific by-law, is deemed to comply with the regulations of this By-Law for residential units fronting on a street. In the event that the existing building known as 11 Mack Street is removed, any new development is required to comply with this By-law.

[Note: Former B3.42 and Section 16 of **former zoning by-law** 8499]

**L209.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:

- Section 20: Legacy Exceptions - Part 2, Page 190

- (f)** Yard Projections:

  - (i)** Stairs and porches are permitted to project into the front yard adjacent to Colborne Street, but is not permitted closer than 1.0 metre to the front lot line.
  - (ii)** Stairs and porches are permitted to project into the front yard adjacent to Elm Street with no minimum setback from the front lot line.
- (g)** Maximum Percentage of Lot Occupancy: 113%.
- (h)** Accessory Buildings: The minimum setback for detached accessory buildings is 0.25 metres from side or rear lot lines.
- (i)** Off-Street Parking:

  - (i)** A minimum parking ratio of 0.83 parking spaces per dwelling unit is required.
  - (ii)** Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (j)** Off-Street Accessible Parking:

  - (i)** Type A accessible parking spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.
  - (ii)** Type B accessible parking spaces must have minimum dimensions of 2.7 metres wide by 5.2 metres long.
  - (iii)** An access aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, must be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.
- (k)** Bicycle Parking: Bicycle parking spaces must have minimum dimensions of 1.8 metres long by 0.3 metres wide with a minimum overhead vertical clearance of 2.1 metres.
- (l)** One Lot for Zoning Purposes: For the purpose of zoning, all lands subject to this Exception are considered one lot.

[Note: Former B3.571 and Sections 5 and 16 of **former zoning by-law** 8499]



**L210.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum required front yard is 13.1 metres. An unenclosed wheelchair ramp and one parking space may be located within the required front yard.
- (b) The minimum number of required off-street parking spaces for the denture therapy clinic is 9; and
- (c) That in the event the existing building on the site is removed, any new building must comply with this By-law.

[Note: Former C2.301 and Sections 5.3 and 22.3 of **former zoning by-law** 8499]

**L211.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The maximum gross leasable floor area of a supermarket is 7,432 square metres.
- (b) The maximum combined Gross Leasable Area of all permitted uses on the site is 39,992 square metres.
- (c) All buildings must be set back a minimum of 30 metres from the CN Railway right-of-way in conjunction with an earthen berm.
- (d) A minimum horizontal buffer of 15 metres is required between the 'EPA' Zone located along the west side of the site and any impervious surface such as a driveway, parking lot, outdoor storage area or structure. This must not include a public use such as a hydro substation.
- (e) A minimum horizontal buffer of 10 metres is required from any stormwater management facility located on lands subject to this Exception.
- (f) The minimum front yard setback, along Dalton Avenue 190 metres west of Division Street, is 3.0 metres.
- (g) For 1040 to 1162 Division Street and 88 to 120 Dalton Avenue, the minimum parking ratio is 1 parking space for every 28.0 square metres of gross leasable area.

[Note: Former C2.326 and Section 22 of **former zoning by-law** 8499]

- L212.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) The use of a cellar as a dwelling unit or as a habitation unit is permitted.
  - (b) Maximum Number of Dwelling Units: 10.
  - (c) Minimum Width of Driveway 3.3 metres.
  - (d) Minimum number of parking spaces: 0.7 per dwelling unit.
  - (e) Minimum Amenity Area: 10 square metre per dwelling unit.
  - (f) "Planting Strip" means the open unobstructed space at grade on a lot accessible by walking from the street on which the lot is located and which is suitable for the growth and maintenance of trees, shrubs, hedges and flower beds.
  - (g) A 2 metre wide planting strip must be provided along the front property line containing a mix of trees, shrubs, hedges and flower beds.
  - (h) A 1.2 metre wide walkway must be provided from the public sidewalk to the barrier free parking located at the rear of the building. The walkway must be visually distinguished with contrasting paving materials or markings.

[Note: Former C4.528 and Section 5 and 23C of **former zoning by-law** 8499]

- L213.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) The following uses are also permitted:
    - (i) A building containing: 4 residential dwelling units;
  - (b) Bedroom Limitations:
    - (i) Definition: Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
      - (1) Common areas open to all occupants of the unit;
      - (2) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and

- (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
  - (ii)** Despite the foregoing, a bachelor, bachelorette or studio unit is calculated to contain 1 bedroom.
  - (iii)** No more than 14 bedrooms are permitted within the building.
- (c)** Zone Provisions:
  - (i)** Minimum Front Yard: 1.5 metres.
  - (ii)** Minimum front yard for porch with roof: 0.4 metres.
  - (iii)** Side Yard (minimum): 0.3 metres.
  - (iv)** Aggregate Side Yard (minimum): 3.3 metres.
  - (v)** Maximum percentage of lot coverage: 33%.
  - (vi)** Amenity Space (minimum): 109 square metres.
  - (vii)** Play space requirement: 0.0 square metres.
  - (viii)** Height (maximum): 11.3 metres, except:
    - (1)** An additional 3.0 metres in height may be permitted for a stair tower.
  - (ix)** Parking:
    - (1)** Minimum Number of Parking Spaces: 3 parking spaces.
    - (2)** Minimum Number of Barrier Free Parking Spaces: 0 parking spaces.

[Note: Former E.501 and Sections 5 and 17 of **former zoning by-law** 8499]

**L214.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Definitions
  - (i)** "Lot Frontage" is located on Huntsmill Drive and means the horizontal distance between the side lot lines, such distance being

measured perpendicularly to the line joining the middle of the front lot line with either the middle of the rear lot line or the apex of the triangle formed by the side lot lines and at a point thereon not less than the minimum required front yard depth and not greater than 10.67 metres from the front lot line.

- (b) Lot Area (Minimum): 2,000 square metres.
- (c) Lot Frontage (Minimum): 12 metres.
- (d) Parking Area Regulations:
  - (i) Yards Where Permitted: Uncovered surface parking areas are permitted in the following areas:
    - (1) Rear Yard;
    - (2) Interior Side Yard; and
    - (3) Front Yard beyond a distance of 50 metres measured from the front lot line abutting Huntsmill Crescent.
- (e) Existing Accessory Structure:
  - (i) Interior Side Yard (Minimum) 0.4 metres; and
  - (ii) Floor Area (Maximum) 42 square metres.

[Note: Former R1-51 of **former zoning by-law** 32-74]

**L215.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a conservation use. Structures and/or marine facilities (including but not limited to boathouses and/or docks) are prohibited.

[Note: Former OS-15 of **former zoning by-law** 32-74]

**L216.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are a public pathway or public park in accordance with the following provisions:

- (i) No structures are permitted closer than 15 metres from the floodplain.
- (ii) Marine facilities (including but not limited to boathouses and/or docks) are prohibited.

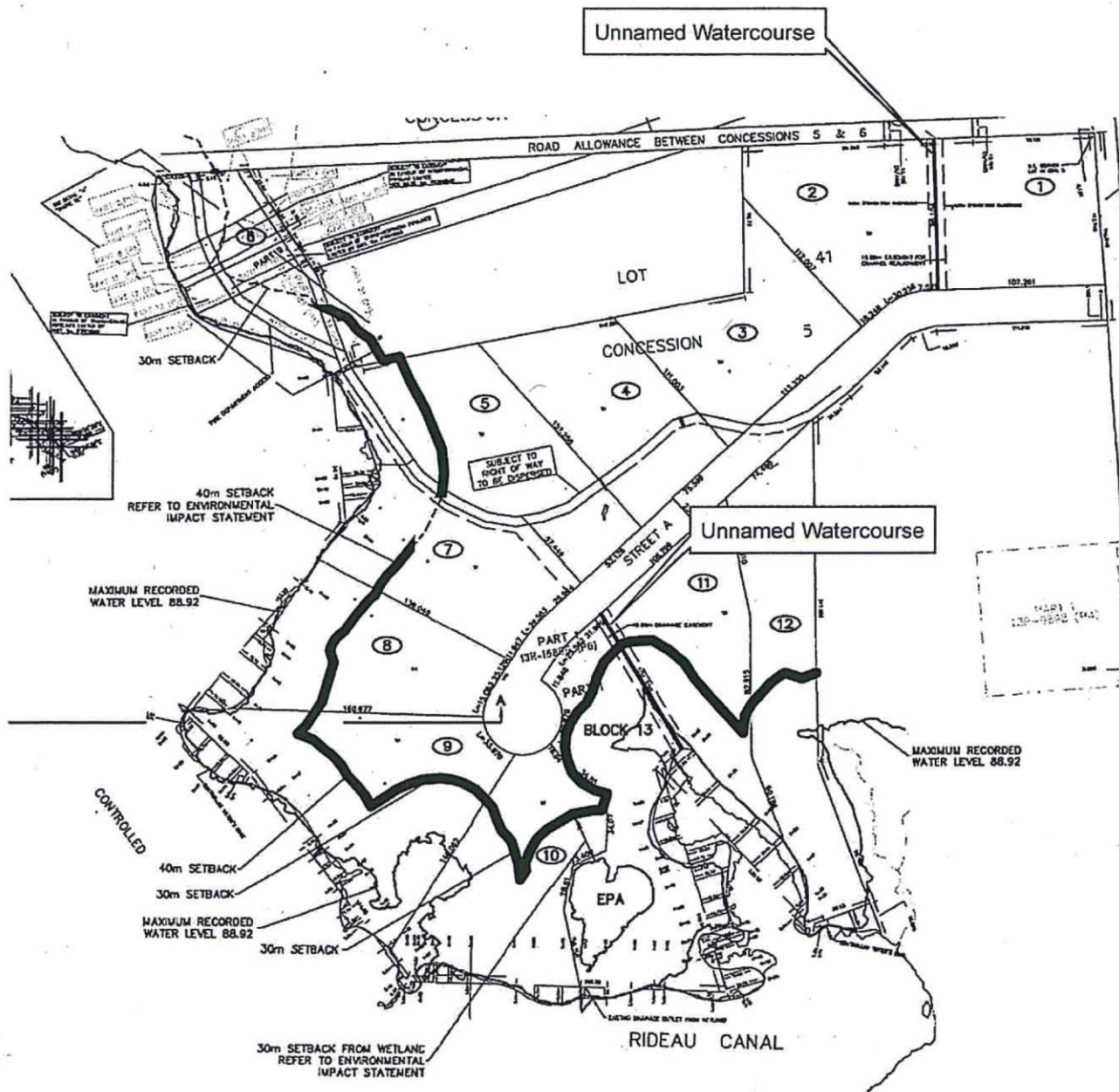
[Note: Former OS-16 of **former zoning by-law** 32-74]

- L217.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) For clarification purposes, the shoreline is deemed to be the front lot line.
  - (b) The following uses are the only permitted uses:
    - (i) Residential Uses:
      - (1) a detached single family dwelling house.
    - (ii) Non-Residential Uses:
      - (1) a home occupation; and
      - (2) a public use.
    - (iii) Prohibited Uses:
      - (1) marine facilities (including but not limited to boathouses and/or docks).
  - (c) Lot access is permitted by way of a registered right-of-way easement from a public street.
  - (d) Lot Area (minimum): 0.91 ha.
  - (e) Lot Frontage (minimum): 30 metres.
  - (f) Interior Side Yard Width (minimum): 6 metres.
  - (g) Rear Yard Depth (minimum): 15 metres.
  - (h) Dwelling Unit Area (minimum): 140 square metres.
  - (i) Landscaped Open Space (minimum) : 50%.
  - (j) Lot Coverage (maximum): 15%.

- (k)** Height of Building (maximum): 9 metres.
- (l)** Water Setback from Colonel By Lake/River Styx:
  - (i)** All development/structures must be setback a minimum of 30 metres from the maximum recorded water level, defined as 88.92 metres G.S.C., as shown on Figure L217.
  - (ii)** The first 30 metres inland from the maximum recorded water level of Colonel By Lake/River Styx, defined as 88.92 metres G.S.C., as shown on Figure L217, must be maintained as a 'no cut' buffer area within which there is no disturbance of the soil mantle or vegetation cover.
- (m)** Dwelling Houses Per Lot (maximum): 1 only.

[Note: Former ER-14 of **former zoning by-law** 32-74]

Figure L217



- L218.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Minimum Lot Area: 3.5 hectares.
  - (b) Maximum Dwelling Houses Per Lot: 2.
  - (c) Rear Lot Line: The lot line abutting Highway No. 15 and Highway No. 401 is deemed to be part of the rear lot line.

[Note: Former A1-6 of **former zoning by-law** 32-74]

**L219.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area:
  - (i) Apartment dwelling house: 62.8 square metres per dwelling unit.
- (b) Minimum Lot Frontage:
  - (i) There is no minimum lot frontage requirement.
- (c) Setbacks from Zone Line:
  - (i) Zone line nearest Highway 15 (west zone line): 10.8 metres; and
  - (ii) All other zone lines: 15.5 metres.
- (d) Setbacks From Zone Line For Underground Parking Garage: 0.25 metres.
- (e) Minimum Dwelling Unit Area:
  - (i) Dwelling unit containing 1 bedroom: 55 square metres; and
  - (ii) Dwelling unit containing 2 bedrooms: 73 square metres.
- (f) Maximum Number Of Dwelling Units: 180.
- (g) Maximum Building Height: 44 metres.
- (h) Yard Where Parking Area Permitted: All yards.

[Note: Former R3-13 and Sections 5 and 11 of **former zoning by-law** 32-74]

**L220.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use:
  - (i) In addition to the uses permitted in Section 6.2 of **former zoning by-law** 8499, the permitted uses also include a multiple family dwelling containing three residential dwelling units.
- (b) Minimum Lot Area: 269 square metres per dwelling unit.
- (c) Maximum Permitted Residential Building Depth: 21.0 metres.



- (d) Minimum Off-Street Residential Parking: 1 parking space per dwelling unit.
- (e) Parking Area:
  - (i) Up to 50 square metres of the rear yard may be used as an uncovered parking area.
  - (ii) Minimum Driveway Width: 2.3 metres.
- (f) Projections into Front Yard:
  - (i) Unenclosed porches, decks, balconies, steps, and/or verandas, covered or uncovered, are permitted to project 4.0 metres out from the main building wall, but not closer than 2.0 metres to the front lot line.
- (g) Maximum Number of Bedrooms:
  - (i) A maximum of 14 bedrooms is permitted, in the aggregate.

[Note: Former A.604 and Sections 5 and 6 of **former zoning by-law** 8499]

**L221.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Only the following uses are permitted:
  - (i) a Tourist Establishment;
  - (ii) a Retail Store;
  - (iii) a Gasoline Retail Facility;
  - (iv) a Restaurant; and
  - (v) a Restaurant Take-Out.
- (b) Lot Area (minimum): 3 hectares.
- (c) Building Height (maximum): 10.5 metres.
- (d) Lot Frontage (minimum): 38 metres.
- (e) Yards:
  - (i) Front Yard (minimum): 17 metres;

- (ii)** Rear Yard (minimum): 64 metres;
  - (iii)** Side Yard (South) (minimum): 48 metres; and
  - (iv)** Side Yard (North) (minimum): 9 metres.
- (f)** It is prohibited to construct or place any building or structure within 64 metres of the west property line.
- (g)** Parking Space Dimensions:
  - (i)** Width (minimum): 2.75 metres; and
  - (ii)** Length, (minimum): 5.8 metres in length.
- (h)** There must be a minimum of 4 barrier free parking spaces.
- (i)** No drive-through service facility is permitted within 45 metres of a residential zone or zone that permits a residential use.
- (j)** The minimum distance for signage from the south property line is 32 metres.
- (k)** The minimum distance between any portion of the gasoline pump island, including canopy, and any lot line must be in compliance with the minimum setbacks established in this zone.
- (l)** In place of a planting strip, a berm must be constructed on the south portion of the subject property between the commercial use and the south property line. The following applies:
  - (i)** The minimum distance from the Highway 15 right-of-way is 22 metres;
  - (ii)** The minimum distance from the west property line is 80 metres;
  - (iii)** The minimum berm height is 2 metres;
  - (iv)** The minimum berm length is 38 metres;
  - (v)** The berm must have a minimum 3:1 slope; and
  - (vi)** The berm must be planted with grass, indigenous plants, trees and shrubs.

- (m) The Minimum Distance Separation from a barn or manure storage use to a commercial structure is 145 metres.

[Note: Former CH-13 and Sections 5 and 16 of **former zoning by-law** 32-74]

**L222.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Building Height:

- (i) No part of the mixed use building is permitted to exceed the height limits in metres specified by the numbers following the "H" as shown on Figure L222, this does not prevent the erection of:
- (ii) Window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements.
- (iii) Height is measured from the finished floor grade of 98.85 metres geodetic
- (iv) Streetwall Height (maximum) 14.5 metres measured from 98.5 metres geodetic.

**(b)** The minimum angular plane does not apply.

**(c)** For the purposes of this Exception, all yards that are not front yards are deemed as side yards.

**(d)** Off Street Parking

- (i) 0.5 spaces per residential unit;
- (ii) 1 space per 150 square metres of gross leasable area for any permitted commercial use; and
- (iii) minimum 88 parking spaces to be provided onsite.

**(e)** Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long

- (f)** Barrier Free parking spaces must have minimum dimensions of 3.7 metres wide by 5.2 metres long with a minimum required vertical clearance of 2.1 metres. If a 1.5 metre access aisle is provided beside a barrier free parking space the dimensions can be reduced to 3.2 metres wide by 5.2 metres long.
- (g)** Off-site residential parking must be provided within 500 metres of the lands subject to this Exception.
- (h)** Loading Spaces: A minimum of one loading space is required which must have a minimum vertical clearance of 3.4 metres.
- (i)** Bicycle Parking:

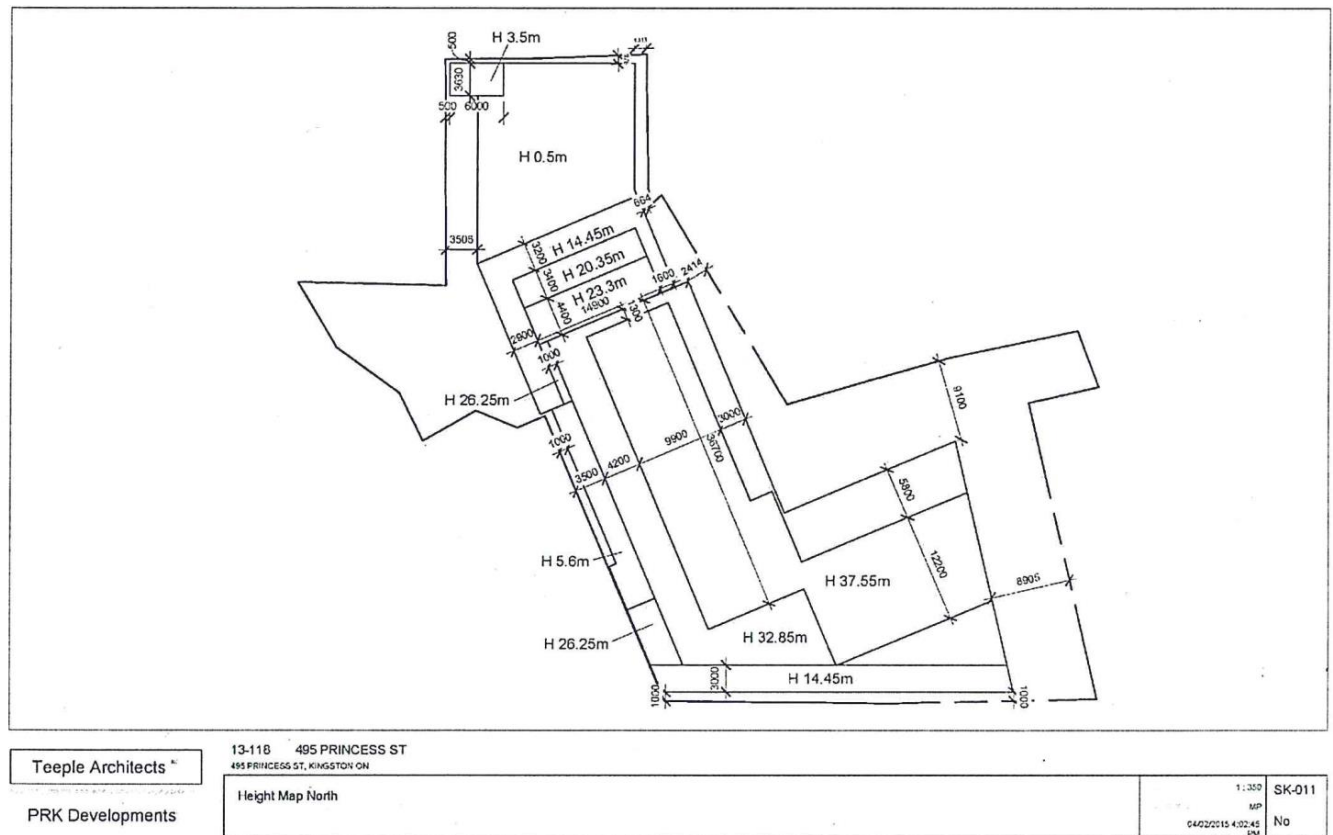
  - (i)** Horizontal parking stalls must have minimum dimensions of 1.8 metres by 0.3 metres; and
  - (ii)** Vertical parking stalls must have minimum dimensions of 1.5 metres by 0.3 metres.
- (j)** Car Share Parking:

  - (i)** Car Share means the practice where a number of people share the use of one or more motor vehicles that are owned by a profit or non-profit car sharing organization, such car-share vehicles to be made available for short term rental, including hourly rental.
  - (ii)** 2 Car Share parking spaces must be provided and maintained on the site included within the required residential parking.
- (k)** Amenity Area (minimum) 4,390 square metres.
- (l)** Ground floor height means the floor-to-next floor height as measured from the finished grade of 98.85 metres geodetic and must not be less than 5 metres.
- (m)** Canopies may extend or project into a required yard not more than 1.0 metre.
- (n)** Residential Dwellings are not permitted on the 11th floor.
- (o)** The maximum number of bedrooms per unit is 3.

- (p) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
- (i) Common areas open to all occupants of the unit;
  - (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (q) City Owned Structures such as bus shelters are exempt from the provisions of this by-law and must not impact the provisions of this by-law if lands are required to be conveyed to the municipality.

[Note: Former C4.463 and Section 23C of **former zoning by-law** 8499]

Figure L222



**L223.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Use: In addition to the permitted uses, a linked dwelling house is a permitted use subject to the following provisions:
  - (i)** Lot Frontage (minimum): 10.8 metres corner lot and 9 metres other lot.
  - (ii)** Interior Side Yard Width (minimum): 1.2 metres, except on the other side where the houses are linked, the minimum is 0.6 metres.
  - (iii)** Front Yard Depth (minimum): 3.0 metres.
  - (iv)** Rear Yard Depth (minimum): 6.75 metres.
  - (v)** Row Dwelling Units Per Building (maximum): 4.
  - (vi)** Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R12-5 and Sections 5(11)(d) and 11I of **former zoning by-law** 32-74]

**L224.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Lot Area (minimum):
  - (i)** Apartment dwelling house: 50 square metres per dwelling unit.
- (b)** Dwelling Unit Area (minimum):
  - (i)** Dwelling unit containing 1 bedroom: 55 square metres; and
  - (ii)** Dwelling unit containing 2 bedrooms: 73 square metres.
- (c)** Maximum Number Of Dwelling Units: 356.
- (d)** Maximum Building Height: 45 metres.
- (e)** Yard Where Parking Area Permitted: All yards, however, parking is prohibited within 6.0 metres of the front lot line.
- (f)** Dwelling Houses Per Lot: There is no maximum number of dwelling houses per lot.

- (g) Setbacks From Property Line For Underground Parking Garage: 0.25 metres.
- (h) Minimum Vertical Clearance At Accessible Parking Spaces, Passenger Loading Zones, And Along Access Routes In Underground Parking Structure: 2.1 metres.
- (i) Privacy Yard: A privacy yard less than 3.5 metres is permitted for a pedestrian access to any habitable ground floor windows only at the front entrance pedestrian drop off.
- (j) No driveway is permitted within 1.0 metres to the northerly interior side lot line.
- (k) Where any portion of this property is, subsequent to the date of passing of this amending By-Law, taken or acquired by the City for the purpose of a road widening, or other public use, and such use is not required in order to provide entrances, exits, acceleration or deceleration lanes or other similar uses designed to serve this property, then the development potential as permitted in this By-Law, for any building permit issued after the date of passing of this amending By-Law is calculated on the entire lot area including the area of the proposed road widening or other public use.
- (l) m) For the purpose of interpretation, the lands subject to this Exception are deemed single parcel.

[Note: Former R3-14 and Sections 5 and 11 of **former zoning by-law** 32-74]

**L225.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum front yard is 1.5 metres along Hickson Avenue.

[Note: Former M7.451 and Section 30.3(b) of **former zoning by-law** 8499]

**L226.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the uses permitted, the permitted uses also include: Hospice Facility; Retirement Home; and Pharmacy/Drugstore.
- (b) A Hospice Facility is defined as: an establishment, where end of life care is provided consistent with the needs of the residents. Such establishment

may include offices, facilities for therapy or medical treatment, and uses incidental, accessory and supportive of the hospice use.

- (c) A Pharmacy/Drugstore is defined as: an establishment where prescription drugs are dispensed, medical devices and supplies and non-prescription medicines are sold, and where non-medical products may also be sold.

[Note: Former MU2\*22 of **former zoning by-law** 97-102]

**L227.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following use is permitted in addition to the permitted uses:
  - (i) Apartment Dwelling.
- (b) Maximum Height:
  - (i) Maximum Height at Build-to-Plane: 4 storeys not to exceed 17 metres; and
  - (ii) Maximum Building Height: 4 storeys not to exceed 17 metres.
- (c) Parking Design:
  - (i) Access: Where 4 or fewer parking spaces are required, such spaces must be provided with 1 combination entrance/exit lane being a minimum of 3 metres in width;
  - (ii) Minimum Parking Space Dimensions: The minimum parking space dimensions for parking spaces is 2.6 metres wide and 5.5 metres long; and
  - (iii) Minimum Aisle Width: The minimum parking area aisle width providing access to the combination entrance/exit lane must have a minimum width of 5.5 metres.
- (d) Minimum Required Number of Parking Spaces: Apartment Dwelling 0.83 per dwelling unit.
- (e) Minimum Lot Coverage: 35%.
- (f) Maximum Density: 150 residential units per net hectare.
- (g) Amenity Area:



- (i) Minimum Requirements: Common amenity area must be provided at a rate of 10 square metres per dwelling unit; and
- (ii) Design: Amenity areas must be aggregated into one area or grouped into areas of not less than 54 square metres".

[Note: Former C1-39 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L228.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Gross Leasable Retail Area: 2,999 square metres.
- (b) In addition to the permitted uses, a retirement home use and accessory personal service shop, retail use and recreational use to be utilized exclusively by the retirement home residents and staff are permitted.
- (c) That for the purpose of zone interpretation, all lands subject to this Exception deemed single parcel.
- (d) Maximum Building Height: 26 metres for a retirement home use.
- (e) Parking: a minimum of 0.60 parking spaces per dwelling unit must be provided for a retirement home use.
- (f) The maximum residential density is 150 dwelling units per hectare.
- (g) Permit a dwelling unit equivalency ratio of 2 retirement home suites, as defined herein, to one dwelling unit (2:1 units) for a retirement home use.
- (h) "Retirement Home Suite" is defined as a habitable space designed for living and sleeping consisting of studios, one or two bedrooms, private bathroom and separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and a microwave oven, but without full cooking facilities.

[Note: Former MU1\*4 of **former zoning by-law** 97-102]

**L229.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Residential Use:
  - (i) Multi-unit Residential Dwelling.
- (b) Maximum Density:

- (i) The maximum permitted density is 210 residential dwelling units per net hectare; and
  - (ii) The maximum aggregate number of bedrooms is 12.
- (c) Amenity Area
  - (i) A minimum of 15 square metres of amenity area must be provided.
  - (ii) Where an amenity area is provided as a communal space, it must be aggregated into one area or grouped into areas of not less than 15 square metres.
  - (iii) Amenity Area provisions of this By-law do not apply.
- (d) Off-Street Parking Requirement
  - (i) A minimum of 1 on-site parking space is required.
  - (ii) The minimum parking stall dimensions are 2.6 metres in width by 5.2 metres in length.
  - (iii) On-site accessible parking is not required.
- (e) Bicycle Parking
  - (i) On-site bicycle parking stalls must be a minimum of 1.8 metres in length by 0.3 metres in width with a minimum overhead clearance of 2.1 metres.

[Note: Former C1-52 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L230.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a conservation use or public use. Structures and/or marine facilities (including but not limited to boathouses and/or docks) are prohibited.

[Note: Former FP-6 of **former zoning by-law** 32-74]

**L231.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) For the purposes of zoning interpretation, the lands subject to this Exception are deemed single parcel.
- (b) Maximum Residential Density: 166 residential units per net hectare.
- (c) Vehicle Parking Requirements: No parking spaces are required for up to 8 dwelling units. Any additional spaces required by this By-law for an addition or change of use must be provided in accordance with all provisions respecting parking spaces and areas.
- (d) Bicycle Parking:
  - (i) Dimensions: Each space within the Bicycle Parking Area must not be less than 1.8 metres by 0.4 metres for horizontal spaces, and overhead clearance in covered spaces must be a minimum of 2.1 metres. Vertical parking stalls must not be less than 1.5 metres by 0.3 metres.
  - (ii) Requirement: Total Number of Bicycle Parking Spaces: 8 (minimum).
- (e) Aggregate Amenity Area: 74 square metres (minimum).

[Note: Former C1-43 of **former zoning by-law** 96-259]

**L232.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to those uses permitted by this By-law, the permitted uses also include:
  - (i) Dwelling, Triplex
- (b) Maximum Residential Density: 300 residential units per net hectare.
- (c) Minimum Number of Parking Spaces: 1 parking space for up to three dwelling units.
- (d) Minimum Parking Space Dimensions: 5.2 metres by 2.75 metres.
- (e) Minimum Drive Aisle Width for Rear Parking Access: 2.44 metres.

[Note: Former C1-44 of **former zoning by-law** 96-259]

**L233.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The maximum permitted density is 292 residential units per net hectare of land.
- (b) Height at Build-to-Plane: 4 storeys, not to exceed 17 metres.
- (c) Maximum Building Height: 4 storeys, not to exceed 17 metres.

[Note: Former C1-36 of **former zoning by-law** 96-259]

**L234.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is an apartment dwelling house.
- (b) Maximum Height of Building: 22.8 metres exclusive of any elevator or service penthouse.
- (c) Maximum Number of Storeys: 8.
- (d) Maximum Dwelling Houses Permitted: 1 per lot.
- (e) Minimum Parking Requirements: 1.5 parking spaces per dwelling unit.
- (f) Exterior Side Yard: The western boundary of the zone is deemed to be a side lot line.
- (g) Rear Lot Line: The northern boundary of the Zone is deemed to be a rear lot line.
- (h) Special Provision: The minimum setback from Highway Number 15 is 58.0 metres, measured from the pavement edge of Highway Number 15.
- (i) Parking Space Size: The minimum parking space size is 16.0 square metres, provided that every parking space must have a minimum width of 2.75 metres.
- (j) Dwelling Unit Location: One dwelling unit may be located in the cellar of an apartment dwelling house provided it contains only 1 kitchen.

[Note: Former R3-5 of **former zoning by-law** 32-74]

**L235.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) "Waste Processing Site" means a site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent approval as may exist from time to time under this or any successor

legislation, to allow the site to be used for the management or preparation of waste for subsequent reuse or disposal.

- (b) "Waste Transfer Station" means a waste disposal site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent approval as may exist from time to time under this or any successor legislation, to allow the site to be used for the purpose of transferring waste from one vehicle to another for transportation to another waste disposal site.
- (c) Permitted Uses: waste processing site and waste transfer station provided the uses are developed and operated in accordance with the provisions herein.
- (d) The following additional uses are permitted: an assembly plant, a business professional office, but must not include a primary of accessory retail use, a dry-cleaning or laundry plant, a fabricating plant, a manufacturing plant, a processing plant, a public use, and a warehouse.
- (e) The following uses are prohibited: an automobile wrecking yard, a salvage yard and a sanitary landfill site.
- (f) The lands subject to this Exception must be used in accordance with the Zone Provisions of the former Restricted General Industrial 'M6' Zone, Section 28A(2) of **former zoning by-law** 76-26.
- (g) The maximum amount of waste to be received at lands is limited to the following:
  - (i) Hazardous liquid: 100 tonnes per day; and
  - (ii) Non-hazardous waste: 200 tonnes per day.
- (h) PCB, radioactive, pathological and putrescible waste is prohibited and are not permitted on lands subject to this Exception.

[Note: Former M4-5 of **former zoning by-law** 76-26]

**L236.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the uses permitted by this By-law, the permitted uses also include a semi-detached dwelling, for the purpose of recognizing the existing development and each lot along the common party wall.

- (b)** 3029 A:
  - (i)** Minimum Lot Area: 0.6 hectares; and
  - (ii)** Minimum Frontage: 29 metres.
- (c)** 3029 B:
  - (i)** Minimum Lot Area: 1.4 hectares; and
  - (ii)** Minimum Frontage: 71 metres.

[Note: Former A2-9 of **former zoning by-law** 76-26]

**L237.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional Permitted Uses:
  - (i)** A Second Residential Unit.
- (b)** Prohibited Uses:
  - (i)** Garden Suite;
  - (ii)** Boarding House; and
  - (iii)** Lodging House.
- (c)** Lot Area (minimum): 557 square metres.
- (d)** Lot Frontage (Minimum): 16.76 metres.
- (e)** Second Residential Unit:
  - (i)** Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
    - (1)** floor area occupied by mechanical, service, and electrical equipment that serve the building;

- (2)** an open porch or balcony; and
    - (3)** areas internal to the building that are intended for the storage of vehicles.
  - (ii)** Second Residential Units Per Dwelling House (maximum): 1 only.
  - (iii)** Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 1.14 metre wide unobstructed walkway from the front of the building to the access is provided.
  - (iv)** Accessory Uses, Parking etcetera: In addition to any other parking requirements, parking space(s) required by this By-law must be provided for the second residential unit. The required parking is permitted to be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit must meet the yard and driveway provisions of the zone.
  - (v)** An additional driveway is not permitted for a second residential unit.

[Note: Former R1-69 and Section 12 of **former zoning by-law** 76-26]

**L238.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Residential Uses:
  - (i)** an apartment dwelling house including a residential/commercial complex; a senior citizens complex; and a nursing home.
- (b)** Permitted Non-Residential Uses:
  - (i)** an arcade; an art gallery; automotive centre; a banquet hall; a day nursery of day care centre; a department store; a financial institution; a home improvement centre; a laboratory; a motel or hotel; a rental outlet; a Nursery/Garden Centre/Greenhouse; a retail warehouse; a shopping centre; a workshop; and an automobile body shop.
- (c)** Zone Interpretation: All lands subject to this Exception are treated as a single parcel for the purpose of zone interpretation.

- (d) Buffering: That a landscaped buffering strip of 6.0 metres is required between any residential use which abuts an industrial zone.
- (e) Gross Leasable Area (maximum): The retail gross leasable area of a shopping centre must not exceed 10,000 square metres. For the purpose of this provision the term "gross leasable area" must not include floor area which is exclusively devoted to institutional, office or residential use.
- (f) Height of Building (maximum): The maximum permitted building height is 24.38 metres.
- (g) Interior Side Yard Width (minimum):
  - (i) Automobile Service Station is 3.0 metres.
  - (ii) Other uses is 6.0 metres, provided that where the interior side lot line abuts another lot in a Commercial or Industrial Zone, no interior side yard is required.
  - (iii) For an accessory building or structure abutting a non-residential use the minimum setback is 0.0 metres.
  - (iv) For an accessory building or structure abutting a residential use the minimum interior side yard setback must comply with Section 5(1)(e), Yards and Setbacks of **former zoning by-law** 76-26.
- (h) Parking Location: Parking may be provided in all yards with a 0.0 metre setback from Gardiners Road extending from the north east corner of the lot, south for 75.5 metres along the front lot line.
- (i) Access (minimum): The minimum driveway access used for combined ingress and egress is 6.0 metres.
- (j) Drive Aisle Width (minimum): The minimum drive aisle width is 6.0 metres and must permit 2-way traffic.
- (k) Driveway Separation From Intersections: The minimum distance between a driveway and an intersection of street lines is 15.2 metres, provided that where a driveway intersects with an intersection of street lines at a 90-degree angle, no minimum distance between a driveway and an intersection of street lines is required.
- (l) Location of Automobile Body Shops: An automobile body shop use must be located no closer than 52 metres to the front lot line and must be



screened from view from any street and comply with all other minimum yard setback requirements.

- (m)** Accessory Vehicle Storage: An accessory vehicle storage area is permitted, provided that it complies with the following provisions:
- (i)** Vehicle storage is permitted only as an accessory use to a permitted vehicle sales or rental establishment use.
  - (ii)** Vehicle storage is limited to the storage of vehicles, recreational vehicles (boats, trailers, mobile homes), and power sports vehicles.
  - (iii)** No vehicle storage is permitted in a front yard except for the purpose of display of vehicles for sale, rent, or lease. The location of front yard display area is not permitted closer than 115 metres to the northern interior side lot line.
  - (iv)** Vehicle storage and display is permitted in the south interior side yard and rear yard.
- (n)** "Power sports vehicles" means vehicles, equipment and accessories including snow machines, personal watercraft, all-terrain vehicles, utility vehicles, trailers, cargo racks and other similar vehicles and accessories.

[Note: Former C2-51 and Sections 5 and 19 of **former zoning by-law** 76-26]

**L239.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Prohibited use: an accessory dwelling unit.

[Note: Former M1-16 and Section 24(1)(a) of **former zoning by-law** 76-26]

**L240.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following uses are the only uses permitted:
- (i)** Any manufacturing, compounding, processing, treating, assembling, repairing, packaging, office or research facility establishment which is not obnoxious by reason of emission of contaminants as defined in the Environmental Protection Act and which has been obtained Environmental Compliance Approvals as required under the Environmental Protection Act;

- (ii)** An accessory dwelling unit (watchman's quarters);
  - (iii)** A retail outlet, wholesale outlet or business office accessory to a permitted use;
  - (iv)** Accessory buildings which are subordinate to a permitted use;
  - (v)** Open storage accessory to a permitted use; and
  - (vi)** An independent masonry/landscaping retail use limited to 1.3 hectares with a maximum gross floor area of 500 square metres for any buildings or structures.
- (b)** Front Yard (minimum): With the exception of buildings and structures to a maximum of 500 square metres for the independent masonry/landscaping retail use, all buildings and structures must be setback a minimum of 25 metres. Within this setback, and except for access driveways and the display of products and signage specified within an approved site plan, the first 12 metres from the front property line is only permitted to be used as a landscaped buffer strip consisting of natural vegetation and/or a combination berm and landscaping sufficient to screen the industrial operation or associated open storage areas from the abutting street. Surface parking and open storage is permitted within the 25 metre front yard but must be located outside of the 12 metre landscaped buffer strip.
- (c)** Side Yard (minimum): All buildings and structures must be setback a minimum of 10 metres. Where required and except for access driveways, this area is only permitted to be used as a landscaped buffer strip consisting of natural vegetation and/or a combination berm and landscaping sufficient to screen an industrial operation or associated open storage areas from the abutting property.
- (d)** Rear Yard (minimum): 13 metres.
- (e)** The required rear yard must include a minimum 5 metre landscaped buffer strip consisting of natural vegetation and/or a combination berm and landscaping sufficient to screen an industrial operation or associated open storage areas from the abutting property.
- (f)** Open Storage:

- (i) Open storage uses are permitted to locate in all yards provided the open storage use is located outside of any required landscape buffers.
- (ii) The maximum coverage for open storage uses is 70% of the lot area.
- (iii) Fencing of the open storage use is not required.
- (g) Yards In Which Parking Is Permitted: all yards provided that no part of any parking area, other than a driveway, is located closer than 12 metres to any street line.
- (h) Driveway Width (maximum): 16 metres.

[Note: Former M1-5 and Sections 5 and 24 of **former zoning by-law** 76-26]

**L241.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Only the following uses are permitted:
  - (i) Service Garage;
  - (ii) Transportation Depot;
  - (iii) Firewood Processing Yard;
  - (iv) Soil Processing Facility;
  - (v) Contractor's Yard; and
  - (vi) An office associated with a permitted use.
- (b) Prohibited Uses:
  - (i) Hazardous material storage such as that of explosives, radioactive materials, flammable or hazardous chemicals or goods which produce noxious odours.
- (c) The following definitions apply:
  - (i) "Service Garage" means a building, structure or lot where commercial vehicles and equipment are stored or where vehicles are repaired or maintained.

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- (i) Every open storage area must be accessory to the main use and may include licensed vehicles, equipment, tractors and commercial vehicles;
  - (ii) Every open storage area must comply with the yard setback provisions hereof, as if such open storage were a building or structure;
  - (iii) An open storage area is limited to an area approved through the Site Plan Control Process; and
  - (iv) Every open storage area must be visually screened from the adjacent residential uses and Highway 401.
- (g) Minimum setback from EPA zone: 30 metres.

[Note: Former M1-6 and Sections 4, 5 and 24 of **former zoning by-law** 76-26]

**L242.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 1.4 hectares.
- (b) Minimum Lot Frontage: 100 metres.
- (c) Minimum Front Yard Depth: 10 metres.
- (d) Minimum Interior Side Yard Depth: 10 metres.
- (e) Minimum Rear Yard Depth: 65 metres.
- (f) Yards Where Parking is Permitted:
  - (i) Parking is permitted in all yards provided no part of any parking area, other than a driveway or any underground parking, is located no closer than 1.5 metres to a front lot line, 1.5 metres to any side lot line and 30 metres to the rear lot line.
- (g) Minimum Percentage of Landscaped Open Space: 40%.
- (h) Maximum Lot Coverage: 30%.
- (i) Maximum Building Height: 45 metres.
- (j) Maximum Number of Dwelling Units per Block: 185 dwelling units.

- (k) Privacy Yards: A privacy yard for an apartment dwelling, unobstructed by parking area or vehicular driveway must be provided adjoining a habitable room window with a minimum depth of 5 metres measured at right angles from such wall the window adjoins except at front entrance and loading area where a 1.5 metre yard is required.
- (l) An unbroken 1.8 metre high chain link fence is required to be constructed along the westerly property line for the whole extent of this zone. The fence must be constructed without any openings and/or gates.
- (m) A berm(s) must be constructed along the entire westerly property line, save and except where existing drainage and secondary emergency access need to be incorporated into the design of the berm(s) and subject to the following provisions:
  - (i) Minimum setback from property line: 3 metres;
  - (ii) Minimum height: 4 metres at the average finished grade;
  - (iii) Minimum slope must be: 3:1;
  - (iv) The design of the berm(s) will take into account the existing drainage from the abutting property to the west to ensure that excessive ponding does not occur as a result of the berm construction; and
  - (v) The berm(s) is only permitted to be used as planting a row of trees or a continuous unpierced hedgerow of evergreens and deciduous trees, not less than 1.5 metres high, along the crest of the berm(s); the remainder of the strip is only permitted to be used as the planting of shrubs, flowering shrubs, flower beds or a combination thereof. The berm will be vegetated with a mix of deciduous and coniferous native species with a trunk diameter to be determined to be satisfactory to the City's Arborist in consultation with the City's Planner (Parks Development) and Senior Heritage Planner.
- (n) Minimum vertical clearance for a parking structure or underground garage is 2.1 metres.

[Note: Former R5-20 and Sections 5 and 15A of **former zoning by-law** 76-26]

**L243.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Only the following uses are permitted:
  - (i)** Residential Uses:
    - (1)** Single Detached Dwelling House; and
    - (2)** Semi Detached Dwelling House.
  - (ii)** Non-Residential Uses:
  - (iii)** A home occupation; and
  - (iv)** A public use.
- (b)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 23 dwelling units per net hectare.
- (c)** Lot Area (minimum): Not applicable.
- (d)** Lot Frontage: The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.
- (e)** Corner Lot (Minimum):
  - (i)** Single Detached Dwelling House: 10.9 metres;
  - (ii)** Semi Detached Dwelling House: 17.0 metres; and
  - (iii)** Semi Detached Dwelling Unit: 9.6 metres.
- (f)** Other Lot (Minimum):
  - (i)** Single Detached Dwelling House: 9.1 metres;
  - (ii)** Semi Detached Dwelling House: 14.8 metres; and
  - (iii)** Semi Detached Dwelling Unit: 7.4 metres.
- (g)** Front Yard Depth:
  - (i)** Minimum Depth: 4.5 metres;
  - (ii)** Maximum Depth: 7.0 metres;





- (o) The wall of an attached private garage that contains the opening for a vehicular access must be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.
- (p) The wall of the attached private garage facing the public street must not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry features or main front entrance of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.
- (q) Driveway Width: The maximum width of a driveway for its entire length must be:
  - (i) Single Detached Dwelling House: lesser of 6.0 metres or 50% of lot width; and
  - (ii) Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width.
- (r) Parking: Parking is permitted in the interior side and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.

[Note: Former R2-51 and Sections 5 and 13 of **former zoning by-law** 76-26]

**L244.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Existing Conditions: No person is permitted to alter or remove any of the existing natural cover including shrubbery.
- (b) Uses Permitted
  - (i) Non-Residential Uses:
    - (1) a park;
    - (2) a stormwater management facility and associated works;
    - (3) a public use.

[Note: Former OS-18 and Section 8 of **former zoning by-law** 76-26]

- L245.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** A 3 family dwelling is permitted.
  - (b)** The following definition applies:
    - (i)** Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
      - (1)** Common areas open to all occupants of the unit;
      - (2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
      - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
  - (c)** The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.
  - (d)** Maximum number of dwelling units: 3.
  - (e)** Maximum Aggregate Number of Bedrooms: 10.
  - (f)** Off-Street Vehicle Parking:
    - (i)** The minimum number of residential parking spaces is 4 parking spaces.
    - (ii)** The residential parking spaces are permitted to occupy a maximum of 64.8 square metres of the rear yard.
    - (iii)** A separate ingress and egress lane is not required for the above number of permitted parking spaces.
  - (g)** Bicycle Parking Spaces: A minimum of 3 bicycle parking spaces must be provided on site.
  - (h)** Fencing:
    - (i)** A minimum 1.8 metre high wooden privacy fence must be erected and maintained along the southern lot line extending from the rear wall of the dwelling to the rear lot line. The fence must visually block viewing into abutting properties.

- (ii) A minimum 1.5 metre high privacy fence must be maintained and/or erected along the western lot line. The fence must visually block viewing into abutting properties.
  - (iii) A minimum 1.2 metre high privacy fence must be maintained and/or erected along the northern lot line extending from the rear wall of the dwelling to the rear lot line. The fence must visually block viewing into abutting properties
- (i) The following amenity areas must be created and maintained:
  - (i) Minimum 2.4 metre wide: in the rear yard along the entire northern property boundary; and
  - (ii) Minimum 10 metre wide: in the rear yard along the entire western property boundary.

[Note: Former A.440 and Sections 5 and 6 of **former zoning by-law** 8499]

**L246.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum lot area for a two family dwelling is 560 square metres.
- (b) The permitted two family dwelling may contain a maximum of 210 square metres of gross floor area. Area contained in the basement is excluded from the gross floor area calculation.
- (c) The total number of bedrooms must not exceed 6 bedrooms for the entire property.
- (d) The maximum area of the back yard that may be used for uncovered vehicle parking is limited to 40 square metres.

[Note: Former A.396 and Sections 5.23 and 6 of **former zoning by-law** 8499]

**L247.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 254 square metres per dwelling unit.
- (b) Minimum Side Yard Setback from the south property line only is 1.2 metres.

[Note: Former A.406 and Section 6 of **former zoning by-law** 8499]

**L248.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Front Yard Setback: 12.6 metres.
- (b)** Unenclosed porches, decks, balconies, steps, and/or verandas, covered or uncovered, are not permitted to project into the front yard setback.

[Note: Former A.408 and Sections 5 and 6 of **former zoning by-law** 8499]

**L249.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** That the minimum lot area per unit is 290 square metres; and
- (b)** That structures and buildings legally constructed prior to the date of passing of the site specific by-law are deemed to comply.

[Note: Former A.418 and Section 6 of **former zoning by-law** 8499]

**L250.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 260 square metres.
- (b)** Minimum Rear Yard: 5.2 metres.
- (c)** Maximum Lot Coverage: 38%.

[Note: Former A.458 and Sections 5 and 6 of **former zoning by-law** 8499]

**L251.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Definitions
  - (i)** "Principal Residential Unit" means the main/core structure intended for human habitation, on a lot.
  - (ii)** "Second Residential Unit" means a legally existing separate residential dwelling unit, which is ancillary to a principal residential unit, and includes a separate, clearly defined, safe access, kitchen, washroom and living space.
- (b)** Lot Lines: For the purposes of zone interpretation, the James Street frontage is deemed to be the Front Lot Line, the northern lot line

opposite the James Street frontage is deemed to be the Rear Lot Line, the Rideau Street frontage is deemed to be the Exterior Side Lot Line, and the western lot line opposite the Rideau Street frontage is deemed to be the Interior Side Lot Line.

**(c)** Additional Permitted Uses:

**(i)** A Second Residential Unit.

**(d)** Minimum Lot Area: 262 square metres.

**(e)** Maximum Lot Coverage: 36%.

**(f)** Minimum Front Yard: 1.9 metres, with the exception of a below grade stairwell with a length of 7.0 metres and a width of 1.9 metres, where the minimum front yard is 0.3 metres.

**(g)** Minimum Exterior Side Yard: 1.4 metres.

**(h)** Minimum Rear Yard: 6.0 metres, with the exception of a below-grade patio with a length of 8.5 metres and a width of 4.1 metres, and a depth of 1.27 metres, where the minimum rear yard is 2.0 metres.

**(i)** Maximum Residential Building Height: 11.6 metres.

**(j)** Maximum Aggregate Length of all Dormers: 5.9 metres.

**(k)** Projections into Yards:

**(i)** A covered porch and stairs are permitted 0.2 metres from the front lot line; and

**(ii)** A bay window is permitted to encroach 0.5 metres into the front yard.

**(l)** Off-Street Parking:

**(i)** Parking in a stacked/tandem arrangement is permitted for a maximum of two parking spaces.

**(ii)** The minimum required parking space length is 5.2 metres.

**(iii)** One parking space must be provided for both the principal residential unit and the second residential unit for a total of two required parking spaces.

- (m)** Access: The second residential unit must have a separate access from that of the principal residential unit. Access must be provided at the front of the building for both the principle residential unit and the second residential unit, where there is a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage.
- (n)** Sight Triangles: Two sight triangles are required, as follows:

  - (i)** The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 6.0 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 2.0 metres from the intersection of the front lot line and the exterior side lot line.
  - (ii)** The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 2.0 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 6.0 metres from the intersection of the front lot line and the exterior side lot line.
  - (iii)** All buildings on corner lots must be set back from the street line as to maintain the required sight triangles. Within any area defined as a sight triangle, the following uses are prohibited:

    - (1)** A building, structure or use which would obstruct the vision of drivers or motor vehicles which extends to a height of 4.15 metres;
    - (2)** A fence, tree, hedge, bush, or other vegetation, the top of which exceeds 1 metre in height above the elevation of the street line;
    - (3)** A finished grade which exceeds the elevation of the street line by more than 0.5 metres.

[Note: Former A.553 and Sections 5 and 6 of **former zoning by-law** 8499]

**L252.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 195 square metres.
- (b)** Minimum Front Yard: 2.0 metres.

- (c) Minimum Side Yard: The minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres.
- (d) Minimum Rear Yard: 7.0 metres.
- (e) Maximum Lot Coverage: 38%.
- (f) Maximum Building Depth: There is no maximum building depth requirement.
- (g) Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted 0.0 metre from a front lot line.

[Note: Former A.506 and Sections 5 and 6 of **former zoning by-law** 8499]

**L253.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 205 square metres per dwelling unit.
- (b) Minimum Front Yard: 2.5 metres.
- (c) Minimum Side Yard: The minimum aggregate side yard requirement is 1.8 metres, with no side yard being less than 0.6 metres in width.
- (d) Minimum Rear Yard:
  - (i) Rear Yard to Dwelling: 5.0 metres; and
  - (ii) Rear Yard to Garage: 3.0 metres.
- (e) Maximum Percentage of Lot Coverage: 43%.
- (f) Maximum Building Depth: There is no maximum building depth requirement.
- (g) Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted not less than 1.25 metre from the front lot line, if located more than 0.6 metres above the established grade.
- (h) Maximum Floor Space Index: 1.38.

[Note: Former A.532 and Sections 5 and 6 of **former zoning by-law** 8499]

**L254.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted uses:
  - (i) One and two-family dwellings; and
  - (ii) Multiple family dwellings.
- (b) Maximum Residential Density: 90 dwelling units per hectare.
- (c) Maximum Height: 10.7 metres.
- (d) Maximum Lot Coverage: 35%.
- (e) Minimum Number of Parking Spaces: 2.
- (f) Minimum Front Yard: 1.2 metres.
- (g) Minimum East Side Yard Setback: 1.2 metres.
- (h) Minimum West Side Yard Setback: 6.0 metres.
- (i) Minimum Rear Yard Setback of 6.0 metres, with the exception of a rear, below-grade stairwell with a length of 3.1 metres and a width of 1.3 metres, where the minimum rear yard is 4.9 metres.

[Note: Former A.539 and Sections 5, 6.3 and 13 of **former zoning by-law 8499**]

**L255.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area of 460 square metres for a Two-Family Dwelling.
- (b) A minimum of 30% of the lot area must be provided as landscaped open space. Landscaped open space is defined as the area of a lot used or intended to be used for the growth and maintenance of grass, flowers, trees, shrubbery, natural vegetation and indigenous species and other landscaping and included any buffer strip, surfaced walk, surface patio, swimming pool or similar area, but must not include any access driveway, ramp, parking area or loading spaces or any open space beneath, above or within any building or structure. Gravel is not an acceptable surface material for landscaped open space.



- (c) Two clearly defined parking spaces must be incorporated in the rear yard and are permitted to occupy no more than 40 square metres of lot area.

[Note: Former A.558 and Section 6 of **former zoning by-law** 8499]

**L256.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The use of a cellar as a residential unit for habitation is permitted.
- (b) Parking and Driveway:
  - (i) The required parking may be provided through a tandem parking arrangement with one space being provided within the garage and one space being in the front yard within the driveway.
  - (ii) The maximum width of the driveway for front yard parking is 2.7 metres.
- (c) A detached accessory building is permitted.

[Note: Former A3.500 and Sections 5 and 10 of **former zoning by-law** 8499]

**L257.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Principal Residential Unit" means the main / core structure intended for human habitation, on a lot.
  - (ii) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (b) Additional Permitted Uses:
  - (i) A Second Residential Unit.
- (c) Prohibited Uses:
  - (i) Garden Suite;
  - (ii) Boarding House;
  - (iii) Lodging House; and

- (iv)** Rooming House.
- (d)** Minimum Side Yard Width:
  - (i)** a side yard must be provided on either side of the main building;
  - (ii)** the minimum aggregate side yard width is 3.6 metres;
  - (iii)** each side yard must not, at any point in its length, be a lesser width than 0.9 metres;
  - (iv)** main buildings other than dwellings or accessory building if 4.6 metres or less high, each side 3.0 metres, and for each additional 0.6 metres in height in excess of 4.6 metres (each side) 0.3 metres.
- (e)** Second Residential Unit:
  - (i)** Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:
    - (1)** floor area occupied by mechanical, service, and electrical equipment that serve the building;
    - (2)** an open porch or balcony; and
    - (3)** areas internal to the building that are intended for the storage of vehicles.
  - (ii)** Second Residential Units Per Dwelling House (maximum): 1 only.
  - (iii)** Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 1.1 metre wide unobstructed walkway from the front of the building to the access is provided.
  - (iv)** Parking and Driveway:
    - (1)** Second Residential Unit: 1 parking space

- (2) The required parking may be provided through a tandem or stacked parking arrangement on a driveway located in the front yard, provided that the width of such driveway does not exceed the width of the garage walls.

- (v) An additional driveway is not permitted for a second residential unit.

[Note: Former A2.468 and Sections 5 and 8 of **former zoning by-law** 8499]

**L258.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Number of Dwelling Units: 3.
- (b) Minimum Front Yard: 7.5 metres.
- (c) Off-Street Parking:
  - (i) A minimum 1 parking space per dwelling unit must be provided;
  - (ii) Parking is only permitted behind the front wall of the main building; and
  - (iii) Parking in a stacked/tandem arrangement is permitted for a maximum of two parking spaces.
- (d) Landscaping: A minimum 1.0 metre wide soft landscaping strip must be provided and maintained adjacent to the entire length of the north wall of the main building.
- (e) Flood Plain Setback:
  - (i) No building or structure is permitted within 6.0 metres of an 'EPA' zone; and
  - (ii) Parking is permitted within this setback requirement.
- (f) Play Space: There is no play space requirement.
- (g) Vehicle Access: A maximum of one access is permitted to the property from Portsmouth Avenue.

[Note: Former B.444 and Sections 5 and 13 of **former zoning by-law** 8499]

**L259.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
    - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (b) Maximum number of dwelling units: 3.
- (c) Maximum aggregate number of bedrooms: 11.
- (d) Maximum number of bedrooms for a dwelling unit: 4.
- (e) Minimum front yard setback: 4.1 metres.
- (f) Minimum side yard setback: 0.3 metres.
- (g) Minimum aggregate side yard: 3.0 metres.
- (h) Maximum lot coverage: 36%.
- (i) Minimum required amenity area: 152 square metres.
- (j) Minimum required Play Space: 0.0 metres.

[Note: Former B.447 and Section 13 of **former zoning by-law** 8499]

**L260.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum number of dwelling units: 3.
- (b) Maximum aggregate number of bedrooms: 13.
- (c) Maximum number of 3-bedrooms dwelling units: 1.
- (d) Maximum number of 5-bedrooms dwelling units: 2.
- (e) Minimum front yard setback: 2 metres.
- (f) Minimum exterior side yard setback: 0.3 metres.

- (g) Minimum side yard setback: 0 metres.
- (h) Maximum percentage of lot coverage: 43%.
- (i) Minimum amenity area: 15 square metres.
- (j) Minimum play space: 0 square metres.
- (k) Maximum Density: 91 dwelling units per net hectare.

[Note: Former B.483 and Sections 5 and 13 of **former zoning by-law** 8499]

**L261.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses are limited to the following:
  - (i) Semi-Detached Dwellings;
  - (ii) Row Dwellings;
  - (iii) A Second Residential Unit; and
  - (iv) Home Occupations.
- (b) The use of a cellar as a dwelling unit or as a habitation unit is permitted.
- (c) Row Dwellings:
  - (i) Minimum Lot Area: 175 square metres.
  - (ii) Minimum Lot Width: 6.0 metres.
  - (iii) Minimum Front Yard: 0 metres.
  - (iv) Minimum Front Yard (Garage): 1.0 metre.
  - (v) Minimum Side Yard:
    - (1) For interior units of a Row Dwelling, the minimum side yard is 0 metres.
    - (2) For the end unit of a Row Dwelling, the minimum side yard is 1.9 metres.
  - (vi) Minimum Rear Yard: 7.0 metres.

**(vii)** Maximum Height: 12.5 metres.

**(viii)** Maximum Density: 55 dwelling units per net hectare.

**(ix)** Minimum Floor Area: 70 square metres.

**(x)** Minimum Landscaped Open Space: 30% of the total lot area.

**(xi)** Projections into Yards:

- (1)** A covered or uncovered, unenclosed porch and steps of any height may project no closer than 0.7 metres into the required side yard.

**(d)** Semi-Detached Dwellings:

**(i)** Minimum Lot Area: 175 square metres.

**(ii)** Minimum Lot Width: 8 metres.

**(iii)** Minimum Front Yard: 0.0 metres.

**(iv)** Minimum Front Yard (garage): 0.5 metres.

**(v)** Minimum Side Yard:

- (1)** The minimum side yard for a side that is not attached to another dwelling is 1.9 metres.
- (2)** The minimum side yard for a side that is attached to another dwelling is 0 metres.

**(vi)** Minimum Rear Yard: 5.8 metres.

**(vii)** Maximum Height: 12.5 metres.

**(viii)** Maximum Density: 55 dwelling units per net hectare.

**(ix)** Minimum Floor Area: 70 square metres.

**(x)** Projections into Yards:

- (1)** A covered or uncovered, unenclosed porch and steps of any height may project no closer than 0.9 metres into the required side yard.

- (e) Off-Street Parking: The required minimum parking ratio is 1 parking space per residential unit.
- (f) Second Residential Units:
  - (i) A parking space is not required for a second residential unit.
  - (ii) One bicycle parking space is required for a second residential unit.

[Note: Former B1.588 and Sections 5 and 14 of **former zoning by-law** 8499]

**L262.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) Transitional House: A residential building containing a maximum of 15 dwelling units or habitation units within a facility where the individual is participating in assistance or counselling programs in a training and counselling centre located on the subject property. The residential building is subject to 24 hour supervision. A transitional house does not include a community home, recovery home or boarding house.
  - (ii) Training and Counselling Centre: A place where an individual can obtain assistance through the application of mental health, psychological or human development principles, through cognitive, affective, behavioural or systematic intervention strategies that address wellness, personal growth or career development and includes programs that are designed to bring an individual to an agreed standard of proficiency in a prescribed skill or trade.
- (b) Additional Permitted Uses:
  - (i) Office use;
  - (ii) Transitional house; and
  - (iii) Training and counselling centre.
- (c) Parking:
  - (i) The minimum required aggregate parking for a combined office, transitional house and training and counselling centre is 13 parking spaces.

- (ii) Front yard parking is permitted for a combined office, transitional house and training and counselling centre.
- (d) Bicycle Parking:
  - (i) A minimum of ten bicycle parking spaces be provided for a combined office, transitional house and training and counselling centre.
  - (ii) A bicycle parking structure must be located a minimum of 1.2 metres from a side lot line.
- (e) Loading Facilities: A loading bay is not required for a combined office, transitional house, and training and counselling centre.
- (f) Play Space: There is no play space requirement for a combined office, transitional house, and training and counselling centre.
- (g) Minimum Floor Area: The minimum floor area for a transitional house unit is 18.5 square metres.
- (h) Minimum Rear Yard: 4.7 metres for an office, transitional house, and training and counselling centre.

[Note: Former B1.390 and Sections 5 and 14 of **former zoning by-law** 8499]

**L263.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum number of dwelling units: 119.
- (b) Front Yard Setback (minimum): 4.5 metres.
- (c) Off-Street Parking: 0.62 parking spaces per residential unit.
- (d) Parking spaces must have a minimum width of 2.6 metres.
- (e) A minimum of 7 barrier-free parking spaces must be provided, including 3 Type A and 4 Type B.
- (f) A maximum of 16 parking spaces may be permitted within a front yard.

[Note: Former B1.58 and Sections 5 and 14 of **former zoning by-law** 8499]

**L264.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:



- (a)** The following additional uses are permitted:
  - (i)** Community Centre or Community Hall, including, but not necessarily limited to, counseling services, life skills groups, meeting spaces for clients of Home Base Non Profit Housing Inc. and other social service agencies, kitchen / cafeteria space, group counseling rooms, drop-in room, copies / supply room and offices for program staff and administration; and
  - (ii)** Crisis Care Shelter is limited to a maximum occupancy of 30 persons.
- (b)** The maximum gross floor area for the additional permitted uses listed is 800 square metres.
- (c)** No Crisis Care Facility, Community Centre or Community Hall use is permitted closer than 20 metres to any other residential zone.
- (d)** The maximum height of any building is 2 storeys, not to exceed 9.0 metres.
- (e)** Off-street parking facilities for residential uses must be provided at a ratio of 1 parking space for each of the first two units, plus 1 parking space for each additional 4 units.
- (f)** The maximum permitted density is 69 units per net hectare.
- (g)** A permitted Crisis Care Shelter use may occupy a portion of a Community Centre or Community Hall building.

[Note: Former B3.346 of **former zoning by-law** 8499]

**L265.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Use: multiple family dwelling.
- (b)** Minimum Yards:
  - (i)** north property line: 4.6 metres;
  - (ii)** from Alfred Street: 1.5 metres;
  - (iii)** south property line: 8.5 metres; and
  - (iv)** from Frontenac Street: 53 metres.

- (c)** Maximum Building Height: 10.5 metres.
- (d)** Maximum Lot Occupancy: 110%.
- (e)** Maximum Number of Residential Units: 18.
- (f)** Maximum Number of Bedrooms per Unit: 4.
- (g)** Maximum Number of Bedrooms: 66.
- (h)** Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i)** Common areas open to all occupants of the unit;
  - (ii)** Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (iii)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

A bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (i)** Minimum Number of On-Site Parking Spaces: 18 parking spaces.
- (j)** Minimum Size of a Parking Space: 2.6 metres wide by 6.0 metres long.
- (k)** Minimum Amenity Space Area: 775 square metres.
- (l)** Projection into Yards:
  - (i)** A covered or uncovered unenclosed porch, deck, balcony or veranda may project out from the main building wall providing it is no closer than 3.7 metres to the north lot line and 7.0 metres to the south lot line.
  - (ii)** Uncovered steps may project 1.4 metres out from a covered or uncovered unenclosed porch, deck, or veranda providing it is no closer than 5.7 metres to the south lot line.
  - (iii)** A step and covered or uncovered unenclosed porch may project out from the main building wall up to the front lot line.

- (iv) There is no minimum setback from the interior side lot line of a common party wall for a covered or uncovered unenclosed porch, deck, balcony, step or veranda.
- (v) Cornices, eaves, belt courses, sills, canopies, or other similar architectural features (not including bay windows or vertical projections) may extend or project into a required side yard not more than 0.6 metres and may extend or project into a required front or rear yard not more than 0.8 metres. Chimneys may also project into a required front, side, or rear yard not more than 0.3 metres.

[Note: Former B3.395 and Section 16 of **former zoning by-law** 8499]

**L266.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use:
  - (i) A retail store; neighbourhood store; office for or in connection with a business or profession; bank or financial institution; restaurant; library, art gallery or museum; or veterinary clinic are permitted provided that it is located within the walls of the existing building on the property on the date of the passing of the site specific by-law.
- (b) There is no outdoor animal kennels or animal runs located on the subject property.
- (c) That all refuse will be contained inside the main building prior to disposal.

[Note: Former C1.366 and Section 21 of **former zoning by-law** 8499]

**L267.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum setback from the high water mark for any building or structure (including septic systems) other than a marine facility is 40 metres. Within 30 metres of the lot line, which abuts the waterbody (Leo Lake), only limited cutting or coppicing is permitted to permit water views and access, and for reasons of safety. No roads or widespread clearing is permitted within the 30 metre setback from the waterbody.
- (b) Despite (a), pedestrian access to a marine facility is permitted.

[Note: Former A2-37 and Sections 5 and 24 of **former zoning by-law 32-74**]

**L268.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a public use.
- (b) Lot Area (minimum): 450 square metres.
- (c) Required Yards (minimum): 1.5 metres.
- (d) There is no minimum lot frontage requirement.
- (e) There is no maximum lot coverage requirement.
- (f) There is no minimum landscaped open space requirement.

[Note: Former OS-21 of **former zoning by-law 32-74**]

**L269.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.
- (b) Maximum Number of Dwelling Units: 3.
- (c) Maximum Aggregate Number of Bedrooms: 13.
- (d) Minimum required Amenity Area: 200 square metres.

[Note: Former C4.515 and Section 5 of **former zoning by-law 8499**]

**L270.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) All residential uses are prohibited.

[Note: Former A2-40 and Sections 5 and 24 of **former zoning by-law 32-74**]

**L271.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum number of off-street parking spaces is 83.

- (b) The Victoria School building existing on the date of passing of the site specific by-law is deemed to be in conformity with the minimum front, side and rear yard requirements of the by-law.
- (c) The minimum setback requirements for any proposed additions to the existing building are as follows:
  - (i) From Union Street: 20.0 metres;
  - (ii) From Alfred Street: 2.7 metres;
  - (iii) From Frontenac Street: 2.2 metres; and
  - (iv) Rear Yard: 0.9 metres.
- (d) Minimum number of off-street loading spaces is 1.

[Note: Former E.276 and Section 17 of **former zoning by-law** 8499]

**L272.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses
  - (i) Bank or Financial Institution;
  - (ii) Restaurant;
  - (iii) Clinic; and
  - (iv) Retail store.
- (b) Permitted Uses within the Building as Existing on the date of passing of the site specific by-law:
  - (i) Warehouses;
  - (ii) Wholesale businesses; and
  - (iii) Technical Training Facility.
- (c) Retail and commercial uses such as banks or financial institutions, restaurant, clinics, and retail stores are limited to 25% of the total gross floor area.

- (d) Accessory retail uses associated with the sale of products assembled and/or manufactured on the site are limited to a maximum of 25% of the gross floor area for any single tenant or business.
- (e) Minimum Lot Area: 8,000 square metres.
- (f) Maximum Height: 25 metres.
- (g) Minimum Landscape Open Space: 20%.

[Note: Former M9.403 of **former zoning by-law** 8499]

**L273.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional permitted uses include a bed and breakfast in accordance with the provisions of this Exception.
- (b) "Bed and breakfast" is defined as a dwelling occupied by the owner and in which a maximum of 4 rooms are provided with or without meals, for hire or pay, for the travelling or vacationing public.
- (c) 5 parking spaces must be provided.
- (d) A sign identifying the "bed and breakfast" is permitted on the property; the sign must be less than 5 square metres in area.

[Note: Former R1-49 of **former zoning by-law** 32-74]

**L274.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a tree preservation area. No buildings, structures or accessory uses are permitted.

[Note: Former OS-14 and Section 22 of **former zoning by-law** 32-74]

**L275.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) Height: means the vertical distance measured from the average grade surrounding the building footprint to the highest point of the roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs.

- (ii)** Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1)** Common areas open to all occupants of the unit;
    - (2)** Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
    - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (b)** Additional Permitted Uses:
  - (i)** Multiple Family Dwelling.
- (c)** For the purposes of zoning interpretation, the lands subject to this Exception are considered one lot.
- (d)** Minimum Front Yard: 3.0 metres.
- (e)** Minimum Side Yard (East): 1.7 metres.
- (f)** Minimum Side Yard (West): 5.0 metres.
- (g)** Minimum Rear Yard: 10.5 metres.
- (h)** Maximum height: 9.8 metres.
- (i)** An additional 3.0 metres in height is permitted for window washing equipment, lighting fixture, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, railings, stairs, stair enclosures, vents, ventilating equipment, landscaped and green roof elements, solar panels, partitions dividing outdoor space, wind mitigation, chimney stack, exhaust flues and garbage chute overruns.
- (j)** Maximum number of Dwelling Units: 8 units.
- (k)** Maximum number of bedrooms: 32.
- (l)** Minimum required play space: 0 square metres.
- (m)** Minimum required amenity space: 170 square metres.
- (n)** All rooftop amenity space must be setback a minimum of 1.0 metres from the edge of an exterior building wall.

- (o) Off-Street Parking:**
  - (i)** The minimum number of parking spaces is 4.
  - (ii)** Minimum parking space dimension is 6.0 metres in length and 2.6 metres wide.
- (p) Barrier Free Parking:**
  - (i)** The minimum number of barrier free parking spaces is 1.
  - (ii)** Minimum barrier free parking space dimension is 6.0 metres in length and 3.4 metres wide.
  - (iii)** A 1.5 metres wide access aisle must be provided directly adjacent to a barrier free parking space.
- (q) Bicycle Parking:**
  - (i)** Minimum bicycle parking space dimension is 1.8 metres in length by 0.3 metres wide and a minimum overhead clearance of 2.1 metres.
- (r) Accessory Buildings:**
  - (i)** Minimum setback for accessory buildings: 0 metres from any side or rear lot line.
- (s) Projections into Yards:**
  - (i)** A covered or uncovered, unenclosed porch, deck, balcony, steps, or veranda of any height may project into the required front yard, but is not permitted closer than 1.0 metre to the front lot line.
  - (ii)** A covered or uncovered, unenclosed porch, deck, balcony, steps, or veranda of any height may project into the required western side yard, but is not permitted closer than 2.5 metres to the side lot line.
  - (iii)** A covered or uncovered, unenclosed porch, deck, balcony, steps, or veranda of any height may have a maximum area of 50% of the yard in which it is located.
- (t) Access:**
  - (i)** A separate ingress and egress lane is not required.



- (ii) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.

[Note: Former E.523 and Sections 5 and 17 of **former zoning by-law** 8499]

**L276.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 281 square metres per dwelling unit.
- (b) Minimum Front Yard Setback: 0.9 metres.
- (c) Maximum Yard Projections for Deck:
  - (i) The existing deck may project to a setback of: 0 metres.
- (d) Minimum Accessory Structure setback:
  - (i) Side Yard: 0 metres; and
  - (ii) Rear Yard: 0 metres.

[Note: Former E.551 and Sections 5 and 6 of **former zoning by-law** 8499]

**L277.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses are limited to:
- (b) Residential uses are prohibited.
- (c) Non-residential uses are limited to:
  - (i) Industrial or Business Uses;
  - (ii) corporate administrative offices;
  - (iii) business and professional offices;
  - (iv) commercial school;
  - (v) education centre;
  - (vi) education facility;
  - (vii) day care centre;

- (viii)** data processing and related services (including call centres);
  - (ix)** film or recording studio;
  - (x)** laboratory;
  - (xi)** research and development facilities;
  - (xii)** Technologically advanced manufacturing, fabricating and assembling operations for the production high value products (non-noxious);
  - (xiii)** Office and business services, such as printing and equipment repair;
- (d)** Commercial uses are limited to:
  - (i)** bank or financial institutions;
  - (ii)** clinic;
  - (iii)** retail stores;
  - (iv)** restaurants; and
  - (v)** personal service shop.
- (e)** Commercial uses are limited to a maximum of 25% of the built gross floor area.
- (f)** Maximum number of freestanding restaurants is 2.
- (g)** Accessory uses:
  - (i)** Accessory uses are permitted in accordance with the General Provisions unless otherwise specified;
  - (ii)** A maximum of 25% of the total floor area for any single tenant or business may be used for the purposes of the display and retail sale of products manufactured, processed, fabricated or assembled on the premises.
- (h)** Open storage is prohibited.
- (i)** Minimum Front Yard Depth: 3 metres.
- (j)** Minimum Side Yard Depth: 3 metres.

- (k) Landscaped Open Space: 3 metres along an arterial road.
- (l) A loading zone must be provided for each building.
- (m) Parking:
  - (i) No parking space is permitted closer than 10 metres from a residential zone.
  - (ii) The required minimum parking ratio is 3.0 parking spaces per 100 square metres of gross floor area.
- (n) The design standards of a regular parking stall is 2.6 metres wide by 5.2 metres long.
- (o) The design standards of a barrier free parking stall is 3.7 metres wide by 5.2 metres long.

[Note: Former M9.469 of **former zoning by-law** 8499]

**L278.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Prohibited uses:
  - (i) Residential; and
  - (ii) Open Storage.
- (b) Permitted Industrial or Business Uses are limited to:
  - (i) administrative, corporate, business and professional office / operations;
  - (ii) commercial school;
  - (iii) education centre;
  - (iv) education facility;
  - (v) hotel use;
  - (vi) data processing facilities, including call centres;
  - (vii) film or recording studio;

- (viii)** laboratory, research and development facilities;
  - (ix)** printing establishment; and
  - (x)** Technologically advanced manufacturing, fabricating and assembling operations for the production high value products (non-noxious).
- (c)** Complementary / commercial uses are limited to:
  - (i)** bank or financial institutions (including a maximum of one drive through);
  - (ii)** clinic;
  - (iii)** retail stores;
  - (iv)** restaurants (including a maximum of one drive through);
  - (v)** personal service shop;
  - (vi)** office and business services, such as printing and equipment repair;
  - (vii)** day care centre; and
  - (viii)** public use.
- (d)** Complementary / commercial uses are limited to a maximum of 25% of the built gross floor area.
- (e)** Accessory uses:
  - (i)** Accessory uses are permitted in accordance with the General Provisions unless otherwise specified;
  - (ii)** A maximum of 25% of the total floor area for any single tenant or business may be used for the purposes of the display and retail sale of products manufactured, processed, fabricated or assembled on the premises.
- (f)** Open storage is prohibited.
- (g)** Minimum Front Yard Depth: 3 metres.
- (h)** Minimum Side Yard Depth: 3 metres.

- (i) Minimum Rear Yard Depth: 3 metres.
- (j) The minimum setback of 30 metres applies from Environmental Protection Area 'EPA' zone for all development (including buildings, parking areas and internal roads, but excluding stormwater management facilities).
- (k) A landscaped area with a minimum depth of 3 metres must be provided along arterial roads.
- (l) A loading facility must be provided for each building as per Section 5.4(c) of **former zoning by-law** 8499.
- (m) Parking:
  - (i) The required minimum parking ratio is 3.0 parking spaces per 100 square metres of gross floor area.
  - (ii) The design standards of a regular parking stall are 2.6 metres wide by 5.2 metres long.
  - (iii) The design standards of a barrier free parking stall are 3.7 metres wide by 5.2 metres long.

[Note: Former M9.476 of **former zoning by-law** 8499]

**L279.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted uses are limited to:
  - (i) Business park uses:
    - (1) offices for or in connection with businesses or professions;
    - (2) corporate administrative operations of an office nature;
    - (3) data processing and related service, including call centre;
    - (4) film or recording studio;
    - (5) laboratory or research and development facility;
    - (6) printing establishment;



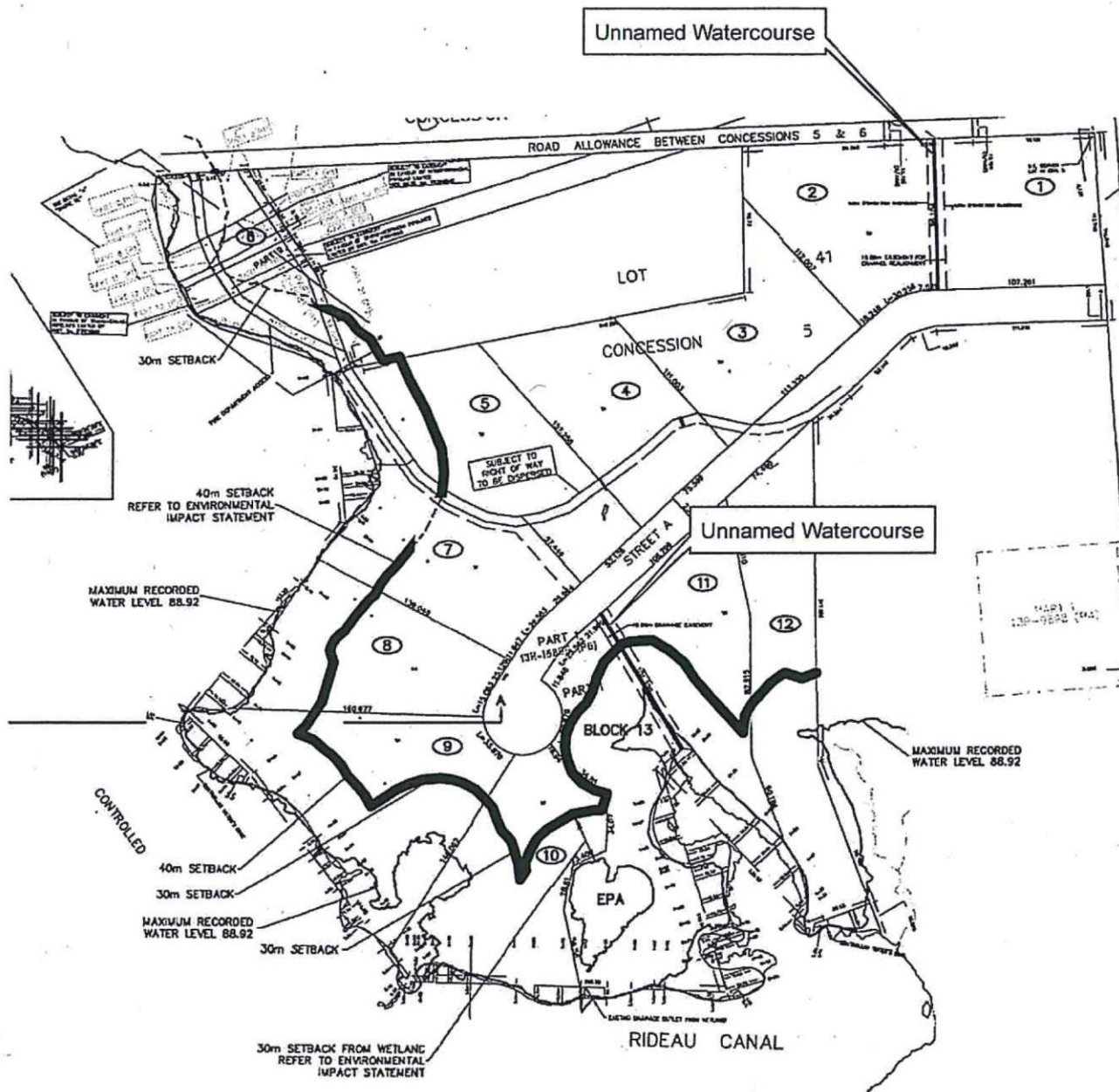
- (a)** The detached single family dwelling house existing on the date of passing of the site specific by-law may be converted into an accessory structure.
- (b)** The following uses are the only permitted uses:
  - (i)** Residential Uses:
    - (1)** a detached single family dwelling house.
  - (ii)** Non-Residential Uses
    - (1)** a home occupation; and
    - (2)** a public use.
- (c)** Prohibited Uses:
  - (i)** marine facilities (including but not limited to boathouses and/or docks).
- (d)** Lot Area (minimum): 1.0 hectare.
- (e)** Lot Frontage (minimum): 30 metres.
- (f)** Front Yard Depth (minimum): 15 metres.
- (g)** Interior Side Yard Width (minimum): 6 metres.
- (h)** Rear Yard Depth (minimum): 15 metres.
- (i)** Dwelling Unit Area (minimum): 140 square metres.
- (j)** Landscaped Open Space (minimum) : 50%.
- (k)** Lot Coverage (maximum): 15%.
- (l)** Height of Building (maximum): 9 metres.
- (m)** Dwelling Houses Per Lot (maximum): 1 only.
- (n)** Water Setbacks from Colonel By Lake/River Styx:
  - (i)** All development/structures must be setback a minimum of 40 metres from the high water level of Colonel By Lake/River Styx, or 30 metres from the maximum recorded water level, defined as 88.92 metres G.S.C., whichever is greater, and 30 metres, as shown on Figure L280.

- (ii) The first 30 metres inland from the high water level of Colonel By Lake/River Styx or the maximum recorded water level of Colonel By Lake/River Styx, defined as 88.92 metres G.S.C., whichever is greater, as shown on Figure L280, must be maintained as a 'no cut' buffer area within which there is no disturbance of the soil mantle or vegetation cover.

[Note: Former ER-15 of **former zoning by-law** 32-74]



Figure L280



**L281.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a conservation use. No buildings, structures or accessory uses are permitted.

[Note: Former FP-5 and Section 22A of **former zoning by-law 32-74**]

**L282.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the permitted uses, office uses are permitted.

[Note: Former M.363 and Section 31A of **former zoning by-law** 8499]

**L283.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The lands subject to this Exception are permitted to be developed as a vacant land condominium with up to 25 Condominium Units.
- (b) Dwellings per Condominium Unit (maximum): 1 only.
- (c) Bedrooms per Condominium Unit (maximum): 3.
- (d) Minimum Setback of any building from a Condominium Unit Boundary that abuts an access lane: 5 metres.
- (e) Minimum Setback of any building from a Condominium Unit Boundary: 1.5 metres.
- (f) Lot coverage (maximum): the lesser of 25% or 200 square metres.
- (g) Building Height (maximum): 8 metres.
- (h) Accessory Uses are to be in accordance with this By-law.
- (i) No building is permitted in an area below the 88.92 metres elevation Geodetic Survey of Canada.
- (j) No building opening is permitted below 89.22 metres elevation Geodetic Survey of Canada.
- (k) Private Open Space is a permitted use. This space may also be used for private individual water and sanitary septic systems. Each system is to be for the exclusive use of a single condominium unit.

[Note: Former RR-10 and Sections 8(1) and 8(2) of **former zoning by-law** 32-74]

**L284.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Residential use is permitted on the ground floor;

- (b) Minimum Building Height: 2 storeys, not to be less than 6.7 metres.
- (c) Maximum permitted density is 225 residential units per net hectare.
- (d) The maximum number of permitted residential units is 4.
- (e) The maximum number of bedrooms per unit is 2.
- (f) Cash-in-lieu of parking has been provided for two residential units in accordance with By-Law No. 88-270 or its predecessor.
- (g) Amenity Area: there is no amenity area requirement.
- (h) Bicycle Parking: there is no minimum required number of bicycle parking spaces.

[Note: Former C1-29 of **former zoning by-law** 96-259]

**L285.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are the following:
  - (i) Apartment Dwelling; and
  - (ii) Single-Detached Dwelling.
- (b) Off Street Parking: The calculation and provision of minimum parking, amenity space and minimum lot coverage requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (c) Amenity Space: The calculation and provision of amenity requirements are based on the overall 0.24 ha area of land comprising the land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (d) Minimum Lot Coverage: The calculation and provision of minimum lot coverage requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (e) Maximum Number of Residential Dwelling Units: 15.
- (f) Yard Setbacks:
  - (1) Minimum Front Yard (Colborne Street): 0 metres; and
  - (2) Minimum Front Yard (Clergy Street): 0 metres.

- (g) Minimum Building Height: 6 metres.

[Note: Former C1-33 of **former zoning by-law** 96-259]

**L286.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted commercial uses are the following:

(i) Auditorium or Public Hall, Art Gallery, Bakery, Bake Shop, Bank or Financial Establishment, Bed or Breakfast Establishment, Church or Religious Institution, Commercial Entertainment Establishment, Commercial Establishment, Commercial Recreational Facility, Commercial School, Computer Programming Establishment, Community or Recreation Centre, Convenience Store, Data Processing Establishment, Day Care Centre, Drugstore/Pharmacy, Dry Cleaning Outlet, Florist, Food Store, Funeral Home, Government Office, Hardware Store, Home Improvement Centre, Hotel, Laundry, Coin Operated, Liquor or Beer Store, Medical Clinic, Medical Office, Mixed Commercial/Residential Development, with residential uses permitted on the ground floor, Motel, Nursing Home, Office, Office Supply and Equipment Sales, Rental and Service, Parking Lot, Parking Structure, Personal Service Establishment, Pet-Grooming Establishment, Photo or Artist Studio, Photocopying or Blueprinting Shop, Photofinishing Establishment, Postal or Courier Service, Private Social and Cultural Facility, Public Use, Radio or Television Studio, Rental Outlet, Repair Service, Restaurant, Restaurant, Outdoor Patio, Restaurant, Take-Out, Service Establishment, Specialty Retail Store, Telecommunications Services, Video Rental, Permitted Non-Commercial Uses,

- (b) The only permitted non-commercial uses are the following:

(i) Apartment Dwelling, Home Occupation, Community Home, Community Support House, Crisis Care Shelter, Recovery Home, Residential Care Facility.

- (c) Off Street Parking: The calculation and provision of minimum parking, amenity space and minimum lot coverage requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.

- (d) Amenity Space: The calculation and provision of amenity requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (e) Minimum Lot Coverage: The calculation and provision of minimum lot coverage requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (f) The maximum number of residential dwelling units is 16.
- (g) Minimum Front Yard: 0 metres.
- (h) Loading: The number of loading spaces required in support of "Other Commercial" uses, provided in the amount of 0-550 square metres is 0.
- (i) Setback for Commercial Uses: Non-residential uses are not permitted within 30 metres of Colborne Street.

[Note: Former C1-31 of **former zoning by-law** 96-259]

**L287.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Residential uses are prohibited
- (b) Non-Residential Uses Permitted within 90 Metres of Gardiners Road:
  - (i) One bank or financial institution, Clinic, Personal Service Shop (Restricted to Eastern Portion of Property beyond 90 metres setback from Gardiners Road), Assembly Plant, Bakery (manufacturing scale), Manufacturing Plant, Packaging Plant, Processing Plant, Warehouse, Wholesale Establishment
- (c) Non-Residential Uses Permitted on Entire Site:
  - (i) Business Office, Professional Office, Restaurant and Patio, Restaurant, Freestanding, Restaurant, Take-Out, Commercial School, Dry cleaning and Related Services, Data Processing and related services, Film or Recording Studio, Laboratory, Printing Establishment, Club, Private, Club, Commercial, Public Use, Research and Development Facility, Technical Training Facility, Veterinary Clinic.
- (d) Retail Type Uses:

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- (j) Exterior Side Yard Width (minimum) 3.0 metres.
- (k) Interior Side Yard Width (minimum) 0.0 metres.
- (l) Rear Yard Depth (minimum) 3.0 metres.
- (m) Lot Coverage (maximum) 30%.
- (n) Landscape Open Space (minimum):
  - (i) 20% within 90 metres of Gardiners Road; and
  - (ii) 10% beyond 90 metres of Gardiners Road.
- (o) Building Height (maximum) 21 metres.
- (p) The parking ratio is 3.4 spaces per 100 square metres of gross floor area;
- (q) Parking is permitted in all yards.
- (r) All loading spaces must be appropriately screened with uniform building materials and maintained.
- (s) All lands subject to this Exception are considered a single parcel for the purpose of interpretation.

[Note: Former BP-3 and Sections 5 and 30A of **former zoning by-law** 76-26]

**L288. L288 Removed see By-Law Number 2024-383**

Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Non-Residential Uses:
  - (i) Uses permitted in former Section 22(1)(b) of **former zoning by-law** 76-26;
  - (ii) A mixed commercial/residential development; and
  - (iii) A place of worship.
- (b) Residential uses:
  - (i) Uses permitted in the UR3.B Zone in accordance with the provisions of the UR3.B Zone.
- (c) Prohibited uses:



- (i) an auditorium
  - (ii) a department store
  - (iii) a gasoline retail facility
  - (iv) a retail nursery
  - (v) a taxi stand or bus station
- (d) Lot Area (minimum): 0.
- (e) Lot Frontage (minimum): 0.
- (f) Lot Coverage (maximum): 30%.
- (g) Height of Building (maximum):
  - (i) Mixed commercial/residential building 6 storeys or 20 metres, whichever is less;
  - (ii) Apartment dwelling house 6 storeys or 20 metres, whichever is less;
  - (iii) Commercial building 11 metres or one storey; and
  - (iv) Other uses 10.7 metres
- (h) Gross Leasable Floor Area (maximum): 2,000 square metres for all non-residential uses.
- (i) Retail Gross Floor Area (maximum): 300 square metres for any individual use.
- (j) Planting Strip Adjoining Residential Zoned Lands: 3.0 metres.

[Note: Former C5-12 and Sections 5 and 22 of **former zoning by-law** 76-26]

**L289.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) "Landscaped Open Space" is defined to also include landscaped areas that are raised above grade.
- (b) "Tower" is defined as the apartment dwelling building or structure containing the residential dwelling units.



- (c)** "Height" is defined as the vertical distance between the finished grade and the highest point of the building or structure proper, inclusive of any accessory or auxiliary roof construction such as antenna, a chimney, a ventilation duct, an elevator or service penthouse, or a steeple.
- (d)** Floodplain: No building is permitted within 6 metres of the regulatory floodplain elevation of 89.3 metres Geodetic Surveys of Canada (G.S.C.).
- (e)** Maximum Number of Residential Dwelling Units: 167.
- (f)** Minimum Front Yard, Parking Structure: 2.2 metres.
- (g)** Minimum Interior Side Yard:
  - (i)** Tower
    - (1)** North: 17.5 metres; and
    - (2)** South: 22 metres
  - (ii)** Parking Structure:
    - (1)** North: 3.2 metres; and
    - (2)** South: 1.3 metres.
- (h)** Minimum Rear Yard:
  - (i)** Tower: 22 metres; and
  - (ii)** Parking Structure: 13 metres.
- (i)** Maximum Building Height, Tower: 48 metres or 136 metres Above Mean Sea Level (A.M.S.L.), whichever is lesser.
- (j)** Maximum Building Height, Parking Structure: 8 metres or 97 metres Above Mean Sea Level (A.M.S.L.), whichever is lesser.
- (k)** Maximum Lot Coverage: 64%.
- (l)** Setback From Centreline of Road for Parking Structure: The parking structure must be setback a minimum front yard depth of 2.2 metres plus 16.75 metres to the centreline of the road.
- (m)** Off-Street Parking Regulations:
  - (i)** The minimum number of off-street parking spaces is 204.

- (ii) No more than 10 visitor parking spaces may be located in the front yard.
  - (iii) The minimum parking stall length for parking spaces located within the parking structure is 5.2 metres.
  - (iv) The minimum parking aisle width is 6.1 metres.
  - (v) The minimum number of bicycle parking spaces is 1 space per dwelling unit. Bicycle parking spaces may be accommodated within the main building or parking structure. A minimum of 5% of the required bicycle parking must be outside of the structure and designated for visitor use.
- (n) Privacy Yards:
- (i) For the south-east and south-west exterior walls the minimum privacy yards in front of a habitable window is 3 metres for parking spaces and 7 metres for a driveway;
  - (ii) Within the privacy yards extending from the south-east and south-west exterior walls, an area unobstructed by a public or joint pedestrian access surface must be provided extending a minimum of 1 metre from any ground floor habitable window; and
  - (iii) The minimum setback for the children's play area from a ground floor habitable window is 4 metres.

[Note: Former R5-10 and Sections 4, 5 and 15A of **former zoning by-law** 76-26]

**L290.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definitions apply:
- (i) "Self-service Storage Facility" means a facility designed and used for the purpose of renting or leasing individual secured storage units, which are generally accessible by means of individual loading doors, to tenants who are to have access to such units for the purpose of storing and removing property. Property may include personal property such as: general merchandise, furniture, household items, licensed vehicles, equipment, tractors and recreational vehicles;

hazardous materials such as: explosives, radioactive materials, flammable or hazardous chemicals or goods which produce noxious odours are prohibited.

- (ii)** “Recreational Vehicle” means any vehicle, or portable structure designed to be towed or carried by a vehicle, which is used for temporary recreational travel and/or accommodation and must include motor homes, camper trailers, converted buses, boats and boat trailers or similar equipment.

**(b)** The only permitted residential uses are:

- (i)** an accessory dwelling unit.

**(c)** The only permitted non-residential uses are:

- (i)** an automobile body shop limited to a maximum floor area of 561.7 square metres;
- (ii)** a self-service storage facility;
- (iii)** an open storage area;
- (iv)** a warehouse.

**(d)** Prohibited uses:

- (i)** a salvage yard; and
- (ii)** hazardous material storage such as that of explosives, radioactive materials, flammable or hazardous chemicals or goods which produce noxious odours.

**(e)** Open Storage Area: No open storage of goods or materials is permitted, except in accordance with the following provisions:

- (i)** Every open storage area must be accessory to the main use of the Self-service Storage Facility use and may include licensed vehicles, equipment, tractors, commercial vehicles and recreational vehicles.
- (ii)** Every open storage area must comply with the yard setback provisions as if such open storage area were a building or structure.
- (iii)** An open storage area is limited to an area approved through the Site Plan Control process.

- (iv) Despite (ii) above, no open storage area is permitted in a front yard, or an interior side or rear yard which abuts a Residential Zone or a Development Reserve Zone.
- (v) Every open storage area must be visually screened and enclosed within a solid fence which is not less than 2.4 metres in height, constructed of durable materials and maintained in good condition.

[Note: Former M1-14 and Sections 4 and 24 of **former zoning by-law** 76-26]

**L291.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses:
  - (i) Single Detached Dwelling House;
  - (ii) Semi Detached Dwelling House; and
  - (iii) Three or Four Unit Row Dwelling House.
- (b) Lot Area (Minimum):
  - (i) Single Detached Dwelling House: 292 square metres;
  - (ii) Semi-Detached Dwelling House: 464 square metres;
  - (iii) Semi-Detached Dwelling Unit: 232 square metres; and
  - (iv) Row Dwelling Unit: 170 square metres.
- (c) Lot Frontage (Minimum):
  - (i) Single Detached Dwelling House: 9.75 metres;
  - (ii) Semi-Detached Dwelling House: 15 metres;
  - (iii) Semi-Detached Dwelling Unit: 7.5 metres; and
  - (iv) Row Dwelling Unit: 6.1 metres.
- (d) Corner Lot Frontage (Minimum)
  - (i) Single Detached Dwelling House: 12.75 metres;
  - (ii) Semi-Detached Dwelling House 18.5 metres;

- (iii)** Semi-Detached Dwelling Unit: 10.5 metres; and
    - (iv)** Row Dwelling Unit: 9.2 metres.
  - (e)** Front Yard Setback (Minimum)
    - (i)** To House: 4.5 metres; and
    - (ii)** To Garage 6.0 metres.
  - (f)** Interior Side Yard Setback (Minimum):
    - (i)** Single Detached Dwelling House: 1.2 metres;
    - (ii)** Semi Detached Dwelling House: 1.2 metres;
    - (iii)** Row Dwelling House: 1.2 metres; and
    - (iv)** For all lots, dwellings constructed without an attached garage must have a minimum interior side yard width of 3.0 metres on one side and 1.2 metres on the other.
  - (g)** Exterior Side Yard Setback (Minimum): 3.0 metres on local roads and 6.0 metres on all other road classifications.
  - (h)** Rear Yard Setback (Minimum):
    - (i)** Single Detached Dwelling House: 6.0 metres;
    - (ii)** Semi-Detached Dwelling House: 6.0 metres;
    - (iii)** Row Dwelling House: 6.0 metres; and
    - (iv)** Lots backing onto Cataraqui Wood Drive: 8.5 metres.
  - (i)** Lot Coverage (Maximum):
    - (i)** Single Detached Dwelling House: 50%;
    - (ii)** Semi-Detached Dwelling House: 50%;
    - (iii)** Semi-Detached Dwelling Unit: 50%; and
    - (iv)** Row Dwelling House: 50%.

- (j)** Interior Garage Width: For lots less than 12 metres wide, the minimum interior one-car garage dimensions are 3.0 metres wide by 6.0 metres deep. A maximum width of 5.0 metres may be applied to permit a one-car garage with storage.
- (k)** Driveway Width (Maximum):

  - (i)** Single Detached Dwelling House 6.0 metres or 50% of the lot frontage, whichever is the lesser;
  - (ii)** Semi Detached Dwelling Unit 6.0 metres or 50% of the lot frontage, whichever is the lesser, but not less than 4.0 metres;
  - (iii)** Row Dwelling Unit 4 metres; and
  - (iv)** Front Yard Parking is prohibited except on a driveway leading to a garage or parking area in the interior side yard or rear yard. The maximum parking surface provided is 4.0 metres wide by 6.0 metres deep.
- (l)** Landscaped Open Space: 30%.
- (m)** Maximum Height: 10.5 metres.
- (n)** Sight Triangles:

  - (i)** Within any area defined as a sight triangle, the following uses are prohibited:

    - (1)** a building, structure or use which would obstruct the vision of drivers of motor vehicles;
    - (2)** a fence or tree, hedge, bush or other vegetation, the top of which exceeds 1.0 metre in height above the elevation of the centreline of the adjacent street;
    - (3)** an uncovered surface parking area;
    - (4)** a finished grade which exceeds the elevation of the centreline of the adjacent street by more than 1.0 metre.
  - (ii)** Two sight triangles are required on a corner lot.

    - (1)** The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that

is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.

- (2) The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.
- (3) Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.
- (4) Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.

[Note: Former R3-29 and Section 14 of **former zoning by-law** 76-26]

**L292.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses
- (b) A Second Residential Unit in accordance with former Section 5(30) of **former zoning by-law** 76-26.

[Note: Former R1-73 and Sections 1 and 5 of **former zoning by-law** 76-26]

**L293.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Residential uses are prohibited.
- (b) Permitted Business Park Uses:
  - (i) Business Office;

- (ii)** Administrative, professional and technical services, such as printing and equipment repair, which are intended to support the business park area;
  - (iii)** Professional office;
  - (iv)** Data processing and related services operation;
  - (v)** Film or recording studio;
  - (vi)** Laboratory, research, or development facility;
  - (vii)** Printing establishment;
  - (viii)** Commercial School;
  - (ix)** Dry cleaning and related services;
  - (x)** Technologically advanced manufacturing;
  - (xi)** Veterinary clinic; and
  - (xii)** Technical training facility
- (c)** Permitted Commercial Uses:
  - (i)** Club, private;
  - (ii)** Club, commercial;
  - (iii)** Clinic;
  - (iv)** Restaurant and patio;
  - (v)** Restaurant, freestanding;
  - (vi)** Restaurant, take-out;
  - (vii)** Personal service shop; and
  - (viii)** Bank or financial institution.
- (d)** Permitted uses within the existing building at 1150 Gardiners Road also include warehouse and distribution centre.



- (e) Permitted commercial uses are limited to a maximum of 25% of the built gross floor area on the property.
- (f) Accessory Uses:
  - (i) Accessory uses are permitted in accordance with the General Provisions unless otherwise specified;
  - (ii) Accessory retail uses associated with the sale of products assembled and manufactured on the site and any permitted non-residential uses are restricted to a maximum 25% of the built gross floor area of any single tenant or business.
- (g) Minimum Front Yard Depth: 7 metres.
- (h) Minimum Side Yard Depth: 3 metres.
- (i) Maximum Lot coverage: 60%.
- (j) Landscaped Open Space:
  - (i) 10% landscaped area at 1150 Gardiners Road;
  - (ii) 20% landscaped area at 1110 Gardiners Road; and
  - (iii) 7 metres landscaped planting strip must be provided along an arterial road. A 2 metre landscaping strip abutting an interior lot line is not required. No landscape buffer is required for the existing building at 1150 Gardiners Road.
- (k) Parking:
  - (i) Required parking ratio: 3.4 spaces per 100 square metres of gross floor area;
  - (ii) Parking is prohibited within 5 metres from any street line;
  - (iii) Parking stall design standard: 2.6 metres wide and 5.2 metres long; and
  - (iv) Barrier free parking stall design standards: 3.7 metres wide and 5.2 metres long.

[Note: Former BP-5 and Sections 5 and 30A of **former zoning by-law** 76-26]

**L294. L294 Removed see By-Law 2024-105**

Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Residential uses are prohibited
- (b)** Permitted Business Park Uses:
  - (i)** Data processing and related services;
  - (ii)** Business offices;
  - (iii)** Professional offices;
  - (iv)** Laboratory, research, development facilities carried out within enclosed buildings;
  - (v)** Film or Recording Studio;
  - (vi)** Printing Establishment; and
  - (vii)** Public use.
- (c)** Permitted Commercial Uses:
  - (i)** Bank or financial institution;
  - (ii)** Clinic;
  - (iii)** Restaurant and patio;
  - (iv)** Restaurant, freestanding;
  - (v)** Restaurant, take-Out;
  - (vi)** Dry cleaning and related services; and
  - (vii)** Personal service shop.
- (d)** Minimum number of loading spaces: 6.
- (e)** Permitted Commercial Uses: are restricted to a maximum of 25% of the built gross floor area, except 371.6 square metres of gross floor area of Commercial Uses may be constructed prior to the maximum 25% restriction coming into effect.

- (f) Landscaped Open Space: A 7.0 metre wide landscaped planting strip excluding driveways must be provided along the lot line adjacent to Gardiners Road. A 2.0 metre landscaping strip abutting the rear lot line is not required.
- (g) Zoning Interpretation: For the purposes of zoning interpretation the lands subject to this Exception are deemed single parcel.

[Note: Former BP-4 and Sections 5 and 30A of **former zoning by-law** 76-26]

**L295.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional permitted uses: apartment dwelling house.
- (b) Minimum lot area: 1.0 hectares.
- (c) Minimum lot frontage: 33.5 metres.
- (d) Minimum front yard setback: 3.0 metres.
- (e) Minimum side yard setback: half the height of the building, or 10.6 metres, whichever is the greater, provided that an interior side yard adjoining an end wall containing no habitable room windows may be reduced to 1.83 metres where the side lot line does not adjoin an Urban Residential Zone.
- (f) Minimum rear yard setback: half the height of the building, or 10.6 metres, whichever is the greater, provided that a rear yard adjoining an end wall containing no habitable room windows may be reduced to 1.83 metres where the rear lot line does not adjoin an Urban Residential Zone.
- (g) Minimum dwelling unit area:
  - (i) Dwelling unit containing 1 bedroom: 55.8 square metres; and
  - (ii) Dwelling unit containing 2 bedrooms: 65.0 square metres.
- (h) Setback of parking area from interior side lot line: 1.5 metres.
- (i) Setback of drive-through service facility from residential use or zone: 0 metres.
- (j) Minimum required landscape open space: 37%.
- (k) Maximum height of building: 26.8 metres.

- (l) Maximum number of apartment dwelling houses permitted: 2.
- (m) Privacy yards: A privacy yard, clear and unobstructed by any parking area or any vehicular driveway, other than a private driveway for a dwelling unit, must be provided adjoining each habitable room window of every dwelling unit with a minimum depth measured at right angles from such walls it adjoins in accordance with the following:
  - (i) Distance from ground floor living room or habitable room window to parking area or vehicular driveway: 4.6 metres.
  - (ii) Within the privacy yard, an area unobstructed by any public or joint pedestrian access surface must be provided extending 3.0 metres from any ground floor habitable room window, this distance being measured radially from any point on the window. A window is considered to be located on the ground floor if any portion of the glazing is less than 2.4 metres above the adjacent exterior ground level.
- (n) Children's Play Area: A children's play area must be provided on each lot containing more than ten dwelling units. The minimum area is 4% of the lot, which may be included in the area calculated as required open space on the lot. The location must be a minimum of 7.6 metres from a ground floor habitable room window and not less than 15.2 metres from any street line.

[Note: Former C2-65 and Sections 5 and 19 of **former zoning by-law** 76-26]

**L296.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses:
  - (i) Corporate administrative office;
  - (ii) Research and development facility carried out within enclosed buildings;
  - (iii) Data processing and related services, include call centre;
  - (iv) Administrative, professional, and technical services supporting a permitted use;
  - (v) Indoor storage of equipment; and

- (vi)** Public use.
- (b)** Permitted Complementary Uses
  - (i)** Office and business services such as printing and equipment repair intended to serve the Business Park Industrial area;
  - (ii)** Restaurant;
  - (iii)** Financial Institution;
  - (iv)** Personal services and convenience commercial;
  - (v)** Public and private parks and recreation facilities;
  - (vi)** Parking lots and structures; and
  - (vii)** Hotels.
- (c)** Minimum front yard: 10 metres.
- (d)** Minimum exterior side yard: 10 metres.
- (e)** Maximum lot coverage: 60%.
- (f)** Maximum building height: 20 metres.
- (g)** Parking requirements:
  - (i)** 1 parking space for each guest room/suite, plus 0.63 parking spaces for each 4 persons that can be accommodated at any one time in any beverage room or liquor lounge, plus one bus parking space per 50 guest suites.
- (h)** Parking space design:
  - (i)** Standard parking space: 2.6 metres wide and 5.2 metres long;
  - (ii)** Accessible Type A space: 3.4 metres wide and 5.2 metres long;
  - (iii)** Accessible Type B space: 2.7 metres wide and 5.2 metres long; and
  - (iv)** Access aisle: 1.5 metres wide and 5.2 metres long.
- (i)** Landscaped Open Space

- (i) Adjacent to a public street: not less than a 10 metre wide landscaped planting strip excluding the driveway;
  - (ii) Adjacent to each interior side or rear lot line: not less than a 1.2 metre landscaped planting strip.
  - (iii) No structures or parking will be permitted in landscaped planting area, with the exception of any required utility structures for servicing the site.
- (j) IX. Maximum building height exceptions
- (k) The height provisions of this Exception do not prevent the erection of parapets and linen chute overrun.

[Note: Former BP-7 and Sections 5 and 30A of **former zoning by-law** 76-26]

**L297.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Uses:
- (i) Single Family Dwelling House.
- (b) Permitted Non-Residential Uses:
- (i) Home Occupation.
  - (ii) A public use.
- (c) Lot Area (minimum): Not applicable.
- (d) Lot Frontage (minimum): Single-Detached Dwelling House: 13.0 metres (Corner Lot) and 12.0 metres (Other Lot).
- (e) Front Yard:
- (i) Minimum setback from the front lot line: 4.5 metres;
  - (ii) Maximum setback from the front lot line: 7.0 metres;
  - (iii) Despite (i) and (ii), where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres from the front lot line provided the dwelling includes a covered porch with a minimum width of 2.5 metres and a minimum depth of 2.0 metres; and



- (i)** No residential buildings are permitted within 30 metres of the main line right-of-way.
  - (ii)** A safety berm with returns at the ends, 2.5 metres above grade at property and side slopes not steeper than 2.5 to 1 must be erected and maintained to the satisfaction of the Municipality and CN Railway.
  - (iii)** A noise barrier must be installed and maintained adjoining and parallel to the rail right-of-way, with returns at the ends, at heights in accordance with the recommendations of the approved final Noise Study, with a minimum height of 5.5 metres above top-of-rail for principal main lines. The acoustic fence must be constructed without holes or gaps and of a durable material weighing not less than 20 kilograms per square metre of surface area.
  - (iv)** A chain link fence of a minimum height of 1.83 metres height must be installed and maintained along the mutual property line in locations where there are no noise barriers to ensure there is a continuous barrier to trespassing onto the railway corridor.
- (l)** Height (maximum): 11 metres.
- (m)** Parking: Parking is permitted in the front yard, interior side yard and rear yard. Front yard parking is prohibited except where it is a driveway leading to a permitted parking area.
- (n)** Landscaped Open Space (minimum): 30%.
- (o)** Sight Triangles:
  - (i)** Two sight triangles are required on a corner lot.
    - (1)** The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior lot line.
    - (2)** The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the



exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.

- (3)** Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.

[Note: Former R1-76 and Sections 5 and 12 of **former zoning by-law** 76-26]

**L298.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Permitted Uses: Permitted uses are limited to the following:

**(i)** Residential Uses:

- (1)** an apartment dwelling house; and
- (2)** a transitional housing unit.

**(ii)** Office Uses:

- (1)** a business office;
- (2)** a professional office; and
- (3)** a support service.

**(b)** The following definitions apply:

- (i)** Transitional housing unit means a group living arrangement, in a single housekeeping unit, with access to support services, in which it is intended that short term accommodation be provided. A transitional housing unit does not include a crisis care shelter as defined herein.
- (ii)** Crisis care shelter means a supervised group living arrangement, in a single housekeeping unit, with access to support services, in which it is intended that short term emergency accommodation of a transient nature be provided.

- (iii) Support service means a service such as counseling, addictions and mental health support, health and well-being, life-skills training, exercise program and support group meetings.
- (c) Interior Side Yard Width: 4.2 metres; this interior side yard width provision only applies to the building existing on the lands as of the date of passing of this site specific by-law.
- (d) Dwelling Unit Area (minimum): Bachelor dwelling unit: 20 square metres.
- (e) Distance of Detached Accessory Building or Structure from Main Building: 0 metres.
- (f) Yards Where Parking is Permitted: A maximum of six parking spaces may be permitted in the exterior side yard provided that no part of the parking area, other than a driveway, is located closer than 3.9 metres to the exterior side lot line.
- (g) A transitional housing unit use must be located within the principal building on the property.
- (h) Business and professional offices and support services must be located within the principal building on the property, and restricted to a maximum of 35% of the gross floor area of any building or structure occupying the subject property.
- (i) Total number of dwelling units: 10.

[Note: Former R4-39 and Sections 5 and 15 of **former zoning by-law** 76-26]

**L299.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definition: "Building Height" means the vertical distance measured from the average grade surrounding the building footprint to the highest point of the roof surface in case of flat roofs or to a point halfway up the rood in the case of pitched roofs.
- (b) Lot Lines: The lot line abutting Development Drive is considered the front lot line and all other lot lines are considered interior side lot lines.
- (c) Dwelling Units (maximum): 169 units.
- (d) Lot Area (minimum): 1.6 hectares.
- (e) Lot Frontage (minimum): 20 metres.

- (f)** Front Yard Depth (minimum): 45 metres.
- (g)** Interior Side Yard Width (minimum): 6 metres; except where an interior side yard abuts an Open Space zone, in which case the required minimum interior side yard width is 0 metres.
- (h)** Building Height (maximum): 25.5 metres.
- (i)** Privacy Yards (minimum):
  - (i)** A privacy yard that is clear and unobstructed by any vehicular driveway, other than a private driveway to an enclosed garage or parking space, or by any surface parking area, must be provided on the lot adjoining each exterior wall containing a habitable room window; and
  - (ii)** The minimum depth of a privacy yard is 4 metres to any private road or parking area, measured at right angles to the wall it adjoins. Such privacy yards must not overlap so as to reduce the minimum depth requirements.
- (j)** Additional Setback Requirements: No building is permitted within:
  - (i)** a 114 metre horizontal setback from the CN Rail Main Line Corridor; and
  - (ii)** a 6 metre horizontal setback from the 1:100 floodplain of the Little Cataraqui Creek.
- (k)** A planting strip is required along the western most interior side lot line that directly abuts the adjacent residentially zoned properties in accordance with the following:
  - (i)** Width (minimum): 2 metres; and
  - (ii)** Contents are as per implementing Site Plan Control Agreement
- (l)** Bicycle Parking:
  - (i)** Bicycle Parking Space Requirements (minimum): 1 bicycle parking space per dwelling unit;
  - (ii)** A minimum of 12 of the required on-site parking spaces must be provided exterior to a building and must be covered and secure; and

**(iii)** Bicycle Parking Space Dimensions (minimum):

- (1)** 0.3 metres wide by 1.8 metres long with a minimum overhead clearance of 2.1 metres;
- (2)** Alternate requirement (vertical bicycle parking space): 0.6 metres wide, 1.8 metres tall and 1.0 metres in depth.

**(m)** Parking:

- (i)** Parking Space Dimensions (minimum): 2.6 metres wide by 5.2 metres long; and
- (ii)** Parking is permitted in any yard, provided it is no closer than 40 metres to the municipal right-of-way of Development Drive

**(n)** Landscaped Open Space (minimum): 30%.

[Note: Former R4-38 and Sections 5 and 15 of **former zoning by-law** 76-26]

**L300.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The permitted uses also include a neighbourhood store subject to the following provisions:
  - (i)** Neighbourhood store must have a maximum gross floor area of 186 square metres on the ground floor only.
- (b)** Minimum Lot Area: 445 square metres for a Two-Family Dwelling.
- (c)** Minimum Front Yard: 0 metres for a length of 18 metres on York Street and 0 metres for a length of 10 metres on Division Street.
- (d)** Maximum Percentage Lot Coverage: 46%.
- (e)** Maximum Building Height: 8.0 metres.
- (f)** The maximum permitted height of any exterior wall exclusive of end gable is: 8.0 metres.
- (g)** A flat roof is not permitted above the 8.0 metres exterior wall.
- (h)** Maximum Residential Building Depth: 21.5 metres.
- (i)** Maximum Number of Bedrooms: 11.

- (j) Minimum Private Amenity Area: 20 square metres per unit.

[Note: Former A.173 and Section 6 of **former zoning by-law** 8499]

**L301.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following additional uses are permitted within the walls of the existing building on the property on the date of the passing of the site specific By-Law:
  - (i) laundromat;
  - (ii) retail store or shop; and
  - (iii) a professional or business office.
- (b) A minimum of 6 off-street parking spaces must be provided for any use permitted in above.

[Note: Former A.367 and Sections 5.3 and 6 of **former zoning by-law** 8499]

**L302.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use: single family dwelling.
- (b) Maximum Number of Dwellings per Lot: 1.
- (c) Maximum Number of Bedrooms: 3.
- (d) Minimum Width of Driveway: 4.6 metres.

[Note: Former A.402 and Sections 5 and 6 of **former zoning by-law** 8499]

**L303.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1) Common areas open to all occupants of the unit;

- (2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
  - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment
- (b)** The use of a cellar as a portion of an existing dwelling unit or as a habitation unit is permitted.

[Note: Former A.426 and Section 5 of **former zoning by-law** 8499]

**L304.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The permitted uses must be in accordance with former Section 6.2 of **former zoning by-law** 8499.
- (b)** Despite provisions requiring frontage on a street, a one-family dwelling, a two family dwelling and the conversion of a one-family dwelling to a two family dwelling, with access provided by an easement, is a permitted use.
- (c)** For the purposes of interpretation respecting the existing one-family dwelling and any future development or redevelopment of the property, the portion of the lot fronting onto Morton Way is deemed the front yard.

[Note: Former A.445 of **former zoning by-law** 8499]

**L305.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Definitions:
  - (i)** “Secondary Residential Unit” means a legally existing separate residential dwelling unit, which is ancillary to a principal dwelling unit, contained in the same building, and includes a separate, clearly defined, safe access, kitchen, washroom and living space.
- (b)** Additional Permitted Uses:
  - (i)** A Second Residential Unit.
- (c)** The use of a cellar for habitation is permitted.
- (d)** Minimum Lot Area: 200 square metres

- (e) Minimum Number of Parking Spaces: 1 parking space.

[Note: Former A.505 and Sections 5 and 6 of **former zoning by-law** 8499]

**L306.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 175 square metres per dwelling unit.
- (b) Minimum Aggregate Side Yard Setback: 3.0 metres.
- (c) Minimum Interior Side Yard Setback: 0.6 metres.
- (d) Minimum Interior Side Yard for a Building Abutting a Residential Property with Frontage on Stephen Street: 4.0 metres.
- (e) Maximum Lot Coverage: 40%.

[Note: Former A.530 and Sections 5 and 6 of **former zoning by-law** 8499]

**L307.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Front Yard Setback on Victoria Street: 3.6 metres.
- (b) Minimum Front Yard Setback on North Bartlett Street: 4.2 metres.

[Note: Former A.545 and Sections 5 and 6 of **former zoning by-law** 8499]

**L308.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area of 482 square meters for a Two-Family Dwelling.

[Note: Former A.549 and Section 6 of **former zoning by-law** 8499]

**L309.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use: Multiple Family Dwelling containing a maximum of three dwelling units.
- (b) Maximum Number of Dwelling Units: 3.
- (c) Minimum Lot Area: 180 square metres per dwelling unit.
- (d) Maximum Permitted Building Depth: 19.5 metres.

- (e) Maximum Size of a Parking Area: Up to 49 square metres of the rear yard may be used as uncovered parking area.
- (f) Off-Street Parking: The minimum size of a standard parking space is 2.6 metres wide by 5.2 metres long.
- (g) Off-Street Parking: 1 parking space per dwelling unit.
- (h) Maximum Aggregate Length of all Dormers: 7 metres.

[Note: Former A.581 and Sections 5 and 6 of **former zoning by-law** 8499]

**L310.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) Archive: means a collection of historical documents, records or artifacts providing information about a place, institution or group of people.
- (b) Additional Permitted Uses:
  - (i) Archive.
- (c) For the purposes of interpretation, the lot lines are:
  - (i) Front Lot Line: The southern property line abutting King Street is deemed the front lot line;
  - (ii) Rear Lot Line: The northern property line abutting Baiden Street is deemed the rear lot line; and
  - (iii) Side Lot Line: All other property lines are deemed side lot lines.
- (d) Minimum Side Yard: 5.0 metres.
- (e) Off-Street Parking:
  - (i) Parking facilities must be provided on the same lot and must not be located closer than 20 metres from the rear lot line
  - (ii) The minimum number of parking spaces is 6.
  - (iii) Up to 105 square metres of the rear yard may be used as an uncovered parking area.



[Note: Former A5.519 and Sections 5 and 11 of **former zoning by-law** 8499]

**L311.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Number of Dwelling Units Per Property: 3.
- (b) Minimum Lot Area: 450 square metres.
- (c) Minimum Lot Width: 10 metres.
- (d) Minimum Front Yard Setback:
  - (i) 705 King Street West: 13.8 metres; and
  - (ii) 707 King Street West: 15.6 metres.
- (e) Minimum Aggregate Side Yard: 2.7 metres.
- (f) Minimum Setback for Accessory Buildings: 0 metres from side or rear lot line.
- (g) Access and Parking:
  - (i) The minimum dimensions of the parking spaces are 2.6 metres by 5.2 metres;
  - (ii) The minimum width of a drive aisle is 6 metres; and
  - (iii) The minimum width for a driveway is 3.0 metres.

[Note: Former A5.461 of **former zoning by-law** 8499]

**L312.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area for a two-family dwelling: 466 square metres.
- (b) Off-street parking: Up to 33 square metres of the interior side yard may be used as uncovered parking area.

[Note: Former A5.525 and Sections 5 and 11 of **former zoning by-law** 8499]

**L313.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses:

- (i) A three-family dwelling is a permitted use, provided that the three units are contained within the walls of the building in existence as of the date of the passing of the site specific by-Law.
- (b) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.
- (c) Off-Street Parking: Maximum of 50 square metres of the rear yard and interior side yard may be used as uncovered parking area for residential uses.

[Note: Former A5.535 and Sections 5 and 11 of **former zoning by-law** 8499]

**L314.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Number of Dwelling Units: 3.
- (b) Minimum Lot Area: 400 square metres.
- (c) Minimum Lot Width: 10 metres.
- (d) Minimum Front Yard Setback: 5.2 metres.
- (e) Front Yard Projections:
  - (i) A covered or uncovered, unenclosed porch, deck, balcony, or veranda of any height may project into the required front yard, but is not permitted closer than 3.3 metres to the front lot line.
  - (ii) The steps associated with the covered or uncovered, unenclosed porch, deck, balcony, or veranda of any height may project into the required front yard, but is not permitted closer than 1.5 metres to the front lot line.
- (f) Maximum Height: 10.5 metres.
- (g) Minimum Side Yard: 1.2 metres.
- (h) Minimum Aggregate Side Yard: 2.7 metres.
- (i) Minimum Setback for Accessory Buildings: 0 metres from side or rear lot line.
- (j) A maximum of 75 square metres of uncovered parking is permitted.
- (k) Minimum required amenity space: 75 square metres.

- (l) Minimum required play space: 0 square metres.
- (m) Bicycle Parking:
  - (i) The minimum number of bicycle parking spaces is 3.
  - (ii) Minimum Bicycle Parking Space dimension is 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres.
- (n) Access and Parking:
  - (i) The minimum number of parking spaces is 3.
  - (ii) An unobstructed 1.5 metre wide driveway must be located along the western portion of the subject property, adjacent to 785 King Street West, to provide vehicular access to a rear parking area.
  - (iii) An unobstructed 3.0 metre wide drive aisle must be located along the northwestern portion of the subject property, adjacent to 785 King Street West and the parking spaces, to provide vehicular access at the rear of the subject property.

[Note: Former A5.536 and Sections 5 and 11 of **former zoning by-law** 8499]

**L315.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Use: Row Dwelling House.
- (b) Permitted Non-Residential Use: Home Occupation.
- (c) Maximum Number of Dwelling Units per Property: 1.
- (d) Minimum Lot Area: 180 square metres.
- (e) Minimum Lot Frontage: 5 metres.
- (f) Minimum Front Yard: 7.5 metres.
- (g) For the front yard, a covered or uncovered, unenclosed porch or steps that is greater than 1.2 metres in height may project a maximum of 2.5 metres from the main building.
- (h) Minimum Interior Side Yard: 1.1 metres.
- (i) Minimum Aggregate Side Yard: 2.3 metres.

[Note: Former B.470 of **former zoning by-law** 8499]

**L316.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** 111 William Street

- (i)** Permitted uses are limited to a single unit dwelling.
- (ii)** Minimum lot area is 140 square metres.
- (iii)** Minimum front yard setback is 1.4 metres.
- (iv)** Minimum side yard along the east property line is 0 metres.
- (v)** Minimum rear yard setback is 1.2 metres.
- (vi)** Maximum lot coverage is 44%.
- (vii)** The minimum amount of outdoor amenity space is 46 square metres and there is no requirement for a children's play space.
- (viii)** No extension or enlargement to the building existing as of the date of passing of the site specific by-law at 111 William Street is permitted.

**(b)** 184 Bagot Street

- (i)** Permitted uses are limited to a single unit dwelling.
- (ii)** Minimum lot area is 310 square metres.
- (iii)** Maximum height is 10.62 metres.
- (iv)** Minimum aggregate side yard setback is 3.3 metres.
- (v)** Minimum amount of amenity space is 31 square metres and there is no requirement for a children's play space.
- (vi)** Parking:
  - (1)** A minimum of 4 parking spaces will be located on this property. 1 barrier free parking space and 2 regular parking spaces must be used exclusively for a professional office at 180 Bagot Street.

- (2)** Minimum width for a vehicle access aisle is 3.6 metres.

[Note: Former B.303 of **former zoning by-law** 8499]

**L317.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Maximum permitted number of residential units: 6.
- (b)** Minimum setback:
  - (i)** Front yard: 2.7 metres;
  - (ii)** Side yard: 1.2 metres;
  - (iii)** Aggregate side yard: 2.4 metres; and
  - (iv)** From front lot line for unenclosed porches: 0.0 metres .
- (c)** Required number of accessible parking spaces: 0.
- (d)** Maximum lot coverage: 37%.
- (e)** Maximum density: 100 dwelling units per net hectare.
- (f)** Minimum required amenity area: 230.0 square metres.

[Note: Former B.416 of **former zoning by-law** 8499]

**L318.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following definition applies:
  - (i)** Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1)** Common Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and,
    - (2)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

Despite the foregoing, a bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (b)** Maximum Number of Dwelling Units: 3.
- (c)** Maximum Aggregate Number of Bedrooms: 9.
- (d)** Minimum Required Yards:
  - (i)** South interior side yard from the front lot line for the distance of 17.7: 0.5 metres;
  - (ii)** South interior side yard measured from the front lot line for the distance beyond 17.7 metres: 1.2 metres;
  - (iii)** Aggregate interior side yard from the front lot line for the distance of 17.7 metres: 3.25 metres;
  - (iv)** Aggregate interior side yard measured from the front lot line for a distance beyond 17.7 metres: 3.95 metres; and
  - (v)** North interior side yard: 2.75 metres.
- (e)** Projection into Yards: An unenclosed porch or deck, covered or uncovered which is located in the front yard is permitted to project into the required south interior side yard, but should not be closer than 0.5 metres to the south lot line.
- (f)** Minimum Amenity Space Area: 126 square metres.
- (g)** Minimum Play Space Area: 0.0 square metres.

[Note: Former B.424 and Sections 5 and 13 of **former zoning by-law** 8499]

**L319.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following definition applies:
  - (i)** Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1)** Common areas open to all occupants of the unit;
    - (2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and

- (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Despite the foregoing, a bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (b)** The existing building on the date of passing of By-Law Number 2014-129, is only permitted to be converted to a maximum of 3 dwelling units, with the following requirements:

- (i)** Maximum Aggregate Number of Bedrooms: 7.

- (ii)** Off-Street Parking:

- (1)** A minimum of 2 parking spaces must be provided.

- (2)** Parking in a stacked / tandem arrangement is permitted for a maximum of two parking spaces.

- (3)** Parking is permitted closer to the street line than the nearest wall of the main building.

- (4)** Minimum size of a parking space is 2.7 metres wide and 5.3 metres long.

- (iii)** Minimum Private Amenity Space Area: Must be provided within each unit in accordance with this By-law.

- (iv)** Minimum Amenity Area: 29 square metres.

- (v)** Minimum Play Space Area: 0.0 square metres.

- (vi)** Entrances: A minimum 0.9 metres unobstructed clearance should be maintained in front of the entrance to each unit, including no obstruction by the required off-site parking.

- (vii)** Landscaping: A minimum 2.0 metre wide vegetated planting strip must be provided between the front lot line and the front wall of the main building.

- (viii)** Projections into Yards:

- (1)** An unenclosed veranda with a maximum width of 5.35 metres is permitted between the front wall of the main building and the front lot line; and
- (2)** A roof deck is permitted with a minimum distance of 2.0 metres from the rear lot line; 0.0 metres to the south side lot line; and 2.75 metres from the north side lot line.

[Note: Former B.453 and Sections 5 and 13 of **former zoning by-law** 8499]

**L320.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Permitted Uses:

- (i)** One and two family dwellings subject to the provisions of the UR5 Zone;
- (ii)** Multiple family dwellings; and,
- (iii)** The use of a cellar as a dwelling unit.

**(b)** Maximum Number of Dwelling Units: 3.

**(c)** Maximum Residential Building Height: 10.7 metres.

**(d)** Flood Plain Setback:

- (i)** No building or structure is permitted within 6.0 metres of an EPA Zone.
- (ii)** Parking may be permitted within this setback requirement.

**(e)** Off-street Parking:

- (i)** Parking must be located behind the front wall of the main building.

[Note: Former B.542 and Sections 5 and 13 of **former zoning by-law** 8499]

**L321.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Definitions



- (i)** Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include

- (1)** Common areas open to all occupants of the unit;
- (2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and
- (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

Despite the foregoing, a bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (b)** Maximum number of bedrooms per dwelling unit: 3.
- (c)** Maximum aggregate number of bedrooms: 8.
- (d)** Minimum front yard setback: 2.9 metres.
- (e)** Minimum side yard setback: 1.9 metres.
- (f)** Minimum aggregate side yard setback: 4.6 metres.
- (g)** Minimum rear yard setback: 5.2 metres.
- (h)** Maximum percentage of lot coverage: 42%.
- (i)** Maximum building height: 8.7 metres.
- (j)** The stairs providing access to the front porch are permitted a minimum of 1.5 metres from the front lot line.
- (k)** Off-Street Parking:
  - (i)** Required number of parking spaces: 2
  - (ii)** Parking in a stacked/tandem arrangement is permitted for a maximum of two parking spaces.
  - (iii)** Up to 40 square metres of the interior side yard may be used as an uncovered parking area.
  - (iv)** Parking facilities must be located no closer to the front lot line than the nearest wall of the main building.

- (l) There is no minimum play space requirement.
- (m) The use of a cellar as a portion of a residential unit for habitation is permitted.

[Note: Former B.516 and Sections 5 and 13 of **former zoning by-law** 8499]

**L322.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Permitted Uses:

- (i) One and two family dwellings subject to the provisions of the UR5 Zone;
- (ii) Multiple family dwellings; and,
- (iii) The use of a cellar as a dwelling unit.

(b) Maximum Number of Dwelling Units: 3.

(c) Maximum Residential Building Height: 10.7 metres.

(d) Flood Plain Setback:

- (i) No building or structure is permitted within 6.0 metres of an EPA Zone; and
- (ii) Parking may be permitted within this setback requirement.

[Note: Former B.541 and Sections 5, 13 and 38 of **former zoning by-law** 8499]

**L323.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses: In addition to the uses permitted by this By-law, the property may be used for a convenience store and a take-out restaurant with drive-through.
- (b) Prohibited Use: The property may not be used for an accessory dwelling house or accessory dwelling unit.
- (c) Minimum Setbacks for a Garbage Enclosure:
  - (i) Interior side yard: 3.0 metres; and
  - (ii) Front yard: 14.0 metres.

- (d) A drive through service facility accessory to a take-out restaurant use is permitted within 50 metres of a residential use or zone that permits a residential use.
- (e) No off-street loading space is required for a convenience store or take-out restaurant use.
- (f) The front yard depth of the gas pump canopy as it exists on the site as of the date of the passing of the site specific by-law is deemed to comply with this By-Law. In the event that the existing gas pump canopy on the site is removed, development must comply with this By-law.
- (g) The access and driveways existing on the site as of the date of the passing of the site specific by-law are deemed to comply with the access and driveways regulations of this By-Law. In the event that the existing access and driveway on the site is removed, development must comply with this By-law.

[Note: Former CH-7 and Sections 5 and 16 of **former zoning by-law** 32-74]

**L324.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses:
  - (i) Compost Finishing Facility; and
  - (ii) Accessory Interpretive / Educational Pavilion
- (b) The following definition applies:
  - (i) "Compost Finishing Facility" means a waste disposal site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent as may exist from time to time under this or any successor legislation, to allow the site to be used for the purpose of receiving, handling and temporary storage of non-hazardous compost waste. Temporary storage of non-hazardous compost waste, including open storage of materials, equipment or vehicles for work accessory to the principal use, is permitted. Accessory uses such as office and scale and scale house are also permitted.
- (c) A minimum of 18 off-street parking spaces must be provided.

[Note: Former MD-3 and Section 21 of **former zoning by-law** 32-74]

- L325.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Additional Permitted Use: An office use within the former Portsmouth Town Hall building up to a maximum floor area of 315 square metres.
  - (b)** Parking:
    - (i)** Parking for an office use must be provided at a rate of 1 parking space for every 28.0 square metres of gross leasable floor area.
    - (ii)** Parking may be provided off-site within a radius of 400 metres from this Exception.
    - (iii)** Required barrier free parking spaces must be provided on site.
  - (c)** Bicycle Parking:
    - (i)** A minimum of 3 bicycle parking spaces must be provided on-site.

[Note: Former P.485 and Sections 5 and 32 of **former zoning by-law** 8499]

- L326.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Minimum Front Yard: 9.61 metres; and
  - (b)** Minimum Side Yard when abutting an Open Space Zone, Residential Zone, or a street: 7.43 metres.

[Note: Former C2.391 and Section 22 of **former zoning by-law** 8499]

- L327.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Permitted uses also include:
    - (i)** Commercial school;
    - (ii)** Education centre;
    - (iii)** Education facility; and
    - (iv)** Professional office.

- (b)** Permitted complementary uses, which must not, in the aggregate, occupy an area greater than 25% of the total floor area of the building(s) on the lot, include:
- (i)** Bake shop;
  - (ii)** Coffee shop;
  - (iii)** Day care centre;
  - (iv)** Dental office;
  - (v)** Financial institution;
  - (vi)** Hotel;
  - (vii)** Medical clinic;
  - (viii)** Medical office;
  - (ix)** Personal service shop;
  - (x)** Recreational facility;
  - (xi)** Restaurant;
  - (xii)** Retail store;
  - (xiii)** Sports training and treatment centre;
  - (xiv)** Veterinary clinic.
- (c)** Definitions:
- (i)** "Bake Shop" means a commercial establishment with 15 or less seats where bakery products are sold or offered for sale to the general public;
  - (ii)** "Coffee Shop" means a commercial establishment with 15 or less seats that primarily serves beverages that are non-alcoholic to the general public, and may include ancillary retailing or prepared light snack foods such as pastries, muffins, desserts, fruit, yogurt, confectionery items and baked goods;

- (iii) "Personal Service Shop" means the use of any lot, building or structure, or part thereof, for the provision of services involving the care of persons or their apparel, including, but not limited to: barber, hairdresser, beautician, aesthetician, tailor, dressmaker, shoemaker, tanning salon, dry cleaning and laundry store or similar service establishments as licensed by the City. "Personal service shop" must not include an adult entertainment establishment or adult entertainment store, as defined herein. The sale of merchandise is permitted only as an accessory use to the principal service provided;
- (iv) "Sports Training and Treatment Centre" means the use of any lot, building or structure, or part thereof, for physical rehabilitation, injury prevention, health and fitness or other related services.

[Note: Former M9.591 and Section 31B of **former zoning by-law** 8499]

**L328.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Additional Permitted Use:

- (i) One accessory building up to a maximum floor area of 134 square metres may only be used for the purpose as a greenhouse for a home occupation.
- (ii) Should the greenhouse use of the building cease it may only be used as an accessory building in accordance with the zone provisions.
- (iii) There is no outdoor storage of materials, equipment or containers in conjunction with a home occupation.

**(b)** Accessory Building Provisions:

- (i) Interior side yard width (minimum): 3.0 metres;
- (ii) Rear yard depth (minimum): 1.2 metres; and
- (iii) Height (maximum): 5.0 metres.

**(c)** Maximum Lot Coverage: 15%.

[Note: Former A1-61 and Sections 5 or 23 of **former zoning by-law** 32-74]

- L329.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Minimum Front Yard: The minimum front yard may be reduced to 10 metres where a road widening has been taken by the City.
  - (b)** Open Storage Area: Open storage of goods or materials is permitted, subject to the following provisions:
    - (i)** An open storage use must be accessory to the principal use of the lot
    - (ii)** Any open storage area must be screened by a masonry wall or solid fence not less than 1.8 metre high so that the contents of the open storage area will not be visible from any public street
    - (iii)** An open storage use must not include a junkyard, vehicle wrecking yard or vehicle compound as defined in this by law
    - (iv)** A minimum 3.0 metre wide landscape strip must be provided along any street frontage, in front of the required masonry wall or solid fence, where open storage is located within a required front yard
    - (v)** Any access through a required landscape strip or required masonry wall or solid fence, must include a gate which blocks the visibility of the open storage from a public street.

[Note: Former M.438 and Sections 5 and 31A of **former zoning by-law** 8499]

- L330.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** The only permitted use is a conservation use. No buildings, structures or accessory uses are permitted.

[Note: Former FP-4 of **former zoning by-law** 32-74]

- L331.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** For the purposes of zoning interpretation, the lands subject to this Exception are deemed single parcel.
  - (b)** The permitted uses also include:

- (i) A wholly residential building containing a maximum of 12 apartment units at 228 Brock Street, including 122-126 Sydenham Street; and a maximum 3 units at 230 Brock Street.
- (c) Conversion of Commercial Buildings for Residential Use: Residential uses may be permitted on the ground floor.
- (d) Maximum Density: 235 units / net hectare.
- (e) Minimum Number of Parking Spaces: 6.

[Note: Former C1-40 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L332.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The maximum height for buildings or structures is as follows:
  - (i) Height at Build-to-Plane: 4 storeys, not to exceed (to the top of parapet) 15.8 metres; and
  - (ii) Maximum Building Height: 5 storeys, not to exceed (to the top of the parapet) 19.4 metres.
- (b) The commencement height of the angular plane is 15.2 metres.

[Note: Former C1-16 of **former zoning by-law** 96-259]

**L333.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are:
  - (i) Amusement Arcade, Art Gallery, Bakery, Bake Shop, Bank or Financial Establishment, Bed or Breakfast Establishment, Church or Religious Institution, Commercial Entertainment Establishment, Commercial Establishment, Commercial Recreation Facility, Commercial School, Computer Programming Establishment, Convenience Store, Data Processing Establishment, Day Care Centre, Drugstore/ Pharmacy, Florist, Food Store, Funeral Home, Government Office, Hardware Store, Liquor or Beer Store, Medical Clinic, Medical Inpatient Treatment Centre, Medical Office, Mixed Commercial/Residential Development, Nursing Home, Office, Parking Lot, Personal Service Establishment, Pet-Grooming



Establishment, Photo or Artist Studio, Private Social and Cultural Facility, Public Use, Rental Outlet, Repair Service, Restaurant, Restaurant, Outdoor Patio, Restaurant, Take-Out, Service Establishment, Specialty Retail Store, Community Home, Community Support House, Crisis Care Shelter, Home Occupation, Recovery Home, and Residential Care Facility.

- (b) Definitions: "Medical Inpatient Treatment Centre" means a building providing inpatient surgical or other medical treatment for not more than four patients and may include a "Medical Clinic" use.

[Note: Former C1-37 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L334.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) For the purpose of zoning interpretation, the lands subject to this Exception are deemed single parcel.
- (b) The permitted uses also include a three dwelling unit.
- (c) Residential use may be permitted on the ground floor.
- (d) Minimum Amenity Area: 0 Square Metres.

[Note: Former C1-46 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L335.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Maximum Building Height: 22.8 metres, exclusive of any elevator or service penthouse.
- (b) Maximum Number of Storeys: 8.
- (c) Maximum Dwelling Units Permitted: 94.
- (d) Special Provision: Appropriate noise abatement measures including building design, orientation, and/or other techniques must be employed in the design of any project to minimize any potential adverse impact of noise on the project site from traffic on Highway Number 15.
- (e) Dwelling Unit Location: One dwelling unit may be located in the cellar of an apartment dwelling house provided it has a maximum of 1 kitchen.

[Note: Former R3-3 of **former zoning by-law** 32-74]

**L336.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The only permitted uses are:
  - (i)** Amusement Arcade, Art Gallery, Bakery, Bake Shop, Bank or Financial Establishment, Bed or Breakfast Establishment, Church or Religious Institution, Commercial Entertainment Establishment, Commercial Establishment, Commercial Recreation Facility, Commercial School, Computer Programming Establishment, Convenience Store, Data Processing Establishment, Day Care Centre, Drugstore/ Pharmacy, Florist, Food Store, Funeral Home, Government Office, Hardware Store, Liquor or Beer Store, Medical Clinic, Medical Inpatient Treatment Centre, Medical Office, Mixed Commercial/Residential Development, Nursing Home, Office, Parking Lot, Personal Service Establishment, Pet-Grooming Establishment, Photo or Artist Studio, Private Social and Cultural Facility, Public Use, Rental Outlet, Repair Service, Restaurant, Restaurant, Outdoor Patio, Restaurant, Take-Out, Service Establishment, Specialty Retail Store, Community Home, Community Support House, Crisis Care Shelter, Home Occupation, Recovery Home, and Residential Care Facility.
- (b)** Definitions
  - (i)** Medical Inpatient Treatment Centre – means a building providing inpatient surgical or other medical treatment for not more than four patients and may include a “Medical Clinic” use.
- (c)** Minimum Lot Coverage: 40%.
- (d)** One Lot For the Purpose of Zoning: All lands subject to this Exception are considered as one lot.

[Note: Former C1-38 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L337.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted uses are: the sale or renting of vehicles, the warehousing or the sale of boats, recreational vehicles, power sports vehicles, property maintenance equipment, sporting goods, auto parts, and accessories and services related to the foregoing, provided that any outside display

and/or storage are limited to that of vehicles, boats, power sports vehicles, travel trailers, camper truck caps, and motor homes only. Outside display and/or open storage is permitted provided that no such display and/or open storage is located closer than 0.91 metres to any street line and provided further that such display and/or open storage is limited to vehicles, boats, property maintenance equipment, power sports vehicles, travel trailers, camper truck caps, and motor homes.

- (b)** "Power sports vehicles" means vehicles, equipment and accessories including snow machines, personal watercraft, all-terrain vehicles, utility vehicles, trailers, cargo racks and other similar vehicles and accessories.
- (c)** "Property maintenance equipment" means vehicles and accessories including lawn mowers, chain saws, grass trimmers, generators, water pumps, and other similar vehicles and accessories.

[Note: Former C7-2 and Sections 23A of **former zoning by-law** 76-26]

**L338.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Only the following uses are permitted:
  - (i)** a display and sales area for landscaping material;
  - (ii)** a self-storage facility;
  - (iii)** a construction equipment rental business;
  - (iv)** a contractor's or tradesman's shop;
  - (v)** a processing plant for landscaping materials and display area
  - (vi)** an open storage area for pre-manufactured concrete products;
  - (vii)** a service shop;
  - (viii)** a retail outlet, a wholesale outlet or a business office accessory to a permitted use; and
  - (ix)** a public use.
- (b)** All open storage and display areas that are visible to non-industrial use must be visually screened by a fence and multi-level landscaping.

[Note: Former M2-32 and Section 25 of **former zoning by-law** 76-26]

**L339.** Reserved

**L340.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Permitted Residential Uses:

- (i)** Single Detached Dwelling House;
- (ii)** Semi Detached Dwelling House; and
- (iii)** Three and Four Unit Row Dwelling House.

**(b)** Permitted Non-Residential Uses:

- (i)** Home Occupation; and
- (ii)** A public use.

**(c)** Lot Frontage (minimum):

- (i)** Single Detached Dwelling House: 12.7 metres (Corner Lot) and 10.0 metres (Other Lot).
- (ii)** Semi Detached Dwelling House: 19 metres (Corner Lot) and 15.0 metres (Other Lot).
- (iii)** Semi-detached dwelling unit: 11.5 metres (Corner Lot) and 7.5 metres (Other Lot).
- (iv)** Row Dwelling House: 11.5 metres (Corner Lot) and 6.1 metres (Other Lot).
- (v)** The Lot Frontage is measured along a line which is parallel to the front lot line and distant from the lot line 6.0 metres.

**(d)** Garage Location: The front wall of a private garage, whether attached or detached from the main dwelling, containing the opening for vehicular access must be setback a minimum of 6 metres from the lot line abutting the public street that the driveway crosses to access the private garage.

**(e)** Front Yard:

- (i)** Minimum setback from front lot line 4.5 metres.

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- (i) Two sight triangles are required on a corner lot.
  - (1) The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line.
  - (2) The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.
  - (3) Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.
  - (4) Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R2-40 and Sections 5 and 13 of **former zoning by-law** 76-26]

**L341.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 1.4 hectares.
- (b) Minimum Lot Frontage: 100 metres.
- (c) Minimum Front Yard Depth: 10 metres.
- (d) Minimum Exterior Side Yard Depth: 30 metres.
- (e) Minimum Interior Side Yard Depth: 10 metres.
- (f) Minimum Rear Yard Depth: 42 metres.

- (g)** Yards Where Parking is Permitted: Parking is permitted in all yards provided no part of any parking area, other than a driveway or any underground parking, is located no closer than 1.5 metres to a front lot line, 1.5 metres to any side lot line and 30 metres to the rear lot line.
- (h)** Minimum Percentage of Landscaped Open Space: 40%.
- (i)** Maximum Lot Coverage: 30%.
- (j)** Maximum Building Height: 45 metres.
- (k)** Maximum Number of Dwelling Units per Block: 185 dwelling units
- (l)** Privacy Yards: A privacy yard for an apartment dwelling, unobstructed by parking area or vehicular driveway must be provided adjoining a habitable room window with a minimum depth of 5 metres measured at right angles from such wall the window adjoins except at front entrance and loading area where a 1.5 metre yard is required. An unbroken 1.8 metre high chain link fence is required to be constructed along the westerly property line for the whole extent of this zone. The fence must be constructed without any openings and/or gates.
- (m)** A berm must be constructed along the entire westerly property line, save and except where existing drainage and secondary emergency access need to be incorporated into the design of the berm(s) and subject to the following provisions:

  - (i)** Minimum setback from property line: 3 metres;
  - (ii)** Minimum height: 4 metres at the average finished grade;
  - (iii)** Minimum slope: 3:1;
  - (iv)** The design of the berm will take into account the existing drainage from the abutting property to the west to ensure that excessive ponding does not occur as a result of the berm construction;
  - (v)** The berm is only permitted to be used as planting a row of trees or a continuous unpierced hedgerow of evergreens and deciduous trees, not less than 1.5 metres high, along the crest of the berm(s); the remainder of the strip is only permitted to be used as the planting of shrubs, flowering shrubs, flower beds or a combination thereof. The berm will be vegetated with a mix of deciduous and coniferous native species with a trunk diameter to be determined to

be satisfactory to the City's Arborist in consultation with the City's Planner (Parks Development) and Senior Heritage Planner; and

- (vi) Minimum vertical clearance for a parking structure or underground garage is 2.1 metres.

[Note: Former R5-18 and Sections 5 and 15A of **former zoning by-law** 76-26]

**L342.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use: In addition to the permitted uses, a Self-Storage use is a permitted use.
- (b) Prohibited Uses: Open Storage associated with a self-storage use is prohibited.
- (c) Maximum Height: the Maximum height of a self-storage use is 9.2 metres.

[Note: Former C2-68 and Sections 5 and 19 of **former zoning by-law** 76-26]

**L343.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses:
  - (i) Manufacturing, assembly, fabricating and processing operations;
  - (ii) Construction and transportation activities and facility;
  - (iii) Storage, warehousing and wholesale trade activities;
  - (iv) Communications and utilities facility;
  - (v) Institutional uses with General Industrial characteristics, such as a trade school;
  - (vi) Public use; and
  - (vii) A research and development facility.
- (b) Permitted Complementary Uses:
  - (i) Office and business services such as printing and equipment repair intended to serve the General Industrial area;



- (ii)** Restaurant;
  - (iii)** Financial institution;
  - (iv)** Personal services and convenience commercial;
  - (v)** Automotive, heavy equipment or truck repair facility;
  - (vi)** Public and private parks and recreation facilities; and
  - (vii)** Parking lots and structure.
- (c)** The following definition applies:
  - (i)** 'A research and development facility' means a place used for systematic research, data collection and manipulation, or technical or scientific development of information or new products, and may include a research laboratory.
- (d)** For the purposes of interpretation, the lot lines are:
  - (i)** Front Lot Line: the southern property line abutting Venture Drive is deemed the front lot line; and
  - (ii)** All other property lines are deemed exterior side lot lines.
- (e)** Minimum front yard depth: 10 metres.
- (f)** Minimum exterior side yard setback: 10 metres.
- (g)** Despite (f), the minimum exterior side yard setback along Centennial Drive is 20 metres.
- (h)** Maximum building height:
  - (i)** The maximum building height is 28 metres.
  - (ii)** Despite (i), up to 40% of the ground floor area may have a maximum building height of 44 metres.
- (i)** Minimum parking requirement: 0.65 parking spaces per 100 square metres of gross floor area.
- (j)** Yards in which required parking area permitted: parking area may be permitted in the front yard and exterior side yard provided that no part of

any parking area, other than a driveway, is located closer than 7.6 metres to any street line.

- (k)** Yards in which loading facilities permitted: loading facilities may be permitted in the front yard and exterior side yard provided that no part of any loading area, other than a driveway, is located closer than 7.6 metres to any street line.
- (l)** Planting Strip:
  - (i)** No planting strip is required adjacent to the front lot line or the eastern most exterior side lot line.
  - (ii)** A planting strip is required along the western most and northern most lot lines in accordance with the provisions of this By-law.
  - (iii)** Despite (ii), the required planting strip along the northern most lot line must extend a minimum of 200 metres eastward from the intersection of Centennial Drive and Resource Road.

[Note: Former M1-15 and Sections 5 and 24 of **former zoning by-law** 76-26]

**L344.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Only the following uses are permitted:
  - (i)** single-family dwelling house;
  - (ii)** accessory dwelling house;
  - (iii)** conservation use;
  - (iv)** forestry use;
  - (v)** home occupation;
  - (vi)** riding stable;
  - (vii)** a public use; and
  - (viii)** any accessory building or structure or accessory use to a permitted use, in accordance with the provisions of this By-law.

- (b)** Setback from Flooded Former Quarry: A dwelling house must be setback a minimum of 40 metres from the flooded portion of the former quarry which is taken at 96 metres mean sea level.
- (c)** Separation of Uses: A dwelling house is not permitted within 83 metres of the boundary of Exception L84.
- (d)** Access: The driveway to a dwelling house is not permitted to access through a lot subject to Exception L84.

[Note: Former A1-19 and Sections 5 and 9 of **former zoning by-law** 76-26]

**L345.** L345 Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Only the following uses are permitted:
  - (i)** Residential Uses:
    - (1)** Single Detached Dwelling House;
    - (2)** Semi Detached Dwelling House; and
    - (3)** Three, Four or Five Unit Row Dwelling House.
  - (ii)** Non-Residential Uses:
    - (1)** a home occupation; and
    - (2)** a public use.
- (b)** A maximum of 10% of all row dwelling houses buildings are permitted to be five unit row dwelling house buildings.
- (c)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 23 dwelling units per net hectare.
- (d)** Lot Area (minimum): Not applicable.
- (e)** Lot Frontage: The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.
- (f)** Corner Lot (Minimum):

- (i)** Single Detached Dwelling House: 10.9 metres;
  - (ii)** Semi Detached Dwelling House: 17.0 metres;
  - (iii)** Semi Detached Dwelling Unit: 9.6 metres; and
  - (iv)** Row Dwelling House: 9.1 metres.
- (g)** Other Lot (Minimum):
  - (i)** Single Detached Dwelling House: 9.1 metres;
  - (ii)** Semi Detached Dwelling House: 14.8 metres;
  - (iii)** Semi Detached Dwelling Unit: 7.4 metres; and
  - (iv)** Row Dwelling House: 6.1 metres.
- (h)** Front Yard Depth:
  - (i)** Minimum Depth: 4.5 metres;
  - (ii)** Maximum Depth: 7.0 metres;
  - (iii)** Despite (i) and (ii), where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres front the front lot line, if the covered porch is constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling.
  - (iv)** Despite (i), (ii) and (iii), where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.
- (i)** Exterior Side Yard Width (minimum): 2.4 metres.
- (j)** Interior Side Yard Width (minimum):
  - (i)** Single Detached Dwelling House: The minimum aggregate interior side yard width is 1.8 metres, with no one side yard less than 0.6

metres in width. Where there is a corner lot on which there is only one interior side yard, the minimum depth is 0.6 metres;

**(ii)** Semi Detached Dwelling House: 1.2 metres for a side that is not attached to another dwelling house; and

**(iii)** 1.2 metres for a side that is not attached to another dwelling house.

**(k)** Rear Yard Depth (minimum): 6.0 metres.

**(l)** Lot Coverage (maximum): Not applicable.

**(m)** Garage:

**(i)** Main Entry Feature means a platform, with at least one side open, covered by either a roof, balcony or enclosed space, with or without a foundation and/or basement that provide access to the dwelling unit.

**(ii)** Main Front Entrance means the door which is designed as the primary access point into the dwelling unit

**(iii)** The wall of an attached private garage that contains the opening for a vehicular access must be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.

**(iv)** The wall of the attached private garage facing the public street must not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry features or main front entrance of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.

**(n)** Driveway Width: The maximum width of a driveway for its entire length is:

**(i)** Single Detached Dwelling House: lesser of 6.0 metres or 50% of lot width;

**(ii)** Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width;

**(iii)** Row Dwelling House:

- (1)** End unit: lesser of 4.0 metres or 50% of lot width; and
    - (2)** Other unit: 3.5 metres.
- (o)** Parking: Parking is permitted in the interior side and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
- (p)** Sight Triangles:
  - (i)** Within any area defined as a sight triangle, the following uses are prohibited:
    - (1)** A building, structure or use which would obstruct the vision of drivers of motor vehicles;
    - (2)** a fence, tree, hedge or other vegetation, the top of which exceeds 1.0 metres in height above the elevation of the centerline of the adjacent street;
    - (3)** an uncovered surface parking area; and
    - (4)** a finished grade which exceeds the elevation of the centerline of the adjacent street by more than 1.0 metres.
- (q)** Sight triangles are required on a corner lot at all intersections:
  - (i)** A sight triangle is required by a line drawn from a point on the exterior side lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line, and a point on the front lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line.
  - (ii)** Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.
  - (iii)** Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R2-46 and Sections 5 and 13 of **former zoning by-law** 76-26]

- L346.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** The following definition applies:
    - (i)** 'Live-work unit' means a purpose built building or structure which combines space for a permitted non-residential use and a residential use
  - (b)** Only the following uses are permitted:
    - (i)** Residential Uses:
      - (1)** Semi Detached Dwelling House; and
      - (2)** Row Dwelling House.
    - (ii)** Non-Residential Uses:
      - (1)** Non-Residential Uses are permitted on the ground floor of a live-work unit within either a Semi Detached Dwelling House or a Row Dwelling House;
      - (2)** Artist's or Photographer's Studio;
      - (3)** Bake-shop;
      - (4)** Clinic;
      - (5)** Day Care Facility;
      - (6)** Home Occupation;
      - (7)** Personal Service Shop;
      - (8)** Private art gallery;
      - (9)** Professional Office;
      - (10)** Public use.
  - (c)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 37.5 dwelling units per net hectare.

- (d)** Lot Area (minimum): Not applicable.
- (e)** Lot Frontage:
  - (i)** The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.
  - (ii)** Corner Lot (Minimum):
    - (1)** Semi Detached Dwelling House: 17.0 metres;
    - (2)** Semi Detached Dwelling Unit: 9.6 metres; and
    - (3)** Row Dwelling House: 9.1 metres.
  - (iii)** Other Lot (Minimum):
    - (1)** Semi Detached Dwelling House: 14.8 metres;
    - (2)** Semi Detached Dwelling Unit: 7.4 metres; and
    - (3)** Row Dwelling House: 6.1 metres.
- (f)** Front Yard Depth:
  - (i)** Minimum Depth: 4.5 metres.
  - (ii)** Maximum Depth: 7.0 metres.
  - (iii)** Despite (i) and (ii), where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres front the front lot line, if the covered porch is constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling.
  - (iv)** Despite (i), (ii) and (iii), where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.
- (g)** Exterior Side Yard Width (minimum): 2.4 metres.



- (h)** Interior Side Yard Width (minimum):
  - (i)** Semi Detached Dwelling House: 1.2 metres for a side that is not attached to another dwelling house; and
  - (ii)** Row Dwelling House: 1.2 metres for a side that is not attached to another dwelling house.
- (i)** Rear Yard Depth (minimum):
  - (i)** Semi Detached Dwelling House: 6.0 metres; and
  - (ii)** Row Dwelling House: 6.0 metres.
- (j)** Lot Coverage (maximum): Not applicable.
- (k)** Height of Building (maximum): 1-storey with a maximum height of 8.5 metres at the highest point of the building measured from the front elevation.
- (l)** Garage:
  - (i)** 'Main Entry Feature' means a platform, with at least one side open, covered by a roof, balcony or enclosed space, with or without a foundation and/or basement that provide access to the dwelling unit.
  - (ii)** 'Main Front Entrance' means the door which is designed as the primary access point into the dwelling unit
  - (iii)** The wall of an attached private garage that contains the opening for a vehicular access must be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.
  - (iv)** The wall of the attached private garage facing the public street must not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry features or main front entrance of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.

- (m)** Driveway Width: The maximum width of a driveway for its entire length must be:
  - (i)** Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width;
  - (ii)** Row Dwelling House:
    - (1)** End unit: lesser of 4.0 metres or 50% of lot width; and
    - (2)** Other unit: 3.5 metres.
- (n)** Parking:
  - (i)** Parking is permitted in the interior side and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
  - (ii)** A minimum of 1 non-residential parking space must be provided for a live-work unit.

[Note: Former R3-34 and Sections 5 and 14 of **former zoning by-law** 76-26]

**L347.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Only the following uses are permitted:
  - (i)** Residential Uses:
    - (1)** Single Detached Dwelling House; and
    - (2)** Semi Detached Dwelling House.
  - (ii)** Non-Residential Uses:
    - (1)** A home occupation; and
    - (2)** A public use.
- (b)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 23 dwelling units per net hectare.
- (c)** Lot Area (minimum): Not applicable.

**(d)** Lot Frontage:

**(i)** The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.

**(ii)** Corner Lot (Minimum):

**(1)** Single Detached Dwelling House: 10.9 metres;

**(2)** Semi Detached Dwelling House: 17.0 metres; and

**(3)** Semi Detached Dwelling Unit: 9.6 metres.

**(iii)** Other Lot (Minimum):

**(1)** Single Detached Dwelling House: 9.1 metres;

**(2)** Semi Detached Dwelling House: 14.8 metres; and

**(3)** Semi Detached Dwelling Unit: 7.4 metres.

**(e)** Front Yard Depth:

**(i)** Minimum Depth: 4.5 metres;

**(ii)** Maximum Depth: 7.0 metres;

**(iii)** Despite (i) and (ii), where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres front the front lot line, if the covered porch is constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling; and

**(iv)** Despite (i), (ii) and (iii), where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling includes a covered front porch, constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

**(f)** Exterior Side Yard Width (minimum): 2.4 metres.

**(g)** Interior Side Yard Width (minimum):

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- (l) Parking: Parking is permitted in the interior side and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
- (m) Sight Triangles:

  - (i) Within any area defined as a sight triangle, the following uses are prohibited:

    - (1) A building, structure or use which would obstruct the vision of drivers of motor vehicles;
    - (2) a fence, tree, hedge or other vegetation, the top of which exceeds 1.0 metres in height above the elevation of the centerline of the adjacent street;
    - (3) an uncovered surface parking area; and
    - (4) a finished grade which exceeds the elevation of the centerline of the adjacent street by more than 1.0 metres.
  - (ii) Sight triangles are required on a corner lot at all intersections:

    - (1) A sight triangle is required by a line drawn from a point on the exterior side lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line, and a point on the front lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line.
    - (2) Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.
- (n) Where a lot is divided into more than one zone, the zone boundary must not be treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R2-45 and Sections 5 and 13 of **former zoning by-law** 76-26]

**L348.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Height of Building (Maximum): 11.9 metres.
- (b)** Off-Street Parking (Minimum):
  - (i)** Elementary school: 2.1 parking spaces per classroom;
  - (ii)** Secondary school: 4.3 parking spaces per classroom;
  - (iii)** Daycare centre: 2.1 parking spaces per classroom;
  - (iv)** Community room: 10.76 parking spaces per 100 square metres of gross floor area;
  - (v)** Offices (cultural centre): 3.57 parking spaces per 100 square metres of gross floor area; and
  - (vi)** Theatre 10.76 parking spaces per 100 square metres of gross floor area.
- (c)** Despite (b), the off-street parking requirements for the theatre, with a maximum gross floor area of 720 square metres, may be satisfied through shared use of the parking facilities described in (b) above. The theatre must be for the exclusive use of the school during school hours.
- (d)** A maximum of 20 parking spaces (in the aggregate) are permitted to be located off-site on an adjacent parcel.
- (e)** Parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long.
- (f)** Off-Street Accessible Parking:
  - (i)** Type A accessible parking spaces must have minimum dimensions of 3.4 metres wide by 5.2 metres long.
  - (ii)** Type B accessible parking spaces must have minimum dimensions of 2.7 metres wide by 5.2 metres long.
  - (iii)** An accessible aisle with minimum dimensions of 1.5 metres wide by 5.2 metres long, and marked with high tonal contrast diagonal lines, must be provided adjacent to Type A and Type B accessible parking spaces. The access aisle may be shared between Type A and Type B accessible parking spaces.

[Note: Former I-15 and Sections 5 and 17 of **former zoning by-law** 76-26]

**L349.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Lot Area (minimum): 1.0 hectares.
- (b) Setback from 1:100 year floodplain (minimum): 15 metres.

[Note: Former ER-6 and Section 16 of **former zoning by-law** 76-26]

**L350.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) A Park;
- (b) A Public walkway;
- (c) A Stormwater management facility; and
- (d) A Public use.

[Note: Former OS-23 of **former zoning by-law** 76-26]

**L351.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
    - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (b) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.
- (c) Maximum Number of Dwelling Units: 2.
- (d) Maximum Aggregate Number of Bedrooms: 7.
- (e) Off-Street Parking: A minimum of 1 parking space is required.

- (f) Bicycle Parking: A minimum of 6 bicycle parking spaces are required.

[Note: Former A.439 and Sections 5 and 6 of **former zoning by-law** 8499]

**L352.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The use of a cellar as used as a dwelling unit or as a habitation unit is permitted.
- (b) A maximum of two dwelling units are permitted on the property.

[Note: Former A.434 of **former zoning by-law** 8499]

**L353.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
- (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
- (1) Common areas open to all occupants of the unit;
- (2) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
- (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment
- (b) Maximum Number of Dwelling Units: 2.
- (c) Maximum Aggregate Number of Bedrooms: 4.
- (d) Off Street Parking:
- (i) Parking is only permitted behind the front wall of the main building; and
- (ii) Parking in a stacked / tandem arrangement is permitted for a maximum of two parking spaces.

[Note: Former A.446 and Sections 5 and 6 of **former zoning by-law** 8499]



**L354.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
    - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters, and laundry equipment.
- (b) Maximum number of dwelling units: 2.
- (c) Maximum number of bedrooms per dwelling unit: 2.
- (d) Minimum front yard setback: 0.2 metres.
- (e) Minimum side yard setback: 0.1 metres.
- (f) The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.
- (g) The existing 44.5 square metre garage as of the date of the passing of the site specific by-law is deemed to comply with the regulations of this By-law. In the event that the existing garage on the site is demolished, any new development or re-development must comply with this By-law.

[Note: Former A.450 and Sections 5 and 6 of **former zoning by-law** 8499]

**L355.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Accessory Building existing on the date of passing of the site specific by-law:
  - (i) Minimum Side Yard: 0 metres.
  - (ii) Maximum Floor Area: 35 square metres.

[Note: Former A.460 and Section 5 of **former zoning by-law** 8499]

**L356.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The following definition applies:

**(i)** Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include

**(1)** Common areas open to all occupants of the unit;

**(2)** Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen), and

**(3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment

Despite the foregoing, a bachelor, bachelorette or studio unit are calculated to contain one bedroom.

**(b)** The existing building on the date of passing of By-Law Number 2016-97 is only permitted to be converted to a maximum of 2 dwelling units, with the following requirements:

**(i)** Minimum Lot Area: 612 square metres.

**(ii)** Maximum Number of Dwelling Units: 2.

**(iii)** Maximum Aggregate Number of Bedrooms: 9.

**(iv)** Minimum Front Yard Setback: 4.73 metres.

**(v)** Minimum Building Depth: 18.33 metres.

**(vi)** The use of a cellar as a portion of a dwelling unit or as a habitation unit is permitted.

**(vii)** Existing Accessory Structure:

**(1)** Minimum side yard (north): 0.15 metres.

**(viii)** Access: The second residential unit must have separate access from that of the principle residential unit. Access must be provided at the front of the building for the principle residential unit, and at the side

or rear of the building for the second dwelling unit, where there is a minimum 0.87 metre wide unobstructed walkway, that does not impede drainage.

**(ix) Off-Street Parking:**

**(1)** Parking in a stacked / tandem arrangement is permitted for a maximum of two parking spaces.

**(2)** One parking space must be provided for each dwelling unit.

[Note: Former A.494 and Section 5 of **former zoning by-law** 8499]

**L357.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** For zoning interpretation purposes, the lands subject to this Exception are considered one lot.

**(b) Definitions:**

**(i)** "Principal Residential Unit" means the main /core structure intended for human habitation, on a lot.

**(ii)** "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom and living space.

**(c) Additional Permitted Uses:**

**(i)** For the dwelling municipally known as 480 Albert Street as of the date of passing of the site specific by-law, a maximum of 1 Second Residential Unit is a permitted use within the existing structure.

**(d) Prohibited Uses:**

**(i)** Garden Suite;

**(ii)** Boarding House;

**(iii)** Lodging House; and

**(iv)** Rooming House.

**(e) Second Residential Unit Provisions:**

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**(iv) Minimum Front Yard Setback:**

- (1)** For the dwelling municipally known as 482 Albert Street: 0.0 metres;

**(v) Accessory Building, Minimum Side Yard Setback:**

- (1)** The minimum side yard setback for an accessory building is 0.3 metres.

**(vi) Parking Area:**

- (1)** Maximum Size of a Parking Area: up to 48.6 square metres of the rear yard may be used as uncovered parking area.

[Note: Former A.562 and Sections 5 and 6 of **former zoning by-law** 8499]

**L358.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 255 square metres per dwelling unit.
- (b)** Minimum Exterior Side Yard: 3.5 metres.
- (c)** Minimum Rear Yard: 0.3 metres.
- (d)** Maximum Building Depth: There is no maximum building depth requirement.
- (e)** Projections into Yards: Unenclosed porches, decks, balconies, steps, and verandas, covered or uncovered, are permitted 2.0 metre from an exterior side lot line.

[Note: Former A.531 and Sections 5 and 6 of **former zoning by-law** 8499]

**L359.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area: 280 square metres per dwelling unit.

[Note: Former A.544 and Sections 5 and 6 of **former zoning by-law** 8499]

**L360.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Permitted Uses: The permitted uses also include a multiple family dwelling containing three dwelling units and an accessory dwelling containing one dwelling unit.
- (b)** Definitions:
  - (i)** “Accessory Dwelling” means a subordinate, detached building located on the same lot as the main building, which is designed and/or used exclusively for residential occupancy.
- (c)** Minimum Lot Area: 185 square metres per dwelling unit.
- (d)** Minimum Front Yard: 4.5 metres.
- (e)** Minimum Side Yard: 2.1 metres (east) and 3.1 metres (west).
- (f)** Maximum Residential Building Height: The maximum permitted height of any exterior wall exclusive of end gable is 8.8 metres.
- (g)** Maximum Residential Building Depth: 20.1 metres.
- (h)** Off-Street Residential Parking: 1 parking space per dwelling unit.
- (i)** Parking Design Standards: The minimum size of a parking space is 2.6 metres wide and 6.0 metres long.
- (j)** Parking Area: Up to 68.4 square metres of the rear yard may be used as an uncovered parking area.
- (k)** Projections into Front Yard: Unenclosed front porches and steps are permitted to project 2.7 metres out from the main building wall, but not closer than 1.8 metres to the front lot line.
- (l)** Accessory Dwelling Provisions:
  - (i)** Maximum Building Height: 6.9 metres;
  - (ii)** Maximum Lot Coverage: 10% of the lot area; and
  - (iii)** Location on Lot: An accessory dwelling must be located:
    - (1)** Not less than 1.8 metres from the side yard;
    - (2)** Not less than 7.5 metres from the rear yard; and
    - (3)** No closer to the street than the front of the main building.

- (m)** Residential Units Fronting on a Street: The accessory dwelling may be located at the rear of the main building.

[Note: Former A.589 and Sections 5 and 6 of **former zoning by-law** 8499]

- L361.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** In addition to the permitted uses, a triplex is also a permitted use provided that the three residential units are contained within the walls of the building in existence as of the date of the passing of site specific by-law Number 2011-120.

[Note: Former A2.405 and Section 8 of **former zoning by-law** 8499]

- L362.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Definitions: the following definition is applicable for this section of the Zoning By-Law:
- (i)** Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
- (1)** Common areas open to all occupants of the unit;
  - (2)** Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
  - (3)** Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

A bachelor, bachelorette or studio unit are calculated to contain one bedroom.

- (b)** Maximum aggregate total number of bedrooms is 6.
- (c)** A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

- (i) floor area occupied by mechanical, service and electrical equipment that serve the building;
  - (ii) an open porch or balcony; and
  - (iii) areas internal to the building that are intended for the storage of vehicles.
- (d) Parking:
  - (i) One parking space must be provided for each dwelling unit.
  - (ii) The required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit must meet the yard and driveway provisions of the zone.
  - (iii) One parking space may be 2.5 by 5.3 metres and located beside the house.
- (e) An additional driveway is not permitted for a second residential unit.
- (f) The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway, that does not impede drainage, from the front of the building to the access is provided. The walkway may extend from the driveway.
- (g) A dwelling unit is permitted in a cellar.

[Note: Former A2.455 and Sections 5 or 8 of **former zoning by-law** 8499]

**L363.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use:
  - (i) In addition to the uses permitted by this By-law, the property is permitted to be used for a Crisis Care Shelter.
- (b) Minimum Separation: Not applicable.
- (c) Minimum Front Yard: 7.0 metres.



- (d) Front Yard Parking: Parking facilities may be located in the front yard space. The parking facility may extend from the front of the house to the front lot line and be a maximum width of 6.0 metres.
- (e) Projection into Front Yard: A step and covered or uncovered unenclosed porch may project out from the main building wall not closer than 5.0 metres to the front lot line.

[Note: Former A5.399 and Sections 5 and 11 of **former zoning by-law** 8499]

**L364.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Lane" means a private access which affords access within a property and is not assumed or maintained by a public body.
- (b) Permitted Uses:
  - (i) Row dwellings;
  - (ii) Stacked row dwellings;
  - (iii) Second residential unit is permitted in a row dwelling;
  - (iv) Parks; and
  - (v) Home occupations in accordance with this By-law.
- (c) Lot Frontage (minimum):
  - (i) on a lot accessed by a lane: 5.5 metres per unit; and
  - (ii) on a lot not accessed by a lane: 6.5 metres per unit.
- (d) Front Yard Depth (minimum, exclusive of garage):
  - (i) on a lot accessed by a lane: 1.5 metres; and
  - (ii) on a lot not accessed by a lane: 4.5 metres
- (e) Interior Side Yard (minimum):
  - (i) interior unit: 0.0 metres; and

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- (2) "Second Residential Unit" means a legally existing separate dwelling unit, which is ancillary to a principal residential unit and includes a separate access, kitchen, washroom, and living space.
- (iii) Second Residential Unit Area: A second residential unit must have a gross floor area not exceeding 40% of the gross floor area of the principal residential unit or 90 square metres, whichever is lesser. Calculations for gross floor area refers to the total area of each floor, including finished attic spaces, whether located above, at, or below grade, measured from the interior of outside walls and including floor area occupied by interior walls, but excluding:

  - (1) floor area occupied by mechanical, service, and electrical equipment that serve the building;
  - (2) an open porch; and
  - (3) areas internal to the building that are intended for the storage of vehicles.
- (iv) Maximum Second Residential Units per Dwelling House: 1 unit only.
- (v) Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.
- (vi) Parking and Driveway:

  - (1) A second residential unit must have a minimum of 1 parking space.
  - (2) An additional driveway is not permitted for a second residential unit.
  - (3) Tandem parking is permitted for a row dwelling use with a second residential unit.

[Note: Former A5.489 of **former zoning by-law** 8499]

- L365.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Permitted Uses: The permitted uses also include a multiple family dwelling containing three dwelling units.
  - (b) Minimum Front Yard: 7.45 metres.
  - (c) Minimum Lot Area: 267 square metres per dwelling unit.
  - (d) Minimum Lot Width: 12.0 metres.
  - (e) Off-Street Residential Parking: A minimum of 1 parking space per dwelling unit must be provided.
  - (f) Front Yard Parking: A maximum of 3 vehicle parking spaces are permitted in the required front yard.
  - (g) Maximum Driveway Width: 9.3 metres.
  - (h) Projection into Side Yard: Unenclosed porches and steps are permitted to project 1.2 metres out from the main building wall, but not closer than 0.95 metres to the side lot line.

[Note: Former A5.598 and Section 11 of **former zoning by-law** 8499]

- L366.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Maximum Height: 9.5 metres.
  - (b) Minimum Front Yard: 1.0 metre.
  - (c) Minimum Side Yard: 1.3 metres.
  - (d) Maximum Percentage of Lot Coverage: 36%.
  - (e) Maximum Density: 77 units per net hectare.
  - (f) Parking:
    - (i) The minimum size of a parking space is 2.6 metres wide and 5.2 metres long;
    - (ii) Minimum Number of Entrance / Exit Lanes: 1 only; and
    - (iii) Minimum Entrance / Exit Lane Width: 5.2 metres.

- (g) Regulations for Dwellings with Common Party Walls: For the purpose of side yard, lot width, lot area, lot coverage, lot occupancy and parking any building with common party walls are considered as one building occupying one lot.

[Note: Former B.474 and Sections 5 and 13 of **former zoning by-law** 8499]

**L367.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses: a building with 10 residential dwelling units.
- (b) Minimum Front Yard Setback: 3.8 metres.
- (c) Minimum Side Yard: 1.5 metres.
- (d) Minimum Aggregate Side Yard: 5.1 metres.
- (e) Maximum Lot Coverage: 36%.
- (f) Maximum Density: 69 units per net hectare.
- (g) A density bonus may be applied to permit a density increase to 122 units per net hectare. The bonus is subject to the property owner entering into a development agreement with the City, which will establish a high quality of architectural design and human scale development consistent with the City's long term vision for the area.
- (h) Minimum Play Space: 0.0 square metres.
- (i) Minimum Amenity Area: 408 square metres.
- (j) Required Parking Spaces: 6.
- (k) Projection of Porch and Stairs into Front Yard: 2.7 metres.
- (l) For the purpose of zone interpretation, the lands subject to this Exception are considered a single parcel.
- (m) That the maximum number of bedrooms for a dwelling unit is 4.
- (n) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
  - (i) Common areas open to all occupants of the unit;

- (ii) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
- (iii) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.

[Note: Former B.432 and Sections 5 and 13 of **former zoning by-law** 8499]

**L368.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses: The only permitted uses are as follows:
  - (i) One-Family Dwelling;
  - (ii) Two-Family Dwelling; and
  - (iii) Three-Family Dwelling.
- (b) Maximum Number of Dwelling Units: 3.
- (c) Minimum Side Yard: 2.5 metres.
- (d) Minimum Aggregate Side Yard: 7.1 metres.
- (e) Off-Street Parking: One parking space may be located in the driveway in the front yard.
- (f) Location of Parking: One parking space may be located to the front of the midway point between the rear and front wall of the main building.
- (g) Tandem Parking Space: Tandem parking is permitted in the driveway.
- (h) Flood Plain Setback:
  - (i) No building or structure is permitted within 6.0 metres of an EPA Zone, except for one accessory structure of no more than 10 square metres.
  - (ii) A maximum of one parking space is permitted within a 6.0 metre setback of an EPA Zone.
  - (iii) Bicycle parking may be located within an existing rear yard accessory building within the EPA Zone.

[Note: Former B.597 and Sections 5 and 13 of **former zoning by-law** 8499]

**L369.** This Exception only applies to regulate the structures existing as of the date of passing of the site specific by-law and a 17.8 square metre deck constructed at the rear. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The following definitions apply:

- (i)** "Neighbourhood Commercial Uses" means small-scale commercial uses that serve the needs of the adjacent neighbourhood and may include the following types of uses: general stores, clothing stores, food stores, drug stores, banks, restaurants and delicatessens, coffee shops, barber shops, beauty salons, hardware stores, sporting goods stores, florist, laundromat, dry-cleaning agencies for the receipt and delivery only of dry-cleaned articles.
- (ii)** "Professional Office" means a building or part of a building wherein one or more individuals are employed in the management, direction, or conducting of any agency, business, brokerage or labour organization and includes such uses as a doctor's office, lawyer's office, an architect's office, an engineer's office, office of a Drugless Practitioner, real estate agency, consulting firm, communications office, and research business, but does not include any use otherwise defined in this By-Law. This use class does not include medical clinics.
- (iii)** "Drugless Practitioner" means a drugless practitioner within the meaning of The Drugless Practitioners Act, as amended.
- (iv)** "Live-Work Unit" means a dwelling unit occupied in conjunction with an art gallery, an artisan's studio, and/or a permitted, recreational or commercial use on the subject property.

**(b)** The permitted uses are limited to:

- (i)** Neighbourhood Commercial Uses: provided that these commercial uses do not occupy a total floor area greater than 165 square metres on the ground floor;
- (ii)** Professional Office: provided that this commercial use does not occupy a total floor area greater than 90 square metres on the ground floor;

- (iii) Recreational Use: provided that this use does not occupy a total floor area greater than 90 square metres on the ground floor;
  - (iv) Live-Work Unit: provided that the art gallery, artisan's studio and/or the permitted recreational or commercial use associated with the dwelling unit does not occupy a total floor area greater than 165 square metres on the ground floor;
  - (v) One and two family dwellings;
  - (vi) Multiple family dwellings; and
  - (vii) Uses permissible in UR5 Zone subject to the provisions of the UR5 Zone.
- (c) Lot lines
  - (i) Front Lot lines: The north and east lot lines, abutting Charles and Montreal Street respectively, are deemed to be the front lot lines.
  - (ii) Side Lot lines: The south and west lot lines are deemed to be side lot lines.
- (d) Maximum number of dwelling units: 4.
- (e) Off-street parking:
  - (i) The minimum number of spaces is 2.
  - (ii) The minimum required dimensions are 2.6 metres by 5.2 metres.
  - (iii) Parking spaces may be located closer to the street line than the nearest wall of the main building.
- (f) Minimum barrier free parking space length: 5.2 metres.
- (g) Minimum amenity area: 17 square metres.

[Note: Former B.538 and Sections 5, 6.3 and 13 of **former zoning by-law** 8499]

**L370.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Front Yard: 5.0 metres.



- (b) Minimum East Side Yard: 3.0 metres.
- (c) Maximum Density: 140 dwelling units per net hectare.
- (d) Off-Street Parking: A minimum parking ratio of 0.65 spaces per dwelling unit is required.
- (e) Amenity Area: Amenity areas, if provided as communal space, must be aggregated into areas of not less than 40 square metres.

[Note: Former B1.580 and Sections 5 and 14 of **former zoning by-law** 8499]

**L371.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The use of a cellar as a dwelling unit or as a habitation unit is permitted.
- (b) Maximum Number of Dwelling Units: 2.
- (c) Minimum side yard (south): 1.1 metres.
- (d) Minimum Lot Width: 16.6 metres.
- (e) Maximum Density: 30.5 dwelling units per net hectare.
- (f) Minimum number of parking spaces: 1 space per dwelling unit.
- (g) Accessory Structure:
  - (i) Minimum distance to main building: 1.2 metres.

[Note: Former B1.524 and Sections 5 and 14 of **former zoning by-law** 8499]

**L372.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) Stacked row dwelling: means a dwelling house containing four or more principal dwelling units where the units in each pair are divided horizontally, and the pairs are divided vertically, and in which each dwelling unit has an independent entrance from the exterior.
  - (ii) Height: means the vertical distance measured from the average grade surrounding the building footprint to the highest point of the

roof surface in the case of flat roofs or to a point halfway up the roof in the case of pitched roofs.

- (b)** Additional Permitted Uses:
  - (i)** Stacked row dwelling; and
  - (ii)** Row dwelling.
- (c)** For the purposes of interpretation, the lot lines are:
  - (i)** Front Lot Line: The northern property line abutting Barbara Avenue is deemed the front lot line;
  - (ii)** Rear Lot Line: The southernmost property line is deemed the rear lot line; and
  - (iii)** Side Lot Line: All other property lines are deemed side lot lines.
- (d)** Minimum Front Yard: 3.5 metres.
- (e)** Minimum Rear Yard: 30 metres.
- (f)** Minimum Side Yard: 3.0 metres.
- (g)** Despite (f), the minimum side yard requirement for the easternmost portion of the easterly side yard is 15.0 metres.
- (h)** Maximum Height: 10.0 metres.
- (i)** Maximum Number of Dwelling Units: 16.
- (j)** Play Space requirement: 0.0 square metres.
- (k)** Maximum Number of Dwelling Units per Building: 16.
- (l)** Off-Street Parking:
  - (i)** Parking facilities must be provided on the same lot and may be located in all yards but must not be located closer to any property line than 3.0 metres.
  - (ii)** Within the 3.0 metre front yard setback there must be trees, hedges or ornamental fencing for the purpose of screening the surface parking from Barbara Avenue.
- (m)** Bicycle Parking

- (i) Minimum Bicycle Parking Space dimension is 1.8 metres in length by 0.3 metres wide and a minimum overhead vertical clearance of 2.1 metres
- (n) The former provisions of Section 5.22(c) of **former zoning by-law** 8499 apply to stacked row dwellings.

[Note: Former B2.509 and Sections 5 and 15 of **former zoning by-law** 8499]

**L373.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definitions apply:
  - (i) Amenity Area: The area situated within the boundaries of any residential development site intended for recreational purposes, and may include landscaped open space, patios, private amenity areas, balconies, communal lounges, swimming pools, children's play areas, and similar uses, but does not include any area occupied at grade by a building's service areas, parking areas, parking aisles, or driveways.
  - (ii) Bedroom: means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include:
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
    - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (b) Additional Permitted Uses include: mixed commercial/residential use.
- (c) Prohibited Uses include: a hotel/motel use, a marina use, sales room or yards for motor vehicles; including automotive service stations; and automotive repair shops that install and service previously manufactured parts.

- (d)** The following provisions apply to a mixed use building and an apartment building:
- (i)** Maximum residential density is 305 Units per hectare.
  - (ii)** Maximum number of residential units: 36.
  - (iii)** Minimum Interior side yard setback is 3.0 metres.
  - (iv)** Permitted Encroachments:
    - (1)** No portion of the building, including but not limited to footings, weeping system, eaves and downspouts are permitted to encroach into the City's right-of-way.
    - (2)** An access stairwell is permitted to encroach a maximum of 1.5 metres into the interior side yard.
    - (3)** An awning with a vertical clearance of 2.1 metres is permitted to encroach a maximum of 2 metres into the interior side yard.
  - (v)** Minimum setbacks:
    - (1)** From Princess Street and Nelson Street is 0.0 metres.
    - (2)** From the southerly property line to the face of the building is 6.0 metres.
  - (vi)** Maximum lot coverage is 100%.
  - (vii)** Maximum Building Height: 21.55 metres to top of structure.
  - (viii)** Maximum number of storeys: 5.
  - (ix)** Average number of bedrooms per unit must not exceed 3.3.
  - (x)** Maximum number of bedrooms per dwelling: 4.
  - (xi)** The minimum size of a parking space is 2.6 metres wide and 5.2 metres long.
  - (xii)** The minimum width of a drive aisle adjacent to a parking space is 6.1 metres.

- (xiii)** Minimum number of residential parking spaces is 20 inclusive of one accessible stall. A Visitor Space is not required.
- (xiv)** A home occupation shall not be required to provide parking. A Commercial use located on the ground floor shall not be required to provide vehicular parking otherwise required under Section 7 of this By-Law.
- (xv)** Minimum vertical clearance for a barrier free parking space height is 2.1 metres.
- (xvi)** Minimum Bicycle Parking Dimensions are 1.8 metres x 0.3 metres and a minimum overhead clearance of 2.1 metres.
- (xvii)** Minimum amenity area: 312 square metres.
- (xviii)** Minimum play area: 0.0 square metres.
- (xix)** Loading bay is not required.
- (xx)** Balconies below the fourth storey are prohibited in yards that directly abut Princess or Nelson Streets.
- (xxi)** Short term/long term bike parking requirements:
  - 1. A total of 32 short-term bike stalls are required.
  - 2. The minimum width of a walkway for short-term bike stalls is 1.1 metres.
  - 3. A total of 5 long-term bike stalls are required.
  - 4. Long-term bike spaces may be provided as vertical spaces and may be provided within an amenity area.

[Note: Former C.397 and Sections 5 and 20 of **former zoning by-law** 8499]

(By-Law Number 2022-62; 2023-74)

**L374.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Commercial Use: Commercial School.
- (b) Minimum number of off-street parking: 99 spaces.
- (c) Minimum number of off-street accessible parking spaces: 3.

[Note: Former C.409 and Section 20 of **former zoning by-law** 8499]

**L375.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) “Bedroom” means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which, for greater certainty, does not include:
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as a washroom) or cooking purposes (such as a kitchen); and
    - (3) Areas occupied by mechanical equipment, such as furnaces, hot water heaters and laundry equipment.
- (b) Minimum Front Yard Setback:
  - (i) A maximum of 55% of the front wall of the building facing Frontenac Street is to be set back at least 0.79 metres from the front lot line;
  - (ii) A minimum of 45% of the front wall of the building facing Frontenac Street is to be set back at least 2.25 metres from the front lot line; and
  - (iii) Along Frontenac Street decorative fencing or planting is required to be provided between the sidewalk and any bedroom window to restrict access to the area within the required setback.
- (c) Minimum Interior Side Yard Setback (South): 2.0 metres.

- (d)** Minimum Interior Side Yard Setback (North): 6.8 metres.
- (e)** Minimum Aggregate Side Yard Width: 9.0 metres.
- (f)** Minimum Rear Yard Setback: A maximum of 70% of the rear wall of the building is to be set back at least 5.5 metres from the rear lot line. The rear wall of the building facing into the interior courtyard must have a minimum rear yard setback of 30 metres.
- (g)** Projections into Rear Yard: On the north wing of the building, a stairwell having a maximum width of 8.6 metres is permitted to encroach up to 3.0 metres into the rear yard.
- (h)** Maximum Building Height: 16.9 metres, except:
  - (i)** The maximum permitted building height is 13.5 metres for the 10-metre-wide portion of the building abutting the north side yard, for a minimum depth of 22 metres.
- (i)** Balconies, excluding Juliet style window openings, below the third storey facing Frontenac Street are prohibited.
- (j)** Maximum Number of Bedrooms Per Dwelling Unit: 4.
- (k)** Maximum Average Number of Bedrooms per Dwelling Unit: 2.24 bedrooms per dwelling unit.
- (l)** Maximum Number of Dwelling Units: 99.
- (m)** A dwelling unit(s) is permitted in a cellar.
- (n)** Maximum Aggregate Number of Bedrooms: 222.
- (o)** Maximum Density: 272 dwelling units per hectare.
- (p)** Maximum Lot Occupancy: 285%.
- (q)** Maximum Lot Coverage: 60%.
- (r)** Minimum Number of Residential Parking Spaces: 0.67 spaces per dwelling unit.
- (s)** Minimum Overhead Clearance for an Accessible Parking Space: 2.1 metres.

- (t) Minimum Dimensions of Standard Parking Spaces (Excluding Accessible Parking Spaces): 2.6 metres x 5.2 metres, with a minimum drive aisle width of 6.0 metres
- (u) A 1.8-metre-high privacy fence must be erected and maintained along the rear and south property line and a 1.8-metre-high masonry wall must be constructed and maintained along the northern property line. The fence and the wall must visually block viewing into abutting properties.
- (v) Bicycle Parking:
  - (i) A vertical bicycle parking area may also be provided, which is defined as an area:
    - (1) Minimum 0.6 metres wide, 1.8 metres tall and 1.0 meter in depth.
    - (2) With access either directly, or by way of an aisle, sidewalk or ramp, to a public or private lane or to a street without the necessity of moving any vehicle.
    - (3) Secured and covered from weather elements.
    - (4) Contain a convenient and secure mounting system for a bicycle with the ability to use an anti-theft system such as a chain and lock.
  - (ii) Required bicycle parking spaces are not permitted in a dwelling unit and will be located at or below grade.
  - (iii) A vertical bicycle parking space may be located within the area of a required parking space for a motor vehicle where both spaces are assigned to the same dwelling unit.

[Note: Former B3.452 and Sections 4, 5 and 16 of **former zoning by-law** 8499]

- L376.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) For the purpose of interpretation, the lands subject to this Exception are considered one lot.
  - (b) Maximum Building Height





parking spaces must be located no closer than 10 metres to the McDonald Avenue street line.

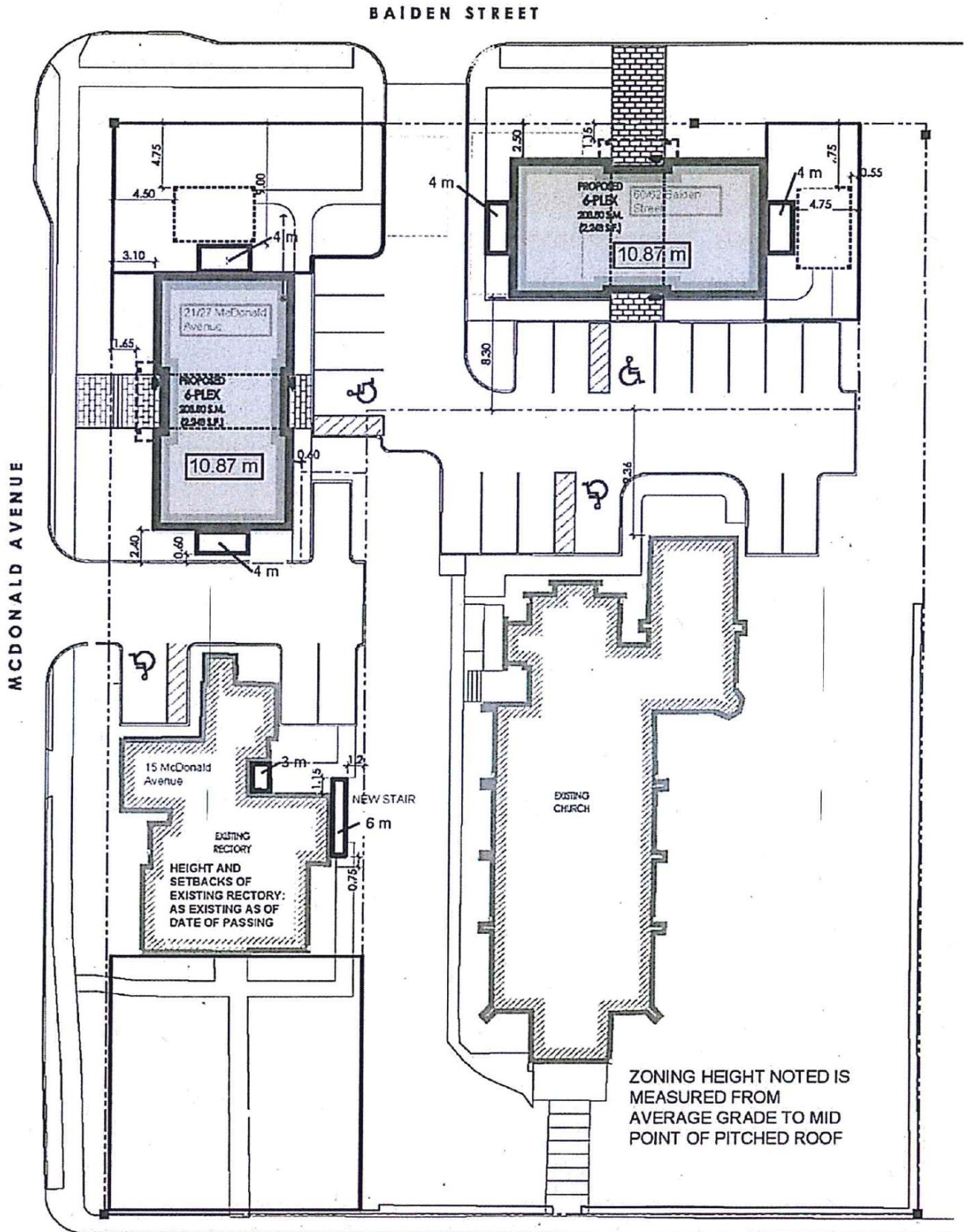
- (ii) 21 & 27 McDonald Avenue: Vehicular parking must be located no closer than 11 metres to the McDonald Avenue street line, and must be located no closer than 9 metres to the Baiden Street street line.
- (iii) 60 & 62 Baiden Street: Vehicular parking must be located no closer than 14 metres to the Baiden Street street line.

**(g) Bicycle Parking**

- (i) The minimum width of a required bicycle parking space is 0.3 metres.
- (ii) Vertical bicycle parking stalls must have minimum dimensions of 0.3 metres wide, 1.8 metres tall, and 1.0 metre deep.

[Note: Former B3.578 and Sections 4, 5 and 16 of **former zoning by-law** 8499]

Figure L376



**L377.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted uses also include a medical or dental office or clinic.
- (b) There is no maximum floor area requirement for office uses.
- (c) The minimum number of required parking spaces is 117, of which a minimum of 4 parking spaces must be barrier-free.

[Note: Former C2.218 and Sections 5.3 and 22 of **former zoning by-law** 8499]

**L378.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The permitted uses also include:
  - (i) art gallery, artisans workshops, artisan/residential loft, bakery, bakeshop, bank or financial establishment, bed and breakfast establishment, catering establishment, computer programming establishment, commercial entertainment establishment, commercial establishment, commercial recreation facility, commercial school, day care centre, drugstore-pharmacy, florist, government office, laboratory, office, parking lot, marine supply establishment, medical clinic, medical office, parking structure, photo or artist studio, personal service establishment, private social or cultural facility, public market, mixed commercial/residential development, radio or television studio, restaurant, restaurant-outdoor patio, restaurant-take-out, specialty retail store, and storage lockers.
- (b) 8 Cataraqui Street – Commercial / Residential Use:
  - (i) The maximum permitted number of residential dwelling units is 50.
  - (ii) The maximum permitted height of the building is 99.7 metres geodetic.
  - (iii) The maximum ground floor area is 860 square metres.
  - (iv) The maximum gross floor area is 5000 square metres.
  - (v) The total number of parking spaces for the residential component is 1 space per dwelling unit.

- (vi) A minimum 3 metre wide strip of land must be provided adjacent and running parallel to the Wellington Street extension which must function as a landscaped buffer strip. This strip must include a mix of the following design elements, ornamental lighting, deciduous tree plantings, berming, and ornamental brick walls in keeping with materials and design elements on the Woolen Mill site.
- (c) 2-6 Cataraqui – Residential Use:
  - (i) Subject to the provisions of the former 'B1.207' Zone in **former zoning by-law** 8499.
- (d) Cataraqui Street:
  - (i) The minimum setback for any building or structure located on the subject lands is 90 metres from Cataraqui Street.

[Note: Former C1.318 and Section 21.2 of **former zoning by-law** 8499]

**L379.** This Exception only applies to regulate the uses within the structure existing as of the date of passing of the site specific by-law. Any new development of the property is required to comply with this By-law. Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Residential Uses:
  - (i) Two accessory dwelling units provided that such dwelling units are located within the existing commercial structure as of the date of passing of the site specific by-law.
- (b) Permitted Non-Residential Uses are Neighbourhood commercial uses providing a range of convenience retail and service uses, including:
  - (i) Convenience store, Food store of less than 223 square metres, Retail store, Laundromat, Pick-up / drop-off drycleaners, Take-out restaurant, Restaurant, Coffee shop, Bakery or bake shop, Florist, Consumer service and repair shop (for example, small appliance / computer repair service, etcetera), Offices for or in connection with a business or profession, Medical office, Banks or financial institutions, Drug store, Delicatessen, Accessory buildings to any permitted use, Personal services shop (for example, Hairdresser, barber, esthetician, etcetera) and Copy centre.

- (c) Non-Residential Uses within existing structure:
  - (i) Maximum Gross Leasable Area: 246 square metres.
  - (ii) Are permitted on the ground floor only.
- (d) Minimum Rear Yard for existing structure: 3.85 metres
  - (i) New development must comply with this By-law.
- (e) Parking:
  - (i) Existing Parking in the front yard is permitted in accordance with the Amendment to Streets By-Law Number 2004-190, approved by council on December 1, 2015.
  - (ii) If the existing building on the property is demolished and the site is redeveloped, all parking is required to be provided on site and must not encroach into the municipal right of way.
  - (iii) Non-Residential Parking Spaces:
    - (1) Minimum number of parking spaces: 1 per 35 square metres;
    - (2) 1 non-residential parking space must be provided completely on-site; and
    - (3) Minimum of 1 barrier free parking.
  - (iv) No loading space is required.
  - (v) Residential Parking Spaces:
    - (1) Minimum of 1 parking space per dwelling unit.

[Note: Former C1.487 and Sections 5 and 21 of **former zoning by-law** 8499]

**L380.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the permitted uses, the permitted uses also include a physiotherapy clinic with a maximum floor area of 700 square metres.
- (b) The Maximum Building Height for the physiotherapy clinic is 2 storeys.

- (c) The minimum required side yard on the east side of the building is 4.4 metres.
- (d) The minimum number of off-street parking spaces for the physiotherapy clinic must be in accordance with this By-law. The maximum number of off-street parking spaces for the physiotherapy clinic is 24.

[Note: Former C2.302 and Sections 5.3 and 22.3 of **former zoning by-law** 8499]

**L381.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) A maximum of 1 dwelling unit is permitted provided it is located within the walls of the building in existence on the property on the date of passing of the site specific by-law.
- (b) The minimum required front yard is 9.7 metres. An unenclosed wheelchair ramp is permitted within the required front yard.
- (c) The minimum side yard on the east side of the existing building and any additions thereto is 3.75 metres. In addition to a driveway, parking spaces may also be located within this side yard.
- (d) The minimum number of required off-street parking spaces for the chiropractor's clinic and 1 residential unit is 6.
- (e) In the event that the existing building on the site is removed, new development must comply with this By-law.

[Note: Former C2.309 of **former zoning by-law** 8499]

**L382.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) All buildings/structures must fit within a 70 degree angular plane taken from the rear property line, with the exception of all buildings/structures within 3.7 metres of the North West (side) property line which must fit within a 65 degree angular plane taken from the rear property line. However, this does not prevent the erection of structures, such as guard rails, required for public safety or building maintenance.
- (b) Minimum Rear Yard: 3.4 metres.



- (c) Residential parking may be located on a developed lot not more than 75 metres from the lot upon which the building is situated.
- (d) Maximum Number of Dwelling Units: 3.
- (e) Maximum Aggregate Number of Bedrooms: 15.
- (f) Amenity Area
  - (i) Definition: "Amenity Area" means an outdoor area exterior to the residential building, or interior area common to all residential units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building.
  - (ii) Minimum amenity area: 54 square metres.
  - (iii) Amenity areas, or any part thereof, must be designed and located so that the length does not exceed 4 times the width.
  - (iv) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54 square metres.

[Note: Former C4.514 and Sections 5 and 23 of **former zoning by-law** 8499]

**L383.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definition applies:
  - (i) Bedroom means any room within a residential unit that is suitable to be used as a sleeping room under the Ontario Building Code, and which for greater certainty does not include
    - (1) Common areas open to all occupants of the unit;
    - (2) Areas used for sanitary (such as washroom) or cooking purposes (such as a kitchen); and
    - (3) Areas occupied by mechanical equipment, such as furnaces, water heaters and laundry equipment.
- (b) Maximum Number of Dwelling Units: 2.



- (c) Maximum Aggregate Number of Bedrooms: 8.
- (d) Minimum Lot Area for a Two Unit Dwelling: 417 square metres.

[Note: Former E.441 and Section 17 of **former zoning by-law** 8499]

**L384.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Prohibited Uses:
  - (i) Accessory dwelling house;
  - (ii) Accessory dwelling unit; and
  - (iii) Mobile home.
- (b) A camping ground use is defined as “an area used for a range of overnight camping experiences, from tenting to serviced travel trailer sites, including accessory uses, such as administration offices, but not including the use of mobile homes or trailers on a year round basis”.
- (c) No person is permitted to reside in or use or occupy any travel trailer from January 1 to March 31, inclusive of any year.
- (d) Minimum setback from the high water mark for any building or structure is 30 metres.

[Note: Former CT-7 of **former zoning by-law** 32-74]

**L385.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) “Amenity Area” means an outdoor area exterior to the residential building, or interior area common to all residential units within a residential building, which is designed and intended primarily for the leisure and recreation of the occupants of the building.
- (b) Lot Lines:
  - (i) Side Lot Lines: The western and eastern lot lines are deemed side lot lines.

- (ii) Rear Lot Line: The southern lot lines that abut the properties fronting on Durham Street are deemed rear lot lines.
- (c) Ground Floor Height (minimum): 4.5 metres.
- (d) A 32 square metre expansion at the northwest frontage of the property along Princess Street is permitted to have the same floor to ceiling height as the existing building.
- (e) Accessory Structures:
  - (i) Minimum Rear Yard: 0 metres.
- (f) Parking:
  - (i) Required Parking Spaces:
    - (1) Residential: 0.5 parking spaces per dwelling unit;
    - (2) Commercial: 1 parking space for every 150 square metres of gross leasable area;
  - (ii) The minimum size of a parking space is 2.6 metres wide by 5.2 metres long; and
  - (iii) Parking and loading are permitted in the yard abutting Toronto Street.
- (g) Amenity Area:
  - (i) Amenity areas must be provided at a rate of 10 square metres per dwelling unit;
  - (ii) Amenity areas, or any part thereof, must be designed and located so that the length does not exceed 4 times the width;
  - (iii) Amenity areas, if provided as communal space, must be aggregated into one area or grouped into areas of not less than 54 square metres; and
  - (iv) No play space is required.

[Note: Former C4.486 and Sections 4, 5 and 23C of **former zoning by-law** 8499]

**L386.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Permitted uses also include:

- (i) Professional office;
- (ii) Education centre;
- (iii) Commercial school.

(b) Permitted complementary uses, which must not occupy an area which is greater than 25% of the total floor area of the building(s) on the lot, include:

- (i) Retail store;
- (ii) Bank or financial institution;
- (iii) Recreational use;
- (iv) Sports training and treatment centre;
- (v) Veterinary clinic;
- (vi) Medical office;
- (vii) Medical clinic;
- (viii) Dental office;
- (ix) Personal service shop;
- (x) Restaurant; and
- (xi) Coffee or bakery shop.

(c) No landscaped area is required adjacent to the side or rear lot lines.

[Note: Former M9.546 and 31B of **former zoning by-law** 8499]

**L387.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Definition:

- (i)** “Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured from the interiors of outside walls and including floor area occupied by interior walls and floor area created by bay windows, but excluding;
    - (1)** floor area occupied by shared mechanical, service and electrical equipment that serve the building;
    - (2)** common hallways; corridors; stairwells, elevator shafts and other voids; steps and landings;
    - (3)** bicycle parking; motor vehicle parking or loading facilities;
    - (4)** common laundry, storage and washroom facilities that serve the building or tenants;
    - (5)** common storage areas that are accessory to the principal use of the building; and
    - (6)** common amenity area and play areas accessory to a principal use on the lot.
- (b)** Prohibited Uses:
  - (i)** Gasoline Retail Facility
- (c)** Additional Permitted Uses:
  - (i)** Bank or Financial Institution
  - (ii)** Clinic
- (d)** An Outdoor Seasonal Display and Sales Area is permitted subject to the following provisions:
  - (i)** An area set aside outside of and adjacent to a building or structure which is used in conjunction with a business located on the same lot, to be used for the display or retail sales of seasonal product or new merchandise provided such area:
    - (1)** Is seasonal in nature and does not include a permanent retailing area; and,

- (2)** Is not located within a fire lane, a parking area or loading space required to fulfill the provisions of the Zoning By-law, or a driveway or passageway which provides an access route for vehicular traffic across the lot or to an improved street which abuts the lot.
- (e)** Rear Yard Depth (minimum): 7.5 metres.
- (f)** Planting Strip (minimum): A planting strip with a minimum width of 3 metres is required along the front and exterior side yards and is only permitted to be used as the planting and maintenance of trees, hedges, shrubs, flower beds, grass or a combination thereof.
- (g)** Open Storage: Prohibited.
- (h)** Parking: 1 parking space per 23.25 square metres of gross floor area.
- (i)** Drive-through Service Facility:
  - (i)** A drive-through service facility is permitted 3.0 metres from the lot line abutting Waterside Way.
  - (ii)** No drive-through service facility is permitted within 50 metres of a residential lot line directly abutting this Exception.

[Note: Former C-8 and Sections 5 and 15 of **former zoning by-law 32-74**]

**L388.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Definitions:
  - (i)** "Height" means the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
  - (ii)** "Height to Eave" means the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (b)** Uses:
  - (i)** The only permitted use is a single family dwelling house.

- (ii)** Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.
- (c)** Minimum Lot Area: 670 square metres.
- (d)** Minimum Lot Frontage: 15 metres.
- (e)** Minimum Front Yard Depth: 1.2 metres.
- (f)** Minimum West Side Yard Width: 10 metres.
- (g)** Minimum East Side Yard Width: 4.8 metres.
- (h)** Minimum Rear Yard Depth: 1.8 metres.
- (i)** Minimum Water Setback: 10.0 metres.
- (j)** Minimum Setback: 6.0 metres plus the minimum required front yard depth.
- (k)** Yards For Accessory Buildings And Structures/Location Of Accessory Buildings And Structures:
  - (i)** No accessory building or structure is permitted within 6 metres of the north lot line, or within 4.8 metres of the east lot line, or within 10 metres of the west lot line, or within 3 metres of the south lot line.
  - (ii)** No detached accessory building or structure is permitted closer than 1.2 metres to a main building.
  - (iii)** The existing 2.0 square metre shed at the northeast corner of the property must comply with the following provisions:
    - (1)** East Lot Line Setback: 0 metres;
    - (2)** North Lot Line Setback: 1 metre; and
    - (3)** Any alteration, addition or reconstruction of the shed must comply with this By-law.
- (l)** Lot Coverage:
  - (i)** exclusive of accessory buildings and structures, attached garages with or without dwelling space below or above, steps, unenclosed

- porches, verandahs, balconies, decks, and patios (maximum): 144.2 square metres;
- (ii)** accessory buildings and structures, including attached garages with or without dwelling space below or above (maximum): 28 square metres;
- (iii)** steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres; and
- (iv)** decks and patios not more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres.
- (m)** Minimum Landscaped Open Space: 50%.
- (n)** Height:
  - (i)** Maximum Height of Buildings: 8.6 metres.
  - (ii)** Height To Eave (maximum): 5.0 metres.
- (o)** Roof Slope: All dwelling units must have sloping roofs.
- (p)** Maximum Dwelling Houses per Lot: 1.
- (q)** Driveways and Parking:
  - (i)** Location of Driveway: A driveway may be located anywhere on a lot provided it is not located within 10 metres of the west lot line or within 6 metres of the north lot line or within 1 metre of the east lot line.
  - (ii)** Access/Width of Driveway:
    - (1)** (maximum): 6.0 metres; and
    - (2)** (minimum): 3.0 metres.
  - (iii)** Maximum Number of Driveways: 1.
  - (iv)** Location of Parking Spaces: A parking space is permitted anywhere on a lot provided it is not located within 10 metres of the west lot line or within 6 metres of the north lot line or within 1 metre of the east lot line. Nothing prevents the establishment of a required

parking space directly behind or directly in front of another required parking space.

**(r)** Yard Encroachments:

**(i)** Stairs Above Grade: May project into any required yard a maximum distance of 1.2 metres from the principal structure, provided they are no closer than 1.2 metres to any lot line.

**(ii)** Stairs At Grade: May be located in any required yard, provided they are no closer than 0.6 metres to any lot line.

**(iii)** Uncovered Patios And Uncovered Decks: Uncovered patios and uncovered decks which have a finished elevation, exclusive of handrails and other such appurtenances, not more than 0.6 metres above the finished grade of the said uncovered patio or uncovered deck, may be located in any required yard, provided the following maximum lot coverage and minimum setback requirements are maintained:

**(1)** Lot Coverage (maximum) 18%

**(2)** West Lot Line Setback (minimum) 5 metres

**(3)** North Lot Line Setback (minimum) 6 metres

**(4)** East Lot Line Setback (minimum) 4.8 metres

**(5)** South Lot Line Setback (minimum) 1.2 metres(z)

**(s)** Minimum Elevation: No dwelling house is permitted with a floor elevation below 76.6 metres (Canadian Geodetic Datum).

[Note: Former R1-35 and Sections 5 and 9 of **former zoning by-law** 32-74]

**L389.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Additional Permitted Uses:

**(i)** A Second Residential Unit.

**(b)** Prohibited Uses:

**(i)** Garden Suite;





- (j) Lot Coverage (maximum): 48%.
- (k) Height Of Building (maximum): 10.5 metres.
- (l) Dwelling Houses Per Lot (maximum): 1 only.
- (m) Second Residential Units Per Dwelling House (maximum): 1 only.
- (n) Access: The second residential unit must have separate access from that of the principal residential unit. Access must be provided at the front of the building, or at the side or rear of the building where a minimum 1.2 metre wide unobstructed walkway from the front of the building to the access is provided.
- (o) Accessory Uses, Parking Etc:
  - (i) An additional 20 square metres of lot coverage is permitted for only unenclosed porches, balconies, ramps or steps located in a front yard.
  - (ii) Required parking must be provided for the second residential unit. The required parking may be provided through a tandem or stacked parking arrangement. The parking space location for the second residential unit must meet the yard and driveway provisions of the zone.
  - (iii) An additional driveway is not permitted for a second residential unit.
- (p) Garage Location: No garage, either attached or detached from the dwelling, is permitted closer than 6.0 metres to the front lot line.

[Note: Former R4-6 and Section 11A of **former zoning by-law 32-74**]

**L390.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) All residential uses are prohibited.

[Note: Former A2-33 and Sections 5 and 24 of **former zoning by-law 32-74**]

**L391.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Retirement Home Suite is defined as habitable space designed for living and sleeping consisting of studios, one or two bedrooms, private

bathroom and separate entrance from a common hall, and a kitchenette which may include convenience facilities such as a bar fridge and microwave oven, but without full cooking facilities.

- (b) For the purposes of zoning interpretation, all lands subject to this Exception are considered one lot.
- (c) Two-unit townhouse dwellings are a permitted use, in accordance with the former provisions of the 'MDR' zone of **former zoning by-law** 97-102, with the exception that the minimum lot frontage is 7 metres for each parcel and the maximum height is 17 metres.
- (d) A gas bar is a prohibited use.
- (e) The maximum number of residential dwelling units is 563, including a maximum of 22 townhouse dwelling units.
- (f) With the exception of the townhouse building, a commercial use is permitted on the ground floor of any building. For buildings that abut Cataraqui Woods Drive, ground floor commercial is mandatory and must comprise no less than 70% of the ground floor.
- (g) A retirement home is a permitted use, subject to the following provisions:
  - (i) The maximum permitted height of a retirement home is 17 metres at the required setback.
  - (ii) For the purpose of calculation of dwelling units, 1 retirement home suite equals 0.5 dwelling units.
- (h) Apartment Buildings and Multiple Unit Buildings with no non-residential uses, the following provisions apply per parcel.
  - (i) The minimum required front yard is 3 metres.
  - (ii) The minimum required exterior side yard is 3 metres.
  - (iii) The minimum required interior side yard is 0 metres.
  - (iv) The minimum required rear yard is 0 metres.
  - (v) The maximum height is 53 metres or 14 storeys, except for buildings abutting Centennial Drive, in which case the maximum height is 17 metres at the required setback.

- (i) Apartment Buildings and Multiple Unit Buildings with non-residential uses in the first storey and non-residential buildings abutting Cataraqui Woods Drive, the following provisions apply per parcel.
  - (i) The minimum required lot frontage is 50 metres.
  - (ii) The minimum required rear yard is 5 metres.
  - (iii) The maximum height is 26 metres.

[Note: Former MU1\*20 of **former zoning by-law** 97-102]

**L392.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following uses are the only permitted uses:
  - (i) Residential Uses
    - (1) a detached single unit dwelling house
  - (ii) Non-Residential Uses
    - (1) a home occupation
    - (2) a public use
  - (iii) Prohibited Uses:
    - (1) marine facilities (including but not limited to boathouses and/or docks)
- (b) For lots with dual zones that include an EPA Zone, the combined area of the two zones is used for the purpose of calculating minimum lot area and minimum lot frontage.
- (c) Lot Area (minimum): 1.0 hectare.
- (d) Lot Frontage (minimum): 50 metres.
- (e) Front Yard Depth (minimum): 15 metres.
- (f) Exterior Side Yard Width (minimum): 15 metres.
- (g) Interior Side Yard Width (minimum):

- (i) For lots with one interior side yard abutting the EPA Zone: the minimum interior side yard is 15 metres from the EPA Zone and 3 metres where the interior side yard does not abut the EPA Zone. The minimum setback of 15 from the EPA Zone applies to accessory structures.
  - (ii) For lots that do not have interior side yards that abut the EPA Zone, the interior side yard(s) must be a minimum of 6 metres each.
- (h) Rear Yard Depth (minimum): 15 metres, except for rear yards that include the EPA Zone, where the minimum rear yard setback is 15 metres from the EPA Zone.
- (i) Height of Building (maximum): 12 metres.
- (j) No structures are permitted closer than 40 metres from the high water mark of Colonel By Lake, defined as 88.92 metres G.S.C.
- (k) The first 30 metres inland from the high water mark of Colonel By Lake, defined as 88.92 metres GSC must be maintained as a 'no cut' buffer area within which there is no disturbance of the soil mantle or vegetation cover.
- (l) No structures are permitted closer than 15 metres from the EPA Zone.
- (m) No structures are permitted closer than 30 metres from the boundary of the L215 Exception.

[Note: Former ER-12 of **former zoning by-law** 32-74]

**L393.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are the following:
  - (i) Single-Detached Dwelling;
  - (ii) A building with a maximum of 3 units; the units may be any combination of residential or other permitted uses;
  - (iii) Home Occupation;
  - (iv) Community Home;
  - (v) Community Support House;

- (vi) Crisis Care Shelter;
  - (vii) Recovery Home; and
  - (viii) Residential Care Facility.
- (b) Off Street Parking: The calculation and provision of minimum parking, amenity space and minimum lot coverage requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (c) Amenity Space: The calculation and provision of amenity requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (d) Minimum Lot Coverage: The calculation and provision of minimum lot coverage requirements are based on the overall 0.24 ha area of land subject to Exceptions L286, L177, L285 and L393 of this By-law.
- (e) Yard Setbacks
  - (i) Minimum Front Yard: 1.8 metres;
  - (ii) Minimum Side Yard (East): 3.2 metres;
  - (iii) Minimum Side Yard (West): 1.2 metres; and
  - (iv) Minimum Rear Yard: 2.5 metres.

[Note: Former C1-34 of **former zoning by-law** 96-259]

**L394.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) A maximum of 25% of the total floor area of a truck and trailer parts warehouse use may be used for the purpose of an accessory retail and accessory wholesale use.
- (b) Minimum Lot Area: 2,024 square metres.
- (c) Minimum Lot Frontage: 30.48 metres.
- (d) A parking area is permitted in any yard provided that no part of any parking area, other than a driveway, is located closer than 7.6 metres to any street line.

- (e) The main building existing on the site as of the date of the passing of the site specific by-law is deemed to comply with the exterior side yard width regulations of this By-Law. In the event that the existing main building on the site is removed, new development must comply with this By-Law.

[Note: Former M6-24 and Sections 5 and 28A of **former zoning by-law** 76-26]

**L395.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Planting strip requirements do not apply.
- (b) For the purpose of calculating parking requirements, the lands subject to this Exception are deemed a single parcel.

[Note: Former C2-70 and Sections 5(17) and 19 of **former zoning by-law** 76-26]

**L396.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following uses are also permitted:
  - (i) a retail store; and
  - (ii) a business office accessory to a permitted use.
- (b) An accessory business office is restricted to a maximum of 25% of the gross floor area of any building or structure occupying the subject property.

[Note: Former C3-17 and Section 20 of **former zoning by-law** 76-26]

**L397.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted uses are limited to:
  - (i) Single detached dwelling; and
  - (ii) Home occupation.
- (b) Prohibited Uses:
  - (i) Additional habitation units are prohibited; and

- (ii) Additional dwelling units are prohibited.
- (c) Minimum Distance Separation: 85 metres.
- (d) Setback: The minimum setback for a septic system, including storage tank and weeping bed, is 270 from the Loughborough Lake waterline.
- (e) No building, structure, stall, or parking area is permitted within 7.5 metres of an EPA Zone.

[Note: Former A1-17 and Sections 5 and 9 of **former zoning by-law** 76-26]

**L398.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definition:
  - (i) 'Seniors' Residence' means a building consisting of three or more dwelling units inclusive of nursing homes, rest homes, retirement homes, convalescent facilities, and palliative care facilities. A seniors' residence must not include a hospital, maisonette dwelling, a townhouse dwelling, or a triplex dwelling.
- (b) Permitted Uses
  - (i) Residential Uses:
    - (1) a seniors' residence, accessory medical and commercial uses related to the seniors' residence (which must service only the residents, employees and visitors to the seniors' residence), an auditorium, a banking facility, a beverage room, a business or professional office, a chapel, a coffee shop, a convenience store, a day nursery, a dining facilities, a grocery store, a medical clinic, a personal service shop, a pharmacy, a recreational uses.
  - (ii) Non-residential uses:
    - (1) an auditorium, a bank, a beverage room, a business or professional office, a clinic, a commercial club, a dry cleaning or laundry outlet, a personal service shop, a private club, a recreational establishment, a restaurant, a retail store, a shopping centre consisting of any of the permitted uses.



- (c) Building Height (maximum): 17 metres, except:
  - (i) A maximum building height of 23.5 metres is permitted no closer than 26 metres to a residential zone.
- (d) The height provisions do not prevent the erection of:
  - (i) Window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements, mechanical penthouses, and architectural elements.
- (e) Dwelling units Per Lot (maximum): Not applicable.
- (f) Height of Accessory Structure (maximum): 9.5 metres.
- (g) Parking:
  - (i) Parking areas are permitted in any yard;
  - (ii) Parking stall size (minimum): 2.6 metres wide by 5.2 metres long.
- (h) Driving Aisle Width (minimum): 6.0 metres.

[Note: Former C2-74 of **former zoning by-law** 76-26]

**L399.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Within the privacy yard, an area unobstructed by a public or joint pedestrian access surface must be provided extending 2.0 metres from any ground floor habitable room window, this distance being measured radially from any point on the window. A window is considered to be located on the ground floor if any portion of the glazing is less than 2.5 metres above the adjacent exterior ground level.
- (b) The following provision applies in the yard in which required parking area permitted for a residential - apartment dwelling house: Rear and interior side yard only, except for visitor parking, provided that no part of any parking area, other than a driveway, is located closer than 7.62 metres to any street line and no closer than 1.5 metres to the lot line.

- (c) A children's play area must consist of a minimum 2.5% of the lot area, which may be included in the area calculated as required open space. The play space must be a minimum of 4.0 metres from a ground floor habitable room window and 15.0 metres from any street line.
- (d) Off-Street Parking must be provided as follows:
  - (i) The required parking ratio is 1.07 parking spaces per dwelling unit.
  - (ii) Required parking must be provided on-site and is not permitted using off-site and/or on-street parking.
  - (iii) The minimum size of a typical parking space is 2.6 metres wide and 5.2 metres long.
  - (iv) The minimum width of a drive aisle adjacent to a parking space is 6.5 metres.
- (e) The minimum setback from the north property line to any part of the main structure is 15.0 metres.
- (f) The minimum setback for an interior side yard is 10.0 metres from the lot line.
- (g) The maximum number of bedrooms permitted on the lands subject to this Exception is 215.
- (h) A secure and dry bicycle storage area must be provided.
- (i) The minimum number of bicycle parking spaces is 0.5 of a space per dwelling unit. Bicycle parking may be accommodated within the main building or structure. A minimum of 15% of the required bicycle parking must be outside of the main structure and available for general use.

[Note: Former R5-9 and Sections 5 and 15A of **former zoning by-law** 76-26]

**L400.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 1.4 hectares.
- (b) Minimum Lot Frontage: 100 metres.
- (c) Minimum Front Yard Depth: 10 metres.
- (d) Minimum Interior Side Yard Depth: 10 metres.

- (e)** Minimum Rear Yard Depth: 55 metres.
- (f)** Yards Where Parking is Permitted: Parking is permitted in all yards provided no part of any parking area, other than a driveway or any underground parking, is located no closer than 1.5 metres to a front lot line, 1.5 metres to any side lot line and 30 metres to the rear lot line.
- (g)** Minimum Percentage of Landscaped Open Space: 40%.
- (h)** Maximum Lot Coverage: 30%.
- (i)** Maximum Building Height: 45 metres.
- (j)** Maximum Number of Dwelling Units per Block: 185 dwelling units.
- (k)** Privacy Yards: A privacy yard for an apartment dwelling, unobstructed by parking area or vehicular driveway must be provided adjoining a habitable room window with a minimum depth of 5 metres measured at right angles from such wall the window adjoins except at front entrance and loading area where a 1.5 metre yard is required.
- (l)** An unbroken 1.8 metre high chain link fence is required to be constructed along the westerly property line for the whole extent of this zone. The fence must be constructed without any openings and/or gates.
- (m)** A berm(s) must be constructed along the entire westerly property line, save and except where existing drainage and secondary emergency access need to be incorporated into the design of the berm(s) and subject to the following provisions:
  - (i)** Minimum setback from property line: 3 metres;
  - (ii)** Minimum height: 4 metres at the average finished grade;
  - (iii)** Minimum slope: 3:1;
  - (iv)** The design of the berm(s) will take into account the existing drainage from the abutting property to the west to ensure that excessive ponding does not occur as a result of the berm construction; and
  - (v)** The berm(s) is only permitted to be used as planting a row of trees or a continuous unpierced hedgerow of evergreens and deciduous trees, not less than 1.5 metres high, along the crest of the berm(s); the remainder of the strip is only permitted to be used as the

planting of shrubs, flowering shrubs, flower beds or a combination thereof. The berm will be vegetated with a mix of deciduous and coniferous native species with a trunk diameter to be determined to be satisfactory to the City's Arborist in consultation with the City's Planner (Parks Development) and Senior Heritage Planner.

- (n) Minimum vertical clearance for a parking structure or underground garage is 2.1 metres.

[Note: Former R5-19 and Sections 5 and 15A of **former zoning by-law** 76-26]

**L401.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses: An accessory use, to a permitted use of the L299 Exception such as a private walkway.
- (b) Buildings and Structures: No buildings or structure is permitted to be erected.

[Note: Former OS-19 and Sections 6 and 8 of **former zoning by-law** 76-26]

**L402.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definitions apply:
  - (i) Recreation Centre or Community Centre means a building, structure or lot used for recreation or social or cultural activities, meeting or other leisure activities. Common types of facilities may include: swimming pools, curling rinks, hockey rinks, racquet courts, training rooms, meeting rooms, gymnasiums, auditoriums, and an arena.
  - (ii) Specialty/Limited Retail Store means a commercial establishment which offers for sale or rent one merchandise line or a limited number of closely related merchandise lines, and without limiting the forgoing, may include such establishments as an auto-oriented retail store, stores selling equipment whether for industrial or household purposes, a framing store or a convenience store. This definition must not include a "Food Store" or a "Department Store".
- (b) The following non-residential uses are permitted and may be designed, developed and managed as a unit, having provided the required off-street parking on site in accordance with the provisions of this By-Law:

- (i)** Residential Uses: prohibited.
- (ii)** Non-residential Uses:
  - (1)** an assembly plant, a bakery, a bank, a business office, a professional office, a commercial club, a commercial school, a convenience store, a catering service, an equipment sales and service, a data processing and related service, a day nursery accessory to a principal use, a dry cleaning or laundry plant, a film or recording studio, a health club, a hotel, a motel, a laboratory, a manufacturing plant, a processing plant, a packaging plant, a parking lot, a photographic establishment, a place of entertainment, a printing establishment, a private club, a public use, a research and development facility, a recreation centre or community centre, a service shop, merchandise, a specialty retail store, a technical training facility, a telecommunications tower, a warehouse, a wholesale establishment, a coffee shop, a restaurant and patio, a take-out restaurant, a drive through restaurant, a dry cleaning or laundry service, a gasoline retail facility, an automatic car wash, a service shop, personal, vehicle rental establishment, a vehicle sales establishment.
- (iii)** The following retail type uses to a combined maximum of 3000 square metres of gross floor area:
  - (1)** a convenience store;
  - (2)** vehicle sales establishment, new;
  - (3)** a specialty retail store; and
  - (4)** a gasoline retail facility.
- (iv)** Accessory Uses:
  - (1)** Accessory uses are permitted in accordance with the General Provisions unless otherwise specified.
  - (2)** Accessory retail uses associated with the sale of products assemble or manufactured on the site for any permitted non-residential use are restricted to a maximum of 10% of the built gross floor area for any single tenant or business.

- (3)** Open Storage is prohibited, except for vehicles for sale or rent associated with a permitted use and located in accordance with a Site Plan Control approval by the City.
- (c)** Lot Area (minimum): 550 square metres.
- (d)** Frontage (minimum): 0 metres.
- (e)** Front Yard Depth (minimum): 3 metres.
- (f)** Exterior Side Yard Width (minimum): 3 metres.
- (g)** Interior Side Yard Width (minimum): 0 metres.
- (h)** Rear Yard Depth (minimum): 3 metres.
- (i)** Lot Coverage (maximum): 60%.
- (j)** Landscaped Open Space (minimum): 10%.
- (k)** Building Height (maximum): 20 metres.
- (l)** Access: vehicle or pedestrian access may be provided by private right-of-way.
- (m)** Required Parking Spaces must be in accordance with this By-Law, except:

  - (i)** The property located at 1560 Centennial Drive, created by Consent Application D10-108-2005, requires a minimum of 20 parking spaces based on the use of the building by Corcan Ltd. A change in use or tenant requires that the parking spaces be provided in accordance with this By-Law.
- (n)** Parking Location: Parking spaces are permitted in any yard.
- (o)** All Loading Doors must be appropriately screened.

[Note: Former BP1 of **former zoning by-law** 76-26]

**L403.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following uses are also permitted as accessory uses:

  - (i)** Specific day retail sales; and
  - (ii)** Trade show.

- (b)** The uses noted above are defined as follows:
  - (i)** Specific Day Retail Sales means the use of any lot, building or structure, or part thereof, for an event that brings together members of the public or an industry for the purpose of selling or buying goods or services, including entering into contracts for the sale and/or purchase of goods or services; which are complementary to the principle permitted uses.
  - (ii)** Trade Show means the use of any lot, building or structure, or part thereof, for an event held to bring together members of a particular industry to display, demonstrate, and promote their latest products and services; which are complementary to the principle permitted uses.
- (c)** Parking for any recreational use and accessory use to a recreational use must be at a rate of 1 space for each 26 square metres of gross floor area.

[Note: Former I-13 and Section 17(1) of **former zoning by-law** 76-26]

**L404.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The Venture Road is considered the front yard.
- (b)** The only permitted uses are:
  - (i)** Manufacturing, assembling, fabricating, and processing operations;
  - (ii)** Construction and transportation activities and facility;
  - (iii)** Storage, warehousing and wholesale trade activities;
  - (iv)** Communications and utilities facility;
  - (v)** Institutional uses with General Industrial characteristics, such as a trade school;
  - (vi)** Business and professional office provided that such use is located within 90 metres of the Resource Road frontage; and
  - (vii)** Public use.
- (c)** A maximum of 25% of the total floor area of a permitted use may be used for the purposes of a showroom, display area and retail sales for

products that are manufactured, processed, fabricated or assembled on the premises.

- (d)** The only permitted complementary uses are:
  - (i)** Office and business services such as printing and equipment repair intended to serve the General Industrial area;
  - (ii)** Restaurant;
  - (iii)** Financial institution;
  - (iv)** Personal services and convenience commercial;
  - (v)** Automotive, heavy equipment or truck repair facility;
  - (vi)** Public and private parks and recreation facilities; and,
  - (vii)** Parking lots and parking structure.
- (e)** Minimum Front Yard Depth: 10 metres.
- (f)** Minimum Exterior Side Yard Width: 10 metres.
- (g)** Minimum Interior Side Yard Width: 3 metres.
- (h)** Minimum Rear Yard Depth : 7.6 metres
- (i)** Maximum Building Height: 20 metres
- (j)** Minimum Parking Requirement For Manufacturing Or Warehouse Use: 1 space per 100 square metres of gross floor area.
- (k)** Yard In Which Required Parking Area Permitted: Parking area may be permitted in the front yard, exterior side yard and rear yard provided that no part of any parking area, other than a driveway, is located closer than 7.6 metres to any street line
- (l)** Yard in Which Loading Spaces are Permitted: Loading spaces must be located in the exterior side yard or rear yard only provided that such loading space is located no closer than 18.3 metres to any street line.

[Note: Former M1-13 and Sections 4, 5 and 24(1) of **former zoning by-law** 76-26]



**L405.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The following definition applies:

**(i)** 'Seniors Residence' means a building consisting of three or more dwelling units inclusive of nursing homes, rest homes, retirement homes, convalescent facilities, and palliative care facilities. A seniors' residence must not include a hospital, maisonette dwelling, a townhouse dwelling, or a triplex dwelling.

**(b)** Only the following uses are permitted:

**(i)** Residential Uses:

**(1)** Apartment Dwelling House

**(2)** Seniors Residence

**(ii)** Non-Residential Uses are limited to a Seniors Residence and accessory medical and commercial uses related to the seniors residence, which must service only the residents, employees or visitors to the senior's residence, including but not limited to:

**(1)** banking facility;

**(2)** business or professional office;

**(3)** chapel;

**(4)** coffee shop;

**(5)** convenience store;

**(6)** day nursery;

**(7)** dining facilities;

**(8)** grocery store;

**(9)** medical clinic;

**(10)** personal service shop;

**(11)** pharmacy;

- (12)** recreational uses;
- (c)** Density:
  - (i)** Minimum Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses must be:
    - (1)** Apartment Dwelling House: 124 dwelling units per net hectare; and
    - (2)** Seniors Residence: 124 dwelling units per net hectare
  - (ii)** Maximum Density: The maximum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 200 dwelling units per net hectare.
- (d)** Lot Area (minimum): Not applicable.
- (e)** Lot Frontage: The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.
- (f)** All Lots (Minimum): 33 metres.
- (g)** Yard Depths (minimum):
  - (i)** Apartment Dwelling House & Seniors Residence: 3 metres;
  - (ii)** West lot line: 3 metres;
  - (iii)** South/ southeast lot line (Newport Ave): 3 metres;
  - (iv)** Northeast (Madison Ave): 3 metres;
  - (v)** Northwest lot line: 10 metres;
  - (vi)** Despite (i) to (iv), a minimum yard depth of 10 metres is required where a lot line abuts any URM1 or UR3 Zone; and
  - (vii)** Despite (ii), for any building in excess of 6 metres in height, a minimum setback of 23.1 metres is required from the frontage of Newport Avenue from the western intersection to the apex of the curvature of Newport Avenue.

- (h)** Height of Building (maximum):
  - (i)** Apartment Dwelling House & Seniors Residence: 136 metres above sea level; and
  - (ii)** Height exceptions and permitted projections above the maximum height, do not apply for Apartment Dwelling Houses and Seniors Residence.
- (i)** Privacy Yards: A privacy yard must be provided for Apartment Dwelling Houses with a minimum depth of 3.0 metres measured at right angles from such wall the window adjoins except at front entrance and rear entrance where a 1.5 metre yard is required. There is no required privacy yard where a loading area abuts the wall of a building.
- (j)** Children's Play Area (minimum): Not required.
- (k)** Parking Space Dimensions (minimum): 2.6 metres wide by 5.2 metres long.
- (l)** Barrier-free Parking Space Vertical Clearance (minimum): 2.1 metres.
- (m)** Lot Coverage (maximum): Not applicable.
- (n)** Parking:
  - (i)** Apartment Dwelling House & Seniors Residence:
    - (1)** Parking is permitted in any yard.
    - (2)** If parking is located within any yard adjacent to a street, a minimum 1.0 metre high berm must be provided, which include a minimum 3.0 metres wide landscaping strip containing a mixture of coniferous and deciduous trees .
- (o)** Parking Aisle Lane Width (minimum): 6.1 metres.
- (p)** Sight Triangles
  - (i)** Within any area defined as a sight triangle, the following uses are prohibited:
    - (1)** A building, structure or use which would obstruct the vision of drivers of motor vehicles;

- [Note: Former R4-40 and Sections 5 and 15 of **former zoning by-law 76-26**]

Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception

- (1)** Non-Residential Uses are permitted on the ground floor of a live work unit within either a Semi Detached Dwelling House or a Row Dwelling House;
  - (2)** Artist's or Photographer's Studio;
  - (3)** Bake-shop;
  - (4)** Clinic;
  - (5)** Day Care Facility;
  - (6)** Home Occupation;
  - (7)** Personal Service Shop;
  - (8)** Private art gallery;
  - (9)** Professional Office; and
  - (10)** Public use.
- (d)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 37.5 dwelling units per net hectare.
- (e)** Lot Area (minimum): Not applicable.
- (f)** Lot Frontage: The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.
- (g)** Corner Lot (Minimum):
  - (i)** Semi Detached Dwelling House: 17.0 metres;
  - (ii)** Semi Detached Dwelling Unit: 9.6 metres; and
  - (iii)** Row Dwelling House: 9.1 metres.
- (h)** Other Lot (Minimum):
  - (i)** Semi Detached Dwelling House: 14.8 metres;
  - (ii)** Semi Detached Dwelling Unit: 7.4 metres; and



- foundation and/or basement that provide access to the dwelling unit.
- (ii)** 'Main Front Entrance' means the door which is designed as the primary access point into the dwelling unit
  - (iii)** The wall of an attached private garage that contains the opening for a vehicular access must be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.
  - (iv)** The wall of the attached private garage facing the public street must not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry features or main front entrance of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.
- (o)** Driveway Width: The maximum width of a driveway for its entire length must be:
- (i)** Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width;
  - (ii)** Row Dwelling House:

    - (1)** End unit: lesser of 4.0 metres or 50% of lot width; and
  - (iii)** Other unit: 3.5 metres.
- (p)** Parking:
- (i)** Parking is permitted in the interior side and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
  - (ii)** A minimum of 1 non-residential parking space is required for a live-work unit.
- (q)** Sight Triangles: Within any area defined as a sight triangle, the following uses are prohibited:

- Section 20: Legacy Exceptions - Part 2, Page 391



- (2) Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.
- (3) Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

[Note: Former R3-32 and Sections 5 and 14 of **former zoning by-law** 76-26]

**L407.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception

(a) Permitted Uses:

(i) Industrial Uses:

- (1) research and development facilities, including laboratories;
- (2) data processing facilities, including call centres;
- (3) technologically advanced manufacturing, fabricating, and assembling operations for the production of high value products;
- (4) film or recording studio;
- (5) commercial school or training facility, provided the use is contained within an enclosed building(s); and
- (6) the following light industrial uses, provided they are contained within an enclosed building(s):
  - (7) manufacturing, repairing, fabricating, processing and assembling operations;
  - (8) construction and transportation activities and facilities;
  - (9) storage (does not include a self-storage facility), warehousing, and wholesale trade activities; and

**(10)** communications facilities and utilities.

**(ii)** Office Uses:

**(1)** corporate administrative offices and government offices; and

**(2)** administrative, professional and technical services, such as engineering and surveying firms, that are consistent with the image and amenity of a Business Park Industrial setting.

**(iii)** Permitted Complementary Uses:

**(1)** office and business services, such as printing and equipment repair, which are intended to serve the Business Park Industrial area;

**(2)** day care facilities;

**(3)** hotel and/or conference facilities, including banquet halls, trade show buildings, and similar uses;

**(4)** restaurants;

**(5)** drive-through facilities;

**(6)** financial institutions;

**(7)** personal services;

**(8)** medical and paramedical uses;

**(9)** convenience commercial uses; and

**(10)** sources of renewable energy.

**(b)** Additional Complementary Use Provisions:

**(i)** The maximum gross floor area of complementary uses must not, in the aggregate, exceed 25% of the total gross floor area of established, or concurrently developed space for permitted primary uses in the Cataraqui Estates Business Park;

**(ii)** On a single land holding equal to or greater than 10 hectares in area, complementary uses may be established in advance of a

permitted primary use, provided the gross floor area of such complementary uses does not exceed 5% of the site's lot area; and

- (iii)** Complementary uses must be oriented towards the street frontage.
- (c)** Minimum Lot Frontage: 25 metres.
- (d)** Minimum Lot Area: 550 square metres.
- (e)** Minimum Front Yard Depth: 10 metres.
- (f)** Minimum Exterior Yard Width: 10 metres.
- (g)** Minimum Interior Yard Width: 3 metres.
- (h)** Minimum Rear Yard Depth: 7.5 metres.
- (i)** Minimum Landscaped Open Space: 10%.
- (j)** Maximum Lot Coverage: 60%.
- (k)** Maximum Building Height: 20 metres.
- (l)** Planting Strips: In accordance with this By-law.
- (m)** Open Storage: No open storage of goods or materials are permitted, except in accordance with the following provisions:
  - (i)** every open storage use must be accessory to the main use of the property;
  - (ii)** an open storage use must not front onto or abut a public road;
  - (iii)** an open storage use must be located in the rear yard or interior side yard;
  - (iv)** an open storage use must comply with the yard and setback provisions contained in this section, as if the open storage use were a building or structure;
  - (v)** no open storage use may cover more than 35% of the lot area;
  - (vi)** an open storage use must not generate any emissions, dust, or debris that cannot be contained on-site;

- (vii) an open storage use must be properly screened and/or buffered from view. Such screening and/or buffering will be addressed through the Site Plan Control process; and
  - (viii) an open storage use must not abut a lot which is zoned for a non-industrial land use, except where the abutting lot is an Open Space Zone or Environmental Protection Area Zone.
- (n) Parking:
  - (i) Minimum Parking Requirement for Industrial Uses: 1 parking space per 100 square metres of gross floor area.
  - (ii) Minimum Parking Requirement for Office Uses: 3.4 parking spaces per 100 square metres of gross floor area
  - (iii) Minimum Parking Requirement for Complementary Uses:
    - (1) 10 parking spaces per 100 square metres of gross floor area for a restaurant; and
    - (2) 3.4 parking spaces per 100 square metres of gross floor area for all other complementary uses.
  - (iv) Parking Space Requirements:
    - (1) Minimum width of a standard parking space: 2.6 metres
    - (2) Minimum length of a standard parking space: 5.2 metres.
  - (v) Yards in Which Parking Area is Permitted: Parking is permitted in any yard, provided that no part of any parking area, other than a driveway, is located closer than 7.6 metres to any street line and that the area between the street line and the parking area must be landscaped.
  - (vi) Accessible Parking: In accordance with this By-law.

[Note: Former BP-8 and Sections 5 and 30A of **former zoning by-law** 76-26]

**L408.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception

- (a) Minimum Lot Frontage (interior lot): 15.2 metres.

- (b)** Minimum Lot Frontage (corner lot) 18 metres.
- (c)** Minimum Exterior Side Yard 3.6 metres.
- (d)** Sight Triangles:
  - (i)** Two sight triangles are required on a corner lot.
    - (1)** The location of the first sight triangle must be located by drawing a line between a point on the exterior side lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 8.5 metres from the intersection of the front lot line and the exterior lot line.
    - (2)** The location of the second sight triangle must be located by drawing a line between a point on the exterior side lot line that is 8.5 metres from the intersection of the front lot line and the exterior side lot line and a point on the front lot line that is 4.5 metres from the intersection of the front lot line and the exterior side lot line.
    - (3)** Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.

[Note: Former R1-78 and Sections 4, 5 and 12 of **former zoning by-law** 76-26]

**L409.** Reserved

**L410.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The following uses are also permitted:
  - (i)** Accessory Uses and Structures to a Marina Use;
  - (ii)** Accessory Tourist Commercial Uses in an Existing Building or Structure;
  - (iii)** Outdoor Theatres and Cultural Performances;
  - (iv)** Ticket Booth; and

**(v) Tourism Information and Interpretation Facility.**

[Note: Former P-1 of **former zoning by-law** 96-259]

**L411.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The only permitted uses are a conservation use, a forestry use, a marine facility, and a public or private park, in accordance with the following provision:
  - (i)** No building or structure is permitted without the written approval of Environment Canada Parks Service (Rideau Canal Office).

[Note: Former EPA-5 and Sections 7(1) and 7(2) of **former zoning by-law** 76-26]

**L412.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The only permitted use is a conservation use; provided that in no case is any building or structure be permitted.

[Note: Former EPA-2 of **former zoning by-law** 76-26]

**L413.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Additional permitted uses include:
  - (i)** a golf course and driving range provided such uses are developed and operated in accordance with the provisions of this Exception;
  - (ii)** the Professional Office uses that were in existence as of the date of passing of the site specific by-Law; and
  - (iii)** a golf clubhouse.
- (b)** Development of a golf course and/or driving range are not permitted until such time as:
  - (i)** Council has approved a development concept plan showing the location of all building(s) and structures to be erected and showing location of all facilities and work to be provided in conjunction therewith.

- (ii)** Council may require the owner of the lands to provide to the satisfaction of, and at no expense to the municipality, any or all of the following:

  - (1)** Vehicular parking facilities and access driveways.
  - (2)** Walkway and other means of pedestrian access
  - (3)** Lightning, including flood lighting of the lands or the buildings or structures thereon.
  - (4)** Walls, fences, hedges, trees, shrubs or other ground cover or facilities for landscaping of the lands or the protection of adjoining lands.
  - (5)** Vaults, central storage and collection areas and other facilities and enclosures for the storage of garbage and other waste material.
  - (6)** Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and wastewater.
- (iii)** The following environmental and engineering investigations have been completed and demonstrate to the satisfaction of Council and all pertinent regulatory agencies that the golf course proposal will not have adverse environmental impacts:

  - (1)** A turf management plan and a determination of impacts on storm water quality due to use of chemicals.
  - (2)** A storm water quality plan detailing appropriate measures to ensure that storm water quality will not adversely impact the quality or quantity of ground water or surface water.
  - (3)** A storm water quantity plan detailing anticipated increases in run-off and measures to deal with such impacts.
  - (4)** A water taking plan to address the irrigation of a golf course and/or driving range in a manner which will not adversely affect ground water supply and quality and which will address impacts on Lake Ontario.
  - (5)** An on-site sewage disposal plan.

[Note: Former AP-1 and Sections (1) and 30 of **former zoning by-law** 76-26]

- L414.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Permitted uses include a school, a detached single family dwelling house, a semi-detached dwelling house a row dwelling, a home occupation, or a public use in accordance with the provisions of this Exception.
  - (b)** School:
    - (i)** Lot Area (minimum): 2.71 hectares.
    - (ii)** Front Yard Depth (minimum): 7.5 metres
    - (iii)** Interior Side Yard (minimum): 10 metres
    - (iv)** Rear Yard Depth (minimum): 7.5 metres
    - (v)** Building Height:
      - (1)** Minimum: 6 metres; and
      - (2)** Maximum: 12 metres.
    - (vi)** Accessory Uses, Parking etc. must be in accordance with the provisions of this by-law except:
      - (1)** No part of any parking area, other than a driveway, a bus lay-by area, or a maximum of 5 visitor parking spaces, must be located within a front yard or exterior side yard.
      - (2)** No part of any parking area including a driveway is permitted closer than 7.5 metres to an interior side lot line.
      - (3)** No part of any parking area, other than a driveway, is permitted within 4 metres of a rear lot line.
      - (4)** Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard, provided they are no closer than 1.2 metres to any lot line.
      - (5)** There is no minimum height requirement for any accessory use, building, or structure.



- (c)** Single Family Dwelling House:
  - (i)** Lot Area (minimum): 276 square metres.
  - (ii)** Lot Frontage (minimum):
    - (1)** Corner Lot 10.8 metres; and
    - (2)** Other Lot 9.0 metres.
  - (iii)** Front Yard Depth:
    - (1)** Minimum 3 metres; and
    - (2)** Maximum 6 metres.
  - (iv)** Exterior Side Yard Width (minimum): 3 metres.
  - (v)** Interior Side Yard Width (minimum): 0.6 metres, on one side and 1.2 metres on the other side, except where a side lot line abuts a 0.3 metres reserve, the minimum interior side yard width is 3 metres.
  - (vi)** Rear Yard Depth (minimum): 7.4 metres.
  - (vii)** Dwelling Unit Area (minimum): 93 square metres.
  - (viii)** Landscaped Open Space (minimum): 30%.
  - (ix)** Lot Coverage (maximum): 50%.
  - (x)** Height Of Building (maximum): 10.5 metres.
  - (xi)** Dwelling Houses Per Lot (maximum): 1 only.
  - (xii)** Accessory Uses and Parking must be in accordance with the provisions of this by-law except:
    - (1)** Despite the maximum lot coverage provisions of this Exception, an additional 20 square metres of lot coverage is permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
    - (2)** No accessory use, building or structure is permitted closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is

erected on the common lot line between two lots, no minimum interior side yard width is required.

- (3)** No accessory use, building or structure is permitted closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
- (4)** The minimum required driveway width is 3.0 metres.
- (5)** The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, is 7 metres.
- (6)** Ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
- (xiii)** Garage Location: No garage is permitted closer than 6 metres to the street line.
- (xiv)** Sight Triangles: The sight triangle is measured 3 metres from the point of intersection of the street lines.
- (d)** Semi-detached Dwelling House:

  - (i)** Lot Area (minimum): 276 square metres
  - (ii)** Lot Frontage (minimum):

    - (1)** Corner Lot 10.8 metres; and
    - (2)** Other Lot 9.0 metres.
  - (iii)** Front Yard Depth:

    - (1)** Minimum 3 metres; and
    - (2)** Maximum 6 metres.
  - (iv)** Exterior Side Yard Width (minimum): 3 metres.

- (v)** Interior Side Yard Width (minimum): 1.2 metres, on one side and 0 metres on the other side, except where a side lot line abuts a 0.3 metres reserve, the minimum interior side yard width is 3 metres.
- (vi)** Rear Yard Depth (minimum): 7.4 metres.
- (vii)** Dwelling Unit Area (minimum): 93 square metres.
- (viii)** Landscaped Open Space (minimum): 30%.
- (ix)** Lot Coverage (maximum) 50%.
- (x)** Height Of Building (maximum): 10.5 metres.
- (xi)** Dwelling Houses Per Lot (maximum): 1 only.
- (xii)** Accessory Uses and Parking must be in accordance with the provisions of this by-law except:
  - (1)** Despite the maximum lot coverage provisions of this Exception, an additional 20 square metres of lot coverage is permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
  - (2)** No accessory use, building or structure is permitted closer than 0.6 metres to an interior side lot line except, for a driveway or where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, no minimum interior side yard width is required.
  - (3)** No accessory use, building or structure is permitted closer than 0.6 metres to a rear lot line except where a mutual private garage or a mutual boathouse is erected on the common lot line between two lots, in which case, no minimum rear yard depth is required.
  - (4)** The minimum required driveway width is 3.0 metres.
  - (5)** The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, is 7 metres.



- (xii)** Accessory Uses and Parking must be in accordance with the provisions of this by-law except:
  - (1)** Despite the maximum lot coverage provisions of this Exception, an additional 20 square metres of lot coverage is permitted for only unenclosed porches, balconies, ramps or steps located in a front yard or exterior side yard.
  - (2)** The maximum required driveway width is 3.5 metres.
  - (3)** The minimum distance between a driveway and an intersection of street lines, measured along the street line intersected by such driveway, is 7 metres.
  - (4)** Ornamental structures may project into any required yard a maximum distance of 0.5 metres, provided they are no closer than 0.1 metres to any lot line.
  - (5)** Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard provided they are no closer than 1.2 metres to any lot line.
- (xiii)** Garage Location: No garage is permitted closer than 6 metres to the street line.
- (xiv)** Special Provisions: There is no more than 7 attached row dwelling houses in one continuous row.
- (xv)** Sight Triangles: The sight triangle is measured 3 metres from the point of intersection of the street lines.

[Note: Former I-7 and Sections 13(1) and 13(2) of **former zoning by-law** 32-74]

**L415.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Side Yard:
  - (i)** Semi Detached Dwelling (total): 4.8 metres (2.4 metres each side except where the dwellings have attached garages, in which case there must be a total of 2.4 metres side yard – 1.2 metres each side);

- (ii) All Other Dwellings (total): 2.4 metres (1.2 metres minimum each side); and
  - (iii) However, on a corner lot the minimum side yard abutting a street is 6.0 metres.
- (b) Minimum Lot Area:
  - (i) Single Family Dwelling: 370.0 square metres.
- (c) Minimum Lot Width:
  - (i) Single Family Dwelling: 12.0 metres (except 18.0 metres for a corner lot); and
  - (ii) Two Family Dwelling: 18.0 metres (except 21.0 metres for a corner lot).

[Note: Former A3.103 of **former zoning by-law** 8499]

**L416.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following provisions apply to single family dwellings:
  - (i) Minimum Lot Area: 370.0 square metres.
- (b) Minimum Lot Width:
  - (i) Interior Lot: 12.0 metres; and
  - (ii) Corner Lot: 15.0 metres.
- (c) Minimum Side Yard for Corner Lots: On a corner lot the minimum side yard abutting a street is 4.8 metres.

[Note: Former A3.192 of **former zoning by-law** 8499]

**L417.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Side Yard:
  - (i) Semi Detached Dwelling (total): 4.8 metres (2.4 metres each side except where the dwellings have attached garages, in which case there must be a total of 2.4 metres side yard – 1.2 metres each side);

- (ii) All Other Dwellings (total): 2.4 metres (1.2 metres minimum side yard); and
  - (iii) However, on a corner lot the minimum side yard abutting a street is 6.0 metres.
- (b) Minimum Lot Area:
  - (i) Single Family Dwelling: 370.0 square metres.
- (c) Minimum Lot Width:
  - (i) Single Family Dwelling: 12.0 metres (except 18.0 metres for a corner lot); and
  - (ii) Two Family Dwelling: 15.24 metres (except 18.288 metres for a corner lot).
- (d) A semi-detached dwelling is permitted on Lot 4, Registered Plan Number 1866.

[Note: Former A3.193 of **former zoning by-law** 8499]

**L418.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 311 square metres.

[Note: Former A7.357 of **former zoning by-law** 8499]

**L419.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (i) Minimum Side Yard (interior), the minimum width for the east side of the dwelling that is not attached to another dwelling unit and for which an attached garage or carport is provided is 0.67 metres.
- (ii) The minimum required rear yard is 8.0 metres.

[Note: Former A7.343 and Sections 12A.3 of **former zoning by-law** 8499]

**L420.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The Maximum Density is 39.5 dwelling units per ha of lot area.

[Note: Former B2.107 of **former zoning by-law** 8499]

- L421.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Lot Area (minimum): 5,070 square metres.
  - (b) Lot Frontage (minimum): 49.0 metres.
  - (c) Where a lot had a former 'EPA-2' zone from the **former zoning by-law** 76-26 on a portion thereof, the minimum lot frontage calculation is based on the total frontage within the lot lines of the lot.
  - (d) Location of Buildings And Structures:
    - (i) Where a lot line is adjacent to or abuts the east-west drainage course, no building, structure or accessory structure, including pools, is permitted closer than 8 metres from the toe of the slope of the drainage course; except for an accessory structure, no larger than 10 square metres, which may be located no closer than 3 metres from the top of the bank.
    - (ii) Where a lot had a former "EPA-2" from the **former zoning by-law** 76-26 on a portion thereof, the required yard is the limit of the "EPA-2" designation or the required yard of this Exception, whichever is the greater.
  - (e) Lot Area Calculation: Where a lot had a former "EPA-2" from the **former zoning by-law** 76-26 on a portion thereof, the lot area calculation is based on the total horizontal area within the lot lines of the lot.

[Note: Former ER-4 of **former zoning by-law** 76-26]

- L422.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Permitted uses include an aggregate screening operation, an asphalt plant, a concrete batching plant, a crushing plant or any combination of the foregoing uses.

[Note: Former M5-1 and Section 28(1)(b) of **former zoning by-law** 76-26]

- L423.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:



- (a) The only permitted use is an Ontario Hydro transformer distribution station in accordance with the following provisions:
  - (i) Lot Area (minimum): 3300 square metres.
  - (ii) Lot Frontage (minimum): 74 metres.
  - (iii) Rear Yard Depth (minimum): 6 metres.

[Note: Former A1-12 and Sections 23(1) and (2) of **former zoning by-law** 32-74]

**L424.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum lot area is 4,050 square metres.
- (b) No building or structure, other than a marine facility, is permitted less than 60 metres from the high water mark of the Rideau Canal.
- (c) The high water mark of the Rideau Canal is deemed to be the high water mark established in March 1974 and shown on a draft plan of subdivision by Ray Hunter, Ontario Land Surveyor, dated July 10, 1974.

[Note: Former R1-3 of **former zoning by-law** 32-74]

**L425.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a single family house.
- (b) Lot Area (minimum): 0.6 hectares.

[Note: Former A1-16 and Sections 23(1) and (2) of **former zoning by-law** 32-74]

**L426.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a gas pressure regulation station in accordance with the following provisions:
  - (i) Lot Area (minimum): 920 square metres.
  - (ii) Lot Frontage (minimum): 20 metres.

(iii) Interior Side Yard (minimum): 5 metres.

(iv) Rear Yard Depth (minimum): 10 metres.

[Note: Former A1-31 and Sections 23(1) and (2) of **former zoning by-law** 32-74]

**L427.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) No building or structure is permitted closer than 60 metres to the high water mark of the St. Lawrence Channel nor is any building or structure permitted to be designed in such a way as to permit the entry of flood waters below the level of 76 metres Canadian Geodetic Datum.

[Note: Former ER-2 of **former zoning by-law** 32-74]

**L428.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Water Setback: No building or structure is permitted closer than 10 metres to the high water mark of the pond located on Lot 10 of the Draft Approved Plan of Subdivision.
- (b) Special Provision: No buildings or structures other than marine facilities, and no sewage system is permitted closer than 30 metres from the high water mark of the St. Lawrence River nor is any building or structure other than a marine facility permitted to be located below an elevation of 76.9 metres (Canadian Geodetic Datum).

[Note: Former ER-6 of **former zoning by-law** 32-74]

**L429.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are one or more of the following uses: a conservation use excluding a building and a public use excluding a building in accordance with the following provisions:
  - (i) Accessory Uses: No use accessory to a main residential use located in an adjoining zone is permitted on the lands subject to this Exception.

- (ii) Location: The Exception boundary is defined as being the contour line of 76.6 metres geodetic (Canadian Geodetic Datum).

[Note: Former FP-1 and Sections 5(1), 22A(1) and 22A(2) of **former zoning by-law** 32-74]

**L430.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are one or more of the following uses: a detached single family dwelling house, a home occupation, or a public use, in accordance with the following provisions:
  - (i) Lot Area (minimum) 0.8 hectares.
  - (ii) Rear yard Depth (minimum) 30 metres.

[Note: Former RR-8 and Sections 8(1) and (2) of **former zoning by-law** 32-74]

**L431.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Lot Area (minimum): 5 hectares.
- (b) Minimum Elevation: No opening to any building or structure is permitted to be constructed below the minimum elevation of 98.3 metres geodetic.
- (c) Lot Development Requirement: Where a lot is divided into more than one zone, the lot lines not the zone boundaries, are used to calculate the lot area only.
- (d) Special Setback: No building or structure is permitted within 15 metres of the Wetland edge which is defined as having an elevation of 97.5 metres geodetic.

[Note: Former A1-33 of **former zoning by-law** 32-74]

**L432.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Lot Frontage (minimum): 55 metres.
- (b) Water Frontage (minimum): Any lot having water access must have not less than 60 metres of water frontage.

- (c) No building opening is permitted to be built or altered below 89.22 metres geodetic.
- (d) No marine facility is permitted closer than 5 metres to a side lot line.
- (e) No building, structure or septic system is permitted closer than 30 metres from the high water mark.
- (f) Lands located below the contour line of 88.92 metres geodetic must be used for no other purpose than one or more of the following uses: a conservation use, a forestry use or a marine facility.
- (g) Despite the location of the existing house as of the date of passing of the site specific by-law is recognized as complying with the required setback from the high water mark.

[Note: Former ER-5 and Section 16(2) of **former zoning by-law** 76-26]

**L433.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use: One dwelling unit within an accessory building, subject to the provisions of this Exception.
- (b) Maximum number of dwelling units per lot: 3, comprised of a two-family dwelling and one dwelling unit within an accessory building.
- (c) Minimum Front Yard: 3.0 metres.
- (d) Minimum Yard Adjacent to First Avenue: 1.2 metres.
- (e) Front Yard Projections: The stairs used to access the main entrance of a dwelling must be set back a minimum of 1.5 metres from the front lot line.
- (f) Minimum Lot Area: 120 square metres per dwelling unit.
- (g) Minimum Lot Width: 9.0 metres .
- (h) Driveway width:
  - (i) The minimum width of a driveway, including a single shared driveway serving two adjacent lots, is 3.0 metres.
  - (ii) For the corner lot fronting on Nelson Street and First Avenue, the portion of the driveway located within the limits of the lot must not exceed 9.24 metres.

- (i) Accessory Building Maximum Height: 7.5 metres.
- (j) Accessory Building Maximum Lot Coverage: 15%.
- (k) Accessory Building Minimum Rear Yard Setback: 0.8 metres.
- (l) Accessory Building Minimum Interior Side Yard Setback: 0 metres. The provisions requiring residential units to front on a street do not apply.

[Note: Former A5.575 and Sections 5 and 11 of **former zoning by-law** 8499]

**L434.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Front Yard: 3.0 metres.
- (b) Front Yard Projections: The stairs used to access the main entrance of a dwelling must be set back a minimum of 1.5 metres from the front lot line.
- (c) Minimum Lot Area: 340 square metres per dwelling unit.
- (d) Minimum Lot Width: 9.0 metres.

[Note: Former A5.576 and Sections 5 and 11 of **former zoning by-law** 8499]

**L435.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use: Semi-Detached Dwelling.
- (b) Minimum Lot Area: 175 square metres per dwelling unit.
- (c) Minimum Front Yard: 1.3 metres, Adelaide Street and 2.6 metres, Division Street.
- (d) Maximum Percentage of Lot Coverage: 44%.
- (e) Maximum Residential Building Height: 11.6 metres.
- (f) Maximum Floor Space Index: 1.3.
- (g) Minimum Number of Required Parking Spaces: 0.75 spaces per dwelling unit.
- (h) Up to 41 square metres of the rear or interior side yard may be used as uncovered surface parking spaces for residential use.

- (i) Parking Design Standards: minimum 5.2 metres long by 2.6 metres wide.
- (j) Unenclosed porches, decks, balconies, steps and verandahs, covered or uncovered, are permitted, provided that if they exceed 1.2 metres in height, the following provision applies:
  - (i) Minimum setback from Front Lot Line: 0.7 metres.

[Note: Former A.596 and Sections 5 and 6 of **former zoning by-law** 8499]

**L436.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use: Semi-Detached Dwelling.
- (b) Minimum Lot Area: 160 square meters per dwelling unit.
- (c) Minimum Front Yard: 2.0 metres.
- (d) Minimum Rear Yard: 6.0 metres.
- (e) Maximum Percentage of Lot Coverage: 39%.
- (f) Maximum Residential Building Height: 11.6 metres.
- (g) Maximum Floor Space Index: 1.1.
- (h) Up to 54.1 square metres of the rear or interior side yard may be used as uncovered surface parking spaces for residential use.
- (i) Parking Design Standards: minimum 5.2 metres long by 2.6 metres wide.
- (j) Unenclosed porches, decks, balconies, steps and verandahs, covered or uncovered, are permitted, provided that if they exceed 1.2 metres in height, the following provisions apply:
  - (i) Minimum setback from Front Lot Line: 0.2 metres; and
  - (ii) Minimum setback from Rear Lot Line: 4.4 metres.

[Note: Former A.595 and Sections 5 and 6 of **former zoning by-law** 8499]

**L437.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use: Multiple Family Dwelling (maximum 3 units).

- (b) Minimum Lot Area: Multiple Family Dwelling: 269 square metres for each unit.
- (c) Maximum Number of Bedrooms: 7 bedrooms.

[Note: Former A5.603 and Sections 5 and 11 of **former zoning by-law** 8499]

**L438.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Front yard setback (minimum): 4 metres.
- (b) Side yard setback (minimum): 1.5 metres.
- (c) Rear yard setback (minimum): 8 metres.
- (d) Maximum density: 69 dwelling units per net hectare.
- (e) Minimum lot width: 18 metres.
- (f) Minimum landscaped open space: 30% of the total lot area.
- (g) Minimum floor area (per dwelling unit):
  - (i) 1 bedroom unit: 42 square metres; and
  - (ii) 2 bedroom unit: 56 square metres.
- (h) Number of parking spaces: A minimum of 10 on-site parking spaces must be provided.
- (i) Unenclosed decks, porches, patios, and stairs can project into the eastern interior side yard, but cannot be built closer than 0.2 metres to the lot line.
- (j) Maximum driveway width: 10.7 metres.
- (k) Amenity Area: Amenity area provisions regulating the length relative to the width do not apply.

[Note: Former B1.594 and Sections 5 and 14 of **former zoning by-law** 8499]

**L439.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Uses: Row dwelling containing three dwelling units.

- (b) Lot Line Interpretation: for the purpose of zone interpretation, the lot line along the Chatham Street frontage is deemed to be the Front Lot Line, the eastern lot line opposite the Chatham Street frontage is deemed to be the Rear Lot Line, the lot line along the Elm Street frontage is deemed to be the Exterior Side Lot Line; and the southern lot line opposite the Elm Street frontage is deemed to be the Interior Side Lot Line.
- (c) Maximum Height of the Principal Dwelling: 10.7 metres.
- (d) Minimum Front Yard: 3.0 metres.
- (e) Minimum Rear Yard: 6.3 metres.
- (f) Line of Corner Lots:
  - (i) Minimum yard abutting Elm Street: 0.7 metres; and
  - (ii) Minimum yard abutting Chatham Street: 3.0 metres.
- (g) Minimum Side Yard: 0.7 metres.
- (h) Minimum Aggregate Side Yard: 1.9 metres.
- (i) Maximum Lot Occupancy: 136%.
- (j) Minimum Number of Required Parking Spaces: 0.67 parking spaces per dwelling unit.
- (k) Minimum standard parking space dimensions: 2.6 metres wide by 5.2 metres long.
- (l) Minimum driveway width: 2.6 metres.
- (m) Definition of Dwelling, Multiple Family: a building having independent exterior walls and containing three or more dwelling units, and includes a "Dwelling, Row" as defined by **former zoning by-law** 8499.
- (n) Minimum Bicycle Parking Space Dimensions: 0.6 metres by 0.2 metres, and 2.2 metres overhead clearance.
- (o) There is no minimum rear yard or interior yard setback requirement for accessory structures for the use of bicycle storage.

[Note: Former B3.586 and Sections 5 and 16 of **former zoning by-law** 8499]

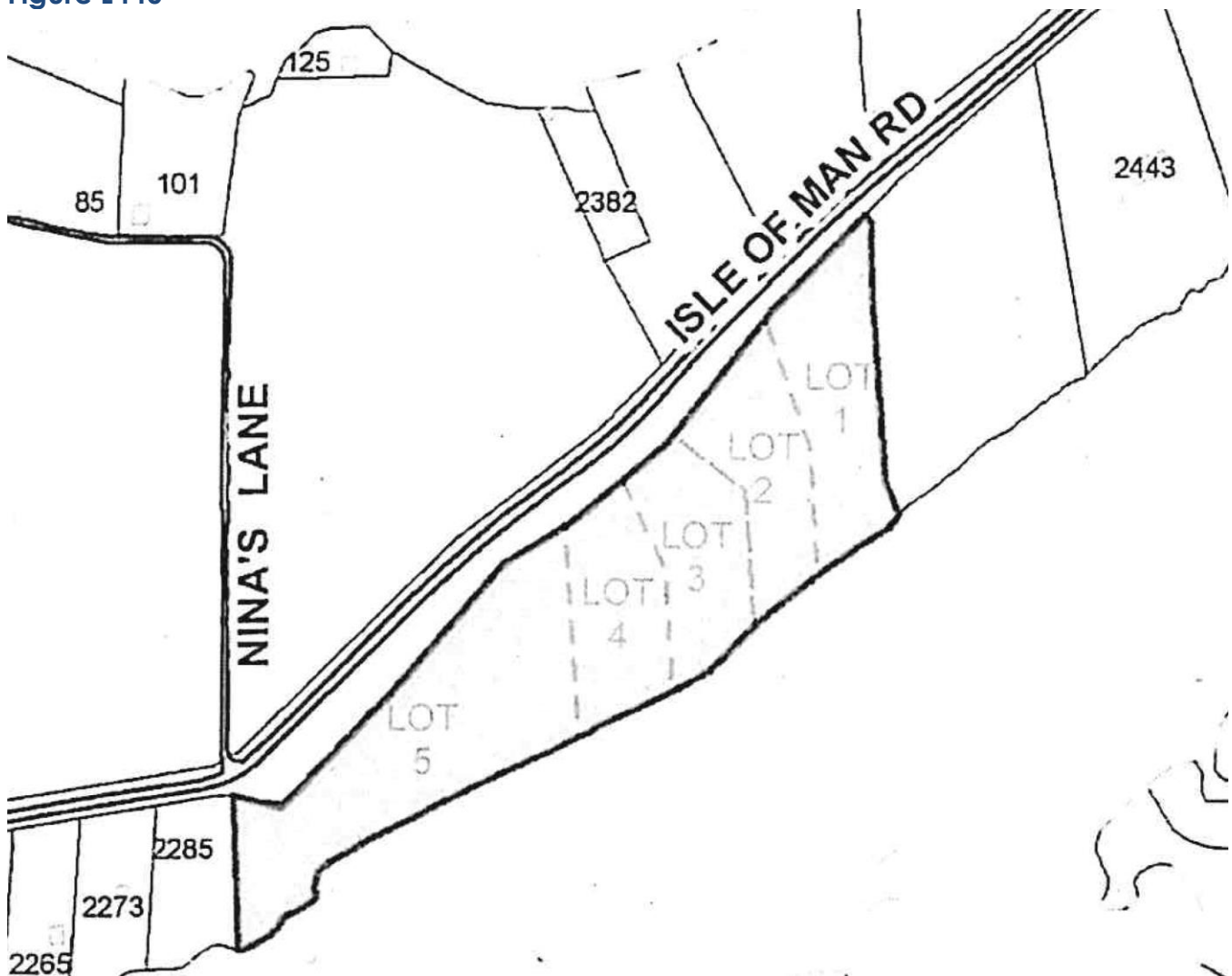
**L440.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:



- (a)** Permitted Residential Uses:
  - (i)** a detached single-family dwelling house.
- (b)** Non-Residential Uses:
  - (i)** a home occupation.
- (c)** Prohibited Uses: Boat houses.
- (d)** Roof-mounted antennas and satellite dishes with a diameter and/or height equal to or exceeding 1 metre are prohibited. The maximum height permitted for roof-mounted antennas and satellite dishes, measured from the average finished grade to the highest point of the roof-mounted satellite dish or antenna, is 10 metres. Antennas and satellite dishes may be mounted on the ground, provided they are mounted at least 15 metres from the top of the slope facing Gibraltar Bay.
- (e)** Height of Building (maximum): 10 metres.
- (f)** Water Setback (minimum): 30 metres from the high water mark.
- (g)** Top of Slope Setback (minimum): 15 metres from the top of the slope facing Gibraltar Bay.
- (h)** Driveways:
  - (i)** Only one driveway is permitted on the lot designated as lot 1, as approximately shown on Figure L440.
  - (ii)** Only one shared driveway is permitted for the lots designated as lots 2 and 3, as approximately shown on Figure L440 and no other driveways will be permitted on either of these lots.
  - (iii)** Only one shared driveway is permitted for the lots designated as lots 4 and 5, as approximately shown on Figure L440 and no other driveways will be permitted on either of these lots, with the exception of lot 5, which is permitted to maintain a separate driveway for the sole purpose of water access.

[Note: Former ER-18 and Sections 5 and 7 of **former zoning by-law** 32-74]

Figure L440



- L441.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) In addition to the uses permitted by this By-law, a multi-unit residential dwelling is permitted, and units are permitted at grade and /or in the basement.
  - (b) Maximum Density: The maximum permitted density is 180 residential units per net hectare.
  - (c) Amenity Area: A minimum of 20 square metres of amenity area must be provided.

- (d) The provisions of this By-law regulating the design of Amenity Area, do not apply.
- (e) Off-Street Parking Requirements:
  - (i) On-site vehicular parking is not required.
  - (ii) On-site accessible parking is not required.
  - (iii) On-site bicycle parking stalls must be a minimum of 1.8 metres by 0.3 metres with a minimum overhead clearance of 2.1 metres.
  - (iv) A minimum of 4 bicycle parking stalls must be provided.

[Note: Former C1-53 and Sections 5 and 7 of **former zoning by-law** 96-259]

**L442.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum interior side yard width for an automobile service station abutting a commercial zone is 2.5 metres.

[Note: Former C2-76 and Section 19 of **former zoning by-law** 76-26]

**L443.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum required front yard from the easterly limit of Division Street is 25.9 metres.

[Note: Former C2.79 of **former zoning by-law** 8499]

**L444.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The permitted uses also include a building for recreational use by the Kingston Rowing Club and the Cataraqui Canoe Club.

[Note: Former P.155 of **former zoning by-law** 8499]

**L445.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are a church, an accessory dwelling house, or an accessory dwelling unit in accordance with the provisions of this Exception.
- (b) Interior Side Yard Width (minimum): 7.5 metres.
- (c) Rear Yard Depth (minimum): 70 metres.
- (d) Height Of Building:
  - (i) Minimum: 6 metres; and
  - (ii) Maximum: 12 metres.
- (e) Accessory Uses and Parking must comply with this By-law except:
  - (i) No part of any parking area, other than a driveway, is permitted closer than 7.5 metres to a street line or closer than 4 metres to a side lot line.
  - (ii) No part of any parking area including a driveway is permitted closer than 7.5 metres to a rear lot line.
  - (iii) Unenclosed porches, balconies, steps and ramps may project into any front yard or exterior side yard, provided they are no closer than 1.2 metres to any lot line.
  - (iv) There is no minimum height requirement for an accessory use, building, or structure.

[Note: Former I-6 of **former zoning by-law** 32-74]

**L446.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Front Yard Depth (minimum): 6.0 metres.
- (b) Interior Side Yard Width (minimum): 3.0 metres.
- (c) Rear Yard Depth (minimum): 3.0 metres.
- (d) Lot Coverage (maximum): 25%.

[Note: Former OS-7 and Section 22(2) of **former zoning by-law** 32-74]

**L447.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted uses are one or more of the following uses: a conservation use excluding a building and a public use excluding a building in accordance with the following provisions:
- (b) Accessory Uses: No use accessory to a main residential use located in an adjoining zone is permitted on the lands subject to this Exception.
- (c) Location: The boundary of this Exception is defined as being the contour line of 76.6 metres geodetic (Canadian Geodetic Datum).

[Note: Former FP-1 and Section 5(1) and 22A of **former zoning by-law** 32-74]

**L448. L448 Removed see By-Law 2023-221**

Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Height at Build-to-Plane 3 storeys, not to exceed 12.75 metres.
- (b) Maximum Building Height 3 storeys, not to exceed 12.75 metres.

[Note: Former C1-1 and Section 7.2.2.1. of **former zoning by-law** 96-259]

**L449.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Residential Uses:
  - (i) One-family Dwelling; and
  - (ii) Six-family Dwelling.
- (b) Additional Residential Units are not permitted.
- (c) For the purposes of zoning interpretation, the lands subject to this Exception are considered one lot for the following attributes:
  - (i) Landscaped open space;
  - (ii) Amenity space;

- (iii)** Number of parking spaces;
  - (iv)** Number of dwellings;
  - (v)** Number of units;
  - (vi)** Number of bedrooms;
  - (vii)** Density; and
  - (viii)** Lot coverage.
- (d)** For the purposes of zoning interpretation, the Raglan Road and Rideau Street frontages are considered front lot lines. All other lot lines are considered side lot lines.
- (e)** The One-family Dwelling use located at 5 Raglan Road must be contained within the existing building on the property on the date of passing of the site specific by-law.
- (f)** Maximum Number of Dwellings: 2.
- (g)** Maximum Number of Bedrooms (in the aggregate): 15.
- (h)** Minimum Yard Setbacks for Six-family Dwelling at 178 Rideau Street:
  - (i)** Southern Front Yard: 1.4 metres;
  - (ii)** Eastern Front Yard: 0.5 metres;
  - (iii)** Northern Side Yard: 7.0 metres;
  - (iv)** Western Side Yard: 2.0 metres; and
  - (v)** Aggregate side yard widths do not apply.
- (i)** Minimum Distance between Building Exterior Walls: 2.5 metres.
- (j)** Minimum Parking Space Dimensions: 2.6 metres by 5.2 metres.
- (k)** Minimum Number of Parking Spaces: 4 spaces.
- (l)** Parking Location: Parking is permitted within the eastern front yard (Rideau Street frontage) immediately north of the proposed 6-unit building.
- (m)** Minimum Accessible Parking Space Dimensions: 3.4 metres by 5.2 metres.

- (n) Minimum Accessible Aisle Dimensions: 1.5 metres by 5.2 metres.
- (o) Minimum Amenity Area: 100 square metres.
- (p) Communal amenity areas must have a minimum area of 13.5 square metres.
- (q) Maximum Lot Coverage: 35%.
- (r) Minimum Landscaped Open Space: 32%.
- (s) Maximum Residential Density: 129 dwelling units per net hectare.
- (t) Projections:
  - (i) Stairs are required to be setback a minimum of 0.5 metres from the eastern front lot line.
  - (ii) Access wells may project a maximum of 1.4 metres into the southern front yard.
- (u) Bicycle Parking:
  - (i) A vertical bicycle parking area may also be provided, so long as it complies with all of the following requirements:
    - (1) Minimum 0.6 metres wide, 1.8 metres tall and 1.0 metre in depth;
    - (2) Has access either directly, or by way of an aisle, sidewalk or ramp, to a public or private lane or to a street without the necessity of moving any vehicle; and
    - (3) Is secured and covered from weather elements.
- (v) Accessory structures are permitted to be located within the side yard and must be setback 1.4 metres from the southern front lot line. No setback is required from the main building it serves.

[Note: former B.618 and Sections 5 and 6 of **former zoning by-law** 8499]

**L450.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Use: Multiple family dwelling.

- (b) Maximum Number of Dwelling Units: 8.
- (c) Maximum Number of Bedrooms: 11.
- (d) Minimum Number of Required Parking Spaces: 1 parking space per dwelling unit.
- (e) Location of Off-Street Parking:
  - (i) Minimum setback from front lot line: 3.6 metres;
  - (ii) Up to 136 square metres of the front yard may be used as uncovered surface parking spaces for residential use; and
  - (iii) Parking may be permitted within the front yard space, parallel to the street.
- (f) Projections into Yards: An existing covered or uncovered porch and stairs exceeding 1.2 metres in height above the finished grade level may project out from the main building wall, provided they are no closer than 0.3 metres from the interior side yard along the northern lot line.

[Note: Former A2.584 and Sections 5 and 8 of **former zoning by-law 8499**]

**L451.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Front Yard Depth:
  - (i) (minimum): 4.5 metres; and
  - (ii) (maximum): 13 metres.
- (b) Building Depth (Maximum): 20 metres.
- (c) A 6.0 metre buffer from the adjacent environmental protection area must be provided.
- (d) Rear Yard Depth (minimum): 7.5 metres.
- (e) No accessory use, building or structure (including but not limited to swimming pools, unenclosed decks, porches, patios, balconies, steps, verandas and ornamental structures, covered or uncovered) are permitted within 6.0 metres of the rear lot line dividing the lots from lands identified as environmental protection area.



[Note: Former R12-2 and Section 11I of **former zoning by-law 32-74**]

**L452.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Definitions:

(i) "Height" means highest point of any structure exclusive of any accessory roof construction such as a chimney.

(b) The only permitted use is a single family dwelling house.

(c) Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.

(d) Lot Area (minimum): 630 square metres.

(e) Lot Frontage (minimum): 7 metres.

(f) Front Yard Depth (minimum): 30.5 metres.

(g) Exterior Side Yard Width (minimum): 1.2 metres.

(h) Interior Side Yard Width (minima):

(i) in the case of only 1 such yard: 3.9 metres; and

(ii) in the case of more than 1 such yard: 1.2 metres on one side and 3.9 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 3.9 metres to 1.2 metres.

(i) Rear Yard Depth (minimum): 10.0 metres.

(j) Water Setback (minimum): 15.0 metres.

(k) Setback (minimum): 6.0 metres plus the minimum required front yard depth.

(l) Yards for Accessory Buildings and Structures/Location of accessory buildings and Structures:

(i) No accessory building or structure is permitted:

(1) within 30 metres of the high water mark;

- (2)** within 1.2 metres of any interior side lot line;
  - (3)** within 1.2 metres of any exterior side lot line; and
  - (4)** within in any front yard.
- (m)** No detached accessory building or structures is permitted closer than 1.2 metres to a main building.
- (n)** Lot Coverage:
  - (i)** exclusive of accessory buildings and structures, with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): 400 square metres;
  - (ii)** accessory buildings and structures, (maximum): 28 square metres;
  - (iii)** steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum) total: 45 square metres;
  - (iv)** in rear yard (maximum): 22.5 square metres;
  - (v)** in front yard (maximum): 22.5 square metres; and
  - (vi)** decks and patios less than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres
- (o)** Height of Buildings (maximum): 95 metres (Canadian Geodetic Datum, this is the absolute elevation not the height above grade).
- (p)** Dwelling Houses per Lot (maximum): 1 only
- (q)** Driveway:
  - (i)** Location of Driveway: No part of any driveway is permitted within 3.5 metres of the boundary of this Exception. Abutting driveways are permitted.
  - (ii)** Access/Width of Driveway (maximum): 3.0 metres.
  - (iii)** Number of Driveways: 1 only.
- (r)** Parking Spaces:

- (i) Number of Parking Spaces Per Dwelling Unit (minimum): 2.
- (ii) Width of Parking Space (minimum): 3.0 metres.
- (iii) Length of Parking Space (minimum): 6.0 metres.
- (iv) Area of Parking Space (minimum): 18.0 square metres.
- (v) Location of Parking Spaces: All yards, except a required rear yard or required front yard, provided that no part of any parking area is located closer than 1.2 metres to an interior side lot line. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.
- (s) Yard Encroachments: Steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres. A deck or patio with no roof structure not more than 0.6 metres above the lowest ground level adjacent to the deck or patio and covering not more than 18 square metres of a required rear yard may project into a required rear yard not more than 5.5 metres.
- (t) Minimum Elevation: No dwelling house is permitted with a floor elevation below 76.6 metres (Canadian Geodetic Datum).

[Note: Former R1-47 and Sections 9(1) and (2) of **former zoning by-law** 32-74]

**L453.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Height" means highest point of any structure exclusive of any accessory roof construction such as a chimney.
- (b) The only permitted use is a single family dwelling house.
- (c) Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.
- (d) Lot Area (minimum): 670 square metres.
- (e) Lot Frontage (minimum): 30 metres.
- (f) Front Yard Depth (minimum): 1.2 metres.

- (g)** Exterior Side Yard Width (minimum): 1.2 metres.
- (h)** Interior Side Yard Width (minimum):
  - (i)** in the case of only 1 such yard: 3.9 metres; and
  - (ii)** in the case of more than 1 such yard: 1.2 metres on one side and 3.9 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 3.9 metres to 1.2 metres.
- (i)** Rear Yard Depth (minimum): 10.0 metres.
- (j)** Water Setback (minimum): 15.0 metres.
- (k)** Setback (minimum): 6.0 metres plus the minimum required front yard depth.
- (l)** Yards for Accessory Buildings and Structures/Location of accessory buildings and Structures:
  - (i)** No accessory building or structure is permitted:
    - (1)** within 30 metres of the high water mark,
    - (2)** within 1.2 metres of any interior side lot line,
    - (3)** within 1.2 metres of any exterior side lot line,
    - (4)** within in any front yard.
- (m)** No detached accessory building or structure is permitted closer than 1.2 metres to a main building.
- (n)** Lot Coverage:
  - (i)** exclusive of accessory buildings and structures, with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): 400 square metres;
  - (ii)** accessory buildings and structures, (maximum): 28 square metres;
  - (iii)** steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent

- (iv) decks and patios less than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres.
- (o) Height of Buildings (maximum): 10 metres.
- (p) Dwelling Houses per Lot (maximum): 1 only.
- (q) Location of Driveway: Nothing prevents the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of a side lot line. No driveway is permitted within a required exterior side yard or a required rear yard. A driveway within a front yard must be located not less than 1.2 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line.
- (r) Driveway:
  - (i) Access/Width of Driveway (maximum): 3.0 metres.
  - (ii) Number of Driveways: 1 only.
- (s) Parking Spaces:
  - (i) Number of Parking Spaces Per Dwelling Unit (minimum): 2.
  - (ii) Width of Parking Space (minimum): 3.0 metres.
  - (iii) Length of Parking Space (minimum): 6.0 metres.
  - (iv) Area of Parking Space (minimum): 18.0 square metres.
  - (v) Location of Parking Spaces: All yards, except a required rear yard or required front yard, provided that no part of any parking area is located closer than 1.2 metres to an interior side lot line. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.
- (t) Yard Encroachments: Steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres. A deck or patio with no roof structure not more than 0.6 metres above the lowest ground level adjacent to the deck or patio and covering not more than 18 square metres of a required rear yard may project into a required rear yard not more than 5.5 metres.

- (u) Minimum Elevation: No dwelling house is permitted with a floor elevation below 76.6 metres (Canadian Geodetic Datum).

[Note: Former R1-46 and Sections 9(1) and (2) of **former zoning by-law** 32-74]

**L454.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Height" means the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
  - (ii) "Height to Eave" means the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
  - (iii) "Lot Coverage" means that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: pools; and canopies, balconies, and overhanging eaves which are not less than 2.5 metres above finished grade.
  - (iv) "Lot Coverage Dwelling Unit" means that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above; unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.
- (b) The only permitted use is a single family dwelling house.
- (c) Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.
- (d) Lot Area (minimum): 460 square metres.
- (e) Lot Frontage (minimum): 15 metres.
- (f) Front Yard Depth (minimum): 1.2 metres.

- (g)** Interior Side Yard (minimum): 1.2 metres on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (h)** Exterior Side Yard (minimum): 1.2 metres.
- (i)** Rear Yard Depth (minimum): 7.5 metres.
- (j)** Setback (minimum): 6.1 metres plus the minimum required front yard depth.
- (k)** Yards For Accessory Uses, Buildings And Structures Including Attached Garages: No accessory use, building or structure is permitted within 1.2 metres of a front yard nor within 1.2 metres of any side or rear lot line.
- (l)** Lot Coverage (maximum): 35%.
- (m)** Lot Coverage Dwelling Unit (maximum): 121 square metres
- (n)** Lot Coverage Accessory Uses, Buildings And Structures (maximum): 55 square metres
- (o)** Landscaped Open Space (minimum): 50%
- (p)** Height Of Buildings (maximum): 7.8 metres
- (q)** Height To Eave (maximum): 4.5 metres
- (r)** Roof Slope: All dwelling units must have sloping roofs.
- (s)** Dwelling Houses Per Lot (maximum): 1 only
- (t)** Driveway:
  - (i)** Location Of Driveway: Nothing prevents the establishment of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard must be located not less than 4.0 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line. A driveway within a rear yard must be located not less than 0.5 metres from a rear lot line.
  - (ii)** Access/Width Of Driveway
    - (1)** (maximum): 4.0 metres; and

- (2)** (minimum): 3.0 metres.
- (iii)** Number Of Driveways (maximum): 1 only.
- (u)** Parking Spaces:
  - (i)** Number Of Parking Spaces Per Dwelling Unit (minimum): 2.
  - (ii)** Width Of Parking Space (minimum): 3.0 metres.
  - (iii)** Length Of Parking Space (minimum): 6.0 metres.
  - (iv)** Area Of Parking Space (minimum): 18.0 square metres.
  - (v)** Location Of Parking Spaces: All yards, except an exterior side yard or a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 4.0 metres to an exterior side lot line and no closer than 0.5 metres to a rear lot line. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.

[Note: Former R1-37 of **former zoning by-law** 32-74]

- L455.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Additional Permitted Uses: The Kingston Youth Services Hub, which consist of, but not be limited to: drop-in programs, including psychiatry counselling services and occasional medical services; a youth culture, banqueting and performing arts facility; transitional, emergency and supportive housing, which includes a continuum of housing options; a retail café, and a jobs skills centre.
  - (b)** Maximum Height: No part of any building is permitted to exceed the height limits in metres as shown on Figure L455, with a maximum 5% variance on noted heights permitted, subject to subsection below.
  - (c)** Streetwall Height:
    - (i)** Princess Street Frontage: The minimum streetwall height for all buildings and structures is 6.5 metres.
    - (ii)** Albert Street Frontage:



- (1)** The minimum streetwall height for all buildings and structures is 6.0 metres.
  - (2)** The maximum streetwall height for all buildings and structures is 14.0 metres.
- (d)** Minimum building frontage requirements specified in this By-Law do not apply.
- (e)** Setbacks and Stepbacks: Minimum setback and stepback requirements must be as shown on Figure L455 with a maximum 5% variance on noted dimensions permitted.
- (f)** Projections into Required Setbacks: Banding, solar shading, canopies, barrier free ramps, stairs, and similar features are permitted to project into required setbacks, if approved under a Site Plan Control Agreement.
- (g)** Ground Floor Conditions:
  - (i)** Princess Street Frontage: The first storey of a building must have a minimum floor to floor height of 3.3 metres.
  - (ii)** Albert Street Frontage: The first storey of a building must have a minimum floor to floor height of 4.1 metres.
- (h)** Rooftop Mechanical Equipment
  - (i)** Despite the height provisions of this Exception, rooftop mechanical equipment is permitted to exceed the maximum allowable building height by up to 4 metres, provided it does not cover more than 15% of the rooftop area on which it is located, in the aggregate, and is not located closer than 2.5 metres to the edge of a roof.
- (i)** Parking Spaces: No vehicular parking spaces is required for the Kingston Youth Services Hub use.
- (j)** Loading Space Requirements: A minimum of 1 loading space is required.
- (k)** Bicycle Parking Requirement (minimum):
  - (i)** A minimum of 60 covered and secure bicycle parking spaces are required.
  - (ii)** Wall mounted racking systems must have minimum dimensions of 0.6 metres wide by 1.8 metres high.

[Note: Former C4-609 and Sections 5 and 23 of **former zoning by-law** ]

**Figure L455**



- L456.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) For the purpose of zoning interpretation, the lands subject to this Exception are considered one lot.

- (b)** Lot Lines:
  - (i)** Front: lot line abutting Princess Street;
  - (ii)** Rear: southern most lot line; and
  - (iii)** Other lot lines: all lot lines, except the front lot line and rear lot line.
- (c)** Front Yard (minimum): 6.0 metres.
- (d)** Rear Yard (minimum): 10.0 metres.
- (e)** Other Lot Lines Setback (minimum): 4.0 metres each.
- (f)** Maximum Lot Occupancy: 130%.
- (g)** Maximum Density: 145 dwelling units per net hectare.
- (h)** Minimum Parking Ratio: A minimum of 0.5 parking spaces must be provided per dwelling unit.
- (i)** Parking Location: Parking may be located up to the front wall of the main building.
- (j)** Parking Design Standards: The minimum size of a parking space is 2.6 metres wide and 6.0 metres long.

[Note: Former B3.606 and Sections 5 and 16 of **former zoning by-law** ]

**L457.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Minimum Lot Area of Lot 441: 527.6 square metres more or less.
- (b)** Minimum Lot Area of Lot 445: 516.5 square metres more or less.
- (c)** Minimum Lot Area of Lot 453: 510.9 square metres more or less.

[Note: Former A2.46 of **former zoning by-law** 8499]

**L458.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** Any building or structure which existed at the date of the site specific by-law that does not meet the provisions of this By-Law is considered a legal non-complying building or structure. Nothing in this By-Law applies to prevent a legal non-complying building or structure so long as it

continues to exist, and nothing in this By-law applies to prevent the further development of this lot, provided the development:

- (i) Does not further increase the extent or degree of non-compliance with the provisions of this By-Law; and
  - (ii) Complies with all other applicable provisions of this By-law.
- (b) Nothing in this By-law applies to prevent the development of an accessory structure on the lot, provided the development:
  - (i) Does not further increase the extent or degree of non-compliance with the provisions of this By-Law; and
  - (ii) Complies with all other applicable provisions of this By-Law.

[Note: Former E.615 and Section 17 of **former zoning by-law** ]

**L459.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area:
  - (i) One family dwelling: 370.0 square metres.
- (b) Minimum Lot Width:
  - (i) One family dwelling: 12.0 metres; and
  - (ii) Two family dwelling: 15.0 metres.

[Note: Former A3.113 of **former zoning by-law** 8499]

**L460.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Lot Area: 230 square metres per dwelling unit.
- (b) Minimum Lot Frontage:
  - (i) 18.0 metres per corner lot;
  - (ii) 15.0 metres per lot; and
  - (iii) 7.5 metres per dwelling unit.

- (c) Minimum Front Yard Depth:
  - (i) 5.0 metres to main structure; and
  - (ii) 6.0 metres (minimum) to a garage and / or carport.
- (d) Maximum Front Yard Depth: 6.0 metres to main structure.
- (e) Minimum Rear Yard Depth for lots Backing onto a Freeway: 8.0 metres to main structure.
- (f) Minimum Side Yards:
  - (i) A side yard must be provided on either side of the main building.
  - (ii) The minimum aggregate side yard width is 2.4 metres.
  - (iii) Each side yard must not, at any point in its length, be a lesser width than 1.2 metres.
  - (iv) A side yard along a common wall is 0 metres.
  - (v) Main buildings other than dwellings or accessory buildings if 4.6 metres in height or less (each side) 3.0 metres, and for each additional 0.6 metres in height in excess of 4.6 metres (each side) 0.3 metres.
  - (vi) On a corner lot the minimum side yard abutting a street is 7.5 metres.

[Note: Former A5.356 of **former zoning by-law** 8499]

**L461.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The Minimum Lot Area is 297.0 square metres.
- (b) The Minimum Front Yard is 4.9 metres.

[Note: Former A5.51 of **former zoning by-law** 8499]

**L462.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The maximum number of dwelling units permitted on the site is 103 dwelling units.

- (b) The minimum number of parking spaces required is 109 spaces.
- (c) The minimum amount of landscaped open space is 12,800 square metres; this space may also be part of the area used for Play Space and Amenity Space.

[Note: Former B2.410 and Section 15 of **former zoning by-law** 8499]

**L463.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Setbacks and other relevant zoning provisions are to be measured from and based on the Exception boundary.
- (b) Lot Lines:
  - (i) Front: lot line abutting private driveway; and
  - (ii) Other lot lines: all lot lines, except front lot line.
- (c) Other Lot Lines Setback (minimum): 3.0 metres each.
- (d) Maximum Density: 130 dwelling units per net hectare.
- (e) Minimum Parking Ratio: A minimum of 0.5 parking spaces must be provided per dwelling unit.
- (f) Parking Location: Parking may be located in front of the front wall of the main building.

[Note: Former B3.607 and Sections 5 and 16 of **former zoning by-law** 8499]

**L464.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Mixed Commercial/Residential Development" means a building or structure which is used for a combination of commercial and residential uses where the ground floor frontage on Princess Street is used for commercial purposes.
- (b) Permitted Uses;
  - (i) The only permitted uses are: Commercial Uses, Auditorium or Public Hall, Art Gallery, Bakery, Bake Shop, Bank or Financial Establishment,

Church or Religious Institution, Commercial Entertainment Establishment, Commercial Establishment, Commercial Recreational Facility, Commercial School, Community or Recreation Centre, Computer Programming Establishment, Convenience Store, Data Processing Establishment, Day Care Centre, Drugstore/Pharmacy, Dry Cleaning Outlet, Florist, Food Store, Funeral Home, Government Office, Home Occupation, Laundry-Coin Operated, Liquor or Beer Store, Medical Clinic, Medical Office, Nursing Home, Office, Office Supply and Equipment Sales-Rental and Service, Personal Service Establishment, Pet-Grooming Establishment, Photo or Artist Studio, Photocopying or Blueprinting Shop, Photofinishing Establishment, Postal or Courier Service, Private Social and Cultural Facility, Public Use, Radio or Television Studio, Rental Outlet, Repair Service, Restaurant, Restaurant-Outdoor Patio, Restaurant-Take-Out, Service Establishment, Specialty Retail Store, Telecommunications Services. Non-Commercial Uses: Community Home, Community Support House, Crisis Care Shelter, Home Occupation, Recovery Home, Residential Care Facility. Mixed Uses: Mixed Commercial/Residential Development.

**(c)** Prohibited Uses:

- (i)** Roof Top Antennas, Communication Towers, Microwave Towers.

**(d)** Regulations:

- (e)** Minimum Front Yard: 0.0 metres.

**(f)** Maximum Building Height:

- (i)** No part of the building may exceed the height limits (in metres) as shown on Figure L464B.
- (ii)** In addition, the following applies:
  - (1)** Princess Street frontage: Second storey is built to the Princess Street property line and has a maximum building height of 11.0 metres. Fifth storey steps back 7.6 metres and has a maximum building height of 15.6 metres. The outdoor amenity area located on the sixth level is setback 23.8 metres from the Princess Street property line and must have a maximum building height of 15.6 metres. No part of the building may intrude into the 39 degree angular plane.



- (2)** Queen Street frontage: Fifth storey is built to the Queen Street property line and has a maximum building height of 16.4 metres. Sixth and seventh storeys step back 3.0 metres and the seventh storey has a maximum building height of 22.5 metres. Eighth and ninth storeys step back a further 3.2 metres and the ninth storey has a maximum building height of 28.5 metres. Mechanical penthouse has a maximum building height of 33.3 metres.
  - (iii)** Height is measured from the average finish grade of 91.11 metres (High point = 91.91 metres and Low point = 90.25 metres).
- (g)** Angular Plane:

  - (i)** The 39-degree angular plane is shown on Figure L464A.
  - (ii)** The commencement height of the 39 degree angular plane at the Princess Street build-to-plane is 17 metres with no intrusions.
  - (iii)** The commencement height of the 39 degree angular plane at the Queen Street build-to-plane is 17 metres, with allowable intrusions starting at a building height of 19.4 metres and ending at a building height of 28.5 metres. At a height of 16.4 metres the building steps back 3.0 metres from the Queen Street frontage build-to-plane line. At a height of 22.5 metres the building steps back a further 3.2 metres from the Queen Street frontage build-to-plane line. At a height of 28.5 metres the location of the mechanical penthouse steps back 27.2 metres from the Queen Street frontage. The mechanical penthouse does not intrude into the angular plane. Ornamental building features which project off the face of the building up to 0.3 metres, including cornices and parapets, may intrude into the angular plane.
- (h)** Build-to-Plane: 0 metres.
- (i)** Maximum Residential Density: 740 residential units per net hectare.
- (j)** Residential Off-Street Parking:

  - (i)** A minimum parking ratio of 0.5 parking spaces per residential unit.
  - (ii)** Vertical stacked parking structures or facilities are permitted to be located in the parking areas.



- (k)** Minimum Parking Space Dimensions: 2.6 metres wide by 5.2 metres long.
- (l)** Minimum Barrier-Free Parking Space Dimensions:
  - (i)** Type 'A': 3.4 metres wide by 5.2 metres long;
  - (ii)** Type 'B': 2.6 metres wide by 5.2 metres long; and
  - (iii)** Minimum Accessible Aisle Dimensions: 1.5 metres by 5.2 metres and marked with high tonal contrast diagonal lines.
- (m)** Minimum Loading Space Dimensions: 3.0 metres by 7.0 metres.
- (n)** Minimum Bicycle Parking: A minimum of 1 bicycle parking space per unit, including spaces for ebikes and scooters. Bicycle parking will be a range of standard and premium spaces with a minimum of 10% premium spaces providing individual bicycle storage lockers. Vertical bicycle storage spaces will have a minimum size of 0.5 metres wide and 1.5 metres deep with a 1.2 metres wide access aisle. Horizontal bicycle storage spaces will have a minimum size of 0.6 metres wide and 1.8 metres deep with a minimum access aisle width of 1.5 metres.
- (o)** Location of Loading Spaces: Loading spaces are located on-site within the existing alley way in the front yard adjacent to Queen Street adjacent to the west side of the building.
- (p)** Access to Loading Spaces: Loading spaces are accessed via the existing 5.3-metre-wide alley way adjacent to the west side of the building. Loading spaces are not required to be screened from Queen Street.
- (q)** Storage Lockers: A minimum of 34 storage lockers will be provided for the entire building, with a minimum of 2 storage lockers provided per floor and a minimum size of 3 square metres per locker.
- (r)** Community Benefits: The Owner will provide the City with a payment of \$60,992.24 as a community benefit contribution to be used to finance a study on ways to improve the overall look and feel of Queen Street from Division Street to Ontario Street to better align with the physical treatments already completed on other downtown streets, for example. Princess and Lower Brock Streets. These public realm improvements could include, for example, upgrades to street lighting, sidewalks, active transportation routes, and the planting of trees and plants. Recommendations, after appropriate public consultations, will be presented to Council for approval and budget discussions by Q2 2022.

[Note: Former C1-51 of **former zoning by-law** 96-259]

**Figure L464A**

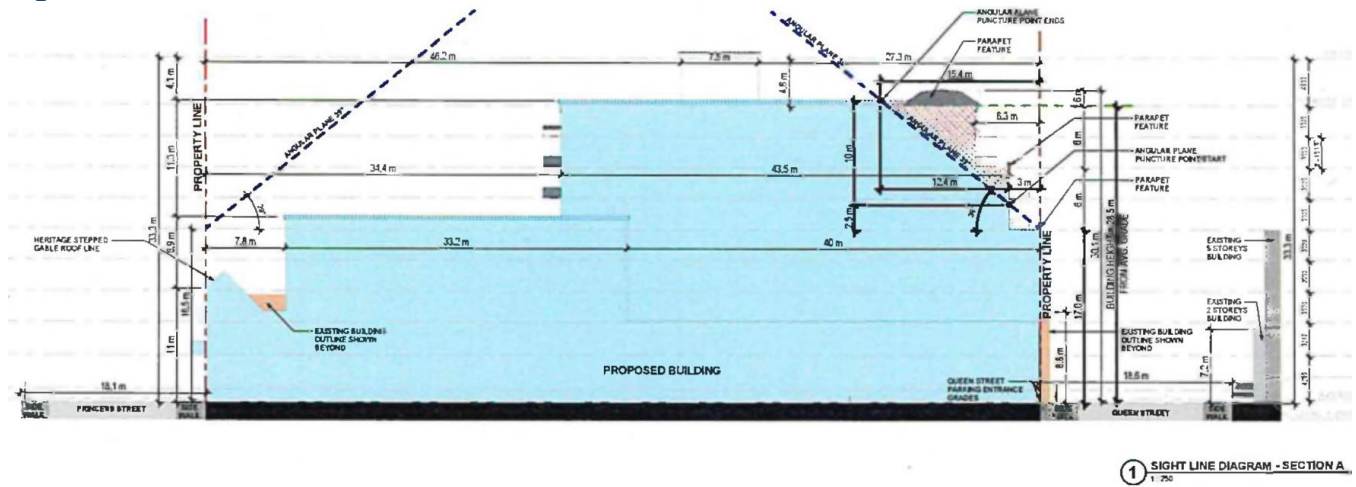
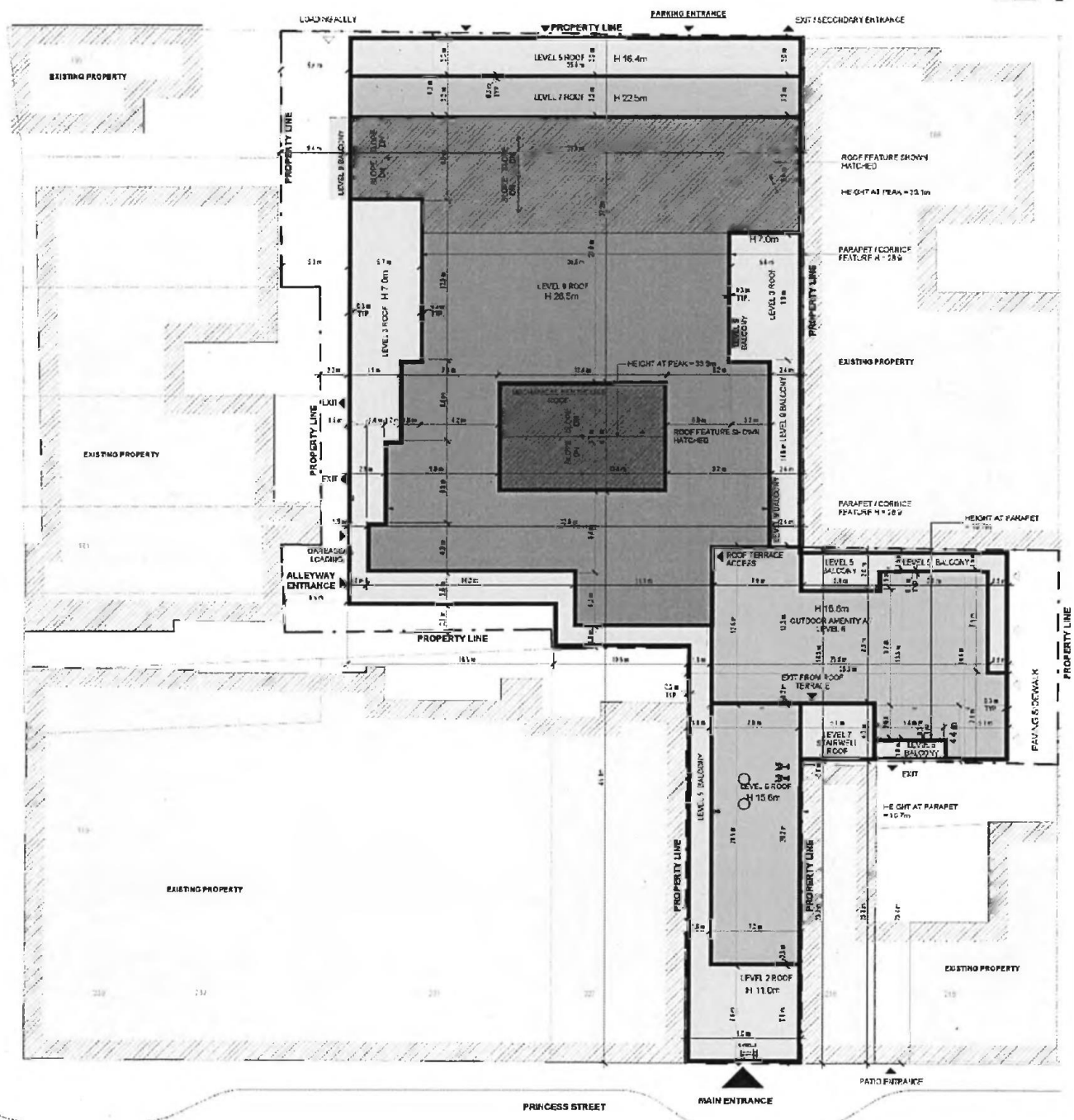


Figure L464B



**L465.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Minimum Setback of 30 metres from the railway rights-of-way to a habitable structure.

[Note: Former B1.364 of **former zoning by-law** 8499]

- L466.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a) Minimum Rear Yard: 4.0 metres.
  - (b) Line of Corner Lots: Buildings on corner lots must have a minimum side yard of 4 metres abutting a street.
  - (c) Any lot line not abutting a public street are considered a side lot line.
  - (d) Maximum Density: 60 dwelling units per net hectare.
  - (e) Maximum Height: 4 storeys.
  - (f) Minimum Parking Ratio: 0.7 parking spaces per dwelling unit.
  - (g) Parking Area Location:
    - (i) There are no restrictions on the location of on-site parking areas;
    - (ii) Front yard parking is permitted with a minimum setback of 6.2 metres from the front lot line;
    - (iii) Where front yard parking is provided, a landscaped buffer is required within the required setback; and
    - (iv) No setback or landscaped buffer is required where front yard parking is provided in a tandem arrangement which includes a garage.
  - (h) Parking Space Dimensions:
    - (i) The minimum size of a standard parking space is 2.6 metres wide and 5.2 metres long.
    - (ii) The minimum length of Type A and Type B accessible spaces is 5.2 metres.
  - (i) Bicycle Parking Space Dimensions:
    - (i) The minimum size of a bicycle parking space is 0.3 metres wide and 1.8 metres long.

[Note: Former B1.568 and Sections 5 and 14 of **former zoning by-law** 8499]

- L467.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:
- (a)** Additional Permitted Uses: The following non-residential uses are permitted on the ground floor of a multiple family dwelling:
    - (i)** Retail stores;
    - (ii)** Neighbourhood stores;
    - (iii)** Offices;
    - (iv)** Banks or financial institutions;
    - (v)** Libraries, art galleries or museums;
    - (vi)** Day care centres; and
    - (vii)** Community centres.
  - (b)** Minimum Front Yard: 7.0 metres, subject to the following provisions:
    - (i)** A minimum front yard of 4.0 metres is permitted from a lot line abutting a public street other than Compton Street, Wilson Street or Weller Avenue.
    - (ii)** For a multiple family dwelling, a minimum front yard of 2.4 metres is permitted from a lot line abutting a public street other than Compton Street, Wilson Street and Weller Avenue.
    - (iii)** For a multiple family dwelling, a minimum front yard of 4.0 metres is permitted from a lot line abutting Compton Street.
    - (iv)** Any lot line abutting a public street is considered a front lot line.
  - (c)** Minimum Side Yard: 3.0 metres.
  - (d)** Any lot line not abutting a public street is considered a side lot line.
  - (e)** Maximum Density: 65 dwelling units per net hectare.
  - (f)** Minimum Parking Ratio: 0.7 parking spaces per dwelling unit.
  - (g)** Parking is permitted off-site on a lot that is not more than 400 metres from the lot upon which the main building(s) is situated.

**(h)** Parking Space Dimensions:

**(i)** The minimum size of a standard parking space is 2.6 metres wide and 5.2 metres long.

**(ii)** The minimum length of Type A and Type B accessible spaces is 5.2 metres.

**(i)** Bicycle Parking Space Dimensions:

**(i)** The minimum size of a bicycle parking space is 0.3 metres wide and 1.8 metres long.

**(j)** Loading spaces are not required.

**(k)** Amenity Area: The provisions regulating the length relative to the width of an amenity area do not apply.

[Note: Former B1.567 and Section 5 and 14 of **former zoning by-law** 8499]

**L468.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Permitted Use and bedrooms:

**(i)** In addition to the uses permitted by this By-law, a semi-detached dwelling is permitted.

**(b)** A maximum of 7 bedrooms is permitted per lot.

**(c)** Minimum Lot Area for a Semi-detached Dwelling: 232 square metres per dwelling unit.

**(d)** Minimum Lot Width for a Semi-detached Dwelling: 7.6 metres per dwelling unit.

**(e)** Minimum Interior Side Yard: 1.2 metres for a side that is not attached to another dwelling and 0 metres for a side that is attached to another dwelling.

**(f)** Minimum Aggregate Side Yard Width: 1.2 metres.

**(g)** Parking Design Standards: The minimum size of a parking space is 2.7 metres wide and 5.7 metres long.

[Note: Former A5.616 and Sections 5 and 11 of **former zoning by-law** ]

**L469.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum required front yard is 8.0 metres.

[Note: Former A4.311 and Section 10.3(a)iv. of **former zoning by-law** 8499]

**L470.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The minimum required side yard on the west side of the lot is 4.0 metres, measured at right angles from the lot line to the point where the minimum side yard setback intersects with the minimum required front yard setback.
- (b) The minimum side yard setback is projected northerly from that point at right angles to the front lot line resulting in a minimum side yard setback of 9.3 metres measured at right angles from the lot line to the point where the projected setback intersects with the minimum required rear yard setback.
- (c) The minimum side yard setback on the east side of the lot is 1.2 metres.

[Note: Former A4.312 and Section 10.3A of **former zoning by-law** 8499]

**L471.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the uses permitted by this By-law, the lands may also be used for a lumber yard, a cartage or transport yard, a waste processing site and a waste transfer station provided that said uses are developed and operated in accordance with the provisions of this Exception.
- (b) "Waste Processing Site" means a site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent approval as may exist from time to time under this or any successor legislation, to allow the site to be used for the management or preparation of waste for subsequent reuse or disposal.
- (c) "Waste Transfer Station" means a waste disposal site which has received a Certificate of Approval under the Environmental Protection Act, or such equivalent approval as may exist from time to time under this or any successor legislation, to allow the site to be used for the purpose of



transferring waste from one vehicle to another for transportation to another waste disposal site.

[Note: Former M4-1 of **former zoning by-law** 76-26]

**L472.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The subject lands are permitted to be developed with 44 single family dwellings in accordance with the provisions of this Exception.
- (b) Lot area (minimum): 500 square metres.
- (c) Lot frontage (minimum): 17.1 metres (corner); 15.0 metres (interior).
- (d) Front yard depth (minimum): 6.0 metres.
- (e) Exterior side yard (minimum): 3.0 metres.
- (f) Interior side yard width: the required interior side yard on a lot with an attached garage or carport is 0.6 meter on one side and 1.2 metres on the other side. On a lot where there is no attached private garage or attached carport, the minimum interior side yard is 2.4 meters on one side and 0.6 metre on the other side.
- (g) Rear yard depth (minimum): 6.0 metres.
- (h) Lot coverage (maximum): 47%.
- (i) Height of Building (maximum): 10.6 metre.
- (j) Driveway width (maximum): 6.7 metres.

[Note: Former A2.319 of **former zoning by-law** 8499]

**L473.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Lot area (minimum): 500 square metres.
- (b) Minimum interior side yard of 0.6 metres and 1.2 metres for lots with a rear lane access.
- (c) Lot frontage (minimum): 17.1 metres (corner); 15.0 metres (interior).
- (d) Front yard depth (minimum): 6.0 metres.
- (e) Exterior side yard (minimum): 3.0 metres.



- (f) Rear yard depth (minimum): 6.0 metres.
- (g) Lot coverage (maximum): 47%.
- (h) Height of Building (maximum): 10.6 metres.
- (i) Driveway width (maximum): 6.7 metres.
- (j) Front yard driveway and front yard parking is prohibited for the properties municipally known as 1101, 1103, 1105 and 1107 King Street West.

[Note: Former A2.371 of **former zoning by-law** 8499]

**L474.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Only permitted uses:
  - (i) construction waste processing, such as asphalt and concrete recycling; processing and separating of aggregates and soils from construction sites;
  - (ii) stockpiling of construction waste for processing and reuse;
  - (iii) storage of empty construction bins;
  - (iv) topsoil recycling;
  - (v) open storage of construction materials, equipment or vehicles;
  - (vi) a public use; and
  - (vii) a telecommunications tower.
- (b) Minimum rear yard: 0 metres.
- (c) Minimum front yard: 0 metres.
- (d) Minimum west side yard: 6 metres, except where the lands abut another industrial zone or lands used for industrial purposes, in which case there is no required minimum west side yard.
- (e) Minimum east side yard: 6 metres.
- (f) All areas identified as FODa woodland in the report entitled "Natural Heritage Environmental Impact Assessment", prepared by Ecological

Services and dated June 29, 2020 must be protected by a berm or concrete barrier that is:

- (i) located at least 5 metres from the drip line of the FODa woodland; and
- (ii) Minimum height: 0.8 metres.

[Note: Former M4-6 and Section 27 of **former zoning by-law** ]

**L475.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

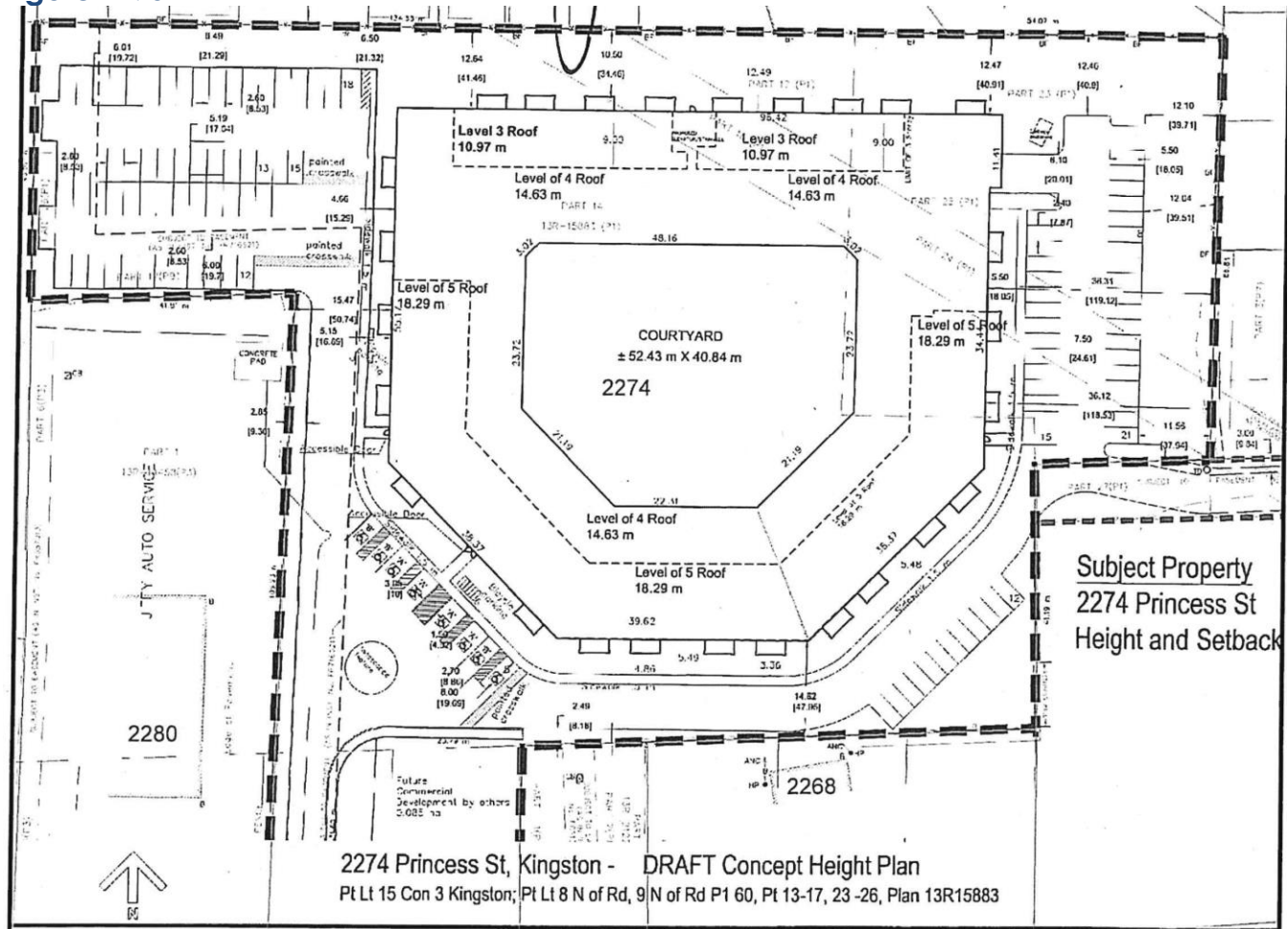
- (a) Lot Area (minimum): 74 square metres per dwelling unit.
- (b) Lot Frontage (minimum): 16 metres.
- (c) Rear Yard (minimum): 12.4 metres.
- (d) Balconies:
  - (i) A balcony serving a dwelling unit on the north elevation must not project past the wall of the main building, except for a Juliet balcony, which is comprised of a railing at the outer plane of a window-opening reaching the floor, and having, when the window is open, the appearance of a balcony.
  - (ii) A balcony serving a dwelling unit on the east, south and west elevations may project not more than 2.5 metres out from the main building into a required yard.
- (e) The minimum yard setbacks are subject to a maximum 5% variance in dimensions.
- (f) Dwelling Unit Area (minimum): 1 Bedroom: 40 square metres.
- (g) Maximum Building Height:
  - (i) No part of the building is permitted to exceed the height limits (in metres) as shown on Figure L475.
  - (ii) Height is measured from the finished floor grade of 96.34 metres geodetic datum.
  - (iii) The height provisions of this Exception do not prevent the erection of window washing equipment, lighting fixtures, ornamental

elements, lightning rods, parapets, trellises, eaves, guardrails, balustrades, railings, stairs, stair enclosures, wheelchair ramps, vents, ventilating equipment, landscape and green roof elements, solar panels, partitions dividing outdoor recreation areas, wind mitigation, chimney stack, exhaust flues, garbage chute overrun and public art elements, mechanical penthouses, and architectural elements.

- (h)** Privacy Yards (minimum): a privacy yard, clear and unobstructed by any parking area or any vehicular driveway must be provided adjoining each habitable room window of every dwelling unit with a minimum depth measured at right angles from such wall it adjoins in accordance with the following:
  - (i)** Parking Area or Vehicular Driveway:
    - (1)** Ground Floor Living Room Window: 3.4 metres, 2.0 metres to a bicycle rack;
    - (2)** Ground Floor Habitable Room Window: 3.4 metres, 2.0 metres to a bicycle rack;
  - (ii)** Pedestrian Access Surface:
    - (1)** Within a privacy yard, an area unobstructed by a pedestrian access must be provided extending at least 3.4 metres from any ground floor window and at least 2.0 metres to a bicycle rack, this distance measured radially from any point on the window. However, this does not apply to that portion of a pedestrian access leading directly from a building entrance or to hardscaped areas within a courtyard. A window is considered to be located on the ground floor if any portion of the glazing is less than 2.5 metres above the adjacent exterior ground level.
- (i)** Off-Street Vehicle Parking:
  - (i)** A minimum parking ratio of 1.1 parking spaces per dwelling unit is required;
  - (ii)** Surface parking spaces must have minimum dimensions of 2.6 metres wide by 5.2 metres long;

- [Note: Former R5-25 and Sections 5 and 15 of **former zoning by-law 76-26**]

Figure L475



**L476.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) In addition to the uses permitted by this By-law, a triplex is also a permitted use, provided that the three units are contained within the walls of the building in existence as of the date of the passing of the site specific by-law.
- (b) Minimum lot area 542 square metres.
- (c) The parking spaces size and location in existence as of the date of the passing of the site specific by-law are deemed to comply.

[Note: Former A2.374 of **former zoning by-law** 8499]

**L477.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a)** The permitted uses are limited to:
  - (i)** An automobile wrecking yard; and
  - (ii)** A salvage yard.
- (b)** Accessory Uses:
  - (i)** Vehicle sales establishment, limited to the sale of used vehicles; and
  - (ii)** Retail sales related to the servicing of motor vehicles.
- (c)** Accessory retail sales are limited to a maximum of 16% of the gross floor area of the main building.
- (d)** The permitted salvage yard use is limited to the collection, dismantling, sorting and storage of scrap metals. Processing of scrap metals, including shredding, is prohibited.
- (e)** For the purposes of zoning interpretation, the front, exterior, interior and rear lot lines are as shown Figure L477A.
- (f)** Minimum Setbacks for Buildings must be as shown on Figure L477B.
- (g)** Minimum Setbacks for all other Permitted Uses, including the storage of articles or things wholly or partly in the open:
  - (i)** Front Lot Line: 20 metres.
  - (ii)** Exterior Side Lot Line: 14 metres.
  - (iii)** Interior Side Lot Line: 3 metres.
  - (iv)** Rear Lot Line: 5 metres.
- (h)** Permitted Projections: A building overhang is permitted within a required interior side yard, provided it is not located closer than 12 metres to an interior side lot line.
- (i)** Despite (h), no car crusher is permitted closer than 229 metres to the exterior side lot line.
- (j)** The maximum height of any storage of articles or things wholly or partly in the open is 2.5 metres.

- (k)** Structures associated with the placing of automobiles on the site are permitted within an area used for storage of articles or things wholly or partly in the open, up to a maximum height of 0.6 metres.
- (l)** An opaque wooden fence that is at least 2.4 metres in height is required along the entire exterior side lot line, in addition to the berm described in subsection (m) below.
- (m)** A berm that is at least 1.0 metre in height is required along the exterior side lot line wherever the grade of the site at the exterior side lot line is less than 1.0 metre higher than the grade of the abutting street centre line.
- (n)** Planting strips are required in the front yard, exterior side yard and rear yard, and is only permitted to be used as the planting of trees, hedges, shrubs, flower beds, grass or a combination thereof. The planting strips must comply with the provisions of subsection (o) below and will be further regulated through Site Plan Control.
- (o)** Required Planting Strip Width (minimum):

  - (i)** Front yard: 3.0 metres.
  - (ii)** Exterior side yard: 8.5 metres.
  - (iii)** Rear yard: 5.0 metres.
- (p)** Required Loading Spaces (minimum): 1 space.
- (q)** Required Vehicle Parking Spaces (minimum): 63 spaces.
- (r)** A maximum of 11 required vehicle parking spaces may be used for the display of used vehicles for sale.
- (s)** Parking is permitted in any yard, but must not be located closer than 3 metres to the front lot line.

[Note: Former M4-7 and Sections 5 and 27 of **former zoning by-law** 76-26]



Figure L477A

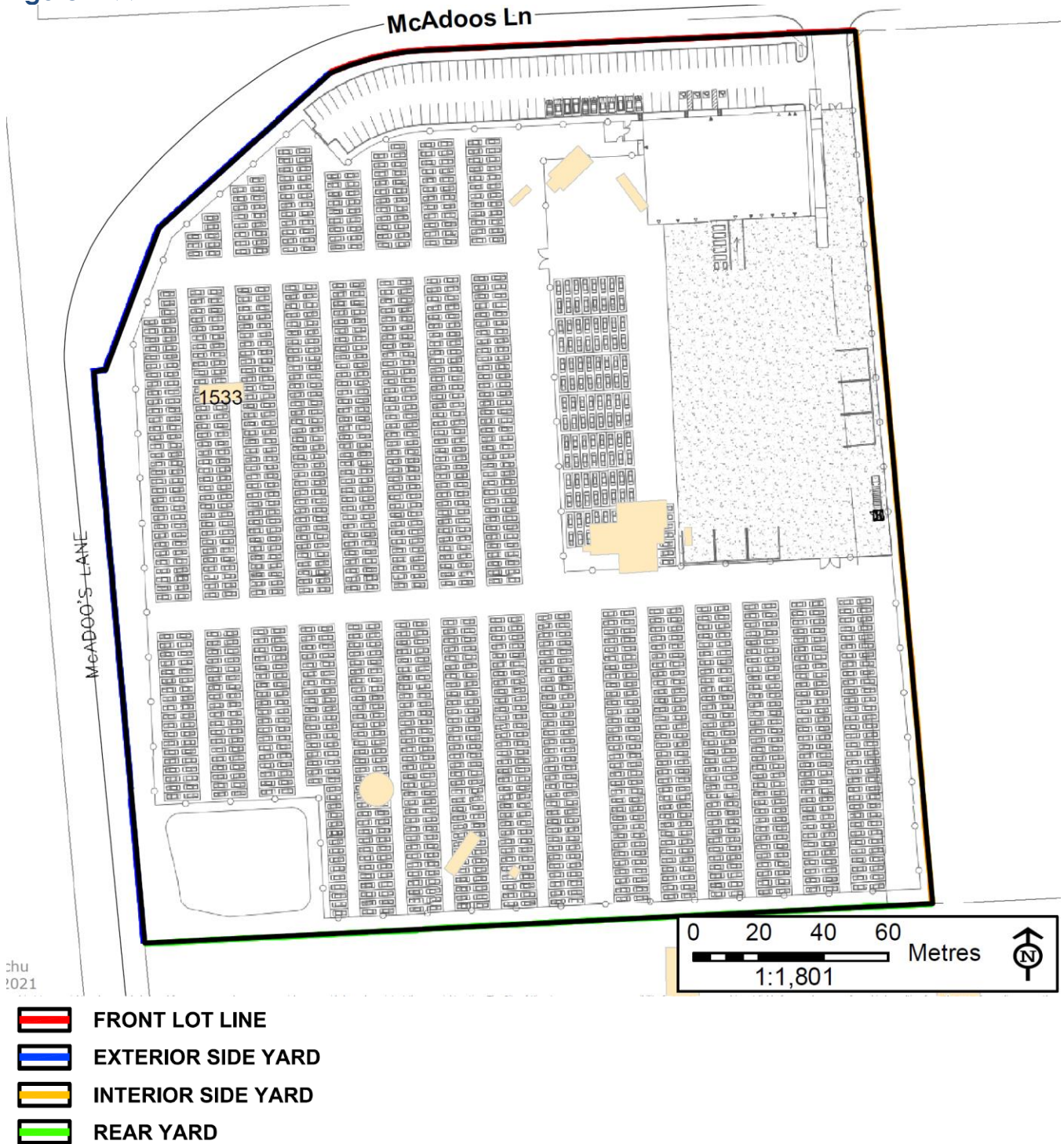
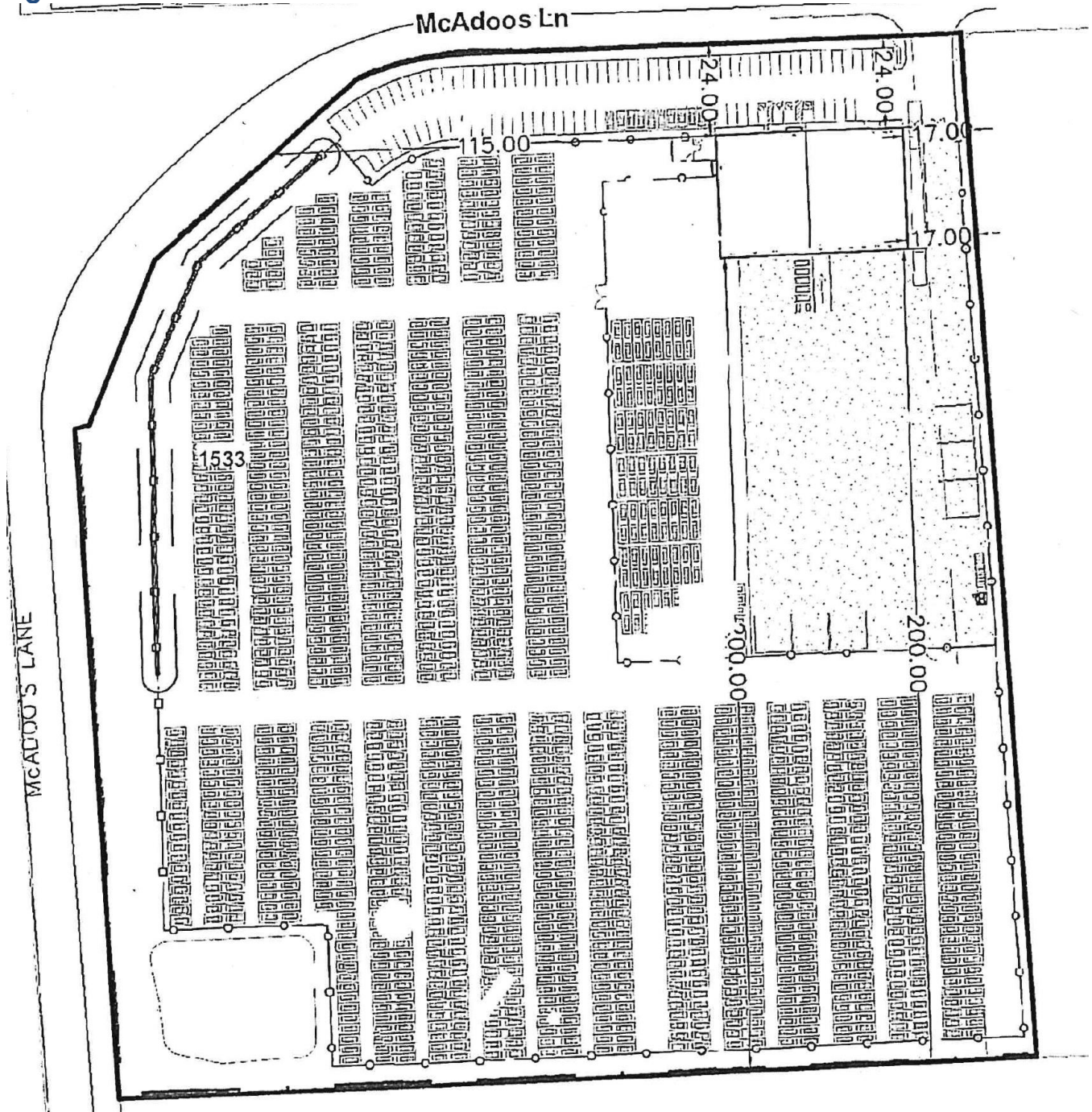




Figure L477B



**L478.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Where a lot is divided into more than one zone, the lot lines, not the zone boundaries, are used to calculate yard, lot area, lot coverage and landscaped open space requirements only.

- (b) Lots 73, 81, 82, 83 and the south half of Lot 74, Registered Plan No. 95 (Eastview) are considered to be a single lot.

[Note: Former R1-30 and Section 5(11)(c) of **former zoning by-law** 32-74]

**L479.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional permitted uses include uses accessory to a detached single family dwelling house in accordance with the following provisions:
  - (i) No accessory use is permitted closer than 1.2 metres to any lot line.
  - (ii) Lots 73, 81, 82, 83 and the south half of Lot 74, Registered Plan No. 95 (Eastview) are considered to be a single lot.

[Note: Former D-1 of **former zoning by-law** 32-74]

**L480.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The lands subject to this Exception are permitted to be developed on the basis of a minimum lot frontage of 28 metres provided that the stone gateway, existing on the subject lands at the date of passage of the site specific by-law, must not be relocated, destroyed, removed or altered (except for necessary repairs), but must be preserved.

[Note: Former R1-14 of **former zoning by-law** 76-26]

**L481.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

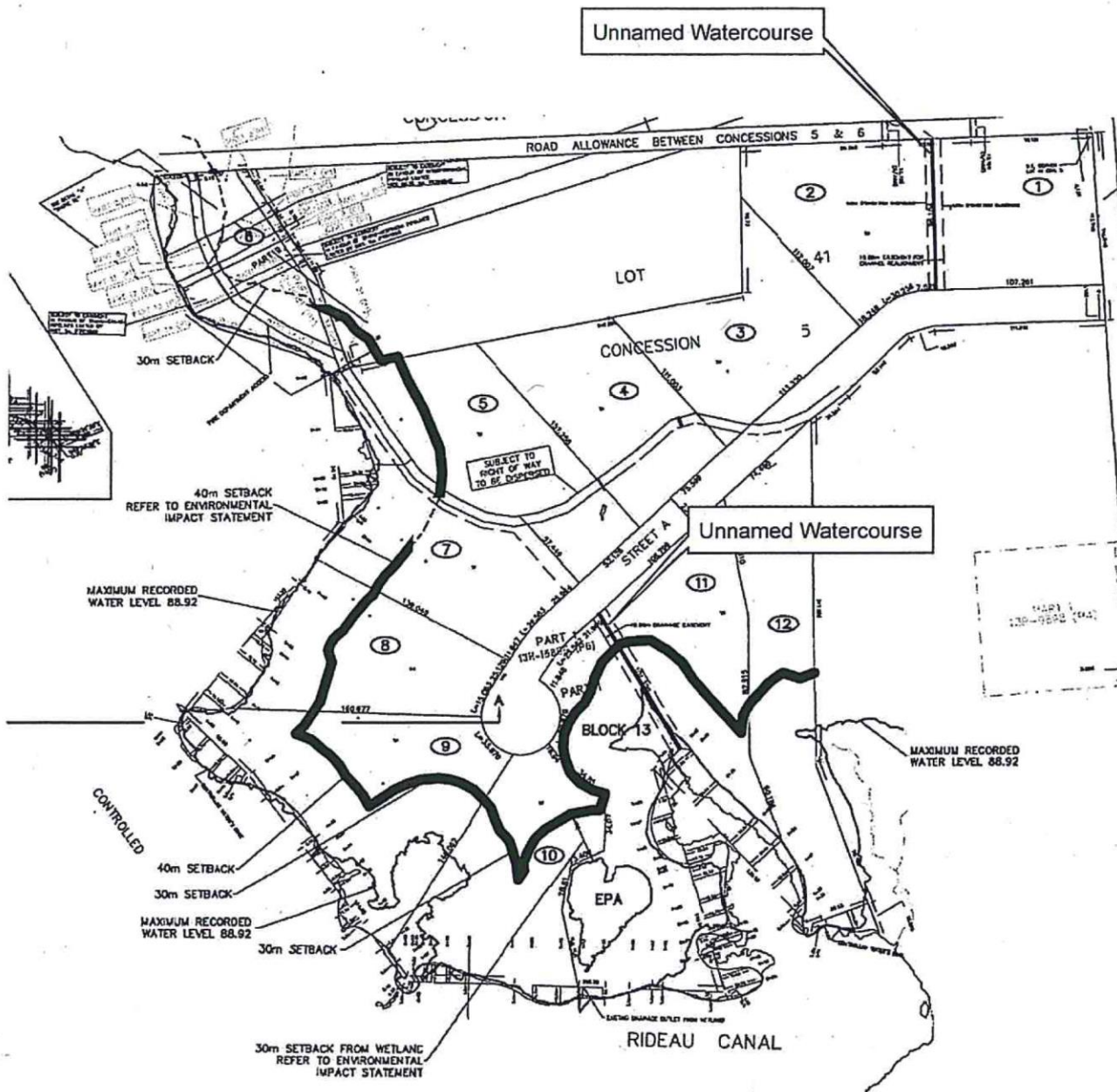
- (a) The following uses are the only permitted uses:
  - (i) Residential Uses: a detached single family dwelling house.
  - (ii) Non-Residential Uses: a home occupation, a public use.
- (b) Prohibited Uses
  - (i) marine facilities (including but not limited to boathouses and/or docks).
- (c) Lot Area (minimum): 1.0 hectare.

- (d) Lot Frontage (minimum): 30 metres.
- (e) Front Yard Depth (minimum): 15 metres.
- (f) Exterior Side Yard Width (minimum): 15 metres.
- (g) Interior Side Yard Width (minimum): 6 metres.
- (h) Rear Yard Depth (minimum): 15 metres.
- (i) Dwelling Unit Area (minimum): 140 square metres.
- (j) Landscaped Open Space (minimum): 50%.
- (k) Lot Coverage (maximum): 15%.
- (l) Height of Building (maximum): 9 metres.
- (m) Dwelling Houses Per Lot (maximum): 1 only.
- (n) No structures are permitted closer than 5 metres of the unnamed watercourse located on Lots 1 and 11, as shown on Figure L481.
- (o) Any development/structure must be setback a minimum of 30 metres from the boundary of Exception L162.
- (p) Water Setbacks from Colonel By Lake/River Styx:
  - (i) All development/structures must be setback a minimum of 40 metres from the high water level of Colonel By Lake/River Styx, or 30 metres from the maximum recorded water level, defined as 88.92 metres G.S.C., whichever is greater, as shown on Figure L481.
  - (ii) The first 30 metres inland from the high water level of Colonel By Lake/River Styx or the maximum recorded water level of Colonel By Lake/River Styx, defined as 88.92 metres G.S.C., whichever is greater, as shown on Figure L481, must be maintained as a 'no cut' buffer area within which there is no disturbance of the soil mantle or vegetation cover.

[Note: Former ER-13 of **former zoning by-law** 32-74]



Figure L481



**L482.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Definitions:

(i) "Height" means the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the

building proper, exclusive of any accessory roof construction such as a chimney.

- (ii)** "Height to Eave" means the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (iii)** "Lot Coverage Dwelling Unit" means that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above; unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.
- (b)** The only permitted use is a single family dwelling house.
- (c)** Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.
- (d)** Lot Area (minimum): 650 square metres.
- (e)** Lot Frontage (minimum): 16 metres.
- (f)** Front Yard Depth (minimum): 9 metres.
- (g)** Interior Side Yard (minimum): 1.2 metres on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (h)** Rear Yard Depth (minimum): 7.5 metres.
- (i)** Setback (minimum): 6.09 metres.
- (j)** Yards For Accessory Uses, Buildings And Structures Including Attached Garages: No accessory use, building or structure is permitted within 1.2 metres of a front yard nor within 1.2 metres of any side or rear lot line.
- (k)** Total Lot Coverage (maximum): 176 square metres.
- (l)** Lot Coverage Dwelling Unit (maximum): 121 square metres.
- (m)** Landscaped Open Space (minimum): 50%.

- (n) Height Of Buildings (maximum): 7.8 metres.
- (o) Height To Eave (maximum): 4.5 metres.
- (p) Roof Slope: All dwelling units must have sloping roofs.
- (q) Dwelling Houses Per Lot (maximum): 1 only.
- (r) Location Of Driveway: Nothing prevents the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard must be located not less than 0.5 metres from an interior side lot line. A driveway within a rear yard must be located not less than 0.5 metres from a rear lot line.
- (s) Access/Width Of Driveway (maximum): 4.0 metres and (minimum): 3.0 metres.
- (t) Number Of Driveways (maximum): 1 only.
- (u) Number Of Parking Spaces Per Dwelling Unit (minimum): 2.
- (v) Location Of Parking Spaces: All yards, except a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 0.5 metres to a rear lot line. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.

[Note: Former R1-32 of **former zoning by-law** 32-74]

**L483.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Height" means the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
  - (ii) "Height to Eave" means the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.

- (iii)** "Lot Coverage" means that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: pools; and canopies, balconies, and overhanging eaves which are not less than 2.5 metres above finished grade.
- (iv)** "Lot Coverage Dwelling Unit" means that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above; unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.
- (b)** The only permitted use is a single family dwelling house.
- (c)** Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.
- (d)** Lot Area (minimum): 625 square metres.
- (e)** Lot Frontage (minimum): 22 metres.
- (f)** Front Yard Depth (minimum): 1.2 metres.
- (g)** Exterior Side Yard Width (minimum): 4.0 metres.
- (h)** Interior Side Yard Width (minimum): 4.0 metres, provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (i)** Rear Yard Depth (minimum): 7.5 metres.
- (j)** Setback (minimum): 6.1 metres plus the minimum required front yard depth.
- (k)** Yards For Accessory Uses, Buildings And Structures Including Attached Garages: No accessory use, building or structure is permitted within 1.2 metres of any front yard, nor within 1.2 metres of an exterior side yard nor within 4.0 metres of an exterior side lot line nor within 1.2 metres of any interior side or rear lot line.
- (l)** Lot Coverage (maximum): 28%.

- (m)** Lot Coverage Dwelling Unit (maximum): 121 square metres.
- (n)** Lot Coverage Accessory Uses, Buildings And Structures (maximum): 55 square metres.
- (o)** Landscaped Open Space (minimum): 60%.
- (p)** Height:
  - (i)** Height Of Buildings (maximum): 7.8 metres.
  - (ii)** Height To Eave (maximum): 4.5 metres.
- (q)** Roof Slope: All dwelling units must have sloping roofs.
- (r)** Dwelling Houses Per Lot (maximum): 1 only.
- (s)** Driveway:
  - (i)** Location Of Driveway: Nothing prevents the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard must be located not less than 4.0 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line. A driveway within a rear yard must be located not less than 0.5 metres from a rear lot line.
  - (ii)** Access/Width Of Driveway (maximum): 4.0 metres and (minimum): 3.0 metres.
  - (iii)** Number Of Driveways (maximum): 1 only.
- (t)** Parking:
  - (i)** Number Of Parking Spaces Per Dwelling Unit (minimum): 2.
  - (ii)** Width Of Parking Space (minimum): 3.0 metres.
  - (iii)** Length Of Parking Space (minimum): 6.0 metres.
  - (iv)** Area Of Parking Space (minimum): 18 square metres.
  - (v)** Location Of Parking Spaces: All yards, except an exterior side yard or a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 4.0 metres to an exterior side lot line and no closer than 0.5 metres



to a rear lot line. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.

- (u) Yard Encroachments: Steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres.
- (v) Any dwelling unit constructed must have its principal facade facing Main Street.

[Note: Former R1-29 of **former zoning by-law** 32-74]

**L484.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use: Multiple Family Dwelling containing a maximum of 4 dwelling units.
- (b) Minimum Lot Area: 212 square metres per dwelling unit.
- (c) Maximum Aggregate Number of Bedrooms: 9 bedrooms.
- (d) Front Yard Setback (minimum): 4.5 metres.
- (e) Side Yard Setback (minimum): 0.9 metres (east) and 2.8 metres (west).
- (f) Minimum Parking Ratio: 1 parking space per dwelling unit.
- (g) Parking Location: Up to 71 square metres of the rear yard may be used as uncovered surface parking spaces for residential uses.
- (h) Vehicular Entrance/Exit to the Site: Access to the required off-street parking spaces is permitted via a single combined entrance/exit lane.
- (i) Minimum Aggregate Amenity Area: The required amenity area may be aggregated into areas smaller than 54 square metres but equal to or larger than 32.3 square metres.

[Note: Former A5.605 and Sections 5 and 11 of **former zoning by-law** ]

**L485.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The following definitions apply:

- (i)** “Assembly hall” means a building or a part of a building in which facilities are provided for the gathering of persons for civic, political, travel, religious, social, educational, recreational or similar purposes, and includes, without limitation, an auditorium or banquet hall. An assembly hall does not include a standalone beverage room, restaurant, gym, or nightclub.
- (ii)** “Building footprint” means all parts of a building (excluding roof overhangs) that rest, directly or indirectly, on the ground, including those portions of the building that are supported by posts, piers, or columns.
- (iii)** “Café” means a building or part of a building where beverages are offered for sale or sold to the public and may include ancillary retailing of prepared foods and/or merchandise related to the principal use. This definition must not include a Restaurant, retail store, or farm produce retail outlet.
- (iv)** “Conservation use” means the use of land for the preservation, protection and improvement of the natural environment through management and maintenance programs.
- (v)** “Farm produce retail outlet” means a use accessory to a permitted farm use which consists of the retail sale of agricultural products and may include the sale of gifts, souvenirs, or personal items.
- (vi)** “Rental cabin” means a detached building providing sleeping accommodation for the travelling or vacationing public, and which includes washroom facilities, but does not include a kitchen or laundry facilities. Limited facilities for the preparation of food are permitted including a bar sink, mini fridge, small plug-in appliances such as a coffee maker, kettle, and toaster, and cupboards.
- (vii)** “Spa” means those premises where personal services for therapeutic or relaxation purposes are performed by certified aestheticians or registered massage therapists and may include such services as aromatherapy, massage therapy and aesthetics/beauty services.
- (viii)** “Tied house” means those premises where food and beverages produced on-site are offered for consumption by the public under licence from the Alcohol and Gaming Commission of Ontario.

- (ix)** “Winery” or “nanobrewery” or “cidery” means the use of land, buildings or structures for the production, distribution, and retail sale of beer, cider, and/or wine products predominantly grown and processed on-site, and which may include administrative facilities, a retail and/or a sampling area and any associated outdoor patio area, but does not include a restaurant or other on-site dining facilities.
- (b)** The only permitted uses on the property are:

  - (i)** Residential use: An accessory dwelling unit in the upper floor of a non-residential building that is occupied by the owner or operator of the site. This unit must not be rented out for short term accommodation.
  - (ii)** Non-residential uses:

    - (1)** a farm;
    - (2)** a public use;
    - (3)** a conservation use;
    - (4)** a hotel;
    - (5)** a spa;
    - (6)** an assembly hall;
    - (7)** rental cabins;
    - (8)** a restaurant;
    - (9)** a café;
    - (10)** a winery;
    - (11)** a nanobrewery;
    - (12)** a cidery;
    - (13)** a farm produce retail outlet;
    - (14)** a nursery/garden centre/greenhouse; and
    - (15)** accessory buildings.

**General Provisions**

- (c) For the purposes of zoning, the lands subject to this Exception are treated as one lot.
- (d) Unless otherwise specified, the following regulations apply:
  - (i) Maximum lot coverage: 10%
  - (ii) Minimum landscaped open space: 30%
  - (iii) Where the property abuts a lot containing a dwelling house and no farm or agricultural use, or abuts a hydro corridor, a minimum 3-metre wide landscape buffer must be provided. The landscaped buffer must include a visual screen consisting of any combination of privacy fencing and/or unbroken vegetation with a minimum height of 1.8 metres.
  - (iv) Front yard setback (minimum): 7.6 metres.
  - (v) Exterior side yard setback (minimum): 7.6 metres.
  - (vi) Interior side yard setback (minimum): 9.1 metres.
  - (vii) Rear yard setback (minimum): 9.1 metres.
  - (viii) Parking: In accordance with Section 5 of **former zoning by-law 76-26**.
  - (ix) Setback to wetland feature boundary (minimum): 7.5 metres.
  - (x) Maximum building height: 10.7 metres.
  - (xi) A maximum of 67 hotel rooms are permitted, of which, a maximum of 40 can be rental cabins.
  - (xii) Special Access Requirements: A maximum of 5 driveways are permitted.
  - (xiii) Standard parking stall size (minimum): 2.6 metres x 5.2 metres.
  - (xiv) Accessible parking stall size (minimum):
    - (1) Type A: 3.4 metres x 6.0 metres;

- (2)** Type B: 2.7 metres x 6.0 metres; and
- (3)** Access aisle: 1.5 metres x 6.0 metres.
- (xv)** The lands must be serviced by means of a private communal water system and private sewage disposal system that are designed and operated in accordance with all applicable laws, permits and regulations, including, without limitation, all laws, permits and regulations of the Ministry of Environment Conservation and Parks, the local health unit, and the City.

**Winery, Nano-brewery, Cidery**

- (e)** The following regulations apply to the winery, nanobrewery, and cidery:
  - (i)** A minimum of 2 hectares on the lands must be planted with crops used in the annual production of wine, beer, and/or cider.
  - (ii)** Goods produced by the winery, nanobrewery and/or cidery must be made from crops grown on the property, or in the Province of Ontario that are processed on site;
  - (iii)** The nanobrewery must not produce more than one thousand (1,000) barrels (or one thousand, two hundred (1,200) hectolitres) of beer per year. The maximum amount of beer produced per year may be increased to 3,000 hectolitres through the utilization of imported water.
  - (iv)** A tied house may be included as an accessory use to a winery, cidery, and/or nanobrewery.
  - (v)** Subject to provincial licensing requirements, the gross floor area of the on-site tasting room, tied house, and beer, wine and/or cider retail store must not, in the aggregate, exceed 200 square metres excluding the following areas:
    - (1)** below ground storage; and
    - (2)** any outdoor area(s).

**James Hickey House**

- (f)** The following regulations apply to the James Hickey House:

- (i) Front yard setback (minimum): 60 metres.
- (ii) Exterior side yard setback (minimum): 30 metres.
- (iii) Interior side yard setback (minimum): 30 metres.
- (iv) Maximum building height: 13.7 metres.
- (v) Outdoor patios are prohibited on the west side of the building.
- (vi) Maximum gross floor area of restaurant including outdoor areas: 200 square metres.
- (vii) Maximum gross floor area of farm produce retail outlet and café: 200 square metres in the aggregate.

#### **Assembly Hall**

- (g) The following regulations apply to the Assembly Hall:
  - (i) Maximum building footprint: 490 square metres.
  - (ii) Maximum gross floor area for event space, including reception: 495 square metres.
  - (iii) Maximum building height: 13.7 metres.
  - (iv) Minimum setback from a dwelling unit on an adjacent lot: 80 metres.

#### **Rental Cabins**

- (h) The following regulations apply to the Rental Cabins:
  - (i) Maximum number of rental cabins: 40.
  - (ii) Maximum gross floor area per rental cabin: 47 square metres.
  - (iii) Maximum height of a rental cabin: 7.6 metres.

#### **Hotel and Spa**

- (i) The following regulations apply to the Hotel and Spa:
  - (i) Minimum setback from eastern interior side lot line: 30 metres.

**Minimum Distance Separation (MDS)**

- (j)** For the purposes of calculating MDS I and MDS II setbacks, the following uses are considered a Type A land use:

  - (i)** Restaurant, contained within the Expanded Farmhouse, which may include outdoor seating;
  - (ii)** Farm produce retail outlet and café;
  - (iii)** Winery, nanobrewery, and cidery;
  - (iv)** Accessory tasting room and tide house;
  - (v)** Farm;
  - (vi)** Conservation use;
  - (vii)** Nursery, garden centre, or greenhouse;
  - (viii)** Parking and other accessory buildings that are not used for human habitation; and
  - (ix)** A maximum of 7 hotel rooms consolidated in one building.
- (k)** For the purposes of calculating MDS I and MDS II requirements, the following uses are considered a Type B land use:

  - (i)** Hotel;
  - (ii)** Spa and associated indoor and outdoor amenity areas;
  - (iii)** Restaurant and café with outdoor seating area;
  - (iv)** Rental cabins; and
  - (v)** Assembly hall.
- (l)** Minimum distance separation (MDS): An MDS I setback of 220 metres is required from the existing horse barn located at 896 Unity Road for Type B land uses. If the barn no longer generates an MDS I setback, this provision will cease to apply in accordance with the Holding Overlay.

- (m) For the purposes of calculating MDS I and MDS II requirements, the lands formerly zoned C3-20-H1 in **former zoning by-law** 76-26 are considered a Type B land use.
- (n) For the purposes of calculating MDS I and MDS II requirements, the lands formerly zoned C3-20-H2 in **former zoning by-law** 76-26 are considered a Type A land use. The lands will be considered a Type B land use when a bylaw has been enacted to remove the Holding Overlay in accordance with the requirements outlined in the applicable Holding Overlay provisions.

[Note: Former C3-20 and Sections 5 and 20 of **former zoning by-law** 76-26]

**L486.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Permitted Uses: Only the following uses are permitted:
  - (i) Residential Uses:
    - (1) Single Detached Dwelling House; and
    - (2) Semi Detached Dwelling House.
  - (ii) Non-Residential Uses:
    - (1) A home occupation; and
    - (2) A public use.
- (b) Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 23 dwelling units per net hectare.
- (c) Lot Area (minimum): Not applicable.
- (d) Lot Frontage: The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.
- (e) Corner Lot (Minimum):
  - (i) Single Detached Dwelling House: 10.9 metres;
  - (ii) Semi Detached Dwelling House: 17.0 metres; and



- Section 20: Legacy Exceptions - Part 2, Page 472

- (l)** Garage: Main Entry Feature means a platform, with at least one side open, covered by either a roof, balcony or enclosed space, with or without a foundation and/or basement that provide access to the dwelling unit. Main Front Entrance means the door which is designed as the primary access point into the dwelling unit.
- (m)** The wall of an attached private garage that contains the opening for a vehicular access must be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.
- (n)** The wall of the attached private garage facing the public street must not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry features or main front entrance of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.
- (o)** Driveway Width: The maximum width of a driveway for its entire length must be:

  - (i)** Single Detached Dwelling House: lesser of 6.0 metres or 50% of lot width; and
  - (ii)** Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width.
- (p)** Parking: Parking is permitted in the interior side and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
- (q)** Sight Triangles:

  - (i)** Within any area defined as a sight triangle, the following uses are prohibited:

    - (1)** A building, structure or use which would obstruct the vision of drivers of motor vehicles;
    - (2)** a fence, tree, hedge or other vegetation, the top of which exceeds 1.0 metres in height above the elevation of the centerline of the adjacent street;
    - (3)** an uncovered surface parking area; and

- [Note: Former R2-45 and Section 5 and 13 of **former zoning by-law 76-26**]

**(a)** Only the following uses are permitted:

- Section 20: Legacy Exceptions - Part 2, Page 474

- (b)** Density: The minimum number of residential units per net hectare on land to be used only for dwelling units, excluding roads, parks and other uses is 23 dwelling units per net hectare.
- (c)** Lot Area (minimum): Not applicable.
- (d)** Lot Frontage: The lot frontage means the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to the front lot line at a distance of 6.0 metres from the front lot line.
- (e)** Corner Lot (Minimum):

  - (i)** Single Detached Dwelling House: 10.9 metres;
  - (ii)** Semi Detached Dwelling House: 17.0 metres;
  - (iii)** Semi Detached Dwelling Unit: 9.6 metres; and
  - (iv)** Row Dwelling House: 9.1 metres.
- (f)** Other Lot (Minimum):

  - (i)** Single Detached Dwelling House: 9.1 metres;
  - (ii)** Semi Detached Dwelling House: 14.8 metres;
  - (iii)** Semi Detached Dwelling Unit: 7.4 metres; and
  - (iv)** Row Dwelling House: 6.1 metres.
- (g)** Front Yard Depth:

  - (i)** Minimum Depth: 4.5 metres;
  - (ii)** Maximum Depth: 7.0 metres;
  - (iii)** Despite (a) and (b), where a dwelling includes a covered front porch the front wall of the main dwelling may be set back a maximum of 9.2 metres front the front lot line, if the covered porch is constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling.
  - (iv)** Despite (a), (b) and (c), where the front wall of an attached private garage containing the opening for vehicular access is located not more than 6.2 metres from the front lot line and where a dwelling

includes a covered front porch, constructed between the setbacks of 4.5 metres and 7.0 metres to the front wall of the main dwelling, the front wall of the main dwelling may be set back 3.0 metres from the front wall of the garage.

- (h)** Exterior Side Yard Width (minimum): 2.4 metres.
- (i)** Interior Side Yard Width (minimum):
  - (i)** Single Detached Dwelling House: The minimum aggregate interior side yard width is 1.8 metres, with no one side yard less than 0.6 metres in width. Where there is a corner lot on which there is only one interior side yard, the minimum depth is 0.6 metres.
  - (ii)** Semi Detached Dwelling House: 1.2 metres for a side that is not attached to another dwelling house.
  - (iii)** 1.2 metres for a side that is not attached to another dwelling house.
- (j)** Rear Yard Depth (minimum): 6.0 metres.
- (k)** Lot Coverage (maximum): Not applicable .
- (l)** Garage:
  - (i)** Main Entry Feature means a platform, with at least one side open, covered by either a roof, balcony or enclosed space, with or without a foundation and/or basement that provide access to the dwelling unit.
  - (ii)** Main Front Entrance means the door which is designed as the primary access point into the dwelling unit
  - (iii)** The wall of an attached private garage that contains the opening for a vehicular access must be set back a minimum of 6.0 metres from the lot line that the driveway crosses to access the private attached garage.
  - (iv)** The wall of the attached private garage facing the public street must not be located more than 3.0 metres closer to the front lot line than either the main entry feature or main front entrance of the dwelling unit, except that a corner lot may have the garage located further than 3.0 metres from the main entry features or main front entrance

of the dwelling unit, provided it is not located closer to the front lot line than any other part of the dwelling unit.

- (m)** Driveway Width: The maximum width of a driveway for its entire length must be:

  - (i)** Single Detached Dwelling House: lesser of 6.0 metres or 50% of lot width;
  - (ii)** Semi Detached Dwelling Unit: lesser of 6.0 metres or 50% of lot width; and
  - (iii)** Row Dwelling House:

    - (1)** End unit: lesser of 4.0 metres or 50% of lot width
    - (2)** Other unit: 3.5 metres.
- (n)** Parking: Parking is permitted in the interior side and rear yard. Front yard parking is prohibited except where it is in a driveway leading to a permitted parking area.
- (o)** Sight Triangles:

  - (i)** Uses Prohibited: Within any area defined as a sight triangle, the following uses are prohibited:

    - (1)** A building, structure or use which would obstruct the vision of drivers of motor vehicles;
    - (2)** a fence, tree, hedge or other vegetation, the top of which exceeds 1.0 metres in height above the elevation of the centerline of the adjacent street;
    - (3)** an uncovered surface parking area; and
    - (4)** a finished grade which exceeds the elevation of the centerline of the adjacent street by more than 1.0 metres.
  - (ii)** Sight triangles are required on a corner lot:

    - (1)** At all intersections: A sight triangle is required by a line drawn from a point on the exterior side lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line,

and a point on the front lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line. Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.

- (p) Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) apply.

[Note: Former R2-46 and Section 5 and 13 of **former zoning by-law** 76-26]

**L488.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) The only permitted use is a single family dwelling house.
- (b) Setback (minimum): 5 metres plus the required yard.
- (c) Yards for Accessory Buildings: No accessory building or structure is permitted in the required setback, front yard depth, or exterior side yard width.
- (d) Front Lot Line: The northern boundary of the Zone are deemed the front lot line.
- (e) All other zone provisions must be in accordance with the provisions of former Section 10(3)(a) in **former zoning by-law** 32-74.

[Note: Former R2-3 of **former zoning by-law** 32-74]

**L489.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Definitions:
  - (i) "Height" means the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.

- (ii)** "Height to Eave"" means the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (b)** The only permitted use is a single family dwelling house.
- (c)** Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.
- (d)** Lot Area (minimum): 670 square metres.
- (e)** Lot Frontage (minimum): 15 metres.
- (f)** Front Yard Depth:
  - (i)** Minimum: 1.2 metres; and
  - (ii)** Maximum: 2.4 metres.
- (g)** Exterior Side Yard Width (minimum): 1.2 metres.
- (h)** Interior Side Yard Width (minimum):
  - (i)** In the case of only 1 such yard 4 metres; and
  - (ii)** In the case of more than 1 such yard 1.2 metres on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (i)** Rear Yard Depth (minimum): 10.0 metres.
- (j)** Water Setback (minimum): 10.0 metres.
- (k)** Setback (minimum): 6.0 metres plus the minimum required front yard depth.
- (l)** Yards For Accessory Buildings And Structures/Location Of Accessory Buildings And Structures:
  - (i)** No accessory building or structure is permitted within any required rear yard, or within 3 metres of any front lot line, or within 1.2 metres of any interior side lot line, or within 1.2 metres of any exterior side lot line. No detached accessory building or structure is permitted closer than 1.2 metres to a main building.



**(m)** Lot Coverage:

- (i)** exclusive of accessory buildings and structures, attached garages with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): 121 square metres;
- (ii)** accessory buildings and structures, including attached garages with or without dwelling space below or above (maximum): 28 square metres;
- (iii)** steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum):
  - (1)** Total: 45 square metres;
  - (2)** in rear yard (maximum): 22.5 square metres; and
  - (3)** in front yard (maximum): 22.5 square metres.
- (iv)** decks and patios not more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum) : 45 square metres.

**(n)** Landscaped Open Space (minimum): 50%.

**(o)** Height:

- (i)** Height Of Buildings (maximum): 10 metres.
- (ii)** Number Of Storeys (maximum):
  - (1)** Facing front yard: 1½; and
  - (2)** Facing rear yard: 2½.
  - (3)** A cellar or basement is deemed to be a storey when facing a rear yard.
  - (4)** A cellar or basement is not deemed to be a storey when facing a front yard.
- (iii)** Height To Eave (maximum): 4.5 metres.

**(p)** Roof Slope: All dwelling units must have sloping roofs.

- (q)** Dwelling Houses Per Lot (maximum): 1 only.
- (r)** Location Of Driveway: Nothing prevents the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of a side lot line. No driveway is permitted within a required exterior side yard or a required rear yard. A driveway within a front yard must be located not less than 1.2 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line.
- (s)** Access/Width Of Driveway:
  - (i)** (maximum): 6.0 metres; and
  - (ii)** (minimum): 3.0 metres.
- (t)** Number Of Driveways: 1 only.
- (u)** Parking:
  - (i)** Number Of Parking Spaces Per Dwelling Unit (minimum): 2.
  - (ii)** Width Of Parking Space (minimum): 3.0 metres.
  - (iii)** Length Of Parking Space (minimum): 6.0 metres.
  - (iv)** Area Of Parking Space (minimum): 18.0 square metres.
  - (v)** Location Of Parking Spaces: All yards, except a required rear yard or required exterior side yard or required front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 1.2 metres to an exterior side lot line. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.
- (v)** Yard Encroachments: Steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres. A deck or patio with no roof structure not more than 0.6 metres above the lowest ground level adjacent to the deck or patio and covering not more than 18 square metres of a required rear yard may project into a required rear yard not more than 5.5 metres.
- (w)** Minimum Elevation: No dwelling house is permitted with a floor elevation below 76.6 metres (Canadian Geodetic Datum).

[Note: Former R1-26 and Sections 5 and 9 of **former zoning by-law** 32-74]

**L490.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Definitions:

- (i)** "Height" means the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
- (ii)** "Height to Eave" means the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.

**(b)** The only permitted use is a single family dwelling house.

**(c)** Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.

**(d)** Lot Area (minimum): 750 square metres.

**(e)** Lot Frontage (minimum): 65 metres.

**(f)** Front Yard Depth (minimum): 1.2 metres.

**(g)** Exterior Side Yard Width (minimum): 1.2 metres.

**(h)** The southern boundary of the Zone is deemed to be an exterior side lot line.

**(i)** Interior Side Yard Width (minimum): 4 metres.

**(j)** Rear Yard Depth (minimum): 3.0 metres.

**(k)** Setback (minimum): 6.0 metres plus the minimum required front yard depth.

**(l)** Yards for accessory buildings and structures/Location of accessory buildings and structures: No accessory building or structure is permitted within any required rear yard, or within 3 metres of any front lot line, or within 4 metres of any interior side lot line, or within 1.2 metres of any exterior side lot line. No detached accessory building or structure is permitted closer than 1.2 metres to a main building.

**(m)** Lot Coverage:

- (i)** exclusive of accessory buildings and structures, attached garages with or without dwelling space below or above, steps, unenclosed porches, verandahs, balconies, decks, and patios (maximum): 150 square metres;
- (ii)** accessory buildings and structures, including attached garages with or without dwelling space below or above (maximum): 50 square metres;
- (iii)** steps; unenclosed porches; verandahs; balconies; and decks and patios more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres; and
- (iv)** decks and patios not more than 0.6 metres above the lowest ground level adjacent to the deck or patio (maximum): 45 square metres.

**(n)** Landscaped Open Space (minimum): 50%.

**(o)** Height Of Buildings (maximum): 7.8 metres.

**(p)** Number Of Storeys (maximum): 1½.

**(q)** Height To Eave (maximum): 4.5 metres.

**(r)** Roof Slope: All dwelling units must have sloping roofs.

**(s)** Dwelling Houses Per Lot (maximum): 1 only.

**(t)** Driveways:

- (i)** Location Of Driveway: No driveway is permitted within a required exterior side yard or within a required interior side yard or within a required rear yard. A driveway within a front yard must be located not less than 1.2 metres from an exterior side lot line and not less than 4.0 metres from an interior side lot line.
- (ii)** Access/Width Of Driveway:
  - (1)** (maximum): 6.0 metres; and
  - (2)** (minimum): 3.0 metres.
- (iii)** Number Of Driveways: 1 only.

**(u)** Parking:

- (i)** Number Of Parking Spaces Per Dwelling Unit (minimum): 2.
  - (ii)** Width Of Parking Space (minimum): 3.0 metres.
  - (iii)** Length Of Parking Space (minimum): 6.0 metres.
  - (iv)** Area Of Parking Space (minimum): 18.0 square metres.
  - (v)** Location of parking spaces: No parking space is permitted in any required yard. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.
- (v)** Yard Encroachments: Steps may project into any required yard a maximum distance of 0.5 metres.

[Note: Former R1-27 and Sections 5 and 9 of **former zoning by-law** 32-74]

**L491.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Definitions:

- (i)** "Height" means the vertical distance between the lowest exposed ground level adjacent to a building and the highest point of the building proper, exclusive of any accessory roof construction such as a chimney.
- (ii)** "Height to Eave" means the vertical distance between the finished floor level of the storey immediately above a basement or cellar and the point at which the eave meets the exterior wall.
- (iii)** "Lot Coverage" means that percentage of the lot area covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: pools; and canopies, balconies, and overhanging eaves which are not less than 2.5 metres above finished grade.
- (iv)** "Lot Coverage Dwelling Unit" means that area of the lot covered by the perpendicular projections onto a horizontal plane of the area of all buildings and structures exclusive of: accessory buildings and structures; attached garages without dwelling space below or above;

unenclosed porches, verandahs, balconies, decks, patios and canopies; pools; and overhanging eaves which are not less than 2.5 metres above finished grade.

- (b)** The only permitted use is a single family dwelling house.
- (c)** Prohibited uses: Flag poles, television antennae, satellite dishes, and similar radio and microwave antennae are not permitted.
- (d)** Lot Area (minimum): 490 square metres.
- (e)** Lot Frontage (minimum): 17 metres.
- (f)** Front Yard Depth (minimum): 1.2 metres.
- (g)** Interior Side Yard (minimum): 1.2 metres on one side and 4.0 metres on any other side provided that on that side where there is an attached private garage with no living space above, below, in front or behind, the minimum interior side yard width may be reduced from 4.0 metres to 1.2 metres.
- (h)** Rear Yard Depth (minimum): 7.5 metres.
- (i)** Setback (minimum): 6.1 metres plus the minimum required front yard depth.
- (j)** Yards For Accessory Uses, Buildings And Structures Including Attached Garages: No accessory use, building or structure is permitted within 1.2 metres of a front yard nor within 1.2 metres of any side or rear lot line.
- (k)** Lot Coverage (maximum): 35%.
- (l)** Lot Coverage Dwelling Unit (maximum): 121 square metres.
- (m)** Lot Coverage Accessory Uses, Buildings And Structures (maximum): 55 square metres.
- (n)** Height Of Buildings (maximum): 7.8 metres.
- (o)** Height To Eave (maximum): 4.5 metres.
- (p)** Roof Slope: All dwelling units must have sloping roofs.
- (q)** Dwelling Houses Per Lot (maximum): 1 only.
- (r)** Driveway:

- (i) Location Of Driveway: Nothing prevents the location of a driveway within a required interior side yard, provided that no driveway is located within 0.5 metres of an interior side lot line. A driveway within a front yard must be located not less than 4.0 metres from an exterior side lot line and not less than 0.5 metres from an interior side lot line. A driveway within a rear yard must be located not less than 0.5 metres from a rear lot line.
  - (ii) Access/Width Of Driveway:
    - (1) (maximum): 4.0 metres; and
    - (2) (minimum): 3.0 metres.
  - (iii) Number Of Driveways (maximum): 1 only.
- (s) Parking:
  - (i) Number Of Parking Spaces Per Dwelling Unit (minimum): 2.
  - (ii) Width Of Parking Space (minimum): 3.0 metres.
  - (iii) Length Of Parking Space (minimum): 6.0 metres.
  - (iv) Area Of Parking Space (minimum): 18.0 square metres.
  - (v) Location Of Parking Space: All yards, except an exterior side yard or a front yard, provided that no part of any parking area is located closer than 0.5 metres to an interior side lot line and no closer than 4.0 metres to an exterior side lot line and no closer than 0.5 metres to a rear lot line. Nothing prevents the establishment of a required parking space directly behind or directly in front of another required parking space.
- (t) Yard Encroachments: Steps may project into any required rear yard a maximum distance of 1.5 metres and into any other required yard a maximum distance of 0.5 metres.

[Note: Former R1-28 of **former zoning by-law** 32-74]

**L492.** Reserved

**L493.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Additional Permitted Use:

  - (i) Live-work units, where a “live-work unit” means the use of a portion of a dwelling unit for an occupation, business, trade or craft that is permitted in the WM1 zone and which is subordinate to the principal use of the dwelling unit. A live-work unit cannot have more than one person, other than a resident of the dwelling unit, working from the live-work unit.
- (b) Projection (along Princess Street) – First Storey:

  - (i) Stairs that provide unit access are permitted to project out from the front of the building, but must be set back a minimum of 1.1 metres from the front lot line along Princess Street.
- (c) Minimum Rear Setback: 0 metres at the southeast corner of the site where the interior side and rear lot line meet, and 1.4 metres along the length of the rear lot line.
- (d) Maximum Lot Coverage: 77%.
- (e) Mechanical Penthouse and Other Rooftop Mechanical Equipment:

  - (i) “Other rooftop mechanical equipment” means an elevator overrun, a stair overrun, and/or unenclosed mechanical equipment greater than 2.0 metres in height.
  - (ii) Despite Section 5.14 of **former zoning by-law** 8499, mechanical penthouses shall be permitted to exceed the maximum allowable building height by up to 3.5 metres, excluding the elevator overrun, which shall be permitted to exceed the maximum allowable building height by up to 5.9 metres.
  - (iii) Mechanical penthouses must not exceed 10 percent of the roof area on which they are located, excluding the elevator overrun, which must not exceed 3 percent of the roof area on which it is located.
  - (iv) An elevator overrun must be set back a minimum of 5.5 metres from the edge of a roof line.
- (f) Minimum Parking Space Ratios:

  - (i) 0.17 parking spaces per dwelling unit;



- (ii) 0.17 parking spaces per live-work unit; and
  - (iii) 1 parking space per 150 square metres of gross floor area of commercial uses.
- (g) Of the provided parking spaces, a minimum of 7 must be equipped with electric vehicle charging stations.
- (a) Maximum Number of Bedrooms: 229 bedrooms.
- (b) Maximum Residential Density: 690 dwelling units per net hectare, inclusive of dwelling units and live-work units.
- (c) Vehicle Parking Design Standards: The minimum size of a standard parking space is 2.7 metres wide by 5.5 metres long.
- (d) In addition to the required number of bicycle parking spaces, a minimum of 21 visitor bicycle parking spaces must be provided at grade.

[Note: Former C4.621 of **former zoning by-law** 8499]

**L494.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

- (a) Lot Lines
  - (i) For the purposes of zoning interpretation, the Centennial Drive frontage is deemed to be the Front Lot Line and the lot line adjacent to Bath Road is deemed the Exterior Lot Line.
- (b) Required Parking Spaces
  - (i) A minimum of one parking space per dwelling unit is required.
- (c) Bicycle Parking
  - (i) A minimum of one bicycle parking space per dwelling unit is required.
  - (ii) Bicycle parking dimensions (minimum):
    - (1) Standard: 0.3 metres wide by 1.8 metres long with an overhead clearance of 2.1 metres;
    - (2) Alternate requirement (vertical bicycle parking space): 0.6 metres wide, 1.8 metres height and 1.0 metres long; or

- [Note: Former R5-26 and Sections 5 and 15A of **former zoning by-law 76-26**]