

THE CORPORATION OF THE TOWN OF AJAX

ZONING BY-LAW 95-2003

OFFICE CONSOLIDATION

MARCH 31, 2014



TOWN OF AJAX
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This document is a consolidation of Zoning By-law 95-2003, as passed by Town *Council*, and approved and modified by the Ontario Municipal Board, save and except for the lands subject to the appeal of Anne Kwan. The following events have led to this consolidation. The amendments to Zoning By-law 95-2003 are outlined in a separate table.

Date	Event and Status
July 14, 2003	Town <i>Council</i> passed Zoning By-law 95-2003
July 25, 2003	Notice of Passing of Zoning by-law 95-2003 was circulated
August 14, 2003	Appeals were lodged by Anne Kwan and Cougs Investments Limited within the prescribed time period for appeals
March 12, 2004	Ontario Municipal Board as set out in Decision/Order No.: 0643 approved modifications to By-law 95-2003 as set out in Attachment 1 and deemed the portions of By-law 95-2003 not at issue in the appeals of Anne Kwan and Cougs Investments Limited to have into full force and effect as of July 14, 2003
June 14, 2004	Deferral No. 5 to By-law 95-2003 was resolved with the passing of By-law 81-2004
July 21, 2004	Appeal lodged by Cougs Investments Limited was approved, in part, by the Ontario Municipal Board as set out in Decision/Order No.: 1270, as it related to the lands identified in Attachment 3 to Decision/Order No.: 0643 dated March 25, 2004, and was amended in the manner as identified on Schedules 1 and 2. In all other respects, the Board ordered the appeal to be dismissed.
September 30, 2004	Ontario Municipal Board as set out in Decision/Order No: 0499 permitted a yard for a contractor engaged in the installation and/or repair and replacement of communication and information systems as a temporary use on the lands known as 1501 Harwood Avenue North (enacted on April 17, 2003 and expired on September 30, 2004)
January 10, 2005	Deferral D7 to By-law 95-2003 was resolved with the passing of By-law 1-2005.

Date	Event and Status
February 2, 2005	Ontario Municipal Board as set out in Decision/Order No: 0203 approved modifications to By-law 95-2003 as set out in Attachments 1 and 2. Deferral D4 resolved.
August 19, 2005	Ontario Municipal Board as set out in Decision/Order No: 2192 approved modifications to By-Law 95-2003 as set out in Attachment 1. Deferral D2 resolved.
October 28, 2005	Ontario Municipal Board as set out in Decision/Order No. 2848 approved modifications to By-law 95-2003 as set out in Attachment 2.
December 19, 2005	Ontario Municipal Board as set out in Decision/Order No: 3307 approved modifications to By-Law 95-2003 as set out in Attachment 1.
May 17, 2007	Ontario Municipal Board as set out in Decision/Order No: 1411 approved modifications to By-Law 95-2003 as set out in Attachment 1.
October 12, 2007	Ontario Municipal Board as set out in Decision/Order No: 2702 approved modifications to By-Law 95-2003 as set out in Attachment 1.
November 7, 2007	Ontario Municipal Board as set out in Decision/Order No: 2910 approved modifications to By-Law 95-2003 as set out in Attachment 2.
August 25, 2008	Ontario Municipal Board as set out in Decision/Order No: issued August 25, 2008 approved modifications to By-Law 95-2003 as set out in Attachment 1.
December 16, 2008	Appeal lodged by Anne Kwan withdrawn.
February 24, 2009	Ontario Municipal Board as set out in Decision/Order dated February 24, 2009 approved modifications to By-Law 95-2003 as set out in Attachment 3.
March 16, 2009	Ontario Municipal Board as set out in Decision/Order dated March 16, 2009 approved modifications to By-law 95-2003 as set out in Exhibit 8.
August 11, 2009	Ontario Municipal Board as set out in Decision/Order dated August 11, 2009 approved modifications to By-law 95-2003 as set out in Attachment 1.
March 9, 2011	Ontario Municipal Board as set out in Decision/Order dated March 9, 2011 approved modifications to By-law 95-2003 as set out in Attachment 1.
July 8, 2011	Ontario Municipal Board as set out in Decision/Order dated July 8, 2011 approved modification to By-law 95-2003 as set out in Attachment 3.

Date	Event and Status
August 5, 2011	Ontario Municipal Board as set out Decision/Order dated August 5, 2011 approved modifications to By-law 95-2003 as set out in Exhibit 5.
January 20, 2012	Ontario Municipal Board as set out in Decision/Order dated January 20, 2012 approved modifications to By-law 95-2003 as set out in Attachment 1.

**Outstanding Appeals of the Town of Ajax Zoning By-law 95-2003
as of March 31, 2014**

There are currently no outstanding appeals.

**Outstanding Deferrals of the Town of Ajax Zoning By-law 95-2003
as of March 31, 2014**

Deferral No.	Section/ Schedule	Explanation/Source
D1	Zoning Schedules 60 & 61	Zoning deferred for the lands located at the southwest corner of Kingston Road and Audley Road (known as the former Passvale site) pending the outcome of the site-specific development applications.
D3	Zoning Schedules 46 & 52	Zoning deferred for the lands located on the south side of Bayly Street, east of Pickering Beach Road – 301 Bayly Street pending the submission and approval of an Environmental Impact Study.
D6	Section 5.11 and Footnote (5) of Section 6.3.1	These sections have been deferred pending the review of a drive-thru operations study to be submitted by the TDL Group Ltd. and the Ontario Restaurant Hotel and Motel Association.

AMENDMENTS TO ZONING BY-LAW 95-2003

By-Law	Enacted	File/Ref	Schedule	Explanation
121-2003	2003/09/22	S-A-2002-04 S-A-2003-03 Ex.97	9, 10, 18	Southwest corner of Taunton Road and Salem Road – Development standards; front yard determination
124-2003	2003/10/14	S-A-2003-04 S-A-2003-05	45, 46	Both sides of realigned Pickering Beach Road – development standards for maximum lot coverage; repeals By-law 69-97 and exception 34
26-2004	2004/02/09	Z20/03	52	65 Angier Crescent – to rezone from “R3” to “R1-E”
31-2004	2004/03/25	Z11/02	18	To remove the ‘H’ – Holding symbol on the lands described as Part Lot 7, Concession 2
42-2004	2004/04/13	Z02/04 Ex. 47, 99	8, 16	South of the Hydro Corridor, west of Westney Road – revised zoning categories and performance standards
44-2004	2004/04/13	Z15/03 S-A-2003-07 OPA03-A1	52, 62, 63	To rezone the lands from ‘A’ to ‘EP’, ‘OS’, and ‘R1-D’, and to permit the development of a residential subdivision comprising of 62 residential <i>dwelling units</i> located on the east side of Shoal Point Road, north of Warwick Avenue
58-2004	2004/05/10	Ex.100	31	100 Bayly Street West- additional permitted uses, prohibited uses, and parking standards
59-2004	2004/05/10	Ex. 69	31	Additional use of parking lot; parking standards
60-2004	2004/05/10	Ex. 104	38	Additional uses, prohibited uses; parking standards
61-2004	2004/05/10	Ex. 101	38	Additional uses, prohibited uses, parking standards
62-2004	2004/05/10	Ex. 12	38	Additional uses, prohibited uses, parking standards
63-2004	2004/05/10	Ex. 38		Additional uses and prohibited uses added
64-2004	2004/05/10	Ex.57		Additional uses and prohibited uses added
65-2004	2004/05/10	Ex. 58		Additional uses and prohibited uses added
65-2004	2004/05/10	Ex. 58	38, 44	Additional uses, prohibited uses, development standards
66-2004	2004/05/10	Ex. 65	38, 44	Additional uses, prohibited uses, parking standards
67-2004	2004/05/10	Ex. 91	38, 44	Development standards
68-2004	2004/05/10	Ex. 105		Additional uses and prohibited uses added
72-2004	2004/05/25	Z16/03	62	To rezone the lands from ‘A’ to ‘R2-B’ and ‘I-A’ to permit the development of 150 street townhouse units and a parking lot for the abutting church
81-2004	2004/06/14	Z10/03 OPA03-A2 Ex. 102	16	Plan 40M-1425, Block 192 – southwest corner of Rossland Road and Westney Road North – to rezone from ‘AC2’ to ‘NC’; prohibited uses and setback requirements
82-2004	2004/06/14	Z19/03 Ex. 69	31	Alexis Lodge – Part 8, 40R-22342, Doric Street – to rezone from ‘R2-A’ to ‘UC’ to permit the development of a retirement home
83-2004	2004/06/14			Housekeeping issues – definition of porch, <i>driveway</i> width, maximum front yard
86-2004	2004/06/24	Z22/03 Ex. 107	29, 30	110 Ritchie Avenue – to rezone from ‘EP’ to ‘NC’ in order to permit a parking lot expansion for an existing plaza; landscape buffers; parking requirements

By-Law	Enacted	File/Ref	Schedule	Explanation
94-2004	2004/07/05	Z21/03 Exception 46	15, 16	Changes to performance standards under Exception 46 to facilitate garage widths, maximum setbacks, and area specific changes
95-2004	2004/07/05	Z23/01 Ex. 106	32	To rezone the lands to 'AC', 'UC', and 'RM4' and to reduce the minimum required landscape strip adjacent to Kingston Road and Salem Road and the required number of parking spaces for the retirement home in order to facilitate the development of a service station with an accessory convenience store, a commercial building, as well as a retirement home on the south-west corner of Kingston Road and Salem Road
96-2004	2004/07/05	Z1/04 Ex. 103	45	211 Bayly Street – to rezone from 'A' to 'AC', and to reduce the minimum landscape strip adjacent to Bayly Street, and to increase the minimum landscape strip adjacent to residential lands in order to facilitate the development of a service station with an accessory convenience store and carwash facility
97-2004	2004/07/05	Z8/03 S-A-2003-02 Ex. 76	11, 59	To permit the development of 161 residential dwelling units; maximum garage and driveway widths at the southwest corner of Audley Road and the CPR line
117-2004	2004/09/15	Ex. 43, 44 Z11/04	9, 16	Developments standards for garage widths in Enclaves 16 and 13
123-2004	2004/09/27	Ex. 109	21	Prohibited uses; development standards
134-2004	2004/10/25	Ex. 45	9	Standards for driveways and garage widths
141-2004	2004/11/08	Z9/04	15	Rezone lands from R2-B to R1-C, From R2-B to R1-E, from R1-D to R1-E, From R1-E to R2-a, from R1-F to R2-A, and from R1-F to R1-E
144-2004	2004/11/22	89-2003	29	448 Kingston Road – to remove hold
149-2004	2004/11/22			Amends section 5.4 iii)
1-2005	2005/01/10	Ex. 110	62	Development standards
9-2005	2005/01/24	Ex. 80	10, 11	Standards for maximum garage widths
10-2005	2005/01/25	Ex. 112	60	Standards for lot coverage
11-2005	2005/01/24	Z16/04		Rezone lands from 'A' to 'R2-B' and 'R1-D' to permit development
21-2005	2005/02/14	Ex. 113	28	579 Kingston Road West – landscape buffers
28-2005	2005/03/10			Implements interim control of land uses in the vicinity of Highway 401/Salem Road interchange until December 31, 2005
37-2005	2005/03/29	Z7/04, Z8/04		Incorporates lands to permit development
38-2005	2005/03/29	Ex. 116	28	66 Church Street – development standards
42-2005	2005/04/11	Ex. 57, 65, 115, 117, 118	38, 44	Amends permitted uses; development standards
53-2005	2005/04/25	Ex. 114	31, 32	Prohibited uses; development standards
68-2006	OMB Approved	Z13/05	39	Development standards
75-2005	2005/06/27			Requirements for Licensed and Unlicensed Outdoor Patios
84-2005	2005/07/07	Ex. 121, 122	39, 40	Development standards for southeast corner of Salem Road and Achilles Road

By-Law	Enacted	File/Ref	Schedule	Explanation
86-2005	2005/07/07	Ex. 4, 12, 28, 57, 65, 91, 101, 104, 105, 115, 117, 118, 119, 120		Amends Sections 2.1, 3, 4.1.1, 4.8, 4.11, 4.12, 5.3.2, 5.4, 5.7, 5.8, 5.1.1, 5.13, 5.13.4, 6.1, 6.3.1, 6.3.2, 6.3.3, 6.3.4, Adds 4.12.2, 5.10.2, 5.12.4, 6.9, 6.9.1, 6.9.2, 6.9.2.1, 6.9.3, 6.9.4, 6.9.5, 6.9.6, 6.9.7, and 6.9.8
96-2005	2005/09/12	Z5/05	11	Lands rezoned from 'R1-E' to 'R2-B'
97-2005	2005/09/12	95-2004	32	To remove the 'H' – Holding symbol on the lands described as 2 – 8 Salem Road South
99-2005	2005/09/12	Ex. 124 Z2/05	18	Development standards
105-2005	2005/09/26	53-2005	31, 32	To remove the 'H' – Holding symbol on the lands known as the Durham Centre
112-2005	2005/10/06	Z3/05		Lands rezone from 'I-A' to 'R2-B' to permit the development of 78 semi-detached dwellings.
120-2005	2005/10/24	28-2005		Extends length of interim control by-law for Highway 401/Salem Road interchange to June 30, 2006
137-2005	2005/11/14	Ex. 128	36, 37	Permitted uses; development standards
139-2005	2005/11/14	Ex. 129 Z14/05, OPA –5-A7	11	Development standards
141-2005	OMB Approved	Ex. 123	58	1183 Shoal Point Road
142-2005	OMB Approved	Ex. 111	32	Shell Canada – 15 Salem Road South
150-2005	2005/12/08	Z7/05 Ex. 130	43	Development standards
157-2005	OMB Approved	Z18/03 Ex. 125, 127	10, 18, 19	Development standards for Part of Lots 6 and 7, Concession 3
12-2006	2005/02/13	Ex. 131 Z18/05	30, 31	Additional uses, development standards
47-2006	2006/04/24	29-2003	10, 11	To remove the 'H' – Holding symbol on the lands described as Part of Lots 3, 4, and 5, Concession 3
48-2006	2006/04/24	84-2005	39, 40	To remove the 'H' – Holding symbol on the lands described as Part of Lots 6 and 7, Concession 1
56-2006	2006/05/08			Implements interim control for Pickering Village; amends Section 8.3.1
68-2006	2006/05/23	Z13/05	39	Development standards
78-2006	2006/06/12	77-96	14	To remove the 'H' – Holding symbol on the lands described as Part Lot 14, Concession 2, 520 Rossland Road West
84-2006	2006/06/26	Ex. 135	37	Additional uses, holding provision
87-2006	2006/06/26	Ex. 5	32	Additional uses, prohibited uses, and development standards
88-2006	June 26, 2006 OMB Approved Feb. 24, 2009	Ex. 5, 61, 121, 122, 136, 152, 156		Zoning amended for exceptions 5, 61, 121, and 122.
89-2006	2006/06/26	Ex. 137	39, 40	Additional uses, prohibited uses, and development standards

By-Law	Enacted	File/Ref	Schedule	Explanation
90-2006	2006/06/26 OMB Approved February 24, 2009	Ex. 61	40	Additional uses, prohibited uses, and development standards
91-2006	2006/06/26		39	Rezone lands located at the northwest and southwest corners of Salem Road and Achilles Road from 'PE(H)' to 'OS'
92-2006	2006/06/26	Ex. 138	39	Additional uses, prohibited uses, and development standards
93-2006	2006/06/26	Ex. 139	39, 40	Additional uses, prohibited uses, and development standards
94-2006	2006/06/26	Ex. 122	39, 40	Additional uses, prohibited uses, and development standards
95-2006	2006/06/26 OMB Approved February 24, 2009	Ex. 140	40	Additional uses, prohibited uses, and development standards
105-2006	2006/07/10	Ex. 141	28	Development standards, amends Section 8.1.1 holding provisions
108-2006	2006/07/10	Ex. 80	10, 11	Development standards for curb cut, garage and driveway widths
109-2006	2006/07/10			Amends Section 5.3.1 and Table 6.2.2
116-2006	2006/09/11	Z1/06	39	Lands rezoned from "A" to "R1-F" in order to permit two new residential dwellings
117-2006	2006/09/11	Z4/05	10	Lands rezoned from "A" to "OS" and "R1-E" in order to permit 35 single detached dwellings
119-2006	2006/09/11	Ex. 132	48	Permitted uses
129-2006	2006/09/25	Z2/06	31	Lands rezoned from "A" to "R1-F" to permit development; holding provisions
5-2007	January 22, 2007	Ex. 64		Remove the holding provision imposed under By-law 99-01.
6-2007	January 22, 2007	Ex. 39		Amended minimum setback for Units 111 to 120 on Registered Plan 40M-2046.
12-2007	January 22, 2007	Ex. 143		Subject lands rezoned from A to OS, R2-B, R1-D, and R1-F; exception 143 added
42-2007	April 23, 2007	Ex. 80		Remove Holding provision
54-2007	May 14, 2007	Ex. 144		Development standards for 1010 and 1020 Westney Road North
64-2007	June 25, 2007	Ex. 146		Development Standards
70-2007	July 9, 2007	Ex. 80		Remove the holding provision imposed under By-law 139-2005
99-2007	Sept 24/07	Ex. 141		Remove the holding provision imposed under By-law 105-2006
107-2007	Oct 22/07 OMB Decision 2702	Ex. 147		Development standards, holding provision

By-Law	Enacted	File/Ref	Schedule	Explanation
122-2007	Nov 22/07 OMB Decision 2910	Ex. 148		Development standards, holding provision
27-2008	March 6/08	Ex. 46 Z11/07		Exception area amended; minimum lot depth for Block 132, 40M-2215
38-2008	Apr 14/08	Ex. 49, 95, 145,		Holding provision on 68 Church Street South
55-2008	May 26/08	Ex. 149		Development standards for plan of subdivision S-A-2007-03
60-2008	June 9/08	Ex. 80		Remove holding provision imposed by By-law 29-2003
62-2008	June 23/08	Ex. 125 157-2005 OMB Decision 3307	10	Amended Exception 125 and revised holding provision imposed by By-law 157-2005
67-2008	June 23/08	107-2007 OMB Decision 2702		Removes holding provision imposed by OMB Decision 2702 and By-law 107-2007
68-2008	June 23/08	Ex. 99		Addition permitted uses and development standards 201 Williams Drive West
72-2008	July 3/08	Ex. 87		Removed holding provision
82-2008	Sept 8/08	Ex. 151 OMB Decision Aug 25/08		Development standards for 60 Salem Road South
92-2008	Sept 22/08	Ex. 108		Development standards amended
97-2008	Oct. 9/08	Ex. 75		Development standards amended
99-2008	Oct. 9/08	Ex. 154		Development standards for S-A-2007-04
115-2008	Nov. 10/08	Ex. 155		Development standards, holding provision
135-2008	Dec. 8/08	Ex. 119	37, 38, 43	Amends Section 6.4.2 Zone Standards and Exception 119
136-2008	Dec. 8/08	Ex. 4	38	New definitions, Amends 4.1.3, Exception 4, holding provision
10-2009	Jan. 26/09	Ex. 148		Removed holding provision imposed by By-Law 122-2007
37-2009	Apr. 14/09	Ex. 157	31	Development standards for accessory use as a Garden Centre
58-2009	May 25/09	Ex. 158	31	Development standards for 216, 228, 240 Old Harwood Avenue and rear portion of 200 Old Harwood Avenue
66-2009	June 8/09	Ex. 134	10, 18	Development standards, holding provision
72-2009	June 22/09	Ex. 159	10	Development standards
78-2009	July 9/09	Ex. 43	16	Removed holding provision imposed by By-law 95-2003
79-2009	July 9/09	Ex. 135 84-2006		Removed holding provision imposed by By-law 84-2006
81-2009	Aug. 11/09	Ex. 93	16	OMB Decision for PL070803 dated August 11, 2009. Defines residential care facility and outdoor amenity space.
133-2009	Nov 23/09			Pickering Village parking standards

By-Law	Enacted	File/Ref	Schedule	Explanation
139-2009	Dec 14/09	Ex. 145	28	Removed holding provision imposed under By-law 38-2008.
140-2009	Dec. 14/09	Ex. 146	33	Removed holding provision imposed under by-law 64-2007.
151-2009	2009/03/16	Ex. 51	45	OMB Decision for PL981016 dated March 16, 2009. Amends development standards in exception 51
152-2009	2009/02/24	Ex. 136, 152, 156	32, 33, 39, 40	OMB Decision for PL060718 dated February 24, 2009. Amends development standards in By-laws 88-2006 and 95-2006..
61-2010	2010/04/26	Z14/07, S-A-2007-05 Ex. 160	15	Development standards for Marshall Homes subdivision S-A-2007-05.
105-2010	2010/07/08	Z2/09	9	Additional use permitted and development standards for 1801 and 1901 Harwood Avenue North
106-2010	2010/07/08	Z1/10	43	Additional and other permitted uses for 365 Bayly Street West
21-2011	2011/02/14	SPA1/08	38	Removal of the holding provision on 170 Mills Road
30-2011	2011/03/10	Z4/10, S-A-2010-01 Ex. 165	24	Development standards for the southwest corner of Magill Drive and Old Harwood Avenue
43-2011	2011/04/26	Z17/89, 18T-89058 Ex. 166	4	Development standards for 239 and 299 Fifth Concession Road
58-2011	2011/05/24	Z2/10 SPA11/10 Ex. 167	32	Development standards for the added permitted use of a motor vehicle gas bar for 150 Kingston Road East
68-2011	2011/07/07	SP20/10		Removal of the holding provision on Part of Lots 5 and 6, Concession 3 designated as Parts 4, 5, 6, 7, 14, 15, 16, 18 and 19 on Plan 40R-26814
73-2011	OMB Decision July 8, 2011	Ex. 163 Z1/05 S-A-2005-01	18, 19	OMB decision for PL050180 dated July 8, 2011 for Beechridge Farms Inc. Development standards and holding provision for lands located north of Rossland Road, east of Spitty Road, west of Carruthers Creek and south of the SL&H Rail line.
74-2011	OMB Decision March 9, 2011	Ex. 164 Z3/08 SP11/08	18	OMB Decision for PL100253 dated March 9, 2011. Dunbury Development Ltd. Development standards for the lands located on the south side of Rossland road West, approximately 70.0 west of Harwood Avenue North.
75-2011	OMB Decision August 5, 2011	Ex. 106 Z23/01, Z3/10 SP1/11	32	OMB decision for PL110018 dated August 5, 2011, JFC Developments Limited. Additional use and development standards for the northeast corner of Twilley Lane and Trott Lane.
78-2011	2011/09/12	Ex. 125	10, 18, 19	To remove the holding provision imposed by By-law 157-2005 (OMB Decision/Order No. 3307 issued December 19, 2005)
90-2011	OMB Decision January 20, 2012	Ex. 168 Z4/08 S-A-2008-01	13, 14	OMB decision for PL020648 and PL101142 dated January 20, 2012, The Trustee's for Toronto's Workmen's Circle Colony and Children's Camp and Coughlan Homes Inc.; and Cougs Ajax Ltd. and

By-Law	Enacted	File/Ref	Schedule	Explanation
				1441449 Ontario Inc. Development standards and conditions for the removal of holding provisions.
114-2011	2011/11/28	Ex. 146	33	To remove the holding provision imposed on 365 Kingston Road East.
93-2012	2012/06/11	Z3/11 SP3/12 Ex. 170	32	Additional uses, prohibited uses and development standards for 36 Salem Road South. Incorporates the definition of restaurant, Take-Out into the zoning by-law consolidation.
101-2012	2012/07/05	SPA6/12	16	To remove the holding provision imposed by By-law 4-2000 and amended by By-law 78-2009.
131-2012	2012/10/09	SP18/11 Ex. 38	44	To rezone the subject property and to remove the holding provision on a portion of the lands.
145-2012	2012/11/12	18T-95041 RL2/10 C-A-2012-03 Z2/12, SP12/10 Ex. 171	32, 39	To incorporate exception 171 to apply individual zone standards and to exempt the development from the requirements of Section 4.9, Frontage on a Public Road.
151-2012	2012/11/26	Z8/06 OPA06-A3 SP10/12	40	To remove the holding provision on the lands legally described as Part of Block 1, Registered Plan 40M-1454 and lands forming part of the Highway 401 right-of-way.
15-2013	2013/02/25	Z28/01 SPA6/07 Z7/07 SP9/12	8	To remove the holding provision on the lands legally described as Part of Lot 11, Concession 3.
42-2013	2013/04/22		37, 38	To rezone the north side of realigned Station Street from 'GE' – 'General Employment' to 'PE' – 'Prestige Employment'.
43-2013	2013/04/22	Z5/11 SPA11/11	30	To incorporate Exception 169 to apply individual development standards for the lands legally described as Part of Block 114, Plan 40M-1489 NOW Part 87 on RP 40R-24069.
50-2013	2013/05/13	Ex. 61, 122, 132, 136, 137, 138, 139, 140, 152, 156	32, 33, 39, 40, 48	To remove place of worship and site specific exceptions that permit places of worship with accessory day care facilities and offices as permitted uses on lands zoned Prestige Employment in order to implement the OMB's decision regarding ROPA 128 to prohibit certain sensitive land uses within employment areas. Footnotes added to Section 6.4.1 for exceptions for places of worship and commercial school in the Prestige Employment zone.
52-2013	2013/05/27	Ex. 173	9	To rezone the lands at the southeast corner of Taunton Road East and Harwood Avenue North and to incorporate Exception 173 to apply individual zone standards and to exempt the development from the requirements of Section 4.9; Frontage on a Public Road.
64-2013	2013/06/24	Ex. 139	39, 40	To remove the Holding (H) Provision from the center portion of the lands legally described as Part of Lot 6,

By-Law	Enacted	File/Ref	Schedule	Explanation
				Concession 1, Pickering, Part 1 on Registered Plan 40R-24253 in order to permit the development of a motor vehicle sales establishment.
65-2013	2013/06/24	Z1/13; LD11/2013 to LD19/2013	13	To amend the zoning on the lands legally described as Lot 12, Plan M-1157 from Country Residential (CR) to Residential One – B (R1-B) and Environmental Protection (EP) in order to permit the creation of 10 single detached dwelling lots through the appropriate land division applications.
67-2013	2013/06/24	OPA12-A1 Z3/12 SP9/12	43	To permit a funeral home and a crematorium and a funeral visitation centre as an ancillary use to a funeral home. To incorporate Exception 172 to establish parking standards, maximum gross floor area, and maximum number of cremators for the property.
68-2013	2013/06/24	R2/11 Z4/11 Ex. 110	62	To amend Exception 110 to facilitate amendments to an approved draft plan of subdivision (18T-94026).
69-2013	2013/06/24	18T-94026 R2/11 Z4/11		To permit the temporary use of the subject lands for a contractors yard and for outdoor storage to assist in the development of a residential subdivision consisting of 565 dwelling units.
79-2013	2013/09/09	S-A-2008-01 Z4/08 90-2011	13, 14	To remove the Holding (H) Provisions from portions of the subject lands to enable the completion of Phase 1A and Phase 1B of the Duffins Village Subdivision.
114-2013	2013/12/09			To establish definitions for a lodging house and a lodging unit; identify zones where lodging houses are permitted; and to establish parking requirements for lodging houses.
Resolution to Appeal		Ex. 108	5	Cougs Investments Inc.

PREAMBLE

Introduction

This preamble explains the purpose of this Zoning By-law and how it should be used. The preamble does not form part of the Zoning By-law. It is intended to make the Zoning By-law more understandable and easier to reference.

Purpose of This Zoning By-law

This Zoning By-law implements the policies of the Town of Ajax Official Plan. The Official Plan contains policies that affect the *use* of land throughout the Town. These policies specify where certain land *uses* are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

The Official Plan is a general document that is not intended to regulate every aspect of the built-form on a private *lot*. In the Province of Ontario, this is the role of the Zoning By-law. Once an Official Plan is in effect, any Zoning By-law passed by *Council* must conform to the Official Plan. For example, if the Official Plan stated that lands in the vicinity of a significant natural feature are to remain in their natural state, the Zoning By-law would prohibit the erection of *buildings* or *structures* on those lands.

The statutory authority to zone land is granted by the Ontario Planning Act. The Planning Act specifies what a By-law can regulate. A Zoning By-law can:

- prohibit the *use* of land or *buildings* for any *use* that is not specifically permitted by the By-law;
- prohibit the erection or siting of *buildings* and *structures* on a *lot* except in locations permitted by the By-law;
- regulate the type of construction and the *height*, bulk, location, size, floor area, spacing, and *use* of *buildings* or *structures*;
- regulate the minimum frontage and depth of a parcel of land;
- regulate the proportion of a *lot* that any *building* or *structure* may occupy;
- regulate the minimum elevation of doors, windows or other openings in *buildings* or *structures*;
- require parking and loading facilities be provided and maintained for a purpose permitted by the By-law; and,

- prohibit the *use* of lands and the erection of *buildings* or *structures* on land that is:
 - subject to flooding;
 - the site of steep slopes;
 - rocky, low-lying, marshy or unstable;
 - contaminated;
 - a sensitive groundwater recharge area or head water area;
 - the location of a sensitive aquifer;
 - a significant wildlife habitat area, wetland, woodland, ravine, valley or area of natural and scientific interest;
 - a significant natural corridor or shoreline of a lake, river or stream; or,
 - the site of a significant archaeological resource.

How to Use This By-law

To reference this By-law each of the steps listed below should be followed to determine what permissions apply to a particular property.

1. Locate the Property on a Map

Maps in a Zoning By-law are referred to as 'Schedules'. The first step to using this By-law is to refer to the zone schedules that are contained at the back of the By-law to determine in which zone category the subject property is located. The zone category will be indicated on the schedules by a symbol or abbreviation. For example, a symbol such as "R1-A" beside a property would indicate that the property is within the 'Residential Type 1 Zone'. The zone symbols or abbreviations used in this By-law are explained on the first page of Section 2 of the By-law or contact Ajax Planning and Development Services for assistance.

Section 2 also provides assistance to help identify the zone boundaries on the Schedules. For example, if a property appears close to a zone boundary refer to Section 2.4 of the By-law.

2. By-law Amendments

A Zoning By-law is not a static document; it is amended over time as development proceeds and policies governing land *use* change. Before proceeding any further, verify that the property is not the subject of an earlier Zoning By-law amendment or a minor variance. Zoning By-law amendments are listed in Section 7 of this By-law. More recent amendments may not be included in this version of the By-law.

A minor variance does not amend the Zoning By-law. It simply excuses a property from a specific requirement of the Zoning By-law (such as a minimum *side yard* setback) if the *use* and *structures* on the property conforms to all other aspects of the By-law. A minor variance is achieved by submitting an application to the Committee of Adjustment and allows the property owner to obtain a *building* permit. Minor variances granted by the Committee of Adjustment are not included in this By-law.

Staff in the Town's Planning and Development Services department will be able to confirm if the property has been subject to a more recent Zoning By-law amendment or a minor variance.

3. Permitted *Uses*

Section 6 of the By-law identifies the permitted *uses* permitted in each zone category within the Town. Definitions for these *uses* are provided in Section 3. Words that are defined in Section 3 are *italicized* throughout the By-law. *Uses* which are not identified as permitted *uses* within a particular zone are not permitted in that zone.

4. Zone Standards

Section 6 of the By-law also identifies the zone standards that apply to the *uses* on a property for each zone in the Town. Standards that typically apply to permitted *uses* include minimum *lot area*, minimum frontage requirements, minimum *yard* requirements, maximum *lot coverage* for *buildings*; maximum permitted *height* of *buildings* and in some cases, the minimum required landscaped open space on the *lot*. In some cases, there may be additional standards beyond those identified in this Preamble.

5. General Provisions

Section 4 of this By-law provides a more generic set of standards known as 'General Provisions' that apply to all properties in all zones throughout the Town unless otherwise specifically governed by zone standards or exceptions referred to elsewhere in the By-law. For example, the General Provisions include standards to regulate the construction and location of accessory *buildings*. These standards apply to all properties regardless of where in the Municipality the property is located.

6. Parking and Loading

There is one final section of the By-law that should be consulted when determining what permissions apply to a specific property. Section 5 provides the parking and loading requirements for all permitted *uses* in the Town.

7. Explanatory Notes

A series of drawings are provided in the back of this document to assist the reader in interpreting certain Zoning By-law provisions. These drawings are for illustration purposes only and do not form part of the actual By-law.

Description of By-law Components

This By-law contains nine sections which together, provide the zoning standards applicable to all lands within the Town of Ajax. These sections are as follows:

Section 1 – Interpretation and Administration

Section 2 – Establishment of Zones

Section 3 – Definitions

Section 4 – General Provisions

Section 5 – Parking, Loading and Queuing Requirements

Section 6 – Zone Provisions

Section 7 – Exceptions

Section 8 – Holding Provisions, Temporary *Use Zones*, and Interim Control Zones

Section 9 - Enactment

The purpose of each of these sections is described below.

Section 1 – Interpretation and Administration

This Section specifies:

- the lands that are subject to this By-law;
- that every parcel of land governed by this By-law is to conform and comply with the By-law; and,
- the penalties to be levied against a *person* or a corporation for contravention of any provision in the By-law.

Section 2 - Establishment Of Zones

This Section establishes the zones that apply to the lands governed by this By-law. This Section also describes how to determine the location of the Zone boundaries on the schedules.

Section 3 - Definitions

It is necessary to define words in a Zoning By-law because it is a legal document which if necessary, can be enforced in a court of law. These definitions are intended to clarify the intent of the By-law and ensure that the By-law is interpreted consistently.

Section 4 - General Provisions

This Section contains regulations that apply to certain types of *uses, buildings or structures* regardless of where in the municipality or in what zone they are located. For example, this Section contains provisions dealing with the construction of accessory *buildings* in any zone or provisions to regulate the operation of *home based businesses*.

Section 5 – Parking, Loading, and Queuing Requirements

Parking and loading facilities are required for almost all permitted *uses*. This Section establishes requirements for parking and loading facilities including such regulations as the number of spaces required for permitted *uses*, minimum *driveway* width, minimum *parking space* size and the location of parking facilities on a *lot*.

Section 6 – Zone Provisions

This Section lists the *uses* permitted within each Zone. The effect is to only permit certain *uses* in specified locations within the Town. The only *uses* permitted in a zone are those that are specified in the By-law. If a *use* is not specifically identified as a permitted *use* then it is not permitted. Similarly, if a *use* is defined in Section 6 of the By-law but does not appear as a permitted *use* in any zone, then it is not a *use* permitted within any Zone.

This Section also contains regulations that control the placement, bulk and *height* of a *building* on a *lot*. This includes regulations such as minimum *lot* size, minimum frontage, maximum *building height* or the maximum coverage of a *building* on a *lot*.

Section 7 – Exceptions

This Section contains regulations applicable to one property or a specific group of properties in the Town. Exceptions are denoted on the Exceptions Schedules by a bold outline and a numeric reference which guides the reader to the applicable Section of the By-law.

Section 8 – Holding Provisions, Temporary *Use* Zones, and Interim Control Zones

This Section provides a consolidated list of properties that are subject to Holding (H) Provisions, Temporary *Use* By-laws and Interim Control By-laws.

Section 9 - Enactment

This Section contains the signatures of the Mayor and the Clerk who signed the By-law when it was passed by *Council* in accordance with Section 34 of the Planning Act, R.S.O. 1990.

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**SECTION 1
INTERPRETATION AND ADMINISTRATION**

1.1 TITLE

This By-law may be referred to as the "Town of Ajax Zoning By-law" and applies to all lands within the Town of Ajax.

1.2 CONFORMITY AND COMPLIANCE WITH BY-LAW

No *person* shall change the *use* of any *building, structure* or land or erect or *use* any *building* or *structure* or occupy any land or *building* except in accordance with the provisions of this By-law. Any *use* not specifically permitted by this By-law shall not be permitted in the Town of Ajax. A *use* which is defined but not identified within a permitted *use* table in any zone or by exception is not permitted.

1.3 BUILDING PERMITS

The requirements of this By-law must be met before a *building* permit is issued for the erection, addition to or alteration of any *building* or *structure*.

1.4 INTERPRETATION

Nothing in this By-law shall serve to relieve any *person* from any obligation to comply with the requirements of any other By-law of the Town of Ajax or any other regulation of the Regional Municipality of Durham, Province of Ontario or Government of Canada that may otherwise affect the *use* of lands, *buildings* or *structures* in the Town of Ajax.

1.5 ENFORCEMENT

Any *person* or corporation that contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine as provided for in the Planning Act, R.S.O. 1990, Chapter P.13 as amended.

1.6 SEVERABILITY

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

1.7 EFFECTIVE DATE

This By-law shall come into force the day it was passed.

1.8 REPEAL OF FORMER BY-LAWS

By-law 3036, By-law 3037 and By-law 35-77 of the Town of Ajax and all Amendments thereto are hereby repealed.

SECTION 2 ESTABLISHMENT OF ZONES

2.1 ESTABLISHMENT OF ZONES

The following zones are hereby established and they may be referred to by name or by the symbol set opposite the name of the zone below:

ZONE	SYMBOL
<u>Residential Zones</u>	
Residential One – ‘A’ Zone	R1-A
Residential One – ‘B’ Zone	R1-B
Residential One – ‘C’ Zone	R1-C
Residential One – ‘D’ Zone	R1-D
Residential One – ‘E’ Zone	R1-E
Residential One – ‘F’ Zone	R1-F
Residential Two – ‘A’ Zone	R2-A
Residential Two – ‘B’ Zone	R2-B
Residential Three Zone	R3
Residential Multiple Four Zone	RM4
Residential Multiple Five Zone	RM5
Residential Multiple Six Zone	RM6
Country Residential Zone	CR
<u>Commercial and Mixed Use Zones</u>	
Neighbourhood Commercial Zone	NC
Local Commercial Zone	LC
Village Core Mixed Use One Zone	VC1
Village Core Mixed Use Two Zone	VC2
Village Core Mixed Use Three Zone	VC3
Village Core Mixed Use Four Zone	VC4
General Commercial Zone	GC
Downtown Mixed Use Zone	DC
Uptown Mixed Use Zone	UC
Automobile Commercial Zone	AC

Downtown Central Area Zones (New zone incorporated By-law 86-2005)

Downtown Central Area – Mixed Employment One Zone	DCA/ME1
Downtown Central Area – Mixed Employment Two Zone	DCA/ME2
Downtown Central Area – Institutional Zone	DCA/I
Downtown Central Area – Residential Mixed Use Zone	DCA/MU
Downtown Central Area – Residential Multiple One Zone	DCA/RM1
Downtown Central Area – Residential Multiple Two Zone	DCA/RM2

Employment Zones

Prestige Employment Zone	PE
General Employment Zone	GE
Heavy Employment Zone	HE

Institutional and Cemetery Zones

Institutional – ‘A’ Zone	I-A
Institutional – ‘B’ Zone	I-B
Cemetery Zone	CE

Rural Zones

Permanent Countryside Zone	PC
Agricultural Zone	A

Open Space Zones

Open Space Zone	OS
Private Open Space Zone	POS
Golf Facility Zone	GF
Environmental Protection Zone	EP

2.2 ZONE SYMBOLS

The zone symbols may be used to refer to *lots, buildings and structures* and to the *use of lots, buildings and structures* permitted by this By-law. By-law Exceptions, Holding Provisions, Temporary Use Zones and Interim Control Zones are identified in Sections 7 and 8 of this By-law.

2.3 ZONE SCHEDULES

The zones and zone boundaries are shown on Zoning Schedules which are attached to and form part of this By-law.

2.4

DETERMINING ZONE BOUNDARIES

When determining the boundary of any zone as shown on the Schedules forming part of this By-law, the following provisions shall apply:

- i) a boundary indicated as following a highway, street, *lane*, railway right-of-way, utility corridor or watercourse shall be the centre line of such highway, street, *lane*, railway right-of-way, or utility corridor;
- ii) a boundary shown as following a shoreline shall follow such shoreline, and in the event of change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- iii) a boundary indicated as following *lot lines* or the municipal boundaries of the Town of Ajax shall follow such *lot lines* or boundary;
- iv) where a boundary is shown parallel to a *street line* and the distance from the *street line* is not indicated, the boundary shall be deemed to be parallel to such a *street line* and the distance from the *street line* shall be determined according to the bar scale shown on the Schedule;
- v) where two or more zones are located on a single *lot* and the distance of the respective zone boundaries is indicated on the Zone Schedules, the boundary shall be determined in accordance with the distances noted on the Zone Schedules;
- vi) where a *lot* is divided into two or more zones the zone boundary dividing the *lot* shall be deemed to be a *lot line* for purposes of calculating required setbacks and coverage, and each portion of the *lot* shall be in accordance with the provisions of this By-law for the applicable zone;
- vii) where none of the above provisions apply, the zone boundary shall be scaled from the Schedule(s).

SECTION 3 DEFINITIONS

ACCESSORY APARTMENT

Shall mean a separate *dwelling unit* that is located within the *structure* of a *detached, semi-detached, linked villa, or duplex dwelling unit* and which is subordinate or incidental to the principal *dwelling*.

ACCESSORY BUILDING OR STRUCTURE

Shall mean a detached *building or structure* that is subordinate to and customarily incidental to the *principal building, structure or use* on the same *lot*.

ACCESSORY RETAIL SALES

Shall mean the sale of products manufactured, processed or assembled on the *premises* of a primary *manufacturing use*.

ACCESSORY USE

Shall mean a *use* customarily incidental to, subordinate to and exclusively devoted to the principal *use* and which operates together with the principal *use* on the same *lot*.

ADULT ENTERTAINMENT PARLOUR

Shall mean any *premises* or part thereof in which is providing services appealing to or designed to appeal to, erotic or sexual appetites or inclinations.

ADULT VIDEO STORE

Shall mean a *premises* in which the principal business is the sale or rental of slides, films, videotape, pre-recorded magnetic tape or computerized or electronically generated images designed to appeal to sexual appetites or depicting sexual acts.

AGRICULTURAL OPERATIONS

Shall mean general farming and shall include such *uses* as the breeding and rearing of livestock, including poultry, fowl and fur-bearing animals, the general cultivation of land and associated production, conditioning, processing and storing of field crops, fruits, vegetables, and horticultural crops and the selling of such produce on the *premises*.

AGRICULTURALLY RELATED COMMERCIAL USE

Shall mean a *use* directly related to agriculture and requiring proximity to farm operations.

ART GALLERY

Shall mean a *building, place or area* where paintings, sculptures or other works of art are exhibited or sold.

AUTOMOTIVE RECYCLING FACILITY

Shall mean an area outside of an enclosed *building* where *motor vehicles* are disassembled and dismantled, or where vehicles in an inoperable condition or *motor vehicle* parts are stored or re-sold. An *automotive recycling facility* may also include facilities for the disposal, storage or reuse of *motor vehicle* fuels, lubricants and related materials.

BANQUET FACILITY

Shall mean a *premises* for the purpose of catering to banquets, receptions, weddings or similar functions for which food and beverages are prepared and served.

BED AND BREAKFAST ESTABLISHMENT (Amended by By-law 114-2013)

Shall mean a *dwelling* or part of a *dwelling* in which not more than 3 bedrooms are used or maintained for the accommodation of the travelling public, in which the owner supplies lodgings with or without meals for hire or pay but does not include a *group home* or a *lodging house*.

BLOCK FACE (New definition incorporated by By-law 86-2005)

Shall mean the distance along a *street line* edge between any given pair of adjacent road intersections, or between a road intersection and an overpass.

BOARDING KENNEL

Shall mean a commercial establishment for the keeping, breeding, boarding or training of domestic animals but shall not include the keeping of animals in a *veterinary clinic* for the purpose of observation, and/or recovery necessary to veterinary treatment.

BODY RUB

Shall mean the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a *person's* body or part thereof but does not include medical or therapeutic treatment given by a *person* otherwise duly qualified, licensed or registered under the laws of the Province of Ontario.

BODY RUB PARLOUR

Shall mean any *premises* or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any *premises* or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by *persons* otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario.

BUILD-WITHIN ZONE (New definition incorporated by By-law 86-2005)

Shall mean an area established by the *use* of a minimum and maximum *building* setback, drawn parallel to the front and/or exterior *lot line* where a prescribed portion of the main front *building* wall and/or exterior side wall of a *building* (excluding a public utility *building*) shall be positioned. Accessory *buildings* and *structures* are not subject to the setbacks defining a *build-within zone*.

BUILDING

Shall mean a *structure* occupying an area greater than 10.0 m² and consisting of any combination of walls, roof and floor or any structural system serving the function thereof, including all associated plumbing, works, fixtures and service systems.

BUILDING, PRINCIPAL

Shall mean a *building* which constitutes, by reason of its *use*, the primary purpose for which the *lot* is used.

BUILDING, FRONT OF

Shall mean the wall or walls of a *building* that are more or less parallel to the *front lot line*; when setback regulations are applicable, "*front of building*" shall mean that wall or walls of the *building* which front upon the street on which the setback is applicable.

BUILDING AND CONSTRUCTION MATERIALS FACILITY

Shall mean a *premises* in which *building* or construction materials are offered or kept for sale.

BUILDING STOREY **(New definition incorporated by By-law 86-2005)**

Shall mean that portion of a *building* between any floor and the floor, ceiling or roof next above, provided that any portion of a *building* partly below the average level of the *established grade* shall not be deemed a storey unless its ceiling is at least 1.8 metres above the average level of the *established grade*. For that portion of a *building* located wholly or partly within a sloping roof, the space shall be considered an additional full storey if the floor area is not less than one-half of the floor area of the storey next below, all side walls are not less than 1.2 metres in *height*, and the ceiling has a minimum *height* of 2.3 metres over an area equal to at least 50 percent of the floor area.

CEMETERY

Shall mean land that is set apart or used for the interment of the dead or in which human bodies have been buried, and may include a crematorium, a columbarium and a mausoleum but does not include any facilities for public assembly.

CO-GENERATION DISTRICT ENERGY FACILITY

(New definition as incorporated by By-law 136-2008)

Shall mean a central facility in wholly enclosed *building(s)* that generates and distributes thermal energy (steam and/or hot and cold water) to end users through an underground pipeline distribution system and generates electricity, including electricity for supply to the grid.

COMMERCIAL FITNESS CENTRE

Shall mean a private club in which facilities are provided for recreational athletic activities and shall include associated facilities such as a sauna, *office* space, retail shop and related lounge facilities.

COMMERCIAL SCHOOL

Shall mean a *premises* as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school or business school and any other similar specialized school.

COMMUNITY CENTRE

Shall mean a *building* or *structure* owned and/or operated by the Town of Ajax that provides facilities for indoor recreational activities and other community facilities such as meeting rooms or a *library* for use by the general public.

CONTRACTORS YARD

Shall mean a *yard* of any *building* trade or contractor where equipment and material is stored or where a contractor performs shop or assembly work.

CONVENIENCE STORE

Shall mean a retail establishment which deals primarily in goods required by the inhabitants of a residential area to meet their day-to-day needs.

COUNCIL

Shall mean the *Council* of The Corporation of the Town of Ajax.

CREMATORIUM (New definition as incorporated by By-law 67-2013)

A *building, structure* or part thereof used for the purposes of the cremation of human remains. This use is only permitted in association with a *cemetery* or a *funeral home*.

CRISIS CARE FACILITY

Shall mean a residential facility that is licensed and funded by the Province of Ontario, Government of Canada or an appointed agency, for the short term, temporary care of *persons* requiring immediate emergency shelter and aid who are living under supervision in a single housekeeping unit and who by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well being.

DAYLIGHTING TRIANGLE

Shall mean an area of private land on a *corner lot*, which area is to be determined by measuring from the point of intersection of the *street lines*, the distance required by this By-law along each such *street line* and joining such points with a straight line. The triangular shaped land between the intersecting *street lines* and the straight line joining the points at the required distance along the *street lines* is the "*daylighting triangle*".

DAY CARE FACILITY

Shall mean a *premises* where more than 5 children are provided with temporary care and/or guidance for a continuous period not exceeding sixteen hours and which is licensed in accordance with the applicable Provincial legislation.

DRIVEWAY

Shall mean that portion of a *lot* used to provide vehicular access from a roadway to an off-street parking or loading area located on the same *lot*.

DRIVEWAY, WIDTH OF (New definition as incorporated by By-law 83-2004)

Shall mean the widest horizontal surface of any *driveway* required by this By-law, measured along a line parallel to the *front lot line* or *exterior side lot line* and includes any portion of hard landscaping or pavement contiguous to a *driveway* or *parking space* where parking or storage of a *motor vehicle* could be accommodated.

DRIVE-THRU FACILITY

Shall mean a *building* or *structure* or part thereof where goods or services are offered to the public within a parked or stationary vehicle by way of a service window, or offered in a similar fashion where goods, money or materials are exchanged.

DRY CLEANING DEPOT

Shall mean a *premises* for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering, dry cleaning at another location, and may include self serve laundry facilities.

DRY CLEANING ESTABLISHMENT

Shall mean a *premises* in which the business of laundry or dry cleaning is undertaken and where the cleaning, drying, ironing and finishing of such goods is conducted.

DWELLING

Shall mean a *building*, occupied or capable of being occupied as a home, residence, or sleeping place by one or more *persons*, containing one or more *dwelling units*.

DWELLING UNIT

Shall mean a room or a group of rooms in a *dwelling* used or intended to be used as a single, independent and separate housekeeping unit in which a kitchen and sanitary facilities are provided, and which has a private entrance from outside the *dwelling* or from a common hallway or stairway inside the *dwelling*.

DWELLING, APARTMENT

Shall mean a *dwelling* consisting of four (4) or more *dwelling units* which units have a common entrance from the street level and common halls and/or stairs, elevators and *yards*.

DWELLING, BACK-TO-BACK STACKED TOWNHOUSE

(New definition incorporated by By-law 86-2005)

Shall mean a *dwelling* that is structurally configured to resemble two *stacked townhouse dwellings* attached to one another, rear wall to rear wall, such that a rear wall common to all units in the *dwelling* is created, dividing the *dwelling* vertically.

DWELLING, BACK-TO-BACK TOWNHOUSE

(New definition incorporated by By-law 42-2005)

Shall mean a *dwelling* that is divided vertically into three (3) or more *dwelling units*, each of which has an independent entrance to the front of the *dwelling*. In the case of an end unit, the entrance may be at the front or exterior side of a *dwelling*. The dividing walls between the adjoining *dwelling units* is formed by walls joining the sides of the *dwelling units* and a wall joining the rear of the *dwelling units*.

DWELLING, DETACHED

Shall mean a *dwelling* containing only a *dwelling unit* or a *dwelling unit* and one *accessory apartment*.

DWELLING, DOUBLE DUPLEX

Shall mean a separate *dwelling* that consists of two duplexes attached to each other, with a common wall dividing the two *duplex dwellings* vertically, or a *dwelling* containing only two (2) storeys exclusive of basement divided vertically into four (4) *dwelling units*.

DWELLING, DUPLEX

Shall mean the whole of a two storey *dwelling* divided horizontally into two separate *dwelling units*, each of which has an independent entrance.

DWELLING, LINKED VILLA

Shall mean a *dwelling* that is divided vertically into three (3) or more *dwelling units* each of which has independent entrances, to a front and *rear yard* immediately abutting the front and rear walls of the *dwelling unit*. The dividing wall between adjoining *dwelling units* is formed by the wall of an attached single storey garage of one *dwelling unit* and the wall of the adjoining unit so that habitable or living space of one unit does not adjoin to the habitable space of the adjacent unit.

DWELLING, LIVE WORK UNITS (Amended by By-law 86-2005, 55-2008)

Shall mean a *dwelling unit* with a minimum ceiling *height* of 2.75 metres on the ground floor, and designed to accommodate a *home based business* in accordance with all relevant provisions for the same, save and except that:

- i) only an *office*, an archive or *library*, a *personal service shop* (excluding the sale of goods not assembled, crafted or produced on the *premises*), or the studio of an artist, photographer or craftsman, shall be permitted as the non-residential component of the *dwelling unit*; and
- ii) up to two employees, in addition to the resident(s) of the *dwelling unit*, may be engaged in the business and working in the *dwelling unit*.

DWELLING, MAISONETTE

Shall mean a *dwelling* that is divided into three (3) or more *dwelling units*, each of which has independent entrances, one to a common corridor and the other directly to the outside *yard* area adjacent to the said *dwelling unit*.

DWELLING, MOBILE HOME

Shall mean a transportable, factory-built, *dwelling unit* designed to be transported on its own wheels and chassis and may be supported on wheels, jacks, posts or piers, or with a permanent foundation.

DWELLING, MULTIPLE ATTACHED

Shall mean a *dwelling* that is divided vertically into three (3) or more *dwelling units*, each of which has independent entrances, to the front and rear of the *dwelling*.

DWELLING, SEMI-DETACHED

Shall mean the whole of a *dwelling* divided vertically both above grade and below grade into two separate *dwelling units*.

DWELLING, STACKED (New definition incorporated by By-law 75-2011)

Shall mean a residential *use building* containing four or more *dwelling units* where each *dwelling unit* is divided horizontally and vertically, and in which each *dwelling unit* has an independent entrance to the exterior.

DWELLING, STACKED TOWNHOUSE (New definition incorporated by By-law 86-2005)

Shall mean a *dwelling* containing three or more *dwelling units* in a *building* vertically configured to be two *dwelling units* high - ground units below upper units, exclusive of basements – where ground units are attached side-by-side and share a common vertical dividing wall, and where upper units are attached side-by-side and share a common vertical dividing wall.

DWELLING, STREET TOWNHOUSE

Shall mean a *dwelling* that is divided vertically into three (3) or more *dwelling units* each of which has independent entrances to a *front* and *rear yard* immediately abutting the front and rear walls of each *dwelling unit*, and each *dwelling unit* has frontage on and access to a *public street*.

DWELLING, TRIPLEX

Shall mean a *dwelling* divided horizontally into three (3) *dwelling units*.

EQUESTRIAN CENTRE

Shall mean a commercial operation in which lands, *buildings* or *structures* are used for the boarding of 10 or more horses, the training of horses and riders, and/or the staging of equestrian events, but does not include the racing of horses.

ESTABLISHED GRADE

Shall mean the average elevation of the finished ground level abutting the wall or walls in question.

EXISTING

Shall mean *existing* as of the date of the final passing of this By-law.

FINANCIAL INSTITUTION

Shall mean a *premises* where financial transactions including the borrowing, depositing, exchanging of currency and credit occurs and may include an automated banking machine.

FLOOR AREA, GROSS

Shall mean the aggregate of the floor area measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each floor, excluding any *porches*, verandas, sunrooms (unless habitable in all seasons of the year), basement, cellar, garage, or mechanical penthouse.

FLOOR AREA, GROSS LEASABLE

Shall mean the aggregate area of all floors in a *building* measured from the centre line of the joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes, such as sales, display, storage and *offices* but excluding storage areas below grade.

FLOOR AREA, GROUND

Shall mean the floor area of the lowest storey of a *building* approximately at or first above the finished grade level excluding any basement, cellar or sub-cellar, which area is measured between the exterior faces of the exterior walls at the floor level of such storey, but:

- i) excludes car parking areas within the *building*; and
- ii) for the purpose of this definition the walls of an inner court are and shall be deemed to be exterior walls.

FLOOR SPACE INDEX

Shall mean the aggregate of the *gross floor area* of all *buildings* on a *lot* divided by the area of the *lot*.

FUEL STORAGE SUPPLY YARD

Shall mean the *use* of land for the bulk storage or wholesale distribution of gasoline, oil, petroleum products or other flammable liquids.

FUNERAL HOME

Shall mean a *premises* where the care and preparation of human bodies and the co-ordination of rites and ceremonies with respect to dead human bodies is performed, but does not include services provided by a *cemetery* or crematorium owner under the Cemeteries Act.

FUNERAL VISITATION CENTRE **(New definition incorporated by By-law 67-2013)**

A *building* which typically has visitation rooms, a chapel or gathering room and a room or rooms where a reception can be held after a service. This use is only permitted in association with a *funeral home*.

GAMING ESTABLISHMENT

Shall mean *premises* accommodating up to 800 *slot machines*, together with related *restaurants*, lounges, administrative *offices* and other *accessory uses*. For the purposes of this definition a '*Gaming establishment*' shall not include a bingo parlour or any other casino-type game or *use*.

GARAGE, PRIVATE

Shall mean a detached *accessory building*, car port, or portion of a *dwelling* which is designed or for the sheltering of one or more private *motor vehicles* and may also include the storage of household wares or materials incidental to the residential occupancy and which is fully enclosed and roofed.

GARDEN CENTRE

Shall mean the *use* of land, *buildings* or *structures* for the growing of flowers, plants, shrubs, or trees and shall also include the retail sale of such goods, products and equipment as are normally associated with gardening or landscaping.

GATEWAY SITE **(New definition incorporated by By-law 86-2005)**

Shall mean any area so identified symbolically in the Town of Ajax Official Plan, the actual limits of which are to be defined at the time of development approval subject to the parameters

established by this By-law in Section 6.9.3, wherein either special performance standards shall apply, notwithstanding the provisions of any Downtown Central Area Zone that would otherwise be applicable, or which may be zoned Open Space.

GOLF COURSE

Shall mean a *premises* for the purpose of playing golf and may include such associated *uses* as a *restaurant, banquet facility, retail store*, fitness centre and other *buildings* or *structures* devoted to the maintenance and operation of the *golf course*.

GOLF DRIVING RANGE

Shall mean an open air *recreation facility* where the sport of golf is practiced from individual tees and which may include *accessory structures* to house the tees, a kiosk for golf balls and golf club rentals, and a *structure* from which the golfers tee off.

GROUP HOME

Shall mean a residence, licensed or funded under an Act of the Parliament of Canada or Province of Ontario, that is designed for the accommodation of 3 to 10 *persons*, exclusive of staff, living under supervision in a *dwelling unit* and whom by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being. For the purposes of this by-law, *group homes* are classified either as *Group Home A* or *Group Home B*.

GROUP HOME A

Shall mean a *group home* primarily for *persons* who have been referred by a *hospital*, recognized social services agency or health professional.

GROUP HOME B

Shall mean a *group home* operated primarily for *persons* who have been placed on probation, released on parole, or admitted for correctional purposes.

HEIGHT (Amended by By-law 86-2005, 38-2008)

Shall mean the vertical distance from the average level of the *established grade* of the street in front of the *building* to:

- a) the highest point of any exterior wall of a flat roofed *building*; unless the *building* is located in a Downtown Central Area Zone or Village Core Mixed Use zone, in which case the measure shall exclude the *height* of any parapet rising above the roof deck.
- b) the mean *height* between the eaves and ridge of a pitched roof; or
- c) the deck roof line of a mansard roof.

When no grade has been established the level of the crown of the street upon which the *building* fronts at right angles to the mid point of that *building* shall be considered the *established grade*.

HOME BASED BUSINESS

Shall mean an *accessory use* within part of a *dwelling unit* for a lawful occupation or business activity that results in a product or service and which is clearly secondary to the main *use* of the *dwelling unit*.

HOSPITAL

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

HOTEL

Shall mean a commercial establishment offering accommodation to the travelling public on a daily rate basis and may include such accessory facilities as a *restaurant*, *banquet facilities*, meeting rooms, swimming pool and a fitness establishment.

LANDSCAPED BUFFER

Shall mean an area of land used only for the growth and maintenance of grass, flowers, bushes and other landscaping and includes the part of the *lot* unoccupied by any parking, *buildings* or *structures*.

LANE

Shall mean a thoroughfare which affords a means of access to abutting *lots* and which is not intended for general traffic circulation.

LAUNDROMAT, SELF SERVE

Shall mean a *premises* where coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of laundry cleaning.

LICENCED OUTDOOR PATIO (New definition as incorporated by By-law 75-2005)

An outdoor area where seating accommodation is provided, and where meals or refreshments are served to the public for consumption which is used on a seasonal basis in conjunction with, and in immediate proximity to, a *restaurant* or a *drive-thru restaurant*. The establishment shall be licensed by the Alcohol and Gaming Commission of Ontario for the consumption of alcohol within the establishment or accessory outdoor patio.

LIBRARY

Shall mean a *building* containing printed, electronic and pictorial material for *public* use for purposes of study, reference and recreation.

LIVESTOCK HOUSING CAPACITY

Shall mean the total maximum number of livestock that can be accommodated in a livestock facility at one time.

LIVESTOCK FACILITIES

Shall mean barns, *buildings* or *structures* where animals are housed and shall also include beef feed *lots* and the associated manure storage facilities?

LIVESTOCK UNIT

Shall mean the equivalent values for various types of animals and poultry based upon manure production and production cycles.

LOADING SPACE

Shall mean an unobstructed area of land which is provided and maintained upon the same *lot* or *lots* upon which the principal *use* is located and which area is provided for the temporary parking of one commercial *motor vehicle* while merchandise or materials are being loaded or unloaded from such vehicles. Such area shall not be used for the purpose of offering commodities for sale or display.

LODGING HOUSE **(New definition as incorporated by By-law 114-2013)**

Shall mean a *building* or part of a *building*, containing three to ten *lodging units*, which does not function as a *dwelling unit*, although one may be included with the *lodging units*. It includes, without limitation, a rooming house and a boarding house, a fraternity house or sorority house. It does not include a *hotel*, a *hospital*, a *group home*, a *bed and breakfast establishment*, a *crisis care facility*, a *nursing home*, a *retirement home*, a seniors apartment, or a *senior citizens' apartment*.

LODGING UNIT **(New definition as incorporated by By-law 114-2013)**

Shall mean a room within a *building* that contains sleeping accommodations and may contain washroom facilities.

LOT

Shall mean a parcel of land which is only capable of being legally conveyed as a single *lot* pursuant to Section 50 of the Planning Act, R.S.O. 1990, c.P.13.

LOT AREA

Shall mean the total horizontal area within the *lot lines* of a *lot* and in the case of a *corner lot* having *street lines* rounding at the corner with a radius of six metres (6.0 m) or less, the area of such *lot* is to be calculated as if the *lot lines* were projected to this point of intersection.

LOT, CORNER

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

LOT COVERAGE

Shall mean the proportion of the *ground floor area* of all *buildings* and *structures* on the *lot* to the *lot area*, expressed as a percentage, but shall not include *porches*, unenclosed verandas or *platforms*.

LOT DEPTH

Shall mean the horizontal distance between the front and *rear lot lines*, but where the front and *rear lot lines* are not parallel the *lot depth* is the length of a line joining the mid-points of such lines.

LOT FRONTAGE

Shall mean the horizontal distance between the *side lot lines* measured along the *front lot line*, but where the *front lot line* is not a straight line or where the *side lot lines* are not parallel, the *lot frontage* is to be measured by a line nine metres (9.0 metres) back from and parallel to the chord

of the *lot frontage*, and for the purpose of this paragraph, the chord of the *lot frontage* is a straight line joining the two points where the *side lot lines* intersect the *front lot line*.

LOT, INTERIOR

Shall mean a *lot* other than a *corner lot* or a *thru lot*.

LOT LINE

Shall mean any boundary of a *lot*.

LOT LINE, EXTERIOR SIDE

Shall mean a *side lot line* which abuts a *public street* or *lane* on a *corner lot*.

LOT LINE, FRONT

Shall mean the *lot line* that divides the *lot* from the street, provided that, in the case of a *corner lot*, in any residential, commercial or industrial zone, the shorter *lot line* that abuts a street shall be deemed to be the *front lot line*; however, in residential zones, if both *lot lines* abutting streets exceed the stated or implied minimum *lot depth* requirements for that zone then either *lot line* may be considered to be the *front lot line*.

LOT LINE, REAR

Shall mean the farthest *lot line* opposite the *front lot line*, or in the case of a triangular *lot*, shall be that point formed by the intersection of the *side lot lines*.

LOT LINE, SIDE

Shall mean a *lot line* other than a front or rear *lot line*

LOT, THROUGH

Shall mean a *lot* bounded on opposite sides by a *public street*. However, if the *lot* qualifies as being both a *corner lot* and a *thru lot*, such *lot* is deemed to be a *corner lot* for the purposes of this By-law. Such *thru lot* shall have a *front yard* on each street in accordance with the provisions of the zone or zones in which each *front yard* is located.

MACHINERY AND EQUIPMENT SALES AND RENTAL

Shall mean a *premises* in which machinery and equipment are offered or kept for sale, rent, lease or hire.

MANUFACTURING

Shall mean the *use* of land, *building* or *structures* for the *manufacturing*, processing, fabricating or assembly of raw materials or goods and related *accessory uses*.

MANUFACTURING, LIGHT

Shall mean the *use* of *buildings* or *structures* primarily for the purpose of *manufacturing*, processing, fabrication, assembly, treatment, packaging, and incidental indoor storage of goods and materials and may include accessory sales and distribution of such products but does not include basic industrial processing from raw materials, all such activities conducted wholly within one or more *buildings*. A food processing *use* shall be considered a *light manufacturing use* provided that no animal or animal by-products are used with or as a result of the *use*.

MEDICAL CLINIC

Shall mean a *premises containing two or more offices* where medical, dental, and/or therapeutic diagnosis and treatment is provided to the general public without overnight accommodation and may include accessory dispensary facilities.

MODEL HOME

Shall mean a new uninhabited *dwelling unit* constructed to the requirements and the provisions of the zone category in which the *lot* upon which the *model home* is situated or as specified by by-law and is used only for the purposes of displaying the architectural design, materials and interior design or decorating of homes, the layout and features of a draft approved or registered plan of subdivision or condominium for the purpose of selling homes to the general public. The items displayed and homes offered for sale shall be restricted to those in the draft approved or registered Plan of Subdivision or Condominium in which the *model home* is located.

MOTEL

Shall mean a separate *building* or two (2) or more connected or detached *buildings* that are rented on a temporary basis to the travelling public for the purpose of sleeping accommodation with each room being accessible from the outside and which may or may not contain cooking facilities.

MOTOR VEHICLE

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

MOTOR VEHICLE GAS BAR

Shall mean *premises* where gasoline or other motor fuels and oil are kept for sale and delivery directly into a *motor vehicle*, and does not include a *motor vehicle repair facility*, *motor vehicle washing establishment* or a *motor vehicle service centre*.

MOTOR VEHICLE RENTAL DEPOT

Shall mean an *office* where the rental of *motor vehicles* is administered and where such *motor vehicles* are picked up and dropped off, but shall not include facilities for the ongoing storage of a fleet of *motor vehicles*.

MOTOR VEHICLE RENTAL ESTABLISHMENT

Shall mean a *premises* where *motor vehicles* are kept for rent, lease or hire under agreement for compensation.

MOTOR VEHICLE SALES ESTABLISHMENT

Shall mean a *premises* where new *motor vehicles* are kept for display, lease or sale, and may include an associated *motor vehicle service centre*.

MOTOR VEHICLE USED SALES ESTABLISHMENT

Shall mean a *premises* where only used *motor vehicles* are kept for display, lease or sale.

MOTOR VEHICLE REPAIR FACILITY

Shall mean a *premises* used to conduct repairs of *motor vehicles* of a mechanical or structural nature and may include an associated towing service, *motor vehicle* service station and *motor vehicle* rentals.

MOTOR VEHICLE SERVICE CENTRE

Shall mean a *premises* used for the sale of gasoline or other motor fuels delivered directly into a *motor vehicle*; the servicing, repairing or equipping essential to the actual operations of *motor vehicles*; the performance of diagnostic services on *motor vehicles*; the sale to the motoring public of goods usual to the trade; and may include a *motor vehicle washing establishment*.

MOTOR VEHICLE WASHING ESTABLISHMENT

Shall mean a *building* or part thereof used for gain or profit for the operation of washing equipment for *motor vehicles*.

MOTOR VEHICLE WASHING ESTABLISHMENT, AUTOMATIC

Shall mean a *building* or part thereof with a capacity to wash more than ten (10) cars per hour in a mechanically driven or automated fashion.

NIGHTCLUB

Shall mean a *premises* whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such pre-recorded music or live music is provided for listening or dancing by the patrons, or any combination of the above functions, and whose accessory function is the sale and consumption on the *premises* of food and alcoholic beverages, but does not include a *restaurant* or an *adult entertainment parlour*.

NON-CONFORMING

Shall mean an *existing use* which is not permitted by the provisions of this By-law on the effective date of this By-law.

NON-COMPLYING

Shall mean a *lot, building or structure* which is permitted by this By-law but which has less than the minimum frontage and/or depth and/or area, or less than the minimum set back and/or *side yard* and/or *rear yard* and/or minimum open space or other performance standard required by the By-law on the effective date of this By-law.

NURSING HOME

Shall mean a *dwelling* or other *building* in which lodging, with or without meals, is provided for hire or pay, and where nursing or medical care and treatment are provided or made available in accordance with The Nursing Homes Act, but does not include a *hospital*.

OFFICE

Shall mean a *building* or part thereof, intended or used for the practice of a profession, conduct of a business or public administration.

OUTDOOR AMENITY SPACE (New definition incorporated by By-law 81-2009)

Shall mean a common area on a property which provides benefits to the occupants, which increase the attractiveness, functionality and value of a property and which areas are dedicated to passive and active recreational *uses*, exclusive of *parking lots* and drive aisles based on a ratio of 10 square metres per bed. Such areas can include but are not limited to patios, decks, swimming pools, paths, leisure spaces or lawns.

OUTDOOR DISPLAY AND SALES AREA

Shall mean an area of land used for the display or sale of goods as an *accessory use* to the principal *use* of the *lot*, which principal *use* is conducted wholly within one or more *buildings*.

OUTDOOR STORAGE

Shall mean the storage of equipment, goods, or raw or processed materials outside of any *building* or *structure*.

PARKING LOT

Shall mean an open area, other than a street, used for the temporary parking of two or more *motor vehicles* and available for *public use* whether free or for compensation, or as an accommodation for clients, customers or residents, but does not include the storage of impounded or wrecked vehicles.

PARKING LOT, PRINCIPAL USE (New definition incorporated by By-law 86-2005)

Shall mean a *lot* used for the principal purpose of providing space for general purpose public parking, offered either gratuitously or in return for a consideration or compensation, on an hourly or daily basis, but shall not be used for the storage or display of vehicles.

PARKING SPACE

Shall mean an area of land that is accessible by a *driveway* or aisle, having access to a *public street* or *lane*, that is reserved for the purpose of the temporary parking or storage of one *motor vehicle*.

PARKING SPACE, DESIGNATED

Shall mean an off-street *parking space* marked by a sign indicating such space to be for the sole use of a vehicle displaying a permit in accordance with the requirements of the Highway Traffic Act.

PASSIVE RECREATIONAL USE

Shall mean a recreation *use* that does not require the erection of any *buildings* or *structures* and that does not alter the soil or topography of the land, but does not include a *golf course* or *golf driving range*.

PERSON

Shall mean any human being, association, firm, partnership, incorporated company, corporation, agent or trustee, and the heirs, executor or other legal representatives of a *person* to whom the context can apply according to law.

PERSONAL SERVICE SHOP

Shall mean a *premises* where professional or personal services are provided for gain and where the sale of retail goods, wares, merchandise, articles or things is only accessory to the provision of such services.

PLACE OF ASSEMBLY

Shall mean a *premises* in which facilities are provided for the gathering of people.

PLACE OF ENTERTAINMENT

Shall mean a *premises* where entertainment is offered for gain or profit such as a cinema, public hall, billiard or pool rooms, bowling alley, dance hall or similar activity for the enjoyment of the general public.

PLACE OF WORSHIP

Shall mean *premises* used by one or more religious groups for the practice of religious services.

PLATFORM

Shall mean a *structure* attached to, or abutting a *dwelling*, or constructed separately from a *dwelling*, which may be open, or roofed, and which may be screened-in, but not fully enclosed, with or without access to the ground, the floor of which is above finished ground level. A *platform* does not include any stairs.

PORCH (As amended by By-law 83-2004)

Shall mean a *platform* with a foundation that is fully roofed, unenclosed, permanent and projecting from the front exterior wall of the *building*.

PREMISES

Shall mean the area of a *building* and/or *lot* occupied by a business or enterprise. In a multiple tenancy *building* occupied by more than one business, each business area shall be considered a separate *premises*.

PUBLIC AUTHORITY

Shall mean the Government of Canada, Province of Ontario, Regional Municipality of Durham, or Town of Ajax.

PUBLIC GARAGE

Shall mean a *building* other than a *private garage* in which vehicles are parked.

PUBLIC PARK

Shall mean an area of land for recreational purposes which is owned or controlled by a *public authority*.

PUBLIC STORAGE FACILITY

Shall mean a *premises* used for the temporary storage of household items and seasonal, recreational or commercial vehicles, boats and trailers in storage areas or lockers within enclosed *buildings*, which are generally accessible by means of individual loading doors.

PUBLIC STREET OR ROAD

Shall mean a public thoroughfare available for use by vehicular and pedestrian traffic which is assumed or dedicated by/under the jurisdiction of the Regional Municipality of Durham, Town of Ajax or Province of Ontario, but does not include a private *lane*, private right-of-way, or unopened road allowance.

PUBLIC USE

Shall mean the *use* of any land, *building* or *structure* by a *public authority*.

QUEUING LANE

Shall mean a portion of a parking area or a *parking lot*, other than a parking aisle or a *parking space* which provides standing room for vehicles in a queue. For the purposes of this definition, a *queuing lane* shall be measured by the length of a queuing space times the number of spaces required.

RACETRACK, HORSE

Shall mean an oval race course with starting chutes including a betting theatre; pari-mutuel lobby, together with appurtenances for the conduct of horse races; a grandstand; *restaurants*; lounges and administrative *offices*; a museum; retail space for the sale of racetrack and tourist related merchandise; and areas and facilities for stabling, grooming, training and showing of horses; accommodation for staff, the parking of *motor vehicles* and horse vans; and storage facilities for feed, straw, equipment and accessories.

RECREATION FACILITY

Shall mean a *premises* designated and equipped for the conduct of outdoor sports and leisure time activities such as sports fields but shall not include facilities for any indoor recreational activities.

RESIDENTIAL CARE FACILITY (New definition incorporated by By-law 81-2009)

Shall mean a publicly or privately funded residential facility having 6 or more beds, not greater than 37 beds, in which *persons* with physical disabilities, *persons* who are developmentally delayed, *persons* with psychiatric disabilities, and/or pensioners are provided care and lodging.

RESOURCE MANAGEMENT USES

Shall mean the preservation, protection, and improvement of the natural environment *thru* comprehensive management and maintenance of natural heritage features including the maintenance of wildlife habitats, flood and erosion control, protection and production of water supplies and preservation for *passive recreational use* and enjoyment.

RESTAURANT

Shall mean a commercial establishment in which the principal business is the preparation and serving of food and refreshments to the public for immediate consumption within the establishment or on an abutting terrace or patio, and which may include home delivery, catering or food pick-up/take-out services.

RESTAURANT, DRIVE-THRU

Shall mean a commercial establishment in which the principal business is the preparation and serving of food and refreshments to the public for immediate consumption within the establishment, on an abutting terrace or patio, or by means of an order or window service which *motor vehicles* access from the parking area by using designated *lanes*, and which may include home delivery, catering or food pick-up/take-out services.

RESTAURANT, TAKE-OUT (New definition incorporated by By-law 93-2012)

Shall mean a commercial establishment where food or beverages are prepared and offered for sale to patrons for consumption off the *premises*.

RETAIL STORE

Shall mean a *building* or part thereof which is not otherwise defined in this By-law, in which goods, wares, merchandise, substances, articles or things are offered or kept for sale at retail directly to the public.

RETAIL WAREHOUSE

Shall mean a *building* or *structure* or part thereof, where the entire floor area of the *use* is occupied by a single user with integrated storage and retail sale of goods to the general public in a warehouse format and which serves a regional trade area.

SALES PAVILION (New definition incorporated by By-law 55-2008)

Shall mean a permanent *building* intended for temporary *use* as a *sales pavilion* for residential units prior to being used for a different permitted *use*.

SCHOOL

Shall mean a provincially approved institution for academic instruction and may include a public, private or separate *school*, college or university.

SEASONAL FARM PRODUCE SALES OUTLET

Shall mean a *structure* from which fruits, vegetables, or other farm produce is sold during the growing season.

SENIOR CITIZENS' APARTMENT (Amended by By-law 86-2005)

Shall mean an apartment *building* for seniors which shall include common facilities for the preparation, serving and consumption of meals, and may also include common areas, indoor and outdoor recreation facilities, and respite care facilities where such *uses* and activities are provided only for residents, and where each *dwelling unit* has a maximum of one bedroom and may or may not include a private kitchen.

SERVICE OR REPAIR SHOP

Shall mean a *premises* for the servicing, repairing or renting, of articles, goods or materials but shall not include any form of vehicles or boats.

SHOPPING CENTRE

Shall mean a group of commercial establishments designed, developed and managed as a unit by a single owner or tenant, or group of owners or tenants, for which parking is provided in common off-street areas.

SLOT MACHINE

Shall mean a coin, token or slug-activated automatic machine, the results of the operation of which are a matter of chance or uncertainty to the operator.

SPORTS ARENA

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

STREET LINE

Shall mean the dividing line between a *lot* and a street.

STRUCTURE

Shall mean anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or any other *structure*. But for the purposes of this By-law, an in-ground swimming pool shall be deemed not to be a *structure*.

TAXI DEPOT

Shall mean the *use* of a *premises* for a dispatch *office* for taxis and includes the area used for the parking of taxis when not engaged in transporting *persons* or goods.

TEMPORARY SALES STRUCTURE

Shall mean a temporary *structure* or trailer used as a sales *office* for the sale of residential, commercial or industrial *lots*.

TILLABLE HECTARES

Shall mean the total area of land including pasture that can be worked or cultivated.

TRAILER, VEHICULAR

Shall mean any vehicle so constructed that it is suitable for being attached to a *motor vehicle* for the purpose of being drawn or propelled by the *motor vehicle* and is capable of being used for the transport of goods, materials, equipment or livestock notwithstanding that such vehicle is jacked up or that its running gear is removed.

TRANSPORTATION DEPOT

Shall mean a *premises* where goods or wares are stored and where the vehicles used to transport such wares are stored, serviced, repaired, kept for hire, loaded or unloaded.

UNLICENCED OUTDOOR PATIO (New definition as incorporated by By-law 75-2005)

Shall mean an outdoor area where seating accommodation is provided, and where meals or refreshments are served to the public for consumption which is used on a seasonal basis in conjunction with, and in immediate proximity to, a *restaurant* or a *drive-thru restaurant*. The selling, serving and consumption of alcohol shall not be permitted on the outdoor patio.

USE

Shall mean the purpose for which any portion of a *lot*, *building* or *structure* is designed, arranged, intended, occupied, operated or maintained.

VETERINARY CLINIC

Shall mean a *building* or part of a *building* where animals or pets are given medical or surgical treatment or grooming, within which there may be shelter facilities provided for short-term overnight medical treatment but shall not include a *boarding kennel*.

WAREHOUSE/ DISTRIBUTION CENTRE

Shall mean a *building* or part of a *building* used for the storage and distribution of goods, wares, merchandise, substances, articles or things.

WOODWASTE (New definition as incorporated by By-law 136-2008)

Shall mean a product

- a) that is wood or a wood product, including tree trunks, tree branches, leaves and brush;
- b) that is not contaminated with chromated copper arsenate, ammoniacal copper arsenate, pentachlorophenol or creosote; and
- c) from which easily removable hardware, fittings and attachments, unless they are predominantly wood or cellulose, have been removed

But does not include

- a) an upholstered article; or
- b) an article to which a rigid surface treatment is affixed or adhered, unless the rigid surface treatment is predominantly wood or cellulose.

YARD

Shall mean an open, uncovered space on a *lot* appurtenant to a *building* and unoccupied by *buildings* or *structures* except as may be expressly permitted in this By-law but does not include a court *yard*. In determining *yard* measures, the minimum horizontal distance from the respective *lot lines* is to be used.

YARD, EXTERIOR SIDE

Shall mean a *side yard* immediately adjacent to a *public street* or *lane*.

YARD, FRONT

Shall mean a *yard* extending across the full width of a *lot* between the *front lot line* and front walls of the nearest *building* or *structure* on the *lot*.

YARD, INTERIOR SIDE

Shall mean a *side yard* other than an *exterior side yard*.

YARD, REAR

Shall mean a *yard* extending across the full width of a *lot* between the *rear lot line* and the nearest wall or walls of any main *building* on the *lot* for which the *yard* is required.

YARD, SIDE

Shall mean a *yard* extending from the *front yard* to the *rear yard* between the *side lot line* and the nearest wall of any *building* or *structure* on the *lot* for which the *yard* is required.

SECTION 4
GENERAL PROVISIONS

4.1 *USES PERMITTED IN ALL ZONES*

The *uses* identified in this subsection are permitted in all zones.

4.1.1 *Accessory Buildings, Structures and Uses*

Accessory buildings, structures and uses are permitted in all zones subject to the following provisions:

- i) The principle *use, building or structure* must already be established on the same *lot*;
- ii) No detached *accessory building or structure* may be used for human habitation or an occupation for gain, unless specifically permitted by this By-law;
- iii) *Accessory buildings or structures* shall not be permitted in a *front yard*;
- iv) Unless otherwise specified in this By-law, any *accessory building or structure* shall be setback a minimum of 0.6 metres from any rear or interior *side lot line* and a minimum of 5 metres from any *exterior lot line*; and,
- v) The total *lot coverage* of all *accessory buildings and structures* on a *lot* shall not exceed 10% of the *lot area* to a maximum *gross floor area* of 60.0 m², nor may any part of any *accessory building or structure* be located more than 4.5 metres above the *established grade*. However, in any Downtown Central Area Zone where a detached *private garage* is located in the *rear yard* of a single-use residential *dwelling unit* and is accessed from a rear *lane*, the garage may be permitted having a depth of up to 7.7 metres and a *gross floor area* of up to 45 square metres.
- vi) In any DCA/MU, DAC/RM1 or DCA/RM2 zone, where a non-apartment residential *dwelling* consists of double front units which are located either on a *through lot* or on a *lot* abutting a *public street* on one side and an Open Space Zone on the opposite side, no *accessory building* shall be permitted on the *lot*.

4.1.2 Public Uses

The provisions of this By-law shall not apply to prevent the *use* of any land, *building* or *structure* by any *public authority*, except in an Environmental Protection (EP) Zone provided that:

- i) Such *use, building* or *structure* complies with all applicable regulations, parking and loading requirements of the zone in which it is located;
- ii) Such *use* shall not adversely affect the character or amenity of the area in which it is located; and,
- iii) No *outdoor storage* is permitted unless such *outdoor storage* is specifically permitted in the zone in which the *use* is located.

4.1.3 Streets and Installations (As amended by By-law 136-2008)

Nothing in this By-law shall prevent land from being used, subject to the applicable municipal studies or an approved development application as a *public street* or prevent the installation and *use* of a:

- water main;
- sanitary sewer main;
- storm sewer main;
- gas main;
- steam line, subject to an agreement with the Town;
- hot/cold water line, subject to an agreement with the Town;
- pipeline;
- overhead or underground hydro, telephone or other utility supply and/or communication lines; or
- Canada Post centralized delivery facility.

4.1.4 Satellite Dishes (As amended by By-law 38-2008)

Satellite dishes with a maximum diameter of 1.0 metre each are permitted in any zone provided they are mounted on an exterior wall, roof or chimney of the *principal building* of the *lot* on which it is located.

Notwithstanding the above, a maximum of one satellite dish shall be permitted for each residential *dwelling unit* or individual non-residential *use* within any Village Core Mixed *Use Zone*, and no satellite dish shall be mounted on an exterior wall facing onto a front and/or *exterior side yard*.

4.1.5 Temporary Construction *Uses*

In all zones, save and except the Environmental Protection or Open Space Zones a tool shed, construction trailer, or other *building* or *structure* incidental to construction is permitted on a *lot* where construction is taking place provided that the *building* or *structure* is located no closer than 15 metres to any *existing dwelling* and provided that a valid *building* permit is in effect for the noted construction.

4.2

ENCROACHMENTS INTO REQUIRED YARDS

The following ornamental *structures* to a *principal building* are permitted to encroach into any required *yard* in accordance with the following provisions:

Permitted Ornamental <i>Structure</i>	Maximum Permitted Distance of Encroachment Into a Required <i>Yard</i>	
Bay/Box/Bow Window with or without a foundation	1.0 metre	
Canopies/Porticos	One half of the setback of the <i>building</i> from the <i>street line</i> .	
Sills, cornices, parapets, pilasters, or other similar ornamental <i>structures</i>	50% of the width of any required <i>yard</i> to a maximum of 0.6 metres	
Uncovered steps leading to or from a <i>principal building</i> or <i>platform</i>	a) Front and <i>Exterior side yard</i>	0.0 m from <i>lot line</i>
	b) <i>Rear yard</i>	1.8 m from <i>rear lot line</i>
Chimneys or Vents	50% of the width of the <i>side yard</i>	
	1.0 metre into the <i>rear yard</i> and the aggregate of all <i>rear yard</i> projections shall be limited in extent to 25% of the face of the rear wall.	
Drop awnings, clothes poles, flag poles, garden trellises, retaining walls, fences or other similar <i>accessory structures</i>	Permitted in any required <i>yard</i> .	
Eaves	To the <i>lot line</i>	

The encroachments permitted in the table above do not apply to *accessory buildings*.

4.3

PLATFORMS

Notwithstanding the setback requirements of any Residential Zone, *platforms* are permitted in any Residential Zone in accordance with the following provisions:

	Height Above Finished Ground Level		
	Finished ground level to 0.6 m	More than 0.6 and less than 1.2 m	More than 1.2 m
Maximum Area	50% of <i>yard</i> in which it is located	50% of <i>yard</i> in which it is located	30.0 m ²
Minimum Setback from Exterior side lot line	May extend 2.5 metres out from main <i>building</i> wall, but no closer to <i>exterior side lot line</i> than 3.5 metres except in the R1-C, R1-D, R1-E, R1-F, R2-A, R2-B and R3 Zones in which requirements of Section 6.2.4 apply.	May extend 2.5 metres out from main <i>building</i> wall, but no closer to <i>exterior side lot line</i> than 1.5 metres except in the R1-C, R1-D, R1-E, R1-F, R2-A, R2-B and R3 Zones in which requirements of Section 6.2.4 apply.	Must meet setback requirements for individual zones
Minimum Setback from Interior side lot line	Must meet setback requirements for individual zones	Must meet setback requirements for individual zones	Must meet setback requirements for individual zones The setback shall be zero for Townhouses
Minimum Setback from Rear lot line	1.8 m	1.8 m	4.0 m
Minimum Setback from Front lot line	May extend 2.5 metres out from main <i>building</i> wall, but no closer to <i>front lot line</i> than 3.5 metres except in the R1-C, R1-D, R1-E, R1-F, R2-A, R2-B and R3 Zones in which requirements of Section 6.2.4 apply	May extend 2.5 metres out from main <i>building</i> wall, but no closer to <i>front lot line</i> than 3.5 metres except in the R1-C, R1-D, R1-E, R1-F, R2-A, R2-B and R3 Zones in which requirements of Section 6.2.4 apply.	Must meet setback requirements for individual zones

	Height Above Finished Ground Level		
	Finished ground level to 0.6 m	More than 0.6 and less than 1.2 m	More than 1.2 m
Maximum Yard Coverage	In no case shall the area of the <i>platform</i> exceed 50% of the area of the <i>yard</i> in which it is located.	In no case shall the area of the <i>platform</i> exceed 50% of the area of the <i>yard</i> in which it is located.	In no case shall the area of the <i>platform</i> exceed 50% of the area of the <i>yard</i> in which it is located.

4.4 ACCESSORY APARTMENTS

One *accessory apartment* shall be permitted in any single detached or *semi-detached dwelling* in a Residential or Mixed Use Zone provided that it has a minimum *gross floor area* of 25.0 m² and the total *gross floor area* of the *accessory apartment* is not more than the *ground floor area* of the *dwelling* in which it is located.

4.5 OUTDOOR DISPLAY AND SALES AREAS

Where the outdoor display and sale of goods and materials is permitted as an *accessory use*, the following provisions shall be complied with:

- i) The area used for outdoor display and sale is not be more than 35% of the total *lot area*;
- ii) The area used for outdoor display and sale is in addition to and separated from, the areas required for parking; and
- iii) The area used for outdoor display and sale provides side and *rear yards* in accordance with the provisions for the Zone in which the *lot* is situated.

4.6 AREA REQUIREMENTS TO REMAIN

When any part of a *lot* is required by this By-law to be reserved as open space, it shall continue to be so reserved regardless of changes in the ownership of such land and shall not be deemed to form a part of an adjacent *lot* for the purpose of computing the area thereof available for building purposes. *Lot area* calculations shall only be based on the area of lands zoned for the intended *use*.

4.7 DAYLIGHTING TRIANGLE

Daylighting triangles shall be required on *corner lots* in all zones in accordance with the following requirements:

4.7.1 Establishing the *Daylighting Triangle* (Amended by By-law 86-2005)

The area within a *daylighting triangle* shall be determined by measuring from the point of intersection of *street lines* on a *corner lot*, the distance required by this By-law along each such *street line* and joining such points with a straight line. *Daylighting triangles* shall be established in accordance with the following requirements:

Zone		Minimum Distance Measured Along Each <i>Streetline</i> From Corner
Residential Zones		4.5 m
Downtown Central Area Zones	Local Road / Local Road Intersection	4.5 m
	Local Road / Collector Road Intersection	4.5 m along the local road <i>street line</i> and 7.5 m along the collector road <i>street line</i>
	Collector Road / Collector Road Intersection	7.5 m
	Any intersection with an Arterial Road	As per Region of Durham requirements
All Other Zones		7.5 m

4.7.2 Maximum *Height* in *Daylighting Triangle*

Notwithstanding any other provisions of this By-law, the maximum permitted *height* of any *structure*, storage, display, fence or vegetation within a *daylighting triangle* shall be 0.75 metre as measured from the top of the adjacent curb.

4.8 Exceptions to *Height* Requirements (Amended by By-law 86-2005, 38-2008)

The *height* requirements of this By-law shall not apply to spires, belfries, chimneys, elevator enclosures, or mechanical penthouses occupying in the aggregate less than ten percent of the area of the roof of the *building* on which they are located, for *buildings* located outside of any Downtown Central Area Zone. Nor shall they apply to monuments, flag poles, silos or other agricultural *buildings* or *structures*.

Within any Downtown Central Area zone or Village Core Mixed Use zone, the *height* restrictions of this By-law shall not apply to chimneys, elevator enclosures, mechanical penthouses, roof-top access enclosures (such as access ways to

roof-top gardens), or to the architectural elements including spires, belfries, cupolas, and parapets. Commensurately, in terms of achieving the minimum *height* requirements of this By-law for *buildings* in any Downtown Central Area Zone, such elements as those noted above shall not be considered in calculating a *building's minimum height*.

4.9 FRONTAGE ON A PUBLIC ROAD

No *person* shall erect any *building* or *structure* in any zone unless the *lot* upon which the *building* or *structure* is to be erected has frontage on a *public road*.

4.10 SEPARATION DISTANCES FOR GROUP HOMES

No *group home* shall be located any closer than 300 metres to any other *group home*.

4.11 HOME BASED BUSINESS

Where a *home based business* is permitted the following provisions shall apply:

- i) Not more than one employee, in addition to the residents of the *dwelling unit*, is engaged in the business and working in the *dwelling*;
- ii) The *use* is restricted to the *dwelling unit* and shall not be conducted in whole or in part in any *accessory building*;
- iii) Not more than the lesser of 25% of the *gross floor area* or 45 square metres
- iv) of floor area of the *dwelling unit* is used for the purpose of the *home based business*;
- v) There is no *outdoor storage* or display of material or equipment;
- vi) Only the sale of goods assembled, crafted or produced on the *lot* is permitted; and,
- vii) The *use* is clearly secondary to the residential *use* and does not change the residential character of the *dwelling* or the *lot*.
- vi) **(Incorporated by By-Law 86-2005)** Notwithstanding any other provision of this Section, a *home based business* forming the non-residential component of a *live-work unit* shall not be subject to the floor area provisions of sub-section 4.11 iii) above, provided that some part of the *live-work unit*, having a minimum *gross floor area* of 40.0 m², is retained exclusively for residential *use* as a *dwelling unit*.

4.12 LANDSCAPED BUFFERS

4.12.1 Landscaped Buffers for Commercial, Mixed Use and Employment Zones (Incorporated by By-Law 86-2005 and amended by By-law 38-2008)

Landscaped buffers shall be required in the Commercial, Mixed Use and Employment Zones in accordance with the following:

- i) Notwithstanding any other provision of this By-law, where a Village Core Mixed Use Two Zone, a Village Core Mixed Use Four Zone, a Commercial Zone, or an Employment Zone abuts a Residential or Open Space Zone, a *landscaped buffer* of a minimum width of 3 metres, in the case of a Village Core Mixed Use Two Zone or Village Core Mixed Use Four Zone, or a minimum width of 4.5 metres, in the case of a Commercial or Employment Zone, shall be required within the Village Core Mixed Use Two Zone, the Village Core Mixed Use Four Zone, the Commercial Zone, or the Employment Zone and located adjacent to the Residential or Open Space Zone.
- ii) Where a *landscaped buffer* is required on a *lot*, such portion of the *lot* shall not be used for any other purpose.
- iii) Notwithstanding Sections 4.12 (i) and 4.12 (ii) of this By-law, *landscape buffers* shall be required for lands within the Commercial, Mixed Use, or Employment Zones as follows:

Location	Minimum Landscape Buffer
Adjacent to Highway No. 401	15.0 m
Adjacent to Type A and Type B Arterial Roads and Harwood Avenue in the Uptown Mixed Use Zone and Prestige Employment Zone	9.0 m
Adjacent to Type C Arterial Roads and Collector Roads in the Uptown Mixed Use Zone and Prestige Employment Zone	6.0 m
Adjacent to Local Roads in the Prestige employment zone and Commercial Zone	3.0 m

4.12.2

Landscaped Buffers for Downtown Central Area Zones
(Incorporated by By-law 86-2005)

Within all Downtown Central Area Zones, *landscaped buffers* shall be required in accordance with the following:

Location		Minimum <i>Landscape Buffer</i>
i)	Between a public street and any parking area	
	a) Adjacent to a local road	4.0 m
	b) Adjacent to a collector or arterial road	6.0 m
ii)	Where a non-residential or mixed <i>use</i> development site abuts a single- <i>use</i> residential development site, a <i>landscaped buffer</i> shall be required along the dividing property line within the <i>lot</i> or development block that is the site of the non-residential or mixed <i>use</i> development	4.5 m
iii)	Where a non-apartment single- <i>use</i> residential development site abuts a single- <i>use</i> residential apartment development site, a <i>landscaped buffer</i> shall be required along the dividing property line within the <i>lot</i> or development block that is the site of the apartment development	3.0 m
iv)	Where a non-apartment single- <i>use</i> residential development site featuring freehold <i>lots</i> on <i>public streets</i> abuts a single- <i>use</i> residential development associated with private roads provided through a plan of condominium, a <i>landscaped buffer</i> shall be required along the dividing property line within the condominium-based development	3.0 m
v)	Open Space Zones:	
	a) Where a non-residential or mixed <i>use</i> development site abuts an Open Space Zone used for purposes other than a public walkway or a <i>Gateway Site</i> that is zoned Open Space, a <i>landscaped buffer</i> shall be required within the development site and located abutting the Open Space Zone	4.5 m

Location		Minimum Landscape Buffer
b)	Where a parking or service area associated with a non-residential or mixed use development site is adjacent to an Open Space Zone that is used for a public walkway or is a <i>Gateway Site</i> that is zoned Open Space, a <i>landscaped buffer</i> shall be required within the development site and located abutting the Open Space Zone	3.0 m
vi)	<i>Gateway Sites</i> that are not zoned Open Space:	
a)	Where a parking or service area associated with a non-residential or mixed use development site abuts a <i>Gateway Site</i> that is not zoned Open Space, a <i>landscaped buffer</i> shall be required within the development site and located abutting the defined <i>Gateway Site</i> block	3.0 m
vii)	Where a <i>landscaped buffer</i> is required on a <i>lot</i> , such portion of the <i>lot</i> shall not be used for any other purpose, save and except for an approved <i>driveway</i> access location.	

4.13 UNDERSIZED LOTS

In any zone where a *lot* having lesser width or area than is required by this By-law is held under distinct and separate ownership from any adjoining *lot* on the date of passing of this By-law, a *building* or any addition to an *existing building* may be erected and used on such *lot* provided that such *building* conforms with all other provisions of this By-law.

4.14 MODEL HOMES

Model homes shall only be permitted on lands that have received Draft Plan Approval for residential purposes provided that:

- i) not more than the lesser of 10 *dwellings*, or 10% of the total number of residential units contained in the approved Draft Plan are constructed as *model homes*;
- ii) the *model home* is built within a *lot* defined by the draft approved Plan of Subdivision;

- iii) the *model home* complies with all other requirements of this Zoning By-law; and,
- iv) a *Model Home Agreement* is entered into with the Town of Ajax.

4.15 NON-CONFORMING USES

This By-law shall not prevent the *use* of any land, *building* or *structure* for any purpose prohibited by the By-law if such land, *building* or *structure* was lawfully used for such purposes on the day of the passing of this By-law, so long as it continues to be used for that purpose.

This By-law shall not prevent the erection or *use* for a purpose prohibited by the by-law of any *building* or *structure*, for which a *building* permit has been issued in accordance with the *Building Code Act*, prior to the day of the passing of this By-law, so long as the *building* or *structure* when erected is used and continues to be used for the purpose for which it was erected and provided that the *building* permit has not been revoked.

4.16 NON-COMPLYING BUILDINGS OR STRUCTURES

Where a *building* has been erected prior to the day of the passing of this By-law on a *lot* having less than the minimum frontage and/or depth and/or area, or having less than minimum set back and/or *side yard* and/or *rear yard* and/or minimum usable open space required by this By-law, the said *building* may be enlarged, repaired or renovated provided that:

- i) the enlargement, repair or renovation does not further reduce a required *yard* or open space having less than the minimum required by this By-law; and,
- ii) all other provisions of this By-law are complied with.

4.17 DEEMED TO COMPLY

Where a *building* permit has been issued in accordance with the Ontario *Building Code* and which remains valid, for the construction of a *building* or *structure* that would otherwise not comply with this By-law, such *building* or *structure* shall be deemed to comply with this By-law.

4.18 NUMBER OF DWELLING UNITS ON A LOT

Unless otherwise specified by this By-law, no more than one *dwelling unit* is permitted on any *lot*.

4.19 PORTABLE CLASSROOMS

Buildings formerly used as portable classrooms shall not be located on a *lot* for use as an *accessory building* to the primary residential use.

4.20 REDUCTION OF REQUIREMENTS

No *lot* shall be reduced in area, either by the conveyance or alienation of any portion of such *lot*, so that any *building* or *structure* on the *lot* no longer meets the requirements of the zone in which the *lot* is located. No *person* shall be deemed to have contravened any portion of this By-law by reason of the fact that any part or parts of any *lot* have been conveyed to a *public authority*.

4.21 SPECIAL SETBACKS

Notwithstanding any other provisions in this By-law, the following special setbacks shall apply.

4.21.1 Minimum Setback For Access

A minimum setback of 1 metre is required between any wall of a *building* or *structure* containing a door and any *lot line*.

4.21.2 Railways

Minimum setbacks from the edge of a railway right-of-way shall be required in accordance with the following:

- i) In any Employment Zone, where a *lot line* abuts a railway spur line right-of-way, no *interior side yard* or *rear yard* setback shall be required along the portion of the *lot line* that abuts the railway right-of-way.
- ii) In all zones adjacent to the CN or CP rail lines, save and except the General Employment (GE) Zone and the Heavy Employment (HE) Zone, all permitted *buildings and structures* within such zones shall be *setback* a minimum of 30 metres from the edge of the railway right-of-way.

4.21.3 Setback From Lake Ontario

No *building* or *structure* shall be erected, improved or enlarged such that the distance from any wall of a *building* to the edge of the water of Lake Ontario, taken at an elevation of seventy-six metres (76.0 m) above mean sea level, is less than one hundred and twenty metres (120.0 m). *Buildings and structures* within the Country Residential (CR) Zone and residential *uses* that are located east of Pickering Beach Road on the north side of Lakeview Boulevard are exempt from this requirement.

4.21.4 Minimum Distance Separation Setbacks

No residential, institutional, commercial, industrial or recreational *use*, located on a separate *lot* and otherwise permitted by this By-law shall be erected or enlarged unless it complies with the Minimum Distance Separation (MDS I) formula as attached to this By-law.

In addition, notwithstanding any other *yard* or *setback* provision in this By-law, no livestock facility shall be erected or enlarged unless it complies with the Minimum Distance Separation Formula (MDS II) as attached to this By-law.

4.21.5 TransCanada Pipeline

A minimum ten metre (10.0 m) setback shall be provided for all permanent *structures* and excavations from the limits of any TransCanada Pipeline right-of-way.

4.22 TEMPORARY SALES STRUCTURE

A *temporary sales structure* shall be permitted in any Mixed *Use*, Residential, Commercial, Employment, or Agricultural Zone provided that:

- i) the *temporary sales structure* is located in accordance with the zone provisions for the zone in which it is located; and,
- ii) an agreement is entered into with the Town of Ajax.

4.23 TRUCK, BUS AND COACH BODIES

Except as otherwise specifically permitted in this By-law, no truck, trailer, bus, coach, streetcar body or *structure* of any kind, other than a *dwelling unit* erected and used in accordance with this and all other by-laws of the Town, shall be used for human habitation, whether or not the same is mounted on wheels or other form of mounting or foundation.

SECTION 5
PARKING, LOADING, AND QUEUING REQUIREMENTS

5.1 PARKING AREA REQUIREMENTS

When any new development is constructed, when any *existing* development is enlarged, or when any *use* is changed, off-street vehicular *parking spaces* shall be provided in accordance with the standards of this By-law.

5.2 EXCLUSIVE NATURE OF *PARKING SPACE*

A *parking space* required by this By-law must be available for parking purposes and used exclusively for that purpose.

5.3 SIZE OF *PARKING SPACE*

The minimum size of an off-street *parking space* shall be in accordance with the following:

5.3.1 Required *Parking Spaces* Within *Private Garages*

All required *parking spaces* within a *private garage* shall have a minimum width of 3.1 metres and a minimum length of 6.5 metres free of any obstructions. (*1) Where more than one required *parking space* is provided within a *private garage*, all subsequent *parking spaces* provided shall have a minimum width of 2.5 metres. A step of not higher than 20 centimeters and not deeper than 25 centimetres shall be permitted to encroach into the edge of the required *parking space*. In addition, a maximum 0.1 metre encroachment into the edge of the required *parking space* for a maximum of 20% of the wall length shall be permitted for the purposes of accommodating mechanical works.

(*1) This shall not apply to residential plans of subdivision that are draft approved prior to October 31, 2006 and residential site plans with site plan agreements executed prior to October 31, 2006.

**5.3.2 Required *Parking Spaces* Other Than Within *Private Garages*
(Amended by By-law 86-2005, 38-2008)**

All required off-street *parking spaces* except those within a *private garage*, shall have a minimum width of 2.7 metres and a minimum length of 6 metres, save and except that in any Downtown Central Area Zone or Village Core Mixed Use Zone, all required off-street *parking spaces* shall have a minimum width of 2.7 metres and a minimum length of 5.7 metres for any non-residential development,

residential mixed-use development, or single-use residential development featuring structured above-ground or underground parking. A parallel *parking space* shall have a minimum length of 6.7 metres and a minimum width of 2.5 metres. The length of any *parking space* and the width of the adjacent aisle shall also be in accordance with the following standards

Angle of <i>Parking Space</i> Aisle	Min. Perpendicular Width of Aisle
60 to 90 degrees	6.7 metres
59 to 45 degrees	5.5 metres
44 degrees or less	4.5 metres
No adjacent parking	4.5 metres one direction only 7.0 metres two directions

Access to a *parking space* with an angle of 44 degrees or less shall be from one direction only.

5.4 LOCATION OF *USE* AND PARKING

Parking facilities shall be located in accordance with the following:

- i) *Parking spaces* shall be located on the same *lot* as the *lot* on which the *use* is located unless otherwise specified in this By-law.
- ii) **(As amended by by-law 86-2005)** Notwithstanding any other Section of this By-law, in any Residential Zone or Downtown Central Area Zone permitting single-use residential development, where the garage is permitted to be located closer than 6 metres to a *lot line*, required *parking spaces* may include part of the *public street or road* to a maximum distance of 3 metres but shall not include any part of the sidewalk or travelled section of the *public street or road*.
- iii) **(As amended by by-law 149-2004)** Notwithstanding any other section of this By-law, in any Commercial or Employment Zone, *parking spaces* may be provided within the limits of the Zone in which the *use* is located and not more than 150 metres from the *principal building(s)* subject to an Agreement being registered on title between the owners of the affected properties, with the Town of Ajax as a party to such Agreement.
- iv) In the Prestige Employment (PE) Zone, no parking shall be permitted in the *front yard* or *exterior side yard* except for a maximum of 20% of the required spaces provided that the spaces in the front or *exterior side yard* are used exclusively for visitor parking and are arranged in a single row.

- v) Notwithstanding any other Section of this By-law, in any Employment Zone, no parking other than a single row of visitor parking, shall be permitted on that section of a *lot*.
- between an arterial road and the exterior face of the *principal building*; or,
 - between Highway 401 and the exterior face of the *principal building*
 - fronting onto Highway 401.
- vi) **Incorporated by By-law 86-2005** Notwithstanding any other Section of this By-law, for any non-residential development (excluding the Ajax Pickering Health Centre *principal building* and expansions thereto), residential mixed-used development, or apartment development in any Downtown Central Area Zone, no parking, *driveways* or other service related components shall be permitted in any part of the *building's front yard* and/or *exterior side yard* that is located between the front and/or exterior side face of the *building* and the front and/or *exterior side lot line*.
- vii) **(Incorporated by by-law 38-2008)** Notwithstanding any other Section of this By-law, for any development in any Village Core Mixed Use Zone other than a *detached dwelling* or a *detached dwelling* converted to accommodate commercial or residential mixed-use purposes, no parking, *driveways* or other service related components shall be permitted in any part of a *building's front yard* and/or *exterior side yard* that is located between the front and/or exterior side face of the *building* and the *front* and/or *exterior side lot line*.

5.5 MORE THAN ONE USE ON A LOT

The parking requirements for more than one primary or secondary *use* on a single *lot* or for a *building* containing more than one *use* shall be the sum of the parking requirements for each of the individual component *uses* unless otherwise specified in this Zoning By-law.

5.6 PARKING AREA LOCATION ON A LOT IN A RESIDENTIAL ZONE

In any Residential Zone, not more than 30% of the aggregate area of the *side yards* and *rear yard* of any *lot* shall be occupied by *parking spaces* with the exception of *parking spaces* accessed by a rear *lane*.

(Amended by by-law 108-2006) In any Residential Zone, the parking of a vehicle(s) in the *front yard* shall be restricted to within the limits of the permitted *driveway widths*.

5.7 PARKING OF OVERSIZED VEHICLES

(As amended by by-law 86-2005, 38-2008) No person shall use any lot in any Residential Zone or any lot in a Downtown Central Area Zone or Village Core Mixed Use Zone developed for residential purposes for the parking or storage of any motor vehicle in excess of one tonne capacity or in excess of 7 metres in length.

5.8 PARKING OF INOPERATIVE VEHICLES

(Amended by by-law 86-2005, 38-2008) The parking or storage of boats, trailers or any vehicle that does not have current license plates is not permitted in any Residential Zone or on any lot in a Downtown Central Area Zone or Village Core Mixed Use Zone used for residential purposes, unless wholly located within a private garage and provided that such storage does not occupy a parking space otherwise required by this By-law.

5.9 CALCULATION OF PARKING REQUIREMENTS

Where the minimum number of parking spaces is calculated on the basis of a rate or ratio, the required number of spaces shall be rounded to the higher whole number.

5.10 PARKING REQUIREMENTS

Off street parking facilities shall be provided in accordance with Sections 5.10.1 and 5.10.2.

5.10.1 Residential Parking Requirements

(Amended by by-law 86-2005, 114-2013)

The off-street parking requirements for residential uses shall be as follows:

Type or Nature of Use	Off-Street Parking Requirements
<i>Detached Dwelling, Duplex Dwelling, Linked Villa Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, Triplex, Live-Work Units, Back-to-Back Townhouse Dwelling on a public street</i>	Minimum: 2 spaces per unit

Type or Nature of Use	Off-Street Parking Requirements
<p><i>Apartment Dwelling, Double Duplex, Maisonette, Block Townhouse Dwelling, Back-to-Back Townhouse Dwelling on a private road, and All Other Housing Forms Not Identified Above With More Than 2 Dwelling Units.</i></p>	<p>All areas excluding Downtown Central Area Zones and the Village Core Mixed Use Zones:</p> <p>Minimum: 1.5 spaces per unit for the exclusive use of the occupants in addition to 0.25 space per unit for the exclusive use of visitors</p> <p>Downtown Central Area Zones and Village Core Mixed Use Zones:</p> <p>Minimum: 1.25 spaces per unit for the exclusive use of the occupants in addition to 0.25 spaces per unit for the exclusive use of visitors;</p> <p>Downtown Central Area Zones:</p> <p>Maximum: same as Minimum for all areas outside of Downtown Central Area Zones</p>
<p><i>Accessory Apartment</i></p>	<p>Minimum: 1 space in addition to the requirements of the <i>dwelling unit</i></p>
<p><i>Bed And Breakfast Establishment</i></p>	<p>Minimum: 1 space for every room or each suite for the purposes of lodging for the travelling public, in addition to the required parking for the <i>dwelling</i></p>
<p><i>Group Home</i></p>	<p>Minimum: 2 spaces plus the requirements of the <i>dwelling</i></p>
<p><i>Home Based Business</i></p>	<p>Minimum: 1 <i>parking space</i> in addition to the parking requirements for the <i>dwelling</i>; however, no <i>parking spaces</i> beyond what are necessary for the <i>dwelling</i> are required if the home-based business is located in a <i>Live-Work Unit</i></p>

Type or Nature of Use	Off-Street Parking Requirements
<i>Lodging House</i>	Minimum 2 spaces for the <i>building</i> NOTE: additional parking spaces for the <i>lodging units</i> are required in the Lodging House Licensing By-law.
Senior Citizens' Home, <i>Seniors' Apartment</i>	Minimum: 1 <i>parking space</i> per <i>dwelling unit</i> , or 1 space per 38.0 m ² , whichever is greater

**5.10.2 Parking Requirements for Non-Residential Uses
(Amended by by-law 86-2005)**

Type or Nature of Use	Off-Street Parking Requirements
<i>Accessory Retail Sales Outlet</i>	Minimum: 1 space per 28.0 m ² dedicated to <i>accessory retail sales</i> Maximum: Only in a Downtown Central Area Zone – 4.25 spaces per 100.0 m ² dedicated to <i>accessory retail sales</i>
<i>Banquet Facility</i>	Minimum: the greater of 1 space per 3 seat capacity or 1 space per 12.0 m ² of <i>gross floor area</i>
<i>Boarding Kennel, Veterinary clinic</i>	Minimum: 1 space per 30.0 m ² of <i>gross floor area</i>
<i>Commercial Fitness Centre</i>	All areas excluding Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 1 space per 20.0 m ² of <i>gross floor area</i> Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 3.75 spaces per 100.0 m ² of <i>gross floor area</i>

Type or Nature of Use	Off-Street Parking Requirements
<i>Commercial Fitness Centre, cont.</i>	Downtown Central Area Zones: Maximum: 4.5 spaces per 100.0 m ² of <i>gross floor area</i>
<i>Convenience Store</i>	All areas excluding Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 1 space per 20.0 m ² of <i>gross floor area</i> Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 3.75 spaces per 100.0 m ² of <i>gross floor area</i> Downtown Central Area Zones: Maximum: 4.25 spaces per 100.0 m ² of <i>gross floor area</i>
<i>Day Care Facility</i>	Minimum: 2 spaces per classroom plus 1 additional <i>parking space</i> for every 4 children licensed capacity
<i>Crisis Care Facility</i>	Minimum: 2 spaces in addition to the parking requirements of the <i>dwelling</i> or if not located in a <i>dwelling unit</i> , 1 space per 38.0 m ² of <i>gross floor area</i>
<i>Restaurant, Drive-Thru</i>	Minimum: 1 space per 15.0 m ² of <i>gross floor area</i>
<i>Drive-Thru Facility (All Other Types)</i>	Minimum: 1 space per 20.0 m ² of <i>gross floor area</i>
<i>Financial Institution</i>	All areas excluding Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 1 space per 20.0 m ² of <i>gross floor area</i> Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 3.75 spaces per 100.0 m ² of <i>gross floor area</i>

Type or Nature of Use	Off-Street Parking Requirements
<i>Financial Institution, cont.</i>	<i>gross floor area</i> Downtown Central Area Zones: Maximum: 4.25 spaces per 100.0 m ² of <i>gross floor area</i>
<i>Funeral Home</i>	Minimum: 30 <i>parking spaces</i> for the first 30.0 m ² of <i>gross floor area</i> plus 1 space for each additional 15.0 m ² of <i>gross floor area</i>
<i>Garden Centre</i>	Minimum: 1 space per 30.0 m ² of <i>gross floor area</i>
<i>Golf Course</i>	Minimum: 12 spaces per golf hole plus 1 space per 15.0 m ² of <i>gross floor area</i> dedicated to <i>accessory uses</i>
<i>Golf Driving Range, Miniature Golf Course</i>	Minimum: 1.5 spaces per golf hole plus 1.5 spaces per tee on the driving range
<i>Hospital</i>	Minimum: 1 space per 49.0 m ² of <i>gross floor area</i>
<i>Hotel, Motel</i>	Minimum: 1 space per guest room in addition to 1 space per 12.0 m ² of <i>gross floor area</i> dedicated to administrative, banquet and meeting facilities
<i>Manufacturing;- Manufacturing, Light</i>	Minimum: 1 space per 40.0 m ² of <i>gross floor area</i> in addition to the parking requirements for any associated <i>accessory retail sales</i> outlet
<i>Medical Clinic</i>	All areas excluding Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 1 space per 20.0 m ² of <i>gross floor area</i> Downtown Central Area Zones and Village Core Mixed Use Zones:

Type or Nature of Use	Off-Street Parking Requirements
<i>Medical Clinic, continued</i>	<p>Minimum: 3.5 spaces per 100.0 m² of <i>gross floor area</i></p> <p>Downtown Central Area Zones: Maximum: 5.0 spaces per 100.0 m² of <i>gross floor area</i></p>
<i>Motor Vehicle Repair Facility</i>	Minimum: 3 spaces per service bay
<i>Motor Vehicle Service Centre</i>	Minimum: 1 <i>parking space</i> for every 45.0 m ² of floor space dedicated to <i>accessory retail sales</i>
<i>Nursing Home</i>	<p>All areas excluding Downtown Central Area Zones: Minimum: 1 space per 38.0 m² of <i>gross floor area</i></p> <p>Downtown Central Area Zones: Minimum: 0.6 spaces per 100.0 m² of <i>gross floor area</i></p>
<i>Office</i>	<p>All areas excluding Downtown Central Area Zones and Village core Mixed Use Zones: Minimum: 1 space per 28.0 m² of <i>gross floor area</i></p> <p>Downtown Central Area Zones: Minimum: 2.0 spaces per 100.0 m² of <i>gross floor area</i> Maximum: 3.0 spaces per 100.0 m² of <i>gross floor area</i></p> <p>Village Core Mixed Use Zones: Minimum: 3.0 spaces per 100.0 m² of <i>gross floor area</i></p>
<i>Outdoor Display And Sales Area</i>	Minimum: 1 <i>parking space</i> per 20.0 m ² dedicated to accessory outdoor sales
<i>Personal Service Shop</i>	Minimum: 1 space per 30.0 m ² of

Type or Nature of Use	Off-Street Parking Requirements
	<p><i>gross floor area</i></p> <p>Maximum: Only in a Downtown Central Area Zone and a Village Core Mixed Use Zone: 4.25 spaces per 100.0 m² of <i>gross floor area</i></p>
<i>Place Of Assembly</i>	<p>Minimum: the greater of 1 space per 3 seat capacity or 1 space 12.0 m² of <i>gross floor area</i></p>
<i>Place Of Entertainment</i>	<p>Minimum: the greater of 1 space per 5 seat capacity or 1 space per 12.0 m² of <i>gross floor area</i></p>
<i>Place Of Worship</i>	<p>Minimum: 1 <i>parking space</i> per every 4 <i>persons</i> maximum capacity in the largest room of assembly</p>
<i>Restaurant</i>	<p>All areas excluding Downtown Central Area Zones and Village Core Mixed Use Zones:</p> <p>Minimum: 1 space per 10.0 m² of <i>gross floor area</i></p> <p>Downtown Central Area Zones and Village Core Mixed Use Zones:</p> <p>Minimum: 6.0 spaces per 100.0 m² of <i>gross floor area</i></p> <p>Downtown Central Area Zones:</p> <p>Maximum: 7.0 spaces per 100.0 m² of <i>gross floor area</i></p>
<i>Retail Store</i>	<p>Minimum: 1 space per 28.0 m² of <i>gross floor area</i> for <i>retail stores</i> with a total <i>gross floor area</i> up to 6000.0 m² (For any <i>retail stores</i> with a total <i>gross floor area</i> up to 6,000.0 m², the <i>Shopping centre</i> parking requirement shall apply.)</p> <p>Maximum: Only in a Downtown Central Area Zone: 4.25 spaces per 100.0 m² of <i>gross floor area</i> for <i>retail</i></p>

Type or Nature of Use	Off-Street Parking Requirements
	stores with a total gross floor area in excess of 6,000.0 m ² , (for any retail stores with a total gross floor area in excess of 6,000.0 m ² , the Shopping Centre parking requirement shall apply)
<i>Retail Warehouse</i>	Minimum: 1 space per 20.0 m ² of gross floor area for retail stores with a total gross floor area greater than 6000.0 m ²
<i>School, Elementary</i>	Minimum: 6 spaces for the use of visitors in addition to 1.5 parking spaces per classroom
<i>Commercial School</i>	<p>All areas excluding Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 1 space per 20.0 m² of gross floor area</p> <p>Downtown Central Area Zones and Village Core Mixed Use Zones: Minimum: 3.75 spaces per 100.0 m² of gross floor area</p> <p>Downtown Central Area Zones: Maximum: 4.25 spaces per 100.0 m² of gross floor area</p>
<i>School, Secondary</i>	Minimum: 8 spaces for the use of visitors in addition to 4 parking spaces per classroom
<i>Laundromat, Self Serve Dry Cleaning Depot</i>	Minimum: the greater of 1 space for every 2 washing machines or 1 space per 20.0 m ² of gross floor area
<i>Service or Repair Shop</i>	<p>Minimum: 1 space per 28.0 m² of gross floor area and there shall not be less than 2 parking spaces</p> <p>Maximum: Only in a Downtown</p>

Type or Nature of Use	Off-Street Parking Requirements
<i>Shopping Centre</i>	<p>Central Area Zone: 4.25 spaces per 100.0 m² of <i>gross floor area</i></p> <p>All areas excluding Downtown Central Area Zones: Minimum: 1 <i>parking space</i> per 19.0 m² of <i>gross floor area</i></p> <p>Downtown Central Area Zones: Minimum: 3.75 spaces per 100.0 m² of <i>gross floor area</i></p> <p>Maximum: 4.25 spaces per 100.0 m² of <i>gross floor area</i></p>
<i>Sports Arena</i>	Minimum: the greater of 1 space per 10.0 m ² of <i>gross floor area</i> or 1 space for every 5 fixed seats of seating capacity
<i>Transportation Depot</i>	Minimum: 1 space per 20.0 m ² of <i>gross floor area</i>
<i>Warehouse/ Distribution Centre</i>	Minimum: 1 space per 500.0 m ²
<i>Uses Permitted By This By-Law That Are Not Included Within This Table</i>	Minimum: 1 space per 28.0 m ² of <i>gross floor area</i>

Deferral
No. D6

5.11 QUEUING LANE REQUIREMENTS

Where required by this By-law, *queuing lanes* for *drive-thru* facilities shall be provided in accordance with the following provisions:

Deferral
No. D6

5.11.1 Queuing Space Requirements

The minimum ingress and egress queuing space requirements shall be as follows:

<i>Drive-Thru Facility</i>	Minimum Queuing Spaces Leading to Service Window	Minimum Queuing Lane After the Service Window
Drive-Thru Bank	4	1

<i>Drive-Thru Facility</i>	Minimum Queuing Spaces Leading to Service Window	Minimum Queuing Lane After the Service Window
<i>Drive-Thru Restaurant</i>	15	1
All Other <i>Drive-Thru Facilities</i>	5	1

Drive-Thru Facility	Minimum Queuing Spaces Leading to Service Window	Minimum Queuing Lane After the Service Window
	Ingress	Egress
Automatic <i>Motor Vehicle Wash</i>	15	5

5.11.2 Queuing Lane Requirements For More Than One Use On A Lot

Deferral
No. D6

Where *queuing lanes* are required for more than one *use* on a *lot*, the minimum *queuing lane* requirement for the *lot* shall be the sum of the *queuing lane* requirements for each individual *use*.

5.11.3 Size Of Queuing Space

Deferral
No. D6

All *queuing spaces* shall be rectangular in shape, with a minimum size of 6 metres in length and 4 metres in width. *Queuing lanes* shall be arranged in a single line in advance of and following the service window.

5.11.4 Setback For Queuing Lane

Deferral
No. D6

Queuing lanes shall be located in accordance with the following:

- i) No *queuing lane* shall be located closer than 10 metres to the vehicular access to a *lot* as measured from the *lot line* and shall not obstruct access to parking aisles or *parking spaces* on the *lot*.
- ii) No *queuing lane* shall be located closer than 10 metres to any Residential Zone.

5.11.5 Delineation Of *Queuing Lane* Requirements

Queuing lanes shall be unobstructed and must be clearly delineated by pavement markings or physical barriers.

5.12 PARKING REQUIREMENTS FOR *PERSONS WITH DISABILITIES*

In addition to the requirements of Section 5.11, off-street *parking spaces* for *persons* with disabilities shall be provided in accordance with the provisions of this By-law and the Highway Traffic Act. A minimum number of required *parking spaces* must be provided for *persons* with disabilities in accordance with the following:

5.12.1 Parking Requirements For *Hospitals And Medical Clinics*

Required No. of <i>Parking spaces</i>	No. of Required Spaces Designated for <i>Use by Persons with Disabilities</i>
1 to 30	Minimum of 2 spaces
31 to 60	Minimum of 4 spaces
61 to 100	Minimum of 6 spaces
For each additional 30 spaces or part thereof above 100	A minimum of 2 spaces to a maximum of 40 additional spaces

5.12.2 Parking Requirements For All Other *Uses*

Required No. of <i>Parking Spaces</i>	No. of Required Spaces Designated for <i>Use by Persons with Disabilities</i>
2 to 19	Minimum of 1 space
20 to 200	Minimum of 2 spaces
201 to 400	Minimum of 5 spaces
For each additional 400 spaces or part thereof	A minimum of 2 spaces to a maximum of 40 additional spaces

Where only 1 off-street *parking space* is required for a *use*, other than a residential *use*, that space shall satisfy the minimum size requirements for a *parking space* for *persons* with disabilities but shall not be designated as a *parking space* reserved for *persons* with disabilities.

5.12.3 Size Of *Parking Space For Persons With Disabilities* (Amended by By-law 38-2008)

Each off-street *parking space* designated for *persons* with disabilities shall be a minimum of 6.0 long, 4.5 metres wide and have a vertical clearance of 2.75 metres. However, in Village Core Mixed Use Zones, each off-street *parking space* shall be a minimum of 5.7 metres long.

5.12.4 Required *Parking Spaces Designated for Use by Persons with Disabilities in Downtown Central Area Zones* (As incorporated by By-Law 86-2005)

For the purposes of calculating the required number of *parking spaces* to be designated for *use* by *persons* with disabilities for any *use* in any Downtown Central Area Zone, the amount of such parking shall be based on the number of standard *parking spaces* required as if the *use* in question was located outside of a Downtown Central Area Zone.

5.13 *LOADING SPACE REQUIREMENTS*

(Amended by By-Law 86-2005 and 38-2008) In any Commercial or Employment Zone, or for any non-residential, non-institutional development in a Downtown Central Area Zone or Village Core Mixed Use Zone, off-street vehicular *loading spaces* shall be provided when any new development is constructed, when any *existing* development is enlarged, or when any *existing use* is changed in accordance with the following requirements:

<i>Gross Floor Area of Building</i>	<i>Minimum Number of Required Loading spaces</i>
Up to 1000.0 m ²	None required
From 1000.0 m ² up to and including 2,300 m ²	1 <i>loading space</i>
Over 2,300 m ² up to and including 7,500 m ²	2 <i>loading spaces</i>
Over 7,500 m ² up to and including 14,000 m ²	3 <i>loading spaces</i>
Over 14,000 m ² up to and including 22,500 m ²	4 <i>loading spaces</i>

Gross Floor Area of Building	Minimum Number of Required Loading spaces
Over 22,500 m ² up to and including 30,000 m ²	5 loading spaces
Over 30,000 m ² for each additional 9,500 m ²	1 loading space

5.13.1 Size Of Loading Space

Each *loading space* shall be a minimum of 15 metres long, 3.6 metres wide with a vertical clearance of 4.5 metres on land with a slope not exceeding 8 percent.

5.13.2 Location Of Loading Spaces

Loading spaces must be provided on the same *lot* as the *use* or *building* for which they are required.

5.13.3 Location On A Lot

Loading spaces are permitted in the *rear yard* or *interior side yard* only. Where a *lot* is located adjacent to Highway 401 no *loading spaces* are permitted in the area between the *building* face and Highway 401.

5.13.4 Setbacks Abutting a Residential Zone or Single-Use/Mixed-Use Residential Development Site in a Downtown Central Area Zone or Village Core Mixed Use Zone (Amended by By-law 86-2005, 38-2008)

In any Commercial or Employment Zone, or where any development site in a Downtown Central Area Zone or Village Core Mixed Use Zone features a loading area, no *loading space* shall be located closer than 10 metres to any interior *side lot line* or *rear lot line* that abuts a Residential Zone or single-use/mixed-use residential development site in a Downtown Central Area Zone or Village Core Mixed Use Zone.

5.13.5 Additions To Buildings

The *loading space* requirements of this By-law shall not apply to any *building* in existence at the date of passing of this By-law so long as the floor area, as it existed at such date, is not increased. If an addition is made to the *building* which increases the

gross floor area, then additional *loading spaces* applicable to the additional floor area shall be provided as required by the regulations of this By-law.

5.13.6 *Access To Loading spaces*

Access to a *loading space(s)* from a street shall be provided by means of a *driveway*, aisle, or maneuvering area, no part of which is to be for the temporary parking or storage of any *motor vehicle*.

SECTION 6 ZONE PROVISIONS

6.1 ZONE PROVISIONS

Permitted *uses* and zone standards for the all Zones are provided in the following Sections:

ZONE CATEGORY	SECTION
Residential Zones	Section 6.2
Commercial and Mixed <i>Use</i> Zones	Section 6.3
Employment Zones	Section 6.4
Institutional and <i>Cemetery</i> Zones	Section 6.5
Rural Zones	Section 6.6
Open Space Zones	Section 6.7
Environmental Protection Zone	Section 6.8
Downtown Central Area Zones	Section 6.9

6.1.1 Permitted *Uses*

Permitted *uses* in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted *use*. A number(s) following the symbol ‘•’, zone heading or identified permitted *use*, indicates that one or more special provisions apply to the *use* noted or, in some cases, to the entire Zone. Special provisions are noted at the end of each table.

6.1.2 Zone Standards

An asterisk and a number (*1) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of each subsection.

6.2 RESIDENTIAL ZONES

No *person* shall *use* any land or erect, alter or *use* any *building* or *structure* in any Residential Zone except in accordance with Sections 6.2.1 to 6.2.4 of this By-law

6.2.1 Permitted *Uses* (Amended by By-law 114-2013)

The following table establishes the *uses* permitted in the Residential Zones.

	CR	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R2-A	R2-B	R3	RM4	RM5	RM6
<i>Detached Dwelling</i>	•	•	•	•	•	•	•	•					
<i>Semi-Detached Dwelling</i>							•	•	•				
<i>Duplex Dwelling</i>										•			
<i>Triplex Dwelling</i>										•			
<i>Double Duplex Dwelling</i>										•			
<i>Linked Villa Dwelling</i>										•			
<i>Townhouse Dwelling (Street)</i>									•	•			
<i>Maisonette Dwelling</i>													•
<i>Multiple Attached Dwelling</i>											•	•	•
<i>Apartment Dwelling</i>											•		
<i>Senior Citizens' Apartment</i>												•	
<i>Accessory Apartment</i>	•	•	•	•	•	•	•	•	•	•			
<i>Bed and Breakfast Establishment (1)</i>	•	•	•	•	•	•	•	•	•				
<i>Day Care Facility (2)</i>	•	•	•	•	•	•	•	•	•	•	•	•	•
<i>Crisis Care Facility</i>		•	•	•									
<i>Group Home 'A'</i>		•	•	•									
<i>Home Based Business</i>	•	•	•	•	•	•	•	•	•	•	•	•	•
<i>Lodging House (3)</i>	•	•	•	•	•	•	•						

- (1) Permitted in a *detached dwelling* only.
- (2) Only a *day care facility* that existed on the date of passage of this By-law is permitted.
- (3) Subject to meeting all applicable parking requirements of Section 5 of this Zoning By-law and the requirements of the Lodging House Licensing By-law.

6.2.2 Zone Standards

The following table establishes the zone standards applicable to the Residential Zones.

	Standards Per <i>Dwelling Unit</i>										Standards Per <i>Lot</i>		
	CR	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R2-A	R2-B	R3	RM4	RM5	RM6
Minimum <i>Lot Frontage</i>	50.0 m	20.0 m	15.0 m	14.6 m	11.9 m	10.4 m	9.0 m	9.0 m	6.0 m	6.0 m	37.0 m	30.0 m	30.0 m
Minimum <i>Lot Depth</i>	130.0 m	33.5 m	33.5 m	33.5 m	25.0 m	25.0 m	25.0 m	33.5 m	25.0 m	33.5 m			
Min. Setback from <i>Front Lot Line</i>	15.0 m	7.5 m	6.0 m	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	7.5 m	7.5 m	7.5 m
Max. Setback from <i>Front Lot Line</i>				(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)			
Min. Setback from <i>Exterior Side Lot Line</i>	7.5 m	6.0 m	6.0 m	(*1)	(*1)	(*1)	(*1)	(*1)	(*1)	2.0 m	6.0 m	6.0 m	6.0 m
Min Setback from <i>Interior Side Lot Line</i>	7.5 m	1.8 m	1.2 m	(*2)	(*2)	(*2)	(*2) (*3)	(*2) (*3)	(*3)	(*3)	3.6 m	3.6 m	3.6 m
Min. Setback from <i>Rear Lot Line</i>	15.0 m	9.0 m	7.5 m	7.5 m	7.5 m	7.5	7.5	7.5 m	7.5 m	7.5 m	9.0 m	7.5 m	9.0 m
Maximum <i>Lot Coverage</i>	20 %	30%	33%	45%	45%	45%	45%	45%	50%	50%	30%	35%	30%
Maximum <i>Height</i>		11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	45.0 m	30.0 m	11.0 m
Maximum <i>Driveway Width</i>	7.5 m	7.5 m	6.1 m	5.6 m	5.6 m	5.0 m	5.0 m	5.0 m	3.0 m	3.0 m			

	Standards Per <i>Dwelling Unit</i>										Standards Per <i>Lot</i>		
	CR	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R2-A	R2-B	R3	RM4	RM5	RM6
Maximum Garage Width		7.5 m	6.1 m	5.6 m	5.6 m	3.3 m (4)	3.3 m (4)	3.3 m (4)	3.3 m (4)	3.3 m (4)			
Maximum Curb Cut		7.5 m	6.1 m	5.6 m	5.0 m	5.0 m	4.0 m	4.0 m	3.0 m	3.0 m			

(*1) See requirements of Section 6.2.4

(*2) **(As amended by By-law 83-2004)** 0.3 metres on one side and 1.2 metres on the other for *detached dwellings* with a minimum aggregate setback between *dwellings* of 1.2 metres. A 1.2 metre minimum *side yard* setback shall be required adjacent to any Open Space zone.

(*3) For all horizontally attached *dwellings*, 0.0 metres between units and 1.2 metres for end units.

(*4) This shall not apply to residential plans of subdivision that are draft approved prior to October 31, 2006 and residential site plans with site plan agreements executed prior to October 31, 2006.

6.2.3 Garage And *Driveway* Requirements (As amended by By-law 83-2004)

Notwithstanding any other provision of this By-law, in any Residential zone, garages shall extend no more than 2.5 metres beyond the front face of the *principal building* provided that, for a bungalow or back split house, this may be increased to 3.0 metres.

Where the opening for vehicular access to an attached garage faces an interior *side lot line*, the requirements of this section shall not apply, but shall be subject to the setback requirements of Section 6.2.4.

Notwithstanding the *Width of Driveway* requirements within Section 6.2.2, the maximum *width of driveway* shall not exceed the following:

- a) where a projecting or recessed *private garage* is permitted by this By-law, the maximum *width of driveway* shall not exceed the exterior dimensions of the *private garage*;
- b) where a *private garage* face is flush with the *principal building*, the maximum *width of driveway* shall not exceed the maximum *private garage* width permitted within Section 6.2.2 of this By-law;
- c) unless otherwise explicitly permitted by this by-law, in no case shall the maximum permitted *width of driveway* exceed 7.5 metres;
- d) (Amended by by-law 108-2006) Notwithstanding any other provisions of this by-law to the contrary, the maximum permitted *width of driveway* within the 'R1-E', 'R1-F', and 'R2-A' zones shall not exceed 5.0 metres.

6.2.4 Front Yard And Exterior Yard Requirements (As amended by By-law 83-2004)

Notwithstanding any other provision of this By-law, the following *front yard* and *exterior yard* requirements shall apply:

Standard	Minimum Front Yard Setback	Minimum Setback from Exterior Lot Line
<i>Dwelling unit</i> on street side with a sidewalk	3.0 m	2.0 m
<i>Dwelling unit</i> on street side without a sidewalk	2.0 m	2.0 m
Attached <i>garage</i> on street side with a sidewalk	5.7 m	2.0 m
Attached <i>garage</i> on street side without a sidewalk	3.0 m	2.0 m
<i>Platform</i> on street side with a sidewalk	1.5 m	1.0 m
<i>Platform</i> on street side without a sidewalk	1.0 m	1.0 m

Notwithstanding the provisions of the above-noted table, a *dwelling unit* shall not be set back more than 3.0 metres from the *front lot line* of an adjacent *dwelling unit* which fronts on the same street.

For all *dwelling units*, the maximum *front yard* shall be 7.5 metres as measured from the front of the *principal building*, to the *front lot line*. Notwithstanding this requirement, the maximum *front yard* may be measured from the front face of an attached *porch*, subject to the following:

- i) the minimum depth of the attached front *porch* shall not be less than 1.5 metres, measured from the front face of the *principal building* to the front face of the *porch*;
- ii) the minimum width of the attached front *porch* shall be not less than the following, whichever is less:
 - a) 3.0 metres;
 - b) the entire width of the habitable portion of the *dwelling*, measured from the nearest exterior wall of an attached *private garage* to the opposite exterior side wall of the *principal building*.

6.3 COMMERCIAL AND MIXED USE ZONES

No person shall use any land or erect, alter or use any building or structure in any Commercial Zone except in accordance with Sections 6.3.1, 6.3.2, 6.3.3 and 6.3.4 of this By-law.

6.3.1 Permitted Uses (As amended by By-law 38-2008)

The following table establishes the non-residential uses permitted in the Commercial Zones.

	NC Neighbourhood Commercial	LC Local Commercial	VC1 Village Core Mixed Use One	VC2 Village Core Mixed Use Two	VC3 Village Core Mixed Use Three	VC4 Village Core Mixed Use Four	GC General Commercial	UC Uptown Mixed Use	AC Automobile Commercial
<i>Art Gallery</i>			•	•	• (6)	• (6) (9)	•	•	
<i>Banquet Facility</i>		•					•	•	
<i>Commercial Fitness Centre</i>		•	•	•			•	•	
<i>Commercial School</i>			•	•			•	•	
<i>Convenience Store</i>	• (2)	•	•	•			•	•	• (1)
<i>Crisis Care Facility</i>			•	•					
<i>Day Care Facility</i>	•	•	•	•			•	•	
<i>Drive-Thru Facility</i>		•					•	•	• (5)
<i>Dry Cleaning Depot</i>	•	•	•	•			•	•	
<i>Dry Cleaning Establishment</i>		•	•	•			•		
<i>Financial Institution</i>	•	•	•	•			•	•	
<i>Funeral Home</i>			•	•			•	•	
<i>Garden Centre</i>							•	•	
<i>Hotel</i>			•	•			•	•	
<i>Laundromat, Self Serve</i>	•	•	•	•			•	•	
<i>Library</i>	•	•	•	•			•	•	

	NC Neighbourhood Commercial	LC Local Commercial	VC1 Village Core Mixed Use One	VC2 Village Core Mixed Use Two	VC3 Village Core Mixed Use Three	VC4 Village Core Mixed Use Four	GC General Commercial	UC Uptown Mixed Use	AC Automobile Commercial
<i>Licensed Accessory Outdoor Patio (7)</i>		•	•	•			•	•	
<i>Medical Clinic</i>		•	•	•			•	•	
<i>Motel</i>							•	•	
<i>Motor Vehicle Rental Depot</i>							•	•	
<i>Motor Vehicle Rental Establishment</i>							•		
<i>Motor Vehicle Sales Establishment</i>							•		
<i>Motor Vehicle Used Sales Establishment</i>							•		
<i>Motor Vehicle Gas Bar</i>									•
<i>Motor Vehicle Service Centre</i>									•
<i>Motor Vehicle Wash, Automatic (1)(3)</i>									•
<i>Museum</i>		•	•	•			•	•	
<i>Nightclub</i>								•	
<i>Office</i>	•	•	•	•	•	• (9)	•	•	
<i>Personal Service Shop</i>	•	•	•	•	•	• (9)	•	•	
<i>Place Of Assembly</i>			•	•			•	•	
<i>Place Of Entertainment</i>		•	•	•			•	•	
<i>Place Of Worship</i>			•	•			•	•	
<i>Restaurant</i>		•	•	•			•	•	
<i>Restaurant, Drive-Thru</i>		•					•	•	
<i>Retail Store</i>		•	•	•	• (6)	• (6) (9)	•	•	

	NC Neighbourhood Commercial	LC Local Commercial	VC1 Village Core Mixed Use One	VC2 Village Core Mixed Use Two	VC3 Village Core Mixed Use Three	VC4 Village Core Mixed Use Four	GC General Commercial	UC Uptown Mixed Use	AC Automobile Commercial
<i>Retail warehouse</i>								• (4)	
<i>Service or repair shop</i>	•	•	•	•			•	•	
<i>Taxi depot</i>							•	•	
<i>Unlicensed Accessory Outdoor Patio</i>		•	•	•			•	•	
<i>Veterinary clinic</i>		•	•	•			•	•	

- (1) As an *accessory use* to a gasoline establishment only provided that the gasoline establishment is not located on a *lot* abutting a zone where residential *uses* are permitted.
- (2) A *convenience store* is permitted provided that it does not exceed a maximum *gross leasable floor area* of 250.0 m²
- (3) Not permitted on any *lot* abutting a Residential Zone or a Downtown Central Area Zone where residential *uses* are permitted.
- (4) A *retail warehouse* is permitted provided that it has a minimum *gross leasable floor area* of 2000.0 m².
- (5) Only a non-food *drive-thru facility* is permitted.
- (6) **(As amended by By-Law 38-2008)** The identified *use* is permitted provided that it does not exceed a maximum *gross floor area* of 140.0 m² and is located within a *building* that existed as of the date of passing of this By-law.
- (7) A Licensed Accessory Outdoor Patio is permitted provided that the licensed accessory outdoor patio meets the provision in Section 6.3.1.1.
- (8) **(Incorporated by By-Law 38-2008)** The identified *use* shall only be permitted in conjunction with one residential *dwelling unit*, containing a minimum of two bedrooms, located on the same *lot*.

* See Deferral No. D6

6.3.1.1 Licensed Accessory Outdoor Patios

- a) A licensed accessory outdoor patio situated on a property that does not abut a residential, institutional or open space zone shall be permitted.
- b) A licensed accessory outdoor patio situated on a property that abuts a residential, institutional or open space zone shall be permitted provided the licensed accessory outdoor patio meets one of the following two provisions:
 - i) There is a *building* situated between the licensed accessory outdoor patio from the abutting residential, institutional or open space zone; or
 - ii) The accessory outdoor patio is separated from an abutting residential, institutional or open space zone by Harwood Avenue or a Type A or B Arterial Road.

6.3.2 Zone Standards

The following table establishes the zone standards applicable to non-residential uses in the Commercial and Mixed Use Zones.
(As amended by By-law 38-2008)

	NC Neighbourhood Commercial	LC Local Commercial	VC1 Village Core Mixed Use One	VC2 Village Core Mixed Use Two	VC3 Village Core Mixed Use Three	VC4 Village Core Mixed Use Four	GC General Commercial	UC Uptown Mixed Use	AC Automobile Commercial
Minimum <i>Lot Frontage</i>		90.0 m	(6)	(5) (6)	(6)	(6)	90.0 m	45.0 m	45.0 m
Minimum <i>Lot Depth</i>		60.0 m	-	-	-	-	60.0 m		45.0 m
Minimum Setback From <i>Front Lot Line</i>	3.0 m	3.0 m	(7)	(8)	(7)	(7)	3.0 m	3.0 m	9.0 m
Maximum Setback From <i>Front Lot Line</i>			(7)	(9)	(7)	(7)			
Minimum Setback From <i>Exterior Side Lot Line</i>	3.0 m	3.0 m	(10)	(8)	(10)	(10)	3.0 m	3.0 m	7.5 m
Maximum Setback from <i>Exterior Side Lot Line</i>	-	-	(10)	(9)	(10)	(10)	-	-	
Minimum Setback From <i>Interior Side Lot Line</i>	7.5 m	7.5 m	-	(11)	-	1.2 m	7.5 m	7.5 m	7.5 m
Minimum Setback From <i>Rear Lot Line</i>	9.0 m	9.0 m	-	(11)	7.5 m	7.5 m	9.0 m	9.0 m	9.0 m
Minimum Built <i>Lot Frontage</i> (Front Streetwall)			-	75% (12)	-	-			

	NC Neighbourhood Commercial	LC Local Commercial	VC1 Village Core Mixed Use One	VC2 Village Core Mixed Use Two	VC3 Village Core Mixed Use Three	VC4 Village Core Mixed Use Four	GC General Commercial	UC Uptown Mixed Use	AC Automobile Commercial
Minimum Built Lot Flankage									
(Exterior Side Streetwall)			-	75% (12)	-	-			
Minimum Floor Space Index			(4)	1.0 (4) (13)	(4)	(4)			
Maximum Floor Space Index			2.0 (4)	3.25 (4)(13)	1.5 (4)	0.75 (4)			
Minimum Ground Floor Area			-	-	-	-		600.0 m ²	
Maximum Gross Floor Area	1400.0 m ² (*1)	10,000.0 m ²	-	-	-	-			500.0 m ²
Minimum Height			2 storeys	2 storeys (14)(15)	-	-			
Maximum Height	11.0 m	12.5 m	12.5 m or 4 storeys, whichever is greater (16)	20.0 m (14) (17) (18)	12.5 m	11.0 m		68.0 m	4.3 m (*3)

- (1) No individual store shall exceed a maximum *gross leasable floor area* of 250.0 m²
- (2) *Office uses* shall have a maximum *Floor Space Index* of up to 1.0
- (3) Notwithstanding the maximum *height* requirement in the AC Zone, canopies over gas pumps may be permitted to a maximum *height* of 6.3 metres.

- (4) (As amended by By-Law 38-2008) No individual *convenience store, dry cleaning depot, dry cleaning establishment, retail store, service or repair shop, or veterinary clinic* may exceed 300.0 m² of gross floor area.
- (5) (As amended by By-Law 38-2008) Where the *front lot line* divides the *lot* from Kingston Road West and a *building* having a *height* in excess of 12.5 metres and/or an FSI in excess of 1.5 is proposed on the *lot*, the minimum *lot frontage* shall be 50.0 metres. Where the *front lot line* divides the *lot* from Church Street South and a *building* having a *height* in excess of 12.5 metres and/or an FSI in excess of 1.5 is proposed on the *lot*, the minimum *lot frontage* shall be 75.0 metres. In all other instances, no minimum *lot frontage* requirement applies.
- (6) (As amended by By-Law 38-2008) No individual *convenience Store, dry cleaning depot, dry cleaning establishment, financial institution, office, personal service shop, retail store, service or repair shop, or veterinary clinic* that is located at grade, in a multi-unit *building*, shall occupy a unit frontage having a width greater than 15.0 metres, as measured along the frontal façade of a *building* where primary pedestrian entrances are located.
- (7) (As amended by By-Law 38-2008) For *interior lots* which feature an *existing* individually designated historic or heritage “wish list” *building*, the setback shall match to within 1.5 metres the established setback of the designated or heritage “wish list” *building*. For *interior lots* that are vacant or which do not feature designated or “wish list” *buildings*, the setback for new development shall be determined by drawing a straight line between the two nearest street facing corners of the nearest adjacent principal *buildings* on either side of the subject *lot*: the mid point of the proposed front *building* wall shall intersect with this line, with a permitted deviation toward the front or rear of the *lot* of up to 1.5 metres. For all *corner lots*, the setback shall either match to within 1.5 metres of the established setback of any designated or heritage “wish list” *building existing* on the *lot*, or alternatively, be determined by drawing a line parallel to and even with the least point of setback of the street-facing wall of the nearest *principal building* adjacent to the interior *side lot line* of the subject *lot*, with a permitted deviation toward the front or rear of the *lot* of up to 1.5 metres. In no instances shall a *building* setback involve an encroachment beyond a *front lot line*.
- (8) (As amended by By-Law 38-2008) Where the *front lot line* or *exterior side lot line* divides the *lot* from Kingston Road West, the minimum setback from the *front lot line* or *exterior side lot line* shall be 5.0 metres. Where the *front lot line* or *exterior side lot line* divides the *lot* from the west side of Church Street South, the minimum setback from the *front lot line* or *exterior side lot line* shall be 7.0 metres. Where the *front lot line* or *exterior side lot line* divides the *lot* from the east side of Church Street South, the minimum setback from the *front lot line* or *exterior side lot line* shall be 5.0 metres. In all other instances, the minimum setback from the *front lot line* or *exterior side lot line* shall be 5.0 metres.

- (9) (As amended by By-Law 38-2008) Where the *front lot line* or *exterior side lot line* divides the *lot* from Kingston Road West, the maximum setback from the *front lot line* or *exterior side lot line* shall be 7.0 metres. Where the *front lot line* or *exterior side lot line* divides the *lot* from the west side of Church Street South, the maximum setback from the *front lot line* or *exterior side lot line* shall be 9.0 metres. Where the *front lot line* or *exterior side lot line* divides the *lot* from the east side of Church Street South, the maximum setback from the *front lot line* or *exterior side lot line* shall be 7.0 metres. In all other instances, the minimum setback from the *front lot line* or *exterior side lot line* shall be 7.0 metres.
- (10) (As amended by By-Law 38-2008) The setback shall either match to within 1.5 metres of the established setback of any designated or heritage “wish list” *building existing* on the *lot*, or alternatively, be determined by drawing a line parallel to and even with the least point of setback to the street-facing wall of the nearest *principal building* adjacent to the *rear lot line* of the subject *lot*, with a permitted deviation toward the exterior side or interior side of the *lot* of up to 1.5 metres. In no instances shall a *building* setback involve an encroachment beyond an *exterior side lot line*.
- (11) (As amended by By-Law 38-2008) The setback shall be 9.0 metres where the *lot line* in question abuts a residential zone.
- (12) (As amended by By-Law 38-2008) The specified requirement applies only to built frontages and flankages along Kingston Road West and Church Street South.
- (13) (As amended by By-Law 38-2008) *Buildings* with an FSI greater than 1.5 shall only be permitted on a *lot* having a minimum *lot frontage* of 50.0 metres along Kingston Road West, or on a *lot* having a minimum *lot frontage* of 75.0 metres along Church Street South.
- (14) (As amended by By-Law 38-2008) *Buildings* more than 12.5 metres in *height* shall only be permitted on a *lot* having a minimum *lot frontage* of 50.0 metres along Kingston Road West, or on a *lot* having a minimum *lot frontage* of 75.0 metres along Church Street South.
- (15) (As amended by By-Law 38-2008) The ground floor of *buildings* shall have a minimum clear floor-to-ceiling *height* of 4.0 metres for a minimum depth of 20.0 metres in from the street-facing façade of the *building*.
- (16) (As amended by By-Law 38-2008) Any portion of a front or exterior side *building* wall, excluding a parapet or balcony wall, that is located higher than 8.0 metres above the *established grade*, shall be subject to a minimum 2.0 metre setback requirement.
- (17) (As amended by By-Law 38-2008) Any portion of a front or exterior side *building* wall fronting Kingston Road West or the east side of Church Street South, excluding a parapet or balcony wall, that is located higher than 15.0 metres above the *established grade*, shall be

subject to a minimum 2.0 metre setback requirement. Any portion of a front or exterior side *building* wall fronting the west side of Church Street South, excluding a parapet or balcony wall, that is located higher than 8.0 metres above the *established grade*, shall be subject to a minimum 2.0 metre setback requirement and shall be subject to a second minimum 2.0 metre setback if the *building* wall extends higher than 15.0 metres above the *established grade*. In all other instances, any portion of a front or exterior side *building* wall, excluding a parapet or balcony wall, that is located higher than 8.0 metres above the *established grade*, shall be subject to a minimum 4.0 metre setback requirement.

- (18) (As amended by By-Law 38-2008) For *lots* west of Church Street South, the maximum permitted *height* zone shall be restricted to within 40.0 metres of the Church Street South and Kingston Road West property lines. Beyond 40.0 metres, the maximum permitted *height* zone shall decrease to 15.0 metres for the next 20.0 metres in from Kingston Road West and 10.0 metres in from Church Street South, and to then a maximum *height* of 10.0 metres for the remainder of the *lot*. For *lots* east of Church Street South, the maximum permitted *height* zone shall be restricted to within 40.0 metres of the Church Street South and Kingston Road West property lines. Beyond 40.0 metres, the maximum permitted *height* zone shall decrease to 10.0 metres for the remainder of the *lot*.

6.3.3 Residential Uses Permitted In The Commercial Mixed Use Zones
(As amended by By-Law 83-2008, 114-2013)

The following table establishes the residential *uses* permitted in the Local Commercial, Village Core Mixed Use, and Commercial Mixed Use Zones.

	LC Local Commercial	VC1 Village Core Mixed Use One	VC2 Village Core Mixed Use Two	VC3 Village Core Mixed Use Three	VC4 Village Core Mixed Use Four	UC Uptown Mixed Use
<i>Apartment Dwelling</i>	• (1)	• (1)	• (1)	• (1)	• (3)	• (1)
<i>Detached Dwelling</i>					•	
<i>Lodging House</i>					• (4)	
<i>Multiple Attached</i>						•
<i>Seniors Apartment</i>						•
Additional Provisions						(2)

- (1) Permitted on upper floor of *building* with ground level commercial *uses* only.
- (2) No garage associated with any residential *building* or development shall protrude more than 2.4 metres beyond the front main façade of the *dwelling unit*, provided a *porch* of a minimum of 1.2 metres in width is associated with the front main façade, and the width of the garage door shall not occupy more than 50 percent of the front façade of the *dwelling unit*.
- (3) Only one *apartment dwelling unit*, having a minimum of two bedrooms, shall be permitted.
- (4) Subject to meeting all applicable parking requirements of Section 5 of this Zoning By-law and the requirements of the Lodging House Licensing By-law.

6.3.4 Zone Standards For Residential *Uses* In The Commercial Mixed *Use* Zones
(As amended by By-Law 86-2005, 38-2008, 114-2013)

The following table establishes the residential *uses* permitted in the Local Commercial, Village Core Mixed *Use*, and Commercial Mixed *Use* Zones.

Permitted Use	Lot Frontage		Lot Depth	Front Yard		Rear Yard	Interior Side Yard		Exterior Side Yard		Height
	Min.	Max.		Min.	Max.		Min.	Max	Min.	Max	
<i>Apartment Dwelling</i>	(1)	(1)	(1)	(1)	(1)	(1)	(*1)	(*1)	(1)	(1)	~
<i>Detached Dwelling</i>	15 m	-	33.5 m	(4)	(4)	7.5 m	1.2 m	-	-	-	11.0 m
Multiple Attached	5.48 m	8.0 m	25.0 m	3.0 m	6.0 m	7.5 m	(*2)	2.0 m	3.0 m	6.0 m	11.3 m
<i>Apartment Building</i> (less than 6 storeys)	20.0 m	~	~	3.0 m	6.0 m	10.0 m	5.5 m	8.0 m	3.0 m	6.0 m	~
<i>Apartment Building</i> (six storeys and over)	30.0 m	~	~	3.0 m	8.0 m	(3)	5.5 m	12.0 m	3.0 m	6.0 m	68.0 m
<i>Lodging House</i>	15.0 m		33.5 m	(4)	(4)	7.5 m	1.2 m				11.0 m

(1) *Apartment dwellings* in the Local Commercial (LC), Village Core Mixed *Use* One (VC1), Village Core Mixed *Use* Two (VC2), Village Core Mixed *Use* Three (VC3), and Uptown Core Mixed *Use* (UC) Zones shall only be permitted on an upper floor of a *building* with ground level commercial *uses*. Such *buildings* shall conform to the requirements of Section 6.3.2 in accordance with the zone in which the *building* is located.

- (2) The *interior side yard* requirement shall be 0.3 metres on one side and 1.2 metres on the other side.
- (3) The *rear yard* shall be half the *height* of the *building* from a minimum of 10.0 metres up to a maximum of 15.0 metres.
- (4) For *interior lots* which feature an *existing* individually designated historic or heritage “wish list” *building*, the setback shall match to within 1.5 metres the established setback of the designated or heritage “wish list” *building*. For *interior lots* that are vacant or which do not feature designated or “wish list” *buildings*, the setback for new development shall be determined by drawing a straight line between the two nearest street facing corners of the nearest adjacent *principal buildings* on either side of the subject *lot*; the midpoint of the proposed front *building* wall shall intersect with this line, with a permitted deviation toward the front or rear of the *lot* of up to 1.5 metres. For all *corner lots*, the setback shall either match to within 1.5 metres of the established setback of any designated or heritage “wish list” *building existing* on the *lot*, or alternatively, be determined by drawing a line parallel to and even with the least point of setback of the street-facing wall of the nearest *principal building* adjacent to the *interior side lot line* of the subject *lot*, with a permitted deviation toward the front or rear of the *lot* of up to 1.5 metres. In no instances shall a *building* setback involve an encroachment beyond a *front lot line*.

6.4 EMPLOYMENT ZONES

No person shall use any land or erect, alter or use any *building* or *structure* in any Employment Zone except in accordance with Sections 6.4.1 and 6.4.2 of this By-law.

6.4.1 Permitted *Uses* (Amended by By-law 50-2013)

The following table establishes the *uses* permitted in the Employment Zones.

	PE Prestige Employment	GE General Employment	HE Heavy Employment
<i>Accessory Retail Sales Outlet</i> (1)	•	•	•
<i>Banquet Facilities</i>	•		
<i>Building And Construction Materials Facility</i>		•	•
<i>Commercial Fitness Centre</i>	•		
<i>Commercial School</i> (6)	•		
<i>Community Centre</i>	•		
<i>Contractors Yard</i>		•	•
<i>Day Care Facility</i>	•		
<i>Drive-Thru Facility</i>	•		
<i>Dry Cleaning Establishment</i>	•	•	
<i>Emergency Service Facilities</i>	•	•	•
<i>Financial Institution</i>	•		
<i>Fuel Storage Supply Yard</i>			•
<i>Funeral Home</i>	•		
<i>Hotel</i>	•		
<i>Licensed Accessory Outdoor Patio</i> (4)	•		
<i>Light Manufacturing</i> (2)	•	•	•
<i>Machinery And Equipment Sales And Rental</i>		•	•
<i>Manufacturing</i>		•	•
<i>Medical Clinic</i>	•		
<i>Motel</i>	•		
<i>Motor Vehicle Repair Facility</i>		•	•
<i>Motor Vehicle Rental Establishment</i>	•	•	
<i>Motor Vehicle Sales Establishment</i>	•	•	
<i>Motor Vehicle Washing Establishment</i>		•	•
<i>Offices</i>	•	•	•
<i>Outdoor Storage</i> (3)		•	•
<i>Personal Service Shop</i>	•		
<i>Place Of Assembly</i>	•		
<i>Place Of Entertainment</i>	•		
<i>Place Of Worship</i> (5)			
<i>Public Storage Facility</i>	•	•	
<i>Recreation Facility</i>	•		
<i>Restaurant</i>	•		
<i>Restaurant, Drive-Thru</i>	•		

	PE Prestige Employment	GE General Employment	HE Heavy Employment
<i>Service or repair shop</i>	•	•	•
<i>Sports arena</i>	•		
<i>Transportation Depot</i>			•
<i>Unlicensed Accessory Outdoor Patio</i>	•		
<i>Veterinary clinic</i>	•	•	
<i>Warehouse/ Distribution Centre</i>	•	•	•

- (1) May not exceed 20% of the GFA of the *premises* in which it is located.
- (2) *Manufacturing* is permitted only in wholly enclosed *buildings*.
- (3) *Outdoor storage* shall not exceed 50% of the site area and shall not be visible from the street.
- (4) A Licensed Accessory Outdoor Patio is permitted provided that the licensed accessory outdoor patio meets the provisions in Section 6.3.1.1
- (5) A place of worship shall continue to be permitted on lands known as 360 Westney Road South, 877 Westney Road South, and 438 Monarch Avenue.
- (6) A Commercial School shall mean a *premises* as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school or business school and any other similar specialized school, but shall exclude any elementary or secondary *school* registered with the Ministry of Education.

6.4.2 Zone Standards

The following table establishes the zone standards applicable to the Employment Zones.

	Zone Standards		
	PE Prestige Employment	GE General Employment	HE Heavy Employment
Minimum <i>Lot Area</i>	4200.0 m ²		
Min. Setback From <i>Front Lot Line</i>	9.0 m	9.0 m	9.0 m
Min. Setback From <i>Exterior Side Lot Line</i>	3.0 m	3.0 m	9.0 m
Min. Setback From <i>Interior Side Lot Line</i> (*1)(*2)	4.5 m	3.6 m	3.6 m
Min. Setback From <i>Rear Lot Line</i> (*2)	3.0 m	3.0 m	3.0 m

- (1) Plus 0.3 metre extra for each additional 1.0 metre of *building height* in excess of 12.0 metres.

- (2) **(As amended by By-law 135-2008)** Where an Employment Zone is located adjacent to a Residential Zone or a Downtown Central Area Zone that permits residential *uses*, the minimum setback from the *interior side lot line* and *rear lot line* shall be 9.0 metres.

6.4.3 Additional Zone Requirements

6.4.3.1 *Outdoor Storage*

- i) *Outdoor storage* is not permitted in the PE Zone.
- ii) In the GE and HE Zones, *outdoor storage* is permitted only in the *rear yard* provided that:
 - a) such *outdoor storage* is accessory to the *use* of the main *building* on the *lot*;
 - b) no *outdoor storage* is located closer than 9.0 metres to any *street line*;
 - c) no *outdoor storage* is located closer than 15.0 metres to any residential zone boundary;
 - d) any portion of the area for *outdoor storage* where it does not adjoin the outside wall of a *building* is enclosed by a fence at least 1.8 metres high and which must be constructed of permanent masonry, wood and/or plastic with a ratio of voids to solids not greater than 50%; and,
 - e) no materials may be stored outside to a *height* greater than 1.8 metres.
- iii) In the HE Zone, any part of a *lot* for a permitted or accessory *outdoor storage* purpose shall be enclosed within a 1.8 metre high fence constructed of wood.

6.5 INSTITUTIONAL AND CEMETERY ZONES

No person shall use any land or erect, alter or use any *building* or *structure* in the Institutional or Cemetery Zones except in accordance with Sections 6.5.1 and 6.5.2 of this By-law.

6.5.1 Permitted Uses

The following table establishes the *uses* permitted in the Institutional and Cemetery Zones.

	I-A Institutional - A	I-B Institutional - B	CE Cemetery
<i>Cemetery</i>			•
<i>Community Centre</i>	•	•	
<i>Crisis Care Facility</i>	•	•	
<i>Day Care Facility</i>	•	•	
<i>Hospital</i>		•	
<i>Library</i>	•	•	
<i>Nursing Home</i>	•	•	
<i>Place Of Worship</i>	•	•	
<i>School</i> (1)	•	•	
<i>Sports arena</i>		•	

- (1) Portables associated with a *school* are permitted provided that they are located only in the rear or *interior side yard* and are setback the greater of 12 .0 from any Residential Zone boundary or 12.0 from the *street line*. No minimum setback is required for *school* portables abutting any Open Space Zone.

6.5.2 Zone Standards

The following table establishes the zone standards applicable to the Institutional and Cemetery Zones.

	Zone Standards		
	I-A Institutional - A	I-B Institutional - B	CE Cemetery
Minimum <i>Lot Area</i>		2.5 ha	
Minimum Setback From <i>Front Lot Line</i>	9.0 m	9.0 m	12.0 m
Minimum Setback From <i>Exterior Side Lot Line</i>	9.0 m	9.0 m	12.0 m
Minimum Setback From <i>Interior Side Lot Line</i>	9.0 m	9.0 m	9.0 m
Minimum Setback From <i>Rear Lot Line</i>	9.0 m	9.0 m	9.0 m

6.6 RURAL ZONES

No person shall use any land or erect, alter or use any *building* or *structure* in any Rural Zone except in accordance with Sections 6.6.1 and 6.6.2 of this By-law.

6.6.1 Permitted *Uses* (Amended by By-law 114-2013)

The following table establishes the *uses* permitted in the Rural Zones.

	PC Permanent Countryside	A Agricultural
<i>Agricultural Operations</i>	•	•
<i>Bed And Breakfast Establishment</i>	•	
<i>Boarding Kennel</i>	•	
<i>Dwelling, Detached</i> (1)	•	•
<i>Equestrian Centre</i>	•	
<i>Garden Centre</i>	•	
<i>Home Based Business</i>	•	•
<i>Lodging House</i> (3)	•	
<i>Resource Management Uses</i>	•	•
<i>Seasonal farm produce sales outlet</i> (2)	•	•
<i>Veterinary clinic</i>	•	

- (1) Nothing in this By-law shall prevent the erection of a *detached dwelling* on a *lot* in the Permanent Countryside or Agricultural Zones provided such *lot* has been in existence since December 26, 1962.
- (2) Permitted as an *accessory use* to an *agricultural operation* only.
- (3) Subject to meeting all applicable parking requirements of Section 5 of this Zoning By-law and the requirements of the Lodging House Licensing By-law.

6.6.2 Zone Standards

The following table establishes the zone standards applicable to the Rural Zones.

	Zone Standards	
	PC Permanent Countryside	A Agricultural
Minimum <i>Lot Area</i>	4.0 ha	0.8 ha
Minimum <i>Lot Area For Agricultural Uses</i> (1)	40.0 ha	0.8 ha
Minimum <i>Lot Frontage</i>	150.0 m	60.0 m
Minimum Setback From <i>Front Lot Line</i>	15.0 m	12.0 m
Minimum Setback From <i>Exterior Side Lot Line</i>	6.0 m	3.0 m
Min. Setback From <i>Interior Side Lot Line</i>	6.0 m	3.0 m
Min. Setback From <i>Rear Lot Line</i>	15.0 m	12.0 m
Maximum <i>Lot Coverage</i>	10%	20%

- (1) In the Permanent Countryside and Agricultural Zones, nothing shall prohibit the *use* of any *lot existing* as of the effective date of this By-law for agricultural purposes.

6.7 OPEN SPACE ZONES

No *person* shall *use* any land or erect, alter or *use* any *building* or *structure* in any Open Space Zone except in accordance with Sections 6.7.1 and 6.7.2 of this By-law.

6.7.1 Permitted Uses

The following table establishes the *uses* permitted in the Open Space Zones.

	OS Open Space	POS Private Open Space	GF Golf Facility
<i>Golf Course</i>			•
<i>Golf Driving Range</i>			•
<i>Passive Recreational Use</i>	•	•	
<i>Public Park</i>	•		
<i>Recreation Facility</i>	•		
Refreshment Pavilion (1)	•		
<i>Resource Management Uses</i>	•	•	
Stormwater Management Facility	•		

- (1) Permitted only as an *accessory use*.

6.7.2 Zone Standards

The following table establishes the zone standards applicable to the Open Space Zones:

	Zone Standards		
	OS Open Space	POS Private Open Space	GF Golf Facility
Min. Setback From <i>Front Lot Line</i>	15.0 m		15.0 m
Min. Setback From <i>Exterior Side Lot Line</i>	15.0 m		6.0 m
Min. Setback From <i>Interior Side Lot Line</i>	9.0 m		6.0 m
Min Setback From <i>Rear Lot Line</i>	9.0 m		15.0 m
<i>Maximum Lot Coverage</i>			5%
<i>Maximum Height</i>	11.0 m		11.0 m

6.8 ENVIRONMENTAL PROTECTION ZONE

No *person* shall *use* any land or erect, alter or *use* any *building* or *structure* in any Environmental Protection Zone except in accordance with Sections 6.8.1 and 6.8.2 of this By-law.

6.8.1 Permitted *Uses*

The following table establishes the *uses* permitted in the Environmental Zone:

	EP Environmental Protection
<i>Resource Management Uses</i>	•
<i>Structure For Flood/Erosion Control</i>	•

6.8.2 Zone Standards

The following standards apply to the Environmental Protection Zone:

- i) No development shall be permitted in the EP Zone.

6.9 DOWNTOWN CENTRAL AREA ZONES (New section as incorporated by By-law 86-2005)

No person shall use any land or erect, alter or use any *building* in any Downtown Central Area Zone except in accordance with Sections 6.9.1 to 6.9.8 of this By-law.

6.9.1 Permitted Uses

The following table establishes the *uses* permitted in the Downtown Central Area Zones.

	DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2
<i>Accessory Outdoor Patio</i>	•			•		
<i>Art Gallery</i>				•	• (5)	• (5)
<i>Banquet Facility</i>	•	•		•		
<i>Commercial Fitness Centre</i>	•	•		•	• (5)	• (5)
<i>Commercial School</i>	•	•		•	• (5)	• (5)
<i>Community Centre</i>	•	•	•	•		
<i>Convenience Store</i>				•		
<i>Crisis Care Facility</i>			•	•		
<i>Day Care Facility</i>	•	•	•	•	• (6)	• (5)
<i>Dry Cleaning Depot</i>	•			•	• (5)	• (5)
<i>Dry Cleaning Establishment</i>	•	•		•		
<i>Financial Institution</i>	•	•		•	• (5)	• (5)
<i>Funeral Home</i>	•	•		•		
<i>Hospital</i>			•			
<i>Hotel</i>	•	•		•		
<i>Laundromat, Self Serve</i>	•			•		

	DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCARM1 Downtown Central Area – Residential Multiple 1	DCARM2 Downtown Central Area – Residential Multiple 2
<i>Library</i>			•	•		
<i>Manufacturing, Light (1)</i>	•	•				
<i>Medical Clinic</i>	•	•		• (7)	• (5) (7)	• (5) (7)
<i>Motel</i>	•	•		•		
<i>Motor Vehicle Rental Depot</i>	•			•		
<i>Motor Vehicle Sales Establishment (2)</i>	•	•		•		
<i>Museum</i>				•		
<i>Office</i>	•	•		•	• (5)	• (5)
<i>Parking Lot as a Principal Use</i>	•	•		•		
<i>Personal Service Shop</i>	•	•		•	• (5)	• (5)
<i>Place Of Assembly</i>	•	•		•		
<i>Place Of Entertainment</i>	•	•		•		
<i>Place Of Worship</i>	•	•	•	•		
<i>Recreation Facility</i>	•	•	•			
<i>Restaurant</i>	•	•		•		
<i>Retail Store</i>				• (8)	• (5) (8)	• (5) (8)
<i>School (3)</i>			•			
<i>Service or Repair Shop</i>	•	•		•		
<i>Sports Arena</i>	•	•	•	•		
<i>Veterinary Clinic</i>	•	•		•		
<i>Warehouse Distribution Centre</i>	•	•				
<i>Dwelling, Triplex</i>						•
<i>Dwelling, Double Duplex</i>						•
<i>Dwelling, Linked Villa</i>						•
<i>Dwelling, Street Townhouse (4)</i>				•		•

	DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCARM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2
<i>Dwelling, Live-Work Units (4)</i>				•	•	•
<i>Dwelling, Maisonette</i>				•	•	•
<i>Dwelling, Multiple Attached (4)</i>				•	•	•
<i>Dwelling, Back-to-Back Townhouse</i>				•	•	•
<i>Dwelling, Stacked Townhouse</i>				•	•	•
<i>Dwelling, Back-to-Back Stacked Townhouse</i>				•	•	•
<i>Dwelling, Apartment</i>				•	•	•
<i>Senior Citizens' Apartment</i>				•	•	•
<i>Nursing Home</i>			•	•		
<i>Home Based Business</i>				•	•	•

- (1) *Manufacturing* is permitted only in wholly enclosed *buildings*.
- (2) Excluding accessory service/repair facilities and *outdoor storage* or display of vehicles.
- (3) Portables associated with a *school* are permitted provided that they are located only in the rear or *interior side yard* and are situated no closer than 12.0 metres from any residential zone boundary or 30.0 metres from any *building* used (wholly or partially) for residential purposes, whichever is the lesser, and 12.0 metres from any *street line*. No minimum setback is required for *school* portables abutting any Open Space Zone.
- (4) *Dwellings* having frontage on Bayly Street, Commercial Avenue, Falby Court, Harwood Avenue South, Kings Crescent, Kitney Drive, MacKenzie Avenue, Monarch Avenue and/or any east-west link between Kitney Drive and Harwood Avenue South, shall be designed as *live-work units*, with direct pedestrian access (not vehicular) to these roads.

- (5) Only on the ground floor of a residential mixed-use *building* having a minimum *height* of three storeys; and only on the ground and second floor of a residential mixed-use *building* having a minimum *height* of four storeys. *Offices* may also be permitted on a third or fourth storey, provided residential uses wholly occupy at least two storeys above.
- (6) Only a *day care facility* that existed on the date of passage of the comprehensive Zoning By-law 95-2003 is permitted, unless it is located on the ground floor of a residential mixed-use *building*.
- (7) Provided that in a residential mixed-use *building*, the main entrance to the *medical clinic* is separate and apart from the main entrance to the residential portion of the *building*, with no shared lobby, foyer, or common entry area.
- (8) Individual retail uses having a *gross leasable floor area* in excess of 4,645.0 m², located in a multi-unit commercial *building* erected after July 14, 2003, in a residential mixed-use *building*, or in a free-standing *building*, shall not be permitted. However, none of the provisions of this By-law shall apply to prevent the expansion of any individual *retail store* up to a maximum *gross leasable floor area* of 9,300.0 m², provided that the *retail store* existed prior to July 14, 2003 as part of a *shopping centre* and that the total *gross leasable floor area* of the particular *retail store*, in all instances, is not more than half the total *ground floor area* of the overall *building*.

6.9.2 Zone Standards

The following table establishes the zone standards applicable to the Downtown Central Area Zones.

		DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2	
Minimum Lot Area	Non-Residential and Residential Mixed Use	4200.0 m ²	4200.0 m ²	-	-	-	-	
	Single-Use Residential			-	-	-	-	
Minimum Lot Frontage	Non-Residential and Residential Mixed Use	--	--	--	-- (1)	-- (1)	-- (1)	
	Single-Use Residential	<i>Dwelling, Triplex</i>						20.0 m
		<i>Dwelling, Double Duplex</i>						22.0 m
		<i>Dwelling, Linked Villa</i>						5.48 m/unit (2)
		<i>Dwelling, Street Townhouse</i>				5.48 m/unit (2) (3)		5.48 m/unit (2) (3)
		<i>Dwelling, Live-Work Units</i>				4.4 m/unit (2)	4.4 m/unit (2)	4.4 m/unit (2)
		<i>Dwelling, Maisonette</i>				-	-	-
		<i>Dwelling, Multiple Attached</i>				30.0 m (2) (3)	30.0 m (2) (3)	30.0 m (2) (3)
		<i>Dwelling, Back-to-Back Townhouse</i>				5.48 m/unit (2) (3)	5.48 m/unit (2) (3)	5.48 m/unit (2) (3)
		<i>Dwelling, Stacked Townhouse</i>				30.0 m (2)	30.0 m (2)	30.0 m (2)
		<i>Dwelling, Back-to-Back Stacked Townhouse</i>				30.0 m (2)	30.0 m (2)	30.0 m (2)
		<i>Dwelling, Apartment</i>				20.0 m	20.0 m	20.0 m
		<i>Dwelling, Apartment (6 storeys and over)</i>				30.0 m	30.0 m	30.0 m
<i>Nursing Home</i>			--	--				

		DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2	
Minimum Built Frontage	Along local and collector roads aligned East-West	75 percent of the <i>block face</i> of each block (4) (5)						
	Along local and collector roads aligned North-South	50 percent of the <i>block face</i> of each block (4)						
	Along Harwood Avenue South and Bayly Street			50 percent of the <i>block face</i> of each block (4)				
Minimum Lot Depth	Non-Residential and Residential Mixed Use	--	--	--	--	--	--	
	Residential	<i>Dwelling, Triplex</i>						--
		<i>Dwelling, Double Duplex</i>						--
		<i>Dwelling, Linked Villa</i>						25.0 m
		<i>Dwelling, Street Townhouse</i>				25.0 m		20.0 m
		<i>Dwelling, Live-Work Units</i>				25.0 m	25.0 m	25.0 m
		<i>Dwelling, Maisonette</i>				--	--	--
		<i>Dwelling, Multiple Attached</i>				25.0 m	25.0 m	25.0 m
		<i>Dwelling, Back-to-Back Townhouse</i>				14.0 m per unit	14.0 m per unit	14.0 m per unit
		<i>Dwelling, Stacked Townhouse</i>				25.0 m	25.0 m	25.0 m
		<i>Dwelling, Back-to-Back Stacked Townhouse</i>				14.0 m per ground unit	14.0 m per ground unit	14.0 m per ground unit
		<i>Dwelling, Apartment (less than 6 storeys)</i>				--	--	--
		<i>Nursing Home</i>			--	--		

		DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2
<i>Front Yard Build – Within Zone</i>	Non-Residential and Residential Mixed Use	3.0 – 6.0 m (6)	3.0 – 6.0 m (6)	2.0 – 6.0 m (6)	0.0 – 3.0 m (6)	0.0 – 3.0 m (6)	0.0 – 3.0 m (6)
and	Single-Use Residential						2.0 – 4.5 m (7)
<i>Exterior Side Yard Build-Within Zone</i>	<i>Dwelling, Triplex</i>						2.0 – 4.5 m (7)
	<i>Dwelling, Double Duplex</i>						2.0 – 4.5 m (7)
	<i>Dwelling, Linked Villa</i>						2.0 – 4.5/ 6 m (7)
	<i>Dwelling, Street Townhouse</i>				2.0 – 4.5 / 6.0 m (7)		2.0 – 4.5 / 6.0 m (7)
	<i>Dwelling, Live-Work Units</i>				2.0 – 4.5 m (7)	2.0 – 4.5 m (7)	2.0 – 4.5 m (7)
	<i>Dwelling, Maisonette</i>				2.0 – 4.5 m (7)	2.0 – 4.5 m (7)	2.0 – 4.5 m (7)
	<i>Dwelling, Multiple Attached</i>				2.0 – 4.5 / 6 m (7)	2.0 – 4.5 / 6 m (7)	2.0 – 4.5 / 6 m (7)
	<i>Dwelling, Back-to Back Townhouse</i>				2.0 – 4.5 / 6 m (7)	2.0 – 4.5 / 6 m (7)	2.0 – 4.5 / 6 m (7)
	<i>Dwelling, Stacked Townhouse</i>				2.0 – 4.5 m (7)	2.0 – 4.5 m (7)	2.0 – 4.5 m (7)
	<i>Dwelling, Back-to-Back Stacked Townhouse</i>				2.0 – 4.5 m (7)	2.0 – 4.5 m (7)	2.0 – 4.5 m (7)
	<i>Dwelling, Apartment</i>				2.0 – 4.5 m (6)	2.0 – 4.5 m (6)	2.0 – 4.5 m (6)
		<i>Nursing Home</i>			2.0 – 4.5 m (6)	2.0 – 4.5 m (6)	

		DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2	
Minimum Setback from <i>Interior Side</i> <i>Lot Line</i>	Non-Residential and Residential Mixed Use	4.5 m (8)	4.5 m (8)	7.5 m	7.5 m	7.5 m	7.5 m	
	Single-Use Residential	<i>Dwelling, Triplex</i>						1.2 m
		<i>Dwelling, Double Duplex</i>						1.2 m
		<i>Dwelling, Linked Villa</i>						1.2 m (9)
		<i>Dwelling, Street Townhouse</i>				1.2 m (9)		1.2 m (9)
		<i>Dwelling, Live-Work Units</i>				1.2 m (9)	1.2 m (9)	1.2 m (9)
		<i>Dwelling, Maisonette</i>				1.2 m	1.2 m	1.2 m
		<i>Dwelling, Multiple Attached</i>				1.2 m	1.2 m	1.2 m
		<i>Dwelling, Back-to Back Townhouse</i>				1.5 m (9)	1.5 m (9)	1.5 m (9)
		<i>Dwelling, Stacked Townhouse</i>				1.2 m	1.2 m	1.2 m
		<i>Dwelling, Back-to-Back Stacked Townhouse</i>				1.5 m	1.5 m	1.5 m
		<i>Dwelling, Apartment (less than 6 storeys)</i>				3.6 m	3.6 m	3.6 m
		<i>Dwelling, Apartment (6 storeys and over)</i>				5.5 m	5.5 m	5.5 m
		<i>Nursing Home</i>				5.5 m	5.5 m	

		DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2	
Minimum Setback from Rear Lot Line	Non-Residential and Residential Mixed Use	3.0 m	3.0 m	9.0 m (10)	9.0 m (10)	9.0 m (10)	9.0 m (10)	
	Single-Use Residential	<i>Dwelling, Triplex</i>						7.5 m (11)
		<i>Dwelling, Double Duplex</i>						7.5 m (11)
		<i>Dwelling, Linked Villa</i>						7.5m (11)
		<i>Dwelling, Street Townhouse</i>				7.5 m (11)		7.5 m (11)
		<i>Dwelling, Live-Work Units</i>				7.5 m (11)	7.5 m (11)	7.5 m (11)
		<i>Dwelling, Maisonette</i>				7.5 m (11)	7.5 m (11)	7.5 m (11)
		<i>Dwelling, Multiple Attached</i>				7.5 m (11)	7.5 m (11)	7.5 m (11)
		<i>Dwelling, Back-to Back Townhouse</i>				0.0 m	0.0 m	0.0 m
		<i>Dwelling, Stacked Townhouse</i>				7.5 m (11)	7.5 m (11)	7.5 m (11)
		<i>Dwelling, Back-to-Back Stacked Townhouse</i>				0.0 m	0.0 m	0.0 m
		<i>Dwelling, Apartment</i>				9.0 m (10)	9.0 m (10)	9.0 m (10)
		<i>Nursing Home</i>			9.0 m	9.0 m		

		DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2		
<i>Lot Coverage</i> (12)	<i>Buildings</i> (including underground parking covered by landscaped open space, and above ground parking structures)	30% min.	30% min.	40% min.	40% min.	40% min.	30% min.		
	Landscaped Open Space	5% min.	5% min.	15% min.	10% min.	15% min.	15% min.		
	Surface Parking / <i>Driveways</i> / Loading and Service Areas (excluding private roads)	35 % max	35% max.	30% max.	30% max.	25% max.	25% max.		
Minimum and Maximum Density	Non-Residential and Residential Mixed Use		Min. Max.	0.75 FSI 4.0 FSI	0.75 FSI 4.0 FSI	1.25 FSI -	1.25 FSI -	1.25 FSI -	
	<i>FSI: Floor Space Index</i>	Single-Use Residential	<i>Dwelling, Triplex</i>	Min. Max.					25 upha 60 upha
<i>Dwelling, Double Duplex</i>			Min. Max.					25 upha 60 upha	
<i>Dwelling, Linked Villa</i>			Min. Max.					25 upha 60 upha	
<i>Dwelling, Street Townhouse</i>			Min. Max.				35 upha 85 upha	35 upha 85 upha	
<i>Dwelling, Live-Work Units</i>			Min. Max.				35 upha 95 upha	35 upha 95 upha	
<i>Dwelling, Maisonette</i>			Min. Max.				25 upha 60 upha	25 upha 60 upha	

				DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCA/RM1 Downtown Central Area – Residential Multiple 1	DCA/RM2 Downtown Central Area – Residential Multiple 2
Minimum and Maximum Density continued <i>FSI: Floor Space Index</i>	Single-Use Residential	<i>Dwelling, Multiple Attached</i>	Min.				25 upnha	25 upnha	25 upnha
			Max.				85 upnha	85 upnha	85 upnha
		<i>Dwelling, Back-to- Back Townhouse</i>	Min.				40 upnha	40 upnha	40 upnha
			Max.				130 upnha	130 upnha	130 upnha
		<i>Dwelling, Stacked Townhouse</i>	Min.				50 upnha	50 upnha	50 upnha
			Max.				165 upnha	165 upnha	165 upnha
		<i>Dwelling, Back-to- Back Stacked Townhouse</i>	Min.				70 upnha	70 upnha	70 upnha
			Max.				190 upnha	190 upnha	190 upnha
		<i>Dwelling, Apartment</i>	Min.				40 upnha	40 upnha	40 upnha
			Max.				370 upnha (13)	370 upnha (13)	370 upnha (13)
		<i>Nursing Home</i>	Min.			1.25 FSI	1.25 FSI		
			Max.			-	-		

			DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCARM1 Downtown Central Area – Residential Multiple 1	DCARM2 Downtown Central Area – Residential Multiple 2		
Minimum and Maximum Height (14)	Non-Residential and Residential Mixed Use		Min.	2 st/6.0 m	2 st/6.0 m	2 st/6.0 m	2 st/.06 m (15)	3 st	3 st	
			Max.	8 st/28.0 m	8 s/28.0 m	25 st/88.0 m	25 st/88.0 m	25 st/88.0 m	25 st/88.0 m	
st = storeys NOTE: Where cells show two measures, the lesser of the two measures shall apply.	Single-Use Residential	<i>Dwelling, Triplex</i>	Min.						3 st (16)	
			Max.						4 st/11.0 m	
		<i>Dwelling, Double Duplex</i>	Min.							2 st (16)
			Max.							4 st/11.0 m
		<i>Dwelling, Linked Villa</i>	Min.							2 st (16)
			Max.							4 st/11.0 m
		<i>Dwelling, Street Townhouse</i>	Min.					2 st (16)		2 st (16)
			Max.					4 st/11.3 m		15.0 m
		<i>Dwelling, Live-Work Units</i>	Min.					2 st (16)	3 st	2 st (16)
			Max.					4 st/ 11.3 m	4 st/ 11.3 m	4 st/ 11.3 m
		<i>Dwelling, Maisonette</i>	Min.					2 st (16)	3 st	2 st (16)
			Max.					4 st/ 11.3 m	4 st/ 11.3 m	4 st/ 11.3 m
		<i>Dwelling, Multiple Attached</i>	Min.					2 st (16)	3 st	2 st (16)
			Max.					4 st/11.3 m	4 st/11.3 m	4 st/11.3 m
		<i>Dwelling, Back-to- Back Townhouse</i>	Min.					2 st (16)	3 st	2 st (16)
			Max.					4 st/11.3 m	4 st/11.3 m	4 st/11.3 m
<i>Dwelling, Stacked Townhouse</i>	Min.					2 st (16)	3 st	2 st (16)		
	Max.					5 st/15.0 m	5 st/15.0 m	5 st/15.0 m		

				DCA/ME1 Downtown Central Area – Mixed Employment 1	DCA/ME2 Downtown Central Area – Mixed Employment 2	DCA/I Downtown Central Area - Institutional	DCA/MU Downtown Central Area – Mixed Use	DCARM1 Downtown Central Area – Residential Multiple 1	DCARM2 Downtown Central Area – Residential Multiple 2
Minimum and Maximum Height (14) continued	Single-Use Residential	<i>Dwelling, Back-to-Back Stacked Townhouse</i>	Min.				2 st (16)	3 st	2 st (16)
			Max.				5 st/15.0 m	5 st/15.0 m	5 st/15.0 m
		<i>Dwelling, Apartment</i>	Min.				3 st	3 st	3 st
			Max.				25 st/88.0 m	25 st/88.0 m	25 st/88.0 m
		<i>Nursing Home</i>	Min.			2 st/6.0 m	2 st/6.0 m		
			Max.			8 st/28.0 m	8 st/28.0 m		
Minimum Floor-to-Ceiling Height (Ground Floor only) (17)	Non-Residential and Residential Mixed Use			3.3 m	3.3 m	3.3 m	3.3m	3.3 m	3.3 m
	Single-Use Residential	Dwellings, Non-apartment		2.75 m	2.75 m	2.75 m	2.75 m	2.75 m	2.75 m
		Dwellings, Apartment		3.3 m	3.3 m	3.3 m	3.3 m	3.3 m	3.3 m
Maximum Driveway Width	Non-Apartment Single-Use Residential						3.0 m	3.0 m	3.0 m
Minimum Ground Floor Area	Non-Residential			600.0 m ²	600.0 m ²	600.0 m ²	600.0 m ²		
	Residential Mixed Use						600.0 m ²	600.0 m ²	600.0 m ²

- 1) A residential mixed-use building shall have a minimum lot frontage of 30.0 metres.
- 2) No more than 8 ground level dwelling units shall be attached side-by-side along the width of the dwelling, and in no instances shall the width of the dwelling between the opposing outer side walls of the end units be more than 52.0 metres.
- 3) A minimum dwelling unit width of 5.48 metres applies in all instances where a private garage is attached to the front of the dwelling unit; however, the dwelling unit width may be reduced to a minimum of 4.4 metres for a particular unit where the garage is located in and/or has

a vehicle door facing the *yard* opposite the *front yard* and is accessed by a public street or *lane* abutting the same *yard*, or where parking is provided in a common parking area.

- 4) The specified minimum amount of built frontage along any given *block face* relates to *building* walls located inside a *build-within zone*.
- 5) The specified minimum amount of built frontage may be reduced to 50% for any portion of the *block face* consisting of a *lot* where the *building* wall within the *build-within zone* is an exterior side wall of a triplex, double duplex, linked villa, street townhouse, maisonette, *live-work unit*, block townhouse, or *stacked townhouse dwelling*.
- 6) A minimum two-thirds (67) of the length of both the front and exterior side walls of a *building* shall be located within the prescribed range of the *build-within zone*; the remaining third (33%) may be further setback from the street edge. In the case of a *corner lot*, a portion of the junction of the front and exterior side walls (i.e., the *building* “corner”) shall be built within 0.6 – 3.0 metres of the *daylighting triangle*/corner rounding. The one exception to the build-within requirement abutting a *daylighting triangle*/corner rounding shall be in the event that the street corner of the *lot* is developed for the purposes of an urban square, in which case at least 70% of that part of the perimeter of the urban square which is not adjacent to a street edge or sight triangle shall abut a *building* façade. Public utility *buildings* are not subject to any build-within provisions.
- 7) Where the range is shown as “**x-y**”, **x** is the minimum *yard* setback, **y** is the maximum *yard* setback, and no *parking space* in the *yard* or *private garage* door facing onto the *yard* shall be permitted. Where the range is shown as “**x-y/z**”, **x** is the minimum *yard* setback, **y** is the maximum *yard* setback in instances where no *parking space* in the *yard* or *private garage* vehicle door facing onto the *yard* is proposed, and **z** is the maximum *front yard* setback in instances where a *parking space* in the *front yard* or *private garage* vehicle door facing onto the *front yard* is proposed. In all instances, where a *private garage* vehicle door is proposed facing onto the *front yard*, the vehicle door face shall not be setback from the *front lot line* 1.5 metres more than the value of **z**, nor shall a *private garage* project beyond the front face of the *dwelling unit*.

Notwithstanding any other requirement of this by-law, all *dwelling units* designed as double front units shall have a maximum *front yard* setback of 3.5 metres and a maximum *exterior side yard* setback of 3.5 metres.

The *build-within zone* does not apply to *buildings* which by physical necessity are located in the interior of a block and adjacent only to a private road, *lane* or *driveway*, or to *accessory buildings* or *structures*.

Notwithstanding any other requirements of this By-law, the prescribed setbacks for a *build-within zone* may be measured from the front face of an attached *porch*, subject to the following:

- i) the depth of the attached front or exterior side *porch* shall not be less than 1.5 metres and no more than 3.0 metres, measured from the front face or exterior side face of the *building* to the front face of the *porch*;
 - ii) the minimum width of the attached front or exterior side *porch* shall not be less than the following, whichever is less:
 - a) 3.0 metres; or
 - b) if the *porch* faces the *front yard*, the entire width of the habitable portion of the *building*, measured from the nearest exterior wall of any attached *private garage* to the opposite side wall of the *building*.
 - iii) the front face of an attached *porch* may encroach to within a minimum of 1.5 metres from a front or *exterior side lot line*, and still be considered to comply with the *build-within zone* requirements.
- 8) Plus 0.3 metres extra for each additional 1.0 metre of *building height* in excess of 12.0 metres.
 - 9) No *side yards* are required abutting a *side lot line* that coincides with the vertical party wall between two *dwelling units*.
 - 10) The *rear yard* shall be half the *height* of the *building* from a minimum of 9.0 metres up to a maximum of 15.0 metres.
 - 11) In instances where more than one-third of the units, in a *dwelling* are located on a *through lot* or on a *lot* abutting a *public street* on one side and an Open Space Zone on the opposite side, the *dwelling* shall be designed such that all units are double front units, and there is no *rear yard* as defined in Section 3. For double front units on a *through lot*, the *front yard* shall be the *yard* facing the public street having the greater right-of-way width or, if the rights-of-way are equal, the *yard* without a *parking space* in the *yard* or *private garage* vehicle door facing onto the *yard*. For double front units on a *lot* abutting a *public street* on one side and an Open Space Zone on the opposite side, the *front yard* shall be the *yard* facing abutting the Open Space Zone. In both instances, the *yard* located opposite the *yard* deemed to be the *front yard* shall have a minimum depth of 3.0 metres, although a *porch* may further encroach a maximum of 1.5 metres into the *yard*.

- 12) Notwithstanding any other provision of this By-law, where the principal *use* of a property is a *Parking Lot*, a maximum of 75% of the site may be used for parking, aisles and *driveways*, provided that all applicable landscaping and buffer requirements of this By-law are maintained.
- 13) Where the *apartment dwelling* is a *senior citizen's apartment building*, up to 550 units per net hectare may be permitted.
- 14) Notwithstanding the minimum *height* requirements specified for any Downtown Central Area Zone, where a development site includes an area designated in the Ajax Official Plan as a "*Gateway Site*", the minimum *height* requirements specified in Section 6.9.3 shall apply.
- 15) A residential mixed-use *building* shall have a minimum *height* of 3 storeys.
- 16) For single-use residential *dwellings* adjacent to Harwood Avenue South or Bayly Street, the minimum *height* shall be 3 storeys.
- 17) This regulation applies only to *buildings* adjacent to designated arterial and collector roads.

6.9.2.1 Interim Non-Compliance With Respect to Built Frontage, Lot Coverage and Density Requirements

i) Extensions/Expansions of *Existing Non-Complying* Development

Notwithstanding the Built Frontage, *Lot Coverage* and Density requirements within Section 6.9.2, extensions or expansions of *existing non-complying* development (namely, additions to *existing buildings* or the development of new *buildings* on the same site as *existing* development) on development sites larger than 2.0 hectares shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density, provided that:

- a) the intent of the Official Plan is not compromised and the tests prescribed in Section 2.4.2.1 m) of the Official Plan are met; and,
- b) the *building* extension or expansion is designed and sited in a manner which demonstrates, to the satisfaction of the Town, that the development of the site is moving toward a greater level of compliance with all applicable regulations of this By-law, and does not preclude or hinder the ability to ultimately achieve compliance. In this regard, a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions shall be submitted for approval by the Town. This plan shall demonstrate that the proposed *building* extension or expansion shall protect for the ability of progressive intensification on the site to ultimately achieve compliance. It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

ii) Phasing of New Development on Vacant Sites

Notwithstanding the Built Frontage, *Lot Coverage* and Density requirements within Section 6.9.2, it is understood that the development of any given property may involve a number of phases before it achieves ultimate build-out. As a result, the density, built frontage and *lot coverage* provisions contained in this By-law might only be achieved upon the completion of all phases, rather than on a phase-by-phase basis.

Accordingly, in instances where a development on a vacant site larger than 1.0 hectare is proposed to be phased, *building* phases which individually do not comply with the built frontage, *lot coverage* and/or density provisions of Section 6.9.2 of this By-law shall be permitted without amendment to the Zoning by-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density, provided that a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions is submitted and approved by the Town. Each phase of development undertaken by the proponent shall protect for future phases in accordance with the Master Concept Development Plan, and in no instances will the amount of surface parking provided on-site in conjunction with a particular phase exceed maximum coverage restrictions. The phasing of development in accordance with the approved Master Concept Development Plan shall be a requirement of any related Site Plan Agreement.

It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

6.9.3 Gateway Sites

- i) The Ajax Official Plan symbolically identifies various intersection corners and road segments along Harwood Avenue South and Bayly Street as *Gateway Sites*. The actual physical extent of these sites shall be defined at the time of development approval according to the following criteria:
 - a) where a *Gateway Site* is shown symbolically encompassing a public street corner rather than a public street segment along Harwood Avenue South or Bayly Street West, the lands subject to the *Gateway Site* provisions contained in Section 6.9.3 ii) shall consist of the following:
 - an 11.0 metre by 11.0 metre block located directly at the *public street corner*, as measured along each street edge from the point of intersection of the *street lines*, plus an abutting area equivalent to a minimum additional 203.0 m², in order that the entire area of the corner *Gateway Site* is a minimum 324 m². With the inclusion of the additional minimum area, the total extent of the *Gateway Site* shall include as minimum component a block measuring 11.0 metres by 18.0 metres directly abutting the public street corner, oriented lengthwise along the Harwood Avenue South or Bayly Street street edge;
 - b) where a *Gateway Site* is shown symbolically encompassing a public street segment rather than a public street corner along Harwood Avenue South or Bayly Street West, the lands subject to the *Gateway Site* provisions contained in Section 6.9.3 ii) shall consist of the following:
 - a block having a minimum depth of 11.0 metres located directly abutting the street edge along Harwood Avenue South or Bayly Street West, extending the length of each *block face* comprising the public street segment.
- ii) For each non-residential or residential mixed-use *building* or any portion of such *building* located within a *Gateway Site*, the minimum *height* shall be as follows:
 - a) For all Downtown Central Area Zones in areas designed “Commercial Mixed Use”, “Public Use”, and Hospital-Related Mixed Use” in the Ajax Official Plan: 2 storeys and 9.0 metres, under a minimum roof area of 900.0 m², provided that in all instances, all parts of a *building* located within the *Gateway Site* satisfy the specified minimum *height* requirement.

- b) For all Downtown Central Area Zones in areas designated “Downtown Residential” in the Ajax Official Plan: 3 storeys and 9.0 metres, under a minimum roof area of 900.0 m² provided that in all instances, all parts of a *building* located within the *Gateway Site* satisfy the specified minimum *height* requirement.

For each single-use residential *dwelling* or any portion of such *dwelling* located within a *Gateway Site*, the minimum *height* shall be as follows:

- c) For all Downtown Central Area Zones: 3 storeys and 9.0 metres

6.9.4 Private Garage and *Driveway* Requirements

- i) In all instances, no vehicular access door for an attached or detached *private garage* associated with an individual *dwelling unit* shall face an *exterior side lot line*, and no *driveway* shall be located in an *exterior side yard* pertaining to an individual *dwelling unit*.
- ii) In all instances, no vehicular access door for a detached *private garage* shall face a *front yard* across an intervening *public street*.
- iii) Maximum Garage Width:

The maximum width of the vehicle door opening of an attached *private garage* facing onto a *front yard* or a private road shall not exceed 50 percent of the width of the front face of the associated *dwelling unit*. Where access to a rear-facing, attached *private garage* is provided via a rear *lane* or private road, the garage portion of the *dwelling unit* may have a maximum external width equal to that of the width of the rear wall of the associated *dwelling unit*. Where access to a rear-facing, detached *private garage* is provided via a rear *lane* or private road, the exterior width of the garage shall be subject to the applicable requirements of sub-section 6.9.4 v) below.

- iv) Garage Projections
 - a) Notwithstanding any other provision of this By-law, in any Downtown Central Area Zone, where attached *private garages* are permitted having an opening for vehicular access in the front face of a residential *dwelling unit*, no part of the garage shall project from said face of the *dwelling unit*. Similarly, where the opening for vehicular

access faces an *interior side lot line*, no part of an attached *private garage* shall project from the interior side face of the *dwelling unit*.

b) Where a non-apartment residential *dwelling* consists of double front units which are located either on a *through lot* or on a *lot* abutting a public street on one side and an Open Space Zone on the opposite side, parking and/or an attached *private garage* shall only be permitted in the *yard* located opposite the *front yard*, and the garage shall not be permitted to project into the said *yard*.

c) In all instances, where access to a rear-facing, attached *private garage* is provided via a rear *lane* or private road, the garage portion of the *dwelling unit* may project a maximum of 4.0 metres from the rear wall of the *dwelling unit*, provided that if the projection is 2.0 metres or greater, a *platform* directly above and adjoining the projecting portion of the garage shall be provided.

v) Garage Encroachments and Separation Requirements;

a) Where access to a rear-facing, attached *private garage* is provided via a rear *lane*, the garage portion of the *dwelling unit* may encroach a maximum of 4.0 metres into the required *rear yard*.

b) Where a detached *private garage* is located in the *rear yard* and accessed via a rear *lane*, the provisions of Section 4.1.1, as amended, shall apply, with the exception that such a garage may be setback 0.0 metres from one *interior side lot line* provided that it shares a common side all with a detached garage for an abutting unit within the same *dwelling*. No more than two detached *private garages* may be attached side-by-side to one another, and in all instances, a detached *private garage* shall be setback either a minimum of 1.2 metres from one *interior side lot line* or a minimum of 3.0 metres from an *exterior side lot line*.

c) Where an individual detached *private garage* is provided for a *dwelling unit* in a residential condominium, the garage may be permitted having a depth of up to 7.7 metres and a *gross floor area* of up to 45.0 m², subject to the provisions of Section 6.9.6.

d) A detached *private garage* located in the *rear yard* of a *dwelling unit* shall be separated from the associated *dwelling unit* by a minimum distance of 6.0 metres.

vi) Maximum *Driveway Width* for Non-Apartment Residential *Dwellings*:

Notwithstanding the *Width of Driveway* requirements within Section 6.9.2, the maximum *width of driveway* shall not exceed the following:

- a) In instances where a *private garage* is not a rear facing garage accessed from a rear *lane* or *private road*, the maximum *width of driveway* shall not exceed the following:
 - 1) where a *private garage* is flush with the *building face* of the *dwelling unit*, the maximum *width of driveway* shall not be more than 0.7 metres wider than the vehicle door opening of the garage.
 - 2) where a *private garage* is recessed within the *building face* of the *dwelling unit*, the maximum *width of driveway* shall not exceed the exterior dimensions of the *private garage*.
 - 3) unless otherwise permitted by the *Width of Driveway* provisions in Section 6.9.2, in no case shall the maximum permitted width of a *driveway* exceed more than 66 percent of the width of the adjacent *building face* of the associated *dwelling unit*, up to a maximum of 5.6 metres wide.
- b) In instances where a *private garage* is a rear-facing garage accessed from a rear *lane* or private road, the maximum width of *driveway* shall not exceed the following:
 - 1) where the *private garage* is attached to the associated *dwelling unit*, the maximum width of the *driveway* shall be 0.7 metres wider than the vehicle door opening of the garage, but in no case shall exceed the width of the rear wall of the associated *dwelling unit*,
 - 2) where the *private garage* is detached from the associated *dwelling unit*, the maximum width of the *driveway* shall be 0.7 metres wider than the vehicle door opening of the garage, plus an additional 2.7 metres for every outdoor *parking space* provided wholly alongside and abutting the exterior side of the garage, but in no case shall the *width of driveway* exceed the width of the rear wall of the associated *dwelling unit*.

6.9.5 Porches/Platforms

Notwithstanding the setback and *build-within* provisions in Section 6.9.2, in any Downtown Central Area Zone where non-apartment single-use residential *dwelling*s are permitted, the following provisions shall apply to *platform*s associated with such *dwelling*s:

- i) a *platform* is permitted directly above and adjoining a *porch*, provided that the *platform* does not project beyond the limit of the *porch*;
- ii) where a rear facing, attached *private garage* is provided via a rear *lane* and projects 2.0 metres or more from the rear wall of the *dwelling unit*, a *platform* directly above and adjoining the projecting portion of the garage shall be provided, but in no instance shall the *platform* itself project beyond the vehicle door face of the garage;
- iii) the depth of an attached *porch* shall not be less than 1.5 metres and no more than 3.0 metres, measured from the *building wall* of the *dwelling unit* from which the *porch* projects to the front face of the *porch*;
- iv) the following additional provisions:

Height Above Finished Ground Level			
	Finished Ground Level to 0.6 m	More than 0.6 m and less than 1.2 m	More than 1.2 m
Maximum Area	In a <i>rear yard</i> , <i>interior side yard</i> , or a <i>yard</i> opposite a <i>front yard</i> in instances where a double front <i>dwelling unit</i> is located either on a <i>through lot</i> or on a <i>lot</i> abutting a <i>public street</i> on one side and an Open Space Zone on the opposite side, 50% of the <i>yard</i>	In a <i>rear yard</i> , <i>interior side yard</i> , or a <i>yard</i> opposite a <i>front yard</i> in instances where a double front <i>dwelling unit</i> is located either on a <i>through lot</i> or on a <i>lot</i> abutting a <i>public street</i> on one side and an Open Space Zone on the opposite side, 50% of the <i>yard</i> .	30.0 m ² , unless the <i>platform</i> is located directly above and adjoining the projecting portion of a <i>private garage</i> , in which instance the maximum area shall be 30.0 m ² or match the exterior dimensions of the garage projection, whichever is greater.

	Finished Ground Level to 0.6 m	More than 0.6 m and less than 1.2 m	More than 1.2 m
Maximum Area continued	In a <i>front yard</i> or <i>exterior side yard</i> , the requirements of Section 6.9.2 shall apply	In a <i>front yard</i> or <i>exterior side yard</i> , the requirements of Section 6.9.2 shall apply	
Front and <i>Exterior Side Yard Build-Within Zone</i> Setbacks	The requirements of Section 6.9.2 shall apply.	The requirements of Section 6.9.2 shall apply.	The requirements of Section 6.9.2 shall apply.
Minimum Setback from <i>Interior Side Lot Line</i>	The requirements of Section 6.9.2 shall apply.	The requirements of Section 6.9.2 shall apply.	The requirements of Section 6.9.2 shall apply.
Minimum Setback from <i>Rear Lot Line</i>	1.8 m	1.8 m	3.5 m
Minimum Setback to a <i>yard</i> located opposite a <i>front yard</i> , where the <i>lot</i> contains a double front <i>dwelling</i>	The requirements of Section 6.9.2 shall apply.	The requirements of Section 6.9.2 shall apply.	The requirements of Section 6.9.2 shall apply.

	Finished Ground Level to 0.6 m	More than 0.6 m and less than 1.2 m	More than 1.2 m
Maximum Yard Coverage	<p>In a <i>rear yard</i>, <i>interior side yard</i>, or a <i>yard</i> opposite a <i>front yard</i> in instances where a double front <i>dwelling unit</i> is located either on a <i>through lot</i> or on a <i>lot</i> abutting a <i>public street</i> on one side and an Open Space Zone on the opposite side, the area of the <i>platform</i> shall not exceed 50% of the area of the <i>yard</i> in which it is located.</p> <p>In a <i>front yard</i> or <i>exterior side yard</i>, the requirements of Section 6.9.2 shall apply.</p>	<p>In a <i>rear yard</i>, <i>interior side yard</i>, or a <i>yard</i> opposite a <i>front yard</i> in instances where a double front <i>dwelling unit</i> is located either on a <i>through lot</i> or on a <i>lot</i> abutting a <i>public street</i> on one side and an Open Space Zone on the opposite side, the area of the <i>platform</i> shall not exceed 50% of the area of the <i>yard</i> in which it is located.</p> <p>In a <i>front yard</i> or <i>exterior side yard</i>, the requirements of Section 6.9.2 shall apply.</p>	<p>In no case shall the area of the <i>platform</i> exceed 50% of the area of the <i>yard</i> in which it is located, unless the <i>platform</i> is located directly above and adjoining the projecting portion of a <i>private garage</i>, in which instance the maximum converge shall be 50% of the <i>yard</i> area or equal to the area of the exterior dimensions of the garage projection, whichever is greater.</p>

6.9.6 Yard and Building Separation Requirements for Residential Plans of Condominium

In all instances, the standards contained in Sections 6.9.2, 6.9.3, 6.9.4 and 6.9.5 of this By-law shall apply. However, for circumstances not addressed by these Sections, the following requirements for minimum *yards* and *building* separation shall apply to all non-apartment single-use residential development associated with a plan of condominium:

- i) Minimum *Yard* Setback for a *Principal Building*:
 - a) The front wall of a *dwelling unit* or, if the *dwelling unit* has a front *porch*, the front face of the *porch*: 3.0 metres to a *private road*; in addition, no *private garage* shall project beyond the front face of the *dwelling unit*, and the vehicle door opening shall have a minimum setback of 6.0 metres from a *private road*;
 - b) The rear wall of a *dwelling unit* with no attached, rear-facing *private garage* projecting from the rear wall: 7.5 metres to a *private road*;
 - c) The rear wall of a *dwelling unit* with an attached, rear-facing *private garage* projecting from the rear wall: 7.5 metres to a *private road*, with the garage component of the *dwelling unit* permitted to project up to 4.0 metres from the rear wall of the *dwelling unit* and approaching to within 3.5 metres of a *private road*;
 - d) The side wall of a *dwelling unit*: 3.0 metres to a *private road*; in addition, no vehicular access door for an attached *private garage* associated with an individual *dwelling unit* shall be located in the side wall of a *dwelling unit*.
- ii) Minimum *Yard* Setback for a Detached *Private Garage*:

A detached *private garage* may be located at the rear of an associated *dwelling unit*, subject to the following provisions:

- a) The minimum and maximum distance separation between any part of a detached *private garage* and the rear wall of the associated *dwelling unit* is 6.0 metres and 9.0 metres respectively;
- b) The vehicle door opening faces a *private road* which runs generally parallel to the rear wall of the associated *dwelling unit*, and the vehicle door opening is located a minimum of 3.5 metres from a *private road*.

- c) No more than two detached *private garages* associated with *dwelling units* in the same *dwelling* may be attached side-by-side, and share a common vertical party wall.
- d) Where the side wall of a detached garage is not attached to an abutting *private garage* and faces a private road, a minimum 3.0 metre *yard* adjacent to the garage shall be provided.

iii) Minimum *Building Separation Between Principal Buildings*:

- a) 15.0 metres between a front or rear *building* wall with windows and a front or rear *building* wall with windows of a separate *building*.
- b) 9.0 metres between a front or rear *building* wall with windows and a side *building* wall with or without windows of a separate *building*.
- c) 2.4 metres between a side *building* wall with or without windows and a side *building* wall with or without windows of a separate *building*, except in the case where one or both of the adjacent *buildings* is a *back-to-back townhouse dwelling* or a *back-to-back stacked townhouse dwelling*, in which instance 3.0 metres is required.

iv) Minimum *Building Separation Between a Principal Building and a Detached Private Garage*:

- a) 6.0 metres between the rear *building* wall of the associated *dwelling unit* and any part of the detached *private garage*.
- b) 4.5 metres between a side *building* wall with or without windows and any part of a detached *private garage*.
- c) No front wall of a *dwelling unit* shall face the vehicle door opening of an individual *private garage* across an intervening private road.

- v) Minimum *Building Separation Between Detached Private Garages*:
 - a) 0.0 metres between two *private garages* attached side-by-side, along a common vertical party wall.
 - b) 2.4 metres between the side walls on one side, and 1.2 metres between the side walls on the other side, where an individual detached *private garage* is not part of an attached pair.
 - c) 2.4 metres between the side walls of adjacent pairs.

6.9.7 Fences

- i) No fence associated with a single-use residential *building* in any Downtown Central Area Zone shall be located in a *front yard* that abuts an Open Space Zone.
- ii) No fence shall be located within 1.0 metre of the edge of a *private road*.

6.9.8 Air Conditioning Units

No air-conditioning unit associated with a single-use residential *dwelling unit* shall be located in a *front yard* abutting an Open Space Zone.

SECTION 7 EXCEPTIONS

7.1 EXCEPTIONS

There are special zoning provisions that apply to the lands identified as exceptions in Section 7.1.1 of this By-law. The location of each exception is identified on the Exception Schedules. When there is an inconsistency between the text and the exception schedules, the applicable text shall apply.

7.1.1 List of Exceptions

The following exceptions apply to the properties specified:

Exception	Zoning	Map	By-law	File Reference
1	RM4	28		A14/74, SP2/75, 18CDM 75-54
<p>i) Location: 92 Church Street</p> <p>ii) Legal Description: Part 1, Plan WR-159</p> <p>iii) Additional Uses: <i>Offices</i> on the ground floor of the apartment <i>building</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
2	R1-B	44	91-89	
<p>i) Location: 14 Emperor Street</p> <p>ii) Legal Description: Part 9, Plan 40R-7493</p> <p>iii) Additional Uses: Esthetician service</p> <p>Exception 2 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
2 continued	R1-B	44	91-89	
<p>iv) Other:</p> <p>a) The esthetician services shall be limited to a maximum <i>gross floor area</i> of 65.0 m².</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
3	GE	43	50-84	Z3/84
<p>i) Location: 405 MacKenzie Avenue</p> <p>ii) Legal Description: Part Block F, Plan 481</p> <p>iii) Additional <i>Uses</i>: Fuel storage and dispensing <i>yard</i> with underground fuel storage tank(s)</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
4	PE	38	81-84 86-2005 136-2008 21-2011	Z8/84, Z6/05, OPA 08-A2, SPA1/08, Z7/08
<p>i) Location: West side of Mills Road, north of Hunt Street, known municipally as 170 Mills Road</p> <p>ii) Legal Description: Registered Plan M-30, Part of Lots 3, RP 40R4883 Part 1 and RP 40R4882 Parts 1 and 2; and Plan 512, Part of Lot 3, RP 40R8366, Part 1</p> <p>iii) Interpretation: For the purposes of this Exception, the lands that are subject to this Exception shall be interpreted to be one <i>lot</i>. Mills Road shall be deemed to abut the <i>front lot line</i>, and Hunt Street shall be deemed to abut the <i>exterior side lot line</i>.</p> <p>Exception 4 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
4 continued	PE	38	81-84 86-2005 136-2008 21-2011	Z8/84, Z6/05, OPA 08-A2, SPA1/08, Z7/08

- iv) Additional Permitted Uses: *Co-Generation District Energy Facility* that only burns chipped woodwaste or natural gas a fuel source.
- v) Prohibited Uses: *Drive-Thru Facility; Motor Vehicle Rental Establishment; Motor Vehicle Sales Establishment, Motor Vehicle Used Sales Establishment; Taxi Depot; and Restaurant, Drive-Thru*
- vi) Development Standards:
 - a) Minimum *Front Yard*: 3.0 m
 - b) Maximum *Front Yard*: 6.0 m
 - c) Minimum *Height*: 6.0 metres, save and except for *buildings* in the *rear yard* which shall have a minimum *height* of 3.6 metres.
 - d) Maximum *Height*: 28.0 m
 - e) Maximum *Stack Height*: 47.0 m
 - f) Minimum *Parking Spaces* associated with a *Co-Generation District Energy Facility*: 20
 - g) Minimum parking stall depth: 5.7 m
 - h) Minimum *Landscape Buffer*:
 - i) Adjacent to any public street 3.0 m
 - ii) Between any parking area and any public street 6.0 m
 - i) *Accessory Buildings, Structures and Uses*:
 - i) *Accessory buildings or structures* shall not be permitted in any *side yard*.
 - ii) *Co-Generation District Energy Facility* that only burns chipped woodwaste or natural gas a fuel source.

Exception 4 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
4 continued	PE	38	81-84 86-2005 136-2008 21-2011	Z8/84, Z6/05, OPA 08-A2, SPA1/08, Z7/08

vii) Other:

- a) The electricity generating capacity shall be limited to a maximum of 25MV.
- b) Ash shall be stored in a sealed container.
- c) Chipping of wood shall not be permitted on site.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
5	NC	32	98-86 87-2006	Z6/86, ICI5/88, OPA06-A3, Z8/06

- i) Location: 135 Mandrake Street
- ii) Legal Description: Block 91, Plan 40M-1378, southwest corner of Mandrake Street and Angus Drive
- iii) Additional Uses: Residential: *Stacked Townhouse Dwelling; Back-to-Back Townhouse Dwelling; Back-to-Back Stacked Townhouse Dwelling; Dwelling Units* in a Residential/Commercial Mixed Use Building

Non-residential: *Convenience Store, Day Care Facility, Dry Cleaning Depot* (excluding self-serve laundry facilities), *Financial Institution, Library, Office,*

Personal Service Shop, Restaurant, and Service or repair shop, provided that all such non-residential uses are located on the ground floor of a Residential/Commercial Mixed Use Building
- iv) Prohibited Uses: Non-residential: *Serve-serve Laundromat, Drive-Thru Facility, Drive-Thru Restaurant*

Exception 5 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
5 continued	NC	32	98-86 87-2006	Z6/86, ICI5/88, OPA06-A3, Z8/06

v) Development Standards:

a) Minimum Lot Coverage:

i) *Building Area*: 20%

ii) Where an urban square is provided between the *principal building* and a street corner, the area of the urban square, up to an amount not exceeding 5% of the total *lot area*, **may** be considered as a substitute for *Building Area*, in lieu of actual *building coverage*.

b) Built Frontage Within a Build Within Zone:

i) 50% of the *lot frontage*; or

ii) Provided that the *building* has a *Gross Floor Area* of at least 3,800 square metres; shall apply to at least three points (as measured perpendicular from the adjacent *lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 as measured along the front and/or *exterior side lot line*.

However, notwithstanding the above, where the *lot* is a *corner lot* and an urban square is developed between the *principal building* and the street corner, the street frontage of the urban square **may** be considered equivalent to a length of a *building* façade in terms of contributing to the required minimum built frontage.

c) *Front Yard Build-Within Zone*:

i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 6.0 metres (maximum) of the front and *exterior side lot lines*.

ii) In the case of a *corner lot*, a portion of the junction of the front and exterior side walls (i.e., the *building* "corner") shall be built with 3.0 to 6.0 metres of the *daylighting triangle/corner rounding*. An exception to this requirement shall be in the event that an urban square is developed between the *principal building* and the street corner, in which case at least 50% of that part of the

Exception 5 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
5 continued	NC	32	98-86 87-2006	Z6/86, ICI5/88, OPA06-A3, Z8/06

urban square which is not adjacent to a street edge or sight triangle/corner rounding shall abut a *building* façade.

iii) The *Build-Within Zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

d) Minimum *Height*: 3 storeys and 9.0 m

e) Maximum *Height*: 4 storeys

f) Minimum *Floor Space Index* (FSI): 0.2

g) Parking:

i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a front and/or *exterior side lot line* between at least three separated points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

ii) No *private garages* or *driveways* shall be permitted for individual *dwelling units*.

vi) Other:

a) The development standards identified in sub-section (v) above do not apply to a public utility *building*.

b) A minimum seating capacity of 25 *persons* shall be provided per *restaurant*.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
6	RM4	28, 35	9-86	Z12/85, SP1/86
<p>i) Location: 98 Church Street</p> <p>ii) Legal Description: Part Lot 15, Concession 1</p> <p>iii) Maximum Number of Units: 6</p> <p>iv) Additional Uses: Apartment building</p> <p>v) Development Standards:</p> <p>a) Minimum Lot Frontage: 14.7 m</p> <p>b) Minimum Interior Side Yard: 3.5 m</p> <p>c) Maximum Building Height: 7.5 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
7	AC	29	161-86	SP19/86, Z1/86
<p>i) Location: 2 Westney Road South – Shell Canada</p> <p>ii) Legal Description: Block 105, Plan 40M-1230, southwest corner of Highway 2 and Westney Road South</p> <p>iii) Additional Uses: A retail convenience store in conjunction with the automobile gas bar</p> <p>iv) Other:</p> <p>a) The maximum gross leasable floor area for the retail convenience store shall be 55.0 m².</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
8	GC	30	187-88 142-91 87-99 112-01	Z21/84, Z19/86, Z5/99, Z02/01, Z10/01
<p>i) Location: 15 Westney Road North – Westney Heights Plaza</p> <p>ii) Legal Description: Blocks 93 and 95, Plan 40M-1228, and Parts 1, 2, and 3, Plan 40R-12030, located on the northeast corner of Kingston Road and Westney Road North</p> <p>iii) Additional Uses: Farmers' market or auction market; <i>drive-thru restaurant</i>, and one supermarket</p> <p>iv) Minimum Parking: 1 space per 19.0 m² of <i>gross leasable floor area</i>, except the <i>uses</i> within the mezzanine level of the <i>existing building</i> on lands described as Parts 1 & 2 of Plan 40R-12030 shall be subject to a parking standard of 1 space per 38.0 m².</p> <p>v) Other:</p> <p>a) The supermarket shall be limited to a maximum gross leasable floor area of 5,574.0 m².</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
9	VC3	28	51-89	Z15/88, Z01/08
<p>i) Location: 555 Kingston Road West</p> <p>ii) Legal Description: Part Lot 5 and Lot 6, Plan 11</p> <p>iii) Development Standards:</p> <p>a) Minimum distance between the front <i>porch</i> and the <i>front lot line</i>: 11.5 m</p> <p>b) Maximum <i>Building Height</i>: 11.0 m</p> <p>c) Minimum <i>front yard</i> landscaping: 35%</p> <p>Exception 9 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
9 continued	VC3	28	51-89	Z15/88, Z01/08
d) Minimum <i>parking spaces</i> :				28
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

Exception	Zoning	Map	By-law	File Reference
10	EP, PE	42, 48	67-89	Z29/88
i) Location:				500 Clements Road
ii) Legal Description:				Lands located north side of Clements Road West, west of Westney Road South, and opposite Green Court
iii) Additional <i>Uses</i> :				A one-storey community service club <i>building</i> comprising a maximum <i>gross floor area</i> of 196.0 m ²
iv) Development Standards:				
a) Minimum <i>Front Yard</i> from Clements Road West:				19.0 m
b) Maximum Parking Area::				930.0 m ²
v) Other:				
a) All <i>structure(s)</i> and parking area shall be located on tablelands.				
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

Exception	Zoning	Map	By-law	File Reference
11	I-A	48	105-89 49-94	Z9/88
i) Location:				253 Lake Driveway West
ii) Legal Description:				Part Block 1, Plan 40M-1486
iii) Additional <i>Uses</i> :				<i>Office uses</i>
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

Exception	Zoning	Map	By-law	File Reference
12	DCA/MU	38	141-89 62-2004 86-2005	Z5/88, Z6/04, Z6/05, OPA No. 15, OPA No. 20
<p>i) Location: 75 Commercial Avenue</p> <p>ii) Legal Description: Lots 13 and 14, Part of Lot 15, Plan M-31</p> <p>iii) Prohibited Uses: <i>Drive-Thru Facility, Drive-Thru Restaurant, and Taxi Depot</i></p> <p>iv) Development Standards:</p> <p>a) Minimum Yard:</p> <ul style="list-style-type: none"> - Interior Side – northern:: 0.9 m - Rear: 2.8 m <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
13			38-2008	
<p>i) Location: 144 Old Kingston Road</p> <p>ii) Legal Description: Part Lot 16, Concession 2</p> <p>Exception 13 was deleted by By-law 38-2008 on April 14, 2008.</p>				

Exception	Zoning	Map	By-law	File Reference
14	AC	30	175-90	SP7/84, Z6/89
<p>i) Location: 1 Westney Road North – Good Year Car Repair</p> <p>ii) Legal Description: Part Block 94, Plan 40M-1228</p> <p>iii) Prohibited Uses: Automobile gas bar or any other type of fuel dispensing facility</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
15			38-2008	
<p>i) Location: 80 Old Kingston Road</p> <p>ii) Legal Description: Parts 3 and 4, Plan 40R-5409 and Part Lot 20, Plan 11</p> <p>Exception 15 was deleted by By-law 38-2008 on April 14, 2008.</p>				

Exception	Zoning	Map	By-law	File Reference
16	DCA/I	44	96-92 86-2005	Z5/92, Z6/05, OPA No. 20
<p>i) Location: 36 Emperor Street</p> <p>ii) Legal Description: Lot 8, Plan 512</p> <p>iii) Additional Uses: Office uses</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
17			168-91	Z18/90, OMB Approved
<p>i) Location: 46 Church Street North</p> <p>ii) Legal Description: Lot 5, Plan 476</p> <p>iii) Additional Uses: Office uses limited to a maximum gross floor area of 86.0 m² in association with permitted residential uses comprising a minimum gross floor area of floor area of 93.0 m²</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception 18	Zoning R1-B, OS, EP	Map 51, 52, 57, 58	By-law 12-93	File Reference Z13/92
<p>i) Location: Pickering Beach</p> <p>ii) Legal Description: Plans 250 (excluding Lots 4, 24, 32, 33, 34 and 35), 285, 372, 380 (excluding Lots 13 and 26) and 392</p> <p>iii) Development Standards for lands zoned 'R1-B':</p> <p>a) Minimum <i>Lot Depth</i>: 30.48 m</p> <p>b) Minimum <i>Yard – Front</i>: 7.62 m</p> <p>c) Maximum <i>building height</i>: 9.14 m</p> <p>iv) Development Standards for lands zoned 'OS' and 'EP':</p> <p>a) Maximum <i>building height</i>: 9.14 m</p> <p>v) Other:</p> <p>a) Maximum <i>lot coverage</i> of 33% or 150.96 m² (1,625 sq ft) whichever is less for <i>lots</i> less than 603.85 m² (6,500.0 sq ft); and maximum <i>lot coverage</i> of 25% for <i>lots</i> equal to or greater than 603.85 m² (6,500.0 sq ft.).</p> <p>b) Notwithstanding the provisions of Section 6.2.2 of this By-law, no new <i>dwelling unit</i> shall be permitted to be erected on any vacant <i>lot</i> within Registered Plans 250 (excluding <i>Lots</i> 4, 24, 32, 33, 34 and 35), 285, 372, 380 (excluding <i>Lots</i> 13 and 26) or 392 in the Town of Ajax without municipal water and sanitary sewers being available and connected to the unit. In addition, an appropriate storm drainage system shall be available for each <i>lot</i>. However, this section shall not prevent the replacement, enlargement or extension to any <i>dwelling unit</i> or permitted accessory <i>building</i> occupied as of May 1st, 1972, and located within Registered Plans 250 (excluding <i>Lots</i> 4, 24, 32, 33, 34 and 35), 285, 372, 380 (excluding <i>lots</i> 13 and 26) or 392 in accordance with the requirements of the appropriate zone designation.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
19	GE	43, 49	76-2003	Z10/02, OMB Approved

- i) Location: 375 Clements Road West
- ii) Legal Description: Parts 2 and 3, Plan 40R-10031, Part of Block 2, Registered Plan 40M-1308
- iii) Additional Uses: Waste material recycling facility
- iv) Other:
 - a) A waste material recycling facility shall be subject to the following conditions:
 - i) The use of the Facility shall be limited to the recovery, processing, transfer and handling of solid, non-hazardous waste and recyclables from institutional, commercial, industrial, construction or demolition sources and blue box recyclables.
 - ii) The Facility shall not be used to transfer, receive, store, handle or process domestic or putrescible waste or hazardous waste.
 - iii) That outside storage of recycled and residual waste products be contained in storage bins with covers and the stacking of such bins shall be prohibited.
 - iv) That all waste handling occur within a wholly enclosed *building*.
 - v) That the storage of disposal vehicles, equipment, storage bins and/or containers shall be prohibited in the *front yards*.
 - vi) That the *gross floor area* of the *building* shall not exceed 5,000 square metres exclusive of *office uses*.
 - vii) That the volume of permitted waste material accepted on the Land shall not exceed 180 metric tonnes per day; and
 - viii) That the volume of permitted waste stored at the Facility shall not exceed 540 metric tonnes.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
20	RM6	30	125-94	Z14/90, Z12/92, SP2/93
<p>i) Location: Arnold Estate Lane</p> <p>ii) Legal Description: Part Lot 10, Concession 1</p> <p>iii) Additional Uses: Detached and <i>semi-detached dwellings</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
21	NC	38	90-93	Z11/92
<p>i) Location: 9 Doric Street</p> <p>ii) Legal Description: Plan 40M-1349, Block 10</p> <p>iii) Permitted Uses: <i>Animal hospital, offices (excluding medical offices) and one dwelling unit</i></p> <p>iv) Other:</p> <p>a) No external holding and/or kennel facilities shall be permitted on the subject lands</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
22	R1-B, R1-D	20, 27	127-93	Z12/90, Z10/93, Z15/94, Z16/94
<p>i) Location: Elizabeth Street, McNeilage Court, and Annie Crescent</p> <p>ii) Legal Description: Lots 52 to 63 inclusive, Plan 40M-1749, Lots 1, 13, 14 to 20 inclusive and Lots 28 to 47 inclusive, Plan 40M-1805</p> <p>Exception 22 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
22 continued	R1-B, R1-D	20, 27	127-93	Z12/90, Z10/93, Z15/94, Z16/94
<p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Coverage</i>: Plan 40M-1749 and Plan 40M-1805 zoned 'R1-B' and 'R1-D': 42 %</p> <p>b) Minimum <i>rear yard</i> setback for accessory <i>structures</i>: Lots 14 to 20 inclusive and Lots 28 to 47 inclusive, Plan 40M-1805 and Lots 52 to 63 inclusive, Plan 40M-1749 3.0 m</p> <p>c) Minimum <i>interior side yard</i> setback adjacent to valley lands: Lots 1, 13 and 14, Plan 40M-18053 3.0 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
23	UC	32	112-94	Z8/93
<p>i) Location: Southwest corner of Pickering Beach Road and Kingston Road</p> <p>ii) Legal Description: Lots 3, 4, 5, and 73, Plan M-377</p> <p>iii) Development Standards:</p> <p>a) Any <i>building</i> or elevated parking <i>structure</i> shall be setback a minimum of 20.0 metres from lands zoned A' Agricultural.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
24	R1-B	14, 21	108-94	Z11/94
<p>i) Location: 82 to 94 Roberson Drive</p> <p>ii) Legal Description: Lots 183 to 189 inclusive and Block 272, Plan 40M-1793</p> <p>iii) Development Standards:</p> <p>a) The minimum <i>rear yard</i> setback for all <i>buildings</i>, <i>accessory structures</i>, decks, swimming pools or any paved surfaces shall be 10.0 metres</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference				
25	R1-B, R1-D, R2-A, R3	20, 21, 27, 28	141-94	Z12/94				
<p>i) Location: Draft plan of subdivision 18T-88069</p> <p>ii) Legal Description: Part Lots 15 and 16, Concession II</p> <p>iii) Development Standards:</p> <p>a) Maximum <i>Lot Coverage</i>:</p> <table style="margin-left: 40px;"> <tr> <td>- For 'R1-B' zone:</td> <td style="text-align: right;">42 %</td> </tr> <tr> <td>- For 'R2-A' zone:</td> <td style="text-align: right;">49 %</td> </tr> </table> <p>b) Section 6.2.3 shall not apply.</p> <p>c) Section 6.2.4 shall apply; save and except for the following provisions:</p> <p style="margin-left: 40px;">i) The minimum <i>front yard</i> setback for an attached garage on a street side with a sidewalk shall be 5.5 metres.</p> <p style="margin-left: 40px;">ii) The maximum <i>front yard</i> setback for a <i>dwelling unit</i> on a street side with a sidewalk shall be 10.0 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>					- For 'R1-B' zone:	42 %	- For 'R2-A' zone:	49 %
- For 'R1-B' zone:	42 %							
- For 'R2-A' zone:	49 %							

Exception	Zoning	Map	By-law	File Reference
26	RM6	28	142-95	Z2/94

- i) Location: South side of Kingston Road, west of Randall Drive
- ii) Legal Description: North Part Lot 15, Concession I now Part 1, RP 40R-1747, Part 6, RP 40R-2213, Part 1, 40R-12758 and Part 1, 40R-8928
- iii) Maximum Number of Units: 31 residential *dwelling*s
- iv) Additional *Uses*: *Semi-detached dwelling*s
- v) Development Standards:
 - a) Minimum *Yard*:
 - Interior Side (Western Property Line) 0.0 m
 - Exterior Side (Randall Drive): 4.5 m
 - Rear (Southern Property Line): 1.5 m
 - b) Maximum *Building Height*: 12.5 m
 - c) Minimum Parking: 2 spaces per unit
 - d) Minimum Aisle Width: 6.0 m
- vi) Other:
 - a) The subject lands zoned 'RM6' shall be deemed to be a '*Lot*' for the purposes of determining compliance with the performance standards and requirements set out in this Exception
 - b) The *lot line* adjacent to Highway No. 2 shall be deemed the front (northern) *lot line*; the *lot line* adjacent to Randall Drive shall be deemed the exterior *lot line*; the *lot line* adjacent to the top-of-bank shall be deemed to be the *interior lot line*, and the *lot line* adjacent to the southern most unit shall be deemed to be the *rear lot line*.
 - c) The minimum distance between exterior *building* walls adjacent to one another shall be 1.4 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
27	R2-A	48	149-95	Z2/94
<p>i) Location: West side of Westney Road South, south of Lake Driveway</p> <p>ii) Legal Description: Block 45, Plan 40M-1382</p> <p>iii) Permitted Uses: <i>Detached dwellings</i> shall be constructed in accordance with the provisions of the 'R2-A' zone</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
28	RM6	14	77-96	Z1/94
<p>i) Location: 520 Rossland Road West</p> <p>ii) Legal Description: Lot 14, Concession 3</p> <p>iii) Additional Uses: <i>Detached dwellings</i></p> <p>iv) Development Standards:</p> <p>a) Minimum Yard:</p> <ul style="list-style-type: none"> - Front - South Property Line 2.0 m - Exterior Side - Eastern Property Line: 2.0 m - Interior Side -Western Property Line adjacent to Units Numbers 1 and 2 0.0 m <p>v) Other:</p> <p>a) For the purpose of this By-law, the subject lands that are zoned 'RM6' shall be deemed to be a 'Lot' for the purpose of determining compliance with the performance standards and requirements set out in this exception.</p> <p>b) For the purpose of this By-law, the <i>lot line</i> adjacent to Rossland Road West shall be deemed to be the <i>front lot line</i>, the easterly <i>lot line</i></p> <p>Exception 28 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
28 continued	RM6	14	77-96	Z1/94

adjacent to the open road allowance (former Rossland Road West) shall be deemed to be *exterior side yard lot line*; the northern *lot line* adjacent to the top-of-bank shall be deemed to be the *rear yard lot line*, and the *lot line* at the west end of the property adjacent to unit numbers 1 and 2 shall be deemed to be the *interior lot line*.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
29	R1-B, R1-D, R3	39, 45	25-96, 18-97	Z25/89

- i) Location: Between Pickering Beach Road and Salem Road, north of Bayly Street
- ii) Legal Description: Part Lot 6, Concession 1
- iii) Other:
 - a) That *lots* 22 – 30 inclusive, zoned ‘R3’ (semi-detached), may be developed with a minimum *lot depth* of 32.5 metres;
 - b) That *lots* 2 – 8 inclusive, zoned ‘R3’ (semi-detached), shall be subject to *driveway* twinning and may be developed with a minimum *lot depth* of 30.0 metres and a minimum *lot area* of 225 square metres for each development unit;
 - c) That blocks 37 to 39 inclusive, zoned ‘R3’ (street townhouse), shall be developed in accordance with the following provisions:
 - i) that the *building* setback, between the main *building* and the right-of-way for the future realigned Pickering Beach Road, be a minimum of 5.0 metres and that, the front of the main *building* shall face the future realignment for Pickering Beach Road.
 - ii) that the minimum distance from the detached garage to the *side lot line* shall be 0.0 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
30	R1-C, R1-D, R1-E, R3, NC, OS	52, 63	73-96	Z24/94

- i) Location: East of Shoal Point Road, north of Lake Ontario
- ii) Legal Description: Part of *Lots 2 and 3, Ranges 2 and 3, Broken Front Concession (18T-94020)*
- iii) Additional Uses: In the 'NC' zone – *art gallery, commercial fitness center, street townhouse dwelling, and restaurant*
- iv) Development Standards:
 - a) Minimum *Lot Depth*:
 - 'R1-C': 33.0 m
 - 'R1-D': 24.0 m
 - R1-E': 24.0 m
 - 'R3': 32.0 m
 - b) Maximum *Lot Coverage*:
 - For *lots* zoned 'R1-D' and located east of the new Audley Road 47%
 - For bungalows within the 'R1-D' zone 48%
- v) Other:

For the purpose of the 'NC' – Neighbourhood Commercial Zone, only the following standards shall apply to residential uses:

 - a) *Front Lot Line* shall mean the *lot line* that divides the *lot* from the public *lane* (northern *lot line*).
 - b) Street Town House *Dwellings* shall have frontage and access to a public *lane*.
 - c) Minimum *lot frontage*: 6.1 m
 - d) The front of the Street Town House *Dwelling* shall face the *Rear yard* and shall be set back from the *Rear Lot Line* a maximum of 30 m;
 - e) All Detached Garages shall face the *Front Lot Line* with a minimum setback from the *Front Lot Line* of 0.6 m.

Exception 30 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
30 continued	R1-C, R1-D, R1-E, R3, NC, OS	52, 63	73-96	Z24/94

- f) Minimum distance between the Street Town House *Dwelling* and a Detached Garage is 7.5 m or where there is no Detached Garage, the minimum distance between the Street Town House *Dwelling* and a *parking space* is 7.5 m;
- g) Minimum *Side yard* setback for Internal End Units is 1.2 m and for External End Units is 2.0 m;
- h) Maximum *Height*: 11.0 m
- i) Minimum *Parking Spaces per dwelling unit* 2

For the purpose of the 'NC' – Neighbourhood Commercial Zone, only the following standards shall apply to non-residential uses

- j) *Yards*:
- Minimum West *Yard*: 6.0 m
 - Maximum South *Yard*: 3.0 m
 - Minimum *Yard* from any 'OS' Zone: 18.0 m
 - Maximum East *Yard*: 2.0 m
 - Maximum North *Yard*: 3.0 m

k) The maximum aggregate gross leasable floor space for all land uses shall not exceed 1,400.0 m².

l) Maximum *height* shall be 4 storeys.

m) *Restaurants* are permitted in the 'NC' – Neighbourhood Commercial Zone – provided that the following conditions are satisfied:

- i) The *building* has a minimum *gross leasable floor area* of 900.0 m².
- ii) The combined *gross leasable floor area* of the *restaurant* shall not exceed 30% of the *gross leasable floor area* of the *buildings*; and
- iii) The *restaurant* shall be part of a *building* containing other commercial uses.

Exception 30 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
30 continued	R1-C, R1-D, R1-E, R3, NC, OS	52, 63	73-96	Z24/94

- n) The minimum setback for an attached garage on a street side with a sidewalk in the 'R1-C', 'R1-D', 'R1-E', and 'R3' zones shall be 5.0 metres;
- o) The regulations for *Daylighting Triangles* contained in Section 4.7.1 of this By-law shall not apply to *corner lots* in the 'R1-D' and 'R1-E' zones where intersections are controlled by stop signs, save and except, the following intersections identified below:
- Street "O" at Street "A"
 - Street "H" at Street "B"
 - Street "T" at Street "V"
 - Street "U" at Street "V"
 - Street "P" at Street "C"
- p) In the 'R1-C', 'R1-D' and 'R1-E' zones, attached garages may extend up to 3.5 metres in front of the front face of the main *building* provided:
- i) A habitable room will be located over the garage and will not be setback more than 2.0 metres; and
 - ii) The front *porch* will not be setback from the front face of the attached garage more than 1.0 metre
- q) In the 'R3' zone, detached garages shall be setback a minimum of 0.0 metres from any *interior side lot line* and 0.6 metres from any exterior *lot line*, where vehicular access to the detached garages is only from a rear laneway
- r) The lands zoned 'OS' – Open Space and located at the southwest corner of Audley Road and Ashbury Boulevard (former elementary *school* site) may be developed in accordance with the provisions of the 'RM5' zone subject to the following conditions:
- i) Any development on the lands shall be limited to an apartment *building* for senior citizens and/or *multiple attached dwellings* for senior citizens.
 - ii) Minimum Yard:
 - Front: 3.0 m to 10.0 m

Exception 30 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
30 continued	R1-C, R1-D, R1-E, R3, NC, OS	52, 63	73-96	Z24/94
<ul style="list-style-type: none"> - Exterior Side: 3.0 m to 10.0m - Rear from the 'EP zone: 7.5 m <ul style="list-style-type: none"> iii) Maximum GFA as a % of Lot Area: 125% iv) Maximum <i>Building Height</i>: 4 storeys <ul style="list-style-type: none"> s) In the event that the lands referred to in paragraph (r) are used exclusively for residential <i>uses</i>, then all lands forming part of this area, within 120.0 metres of the Ministry of Natural Resources approved limit of wetland as surveyed January 10, 1996, will be dedicated to the Town of Ajax, and this dedicated area will then form part of the adjacent 'EP' – Environmental Protection zone. <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
31	UC	31	98-96	Z4/95
<ul style="list-style-type: none"> i) Location: 76 Old Harwood Avenue ii) Legal Description: Plan 401, Lot 2 iii) Development Standards: <ul style="list-style-type: none"> a) Minimum <i>Lot Frontage</i>: 15.0 m <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
32	R1-D, R1-E, R3	46, 52	47-97	Z27/89
<p>i) Location: Angier Crescent, Greenhalf Drive, Hulley Crescent, and Woolf Crescent</p> <p>ii) Legal Description: Plan 40M-1985, 40M-1986, and 40M-2136</p> <p>iii) Other:</p> <p>a) The measurement of the minimum required <i>rear yard</i> setback for those <i>lots</i> within Plan of Subdivision 18T-89104 that are subject to a conservation easement along the rear portion of the <i>lots</i> shall be taken from the closest limit of said conservation easement to the main <i>building</i>.</p> <p>b) For the lands zoned 'R1-E' and described in Plan 40R-21823, Parts 51 to 60, the minimum <i>lot frontage</i> shall be 7.5 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
33	R1-B	24	50-97	Z4/97
<p>i) Location: Old Harwood Avenue/Sheldon Drive</p> <p>ii) Legal Description: Part Lot 9, Concession II</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Yard</i>:</p> <p style="padding-left: 40px;">- Rear: 9.0 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
34	RM6	45	69-97	Z12/95, Z4/98
<p>i) Location: Located between <i>existing</i> and re-aligned Pickering Beach Road</p> <p>ii) Legal Description: Part Lot 6, Broken Front Concession, Range 3</p> <p>iii) Maximum Number of Units: 40 <i>multiple attached dwellings</i></p> <p>iv) Development Standards:</p> <p>a) Maximum <i>Lot Coverage</i>: 55%</p> <p>b) Minimum Parking: 2.25 spaces per unit</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
35	RM5	45, 46	69-97 96-98	Z12/95
<p>i) Location: East of re-aligned Pickering Beach Road and south of Bayly Street</p> <p>ii) Legal Description: Part Lot 6, Broken Front Concession, Range 3</p> <p>iii) Maximum Number of Units: two apartment <i>buildings</i>, each containing a maximum of 111 <i>dwelling units</i></p> <p>iv) Development Standards:</p> <p>a) Minimum <i>Yard</i>:</p> <p>- South Property Line: 20.0 m</p> <p>- North Property Line: 7.5 m</p> <p>b) Maximum <i>Lot Coverage</i>: 55%</p> <p>Exception 35 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
35 continued	RM5	45, 46	69-97 96-98	Z12/95
c) Minimum Distance between any <i>building</i> or <i>structure</i> and any lands zoned 'EP' – 'Environmental Protection':				10.0 m
d) Maximum <i>Building Height</i> :				45 m
e) Minimum Parking:			1.25 spaces per unit	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

Exception	Zoning	Map	By-law	File Reference
36	UC	32	116-97	Z10/97
i) Location:		65 and 67 Kingston Road East		
ii) Legal Description:		Lot 163, Plan 377		
iii) Prohibited <i>Uses</i> :		<i>Restaurant</i> with a drive-thru component		
iv) Other:		a) No retail <i>convenience stores</i> or <i>restaurants</i> shall be permitted within 45.0 metres of the western property line.		
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

Exception	Zoning	Map	By-law	File Reference
37				
i) Location:		West of Harwood Avenue and south of Bayly Street		
ii) Legal Description:		West of Harwood Avenue South and south of Bayly Street West		
Exception 37 was deleted by By-law 86-2005				

Exception	Zoning	Map	By-law	File Reference
38	DCA/MU	44	21-98 63-2004 86-2005 131-2012	Z8/96, Z6/04, Z6/05, SP18/11, OPA No.15, OPA No.20
<p>i) Location: Southwest corner of Harwood Avenue South and Bayly Street West</p> <p>ii) Legal Description: Part of Blocks S and T, Plan M-26 NOW Parts 5, 6, 7, 8 and 9, Plan 40R-11815</p> <p>iii) Additional Uses: <i>School</i></p> <p>iv) Prohibited Uses: <i>Drive-Thru Facility, Drive-Thru Restaurant, and Taxi Depot</i></p> <p>v) Development Standards:</p> <p>a) Minimum <i>Building Height</i> Outside of a <i>Gateway Site</i> Block: 9.0 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
39	R1-D, R1-E, R1-F, R2-B, RM6	46	108-98 6-2007	Z20/88, Z4/06
<p>i) Location: Plan of Subdivision 18T-88025 Plan 40M-2046</p> <p>ii) Legal Description: Part of Lot 5, Broken Front Concession, Range 3</p> <p>iii) Development Standards:</p> <p><u>Detached</u>: Lots 15 to 25, zoned 'R1-D'</p> <p>a) In accordance with Schedule 'C2' to this By-law.</p> <p><u>Semi-Detached</u>: Lots 1 to 14 and 43 to 54 zoned 'R2-B'</p> <p>a) Shall be developed in the manner and standards as depicted in Schedule 'C1' to this By-law.</p> <p>Exception 39 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
39 continued	R1-D, R1-E, R1-F, R2-B, RM6	46	108-98 6-2007	Z20/88, Z4/06

Block 138 zoned 'RM6'

- a) Shall be developed in the manner and standards as depicted in Schedule 'D-1' to this By-law. These standards will form the basis of the Site Plan for Block 138. Minor variances to these standards may be permitted without further amendment to this By-law, provided the intent of the site concept on Schedule 'D1' is maintained.

iv) Other:

Minimum Distance from *Accessory Building*:

- a) For Residential *dwelling*s zoned 'R1-D', 'R1-F', and 'R2-B':

Minimum *interior side yard* for residential *dwelling*s zoned 'R1-D', 'R1-F', and "R2-B" where there is a detached garage accessed by a rear *lane*. This *side yard* setback will not apply to detached rear laneway garages. 1.2 m

- b) Block 139

A minimum setback of 7.0 metres for all *structures* and accessory *buildings* shall apply to Units 111 to 120 on Registered Plan 40M-2046. For all other units, a minimum setback of 10.0 metres for all *structures* and accessory *buildings* shall apply. Fencing and landscaping shall be permitted within the 10.0 metre setback on the adjoining Block 138.

- c) Block 139, 140 and 141

Buildings and *structures* of any kind, the placement of fill or the alteration of a watercourse, other than as required for flood or erosion control, are not permitted in Blocks 139, 140 and 141 unless approved by the Toronto and Region Conservation Authority.

- d) Minimum Clearance:

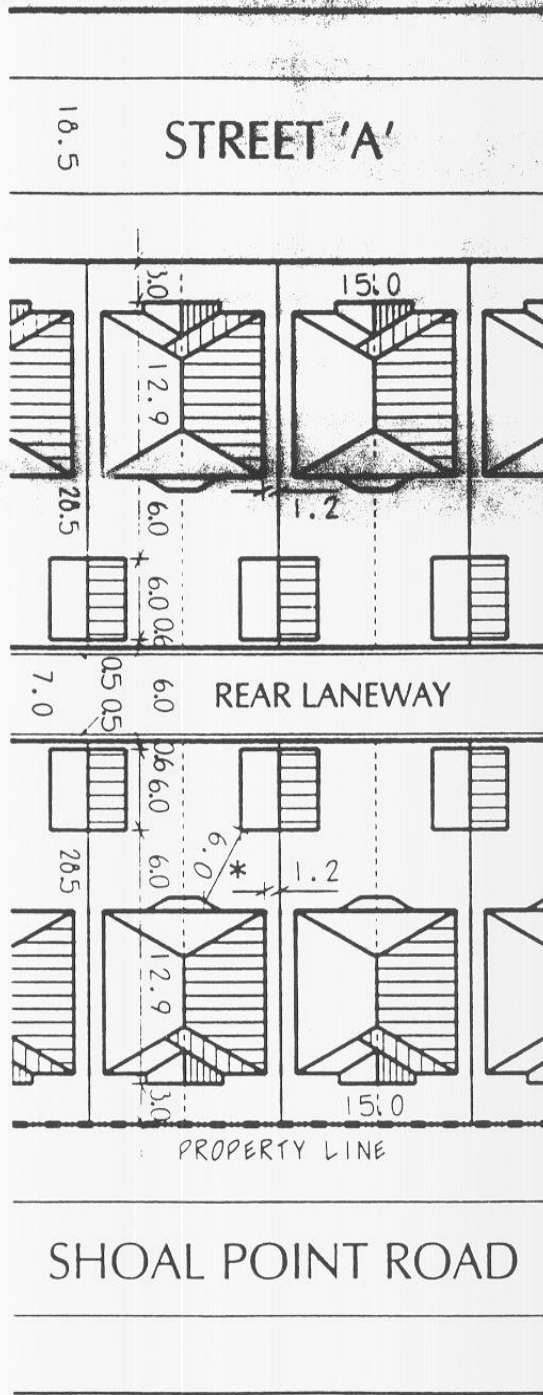
The provisions of Section 4.7 *Daylighting Triangle* shall not apply.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

PROPOSED DRAFT PLAN OF SUBDIVISION
 REGIONAL FILE NO.: 18T-88025
 SHOAL POINT ROAD - AJAX

TOWN OF AJAX PROPOSAL
 TYPICAL CROSS-SECTION

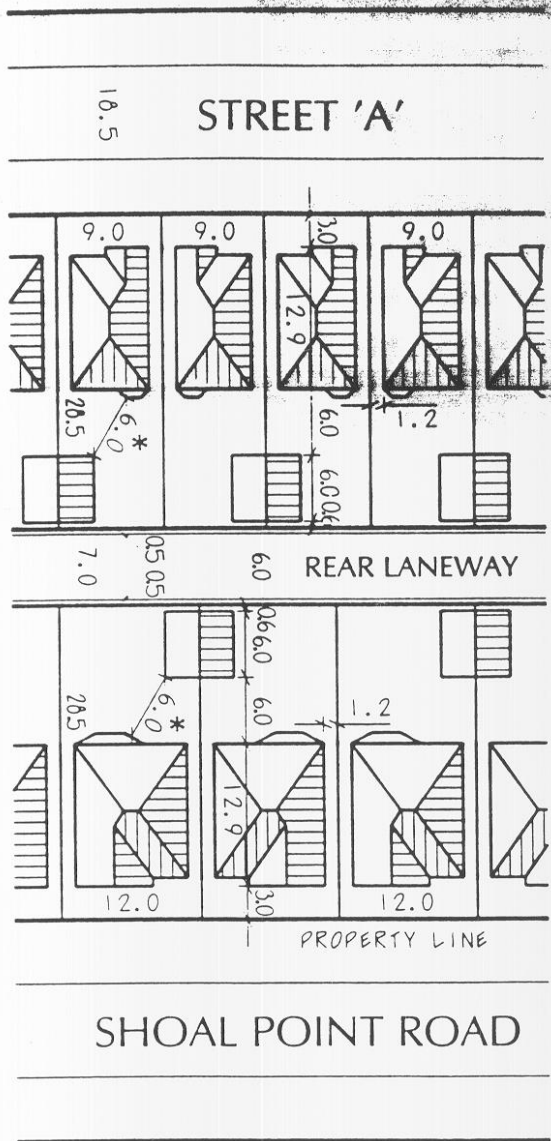
SCHEDULE 'C1'



SCALE 1:500

/1819/LAW 1.044

* NOTE: SEPARATION BETWEEN GARAGE AND BAY EXPANSION AREA CAN BE REDUCED TO 5.25 m WHERE SPECIFIC BUILDING PLANS ARE PROVIDED.



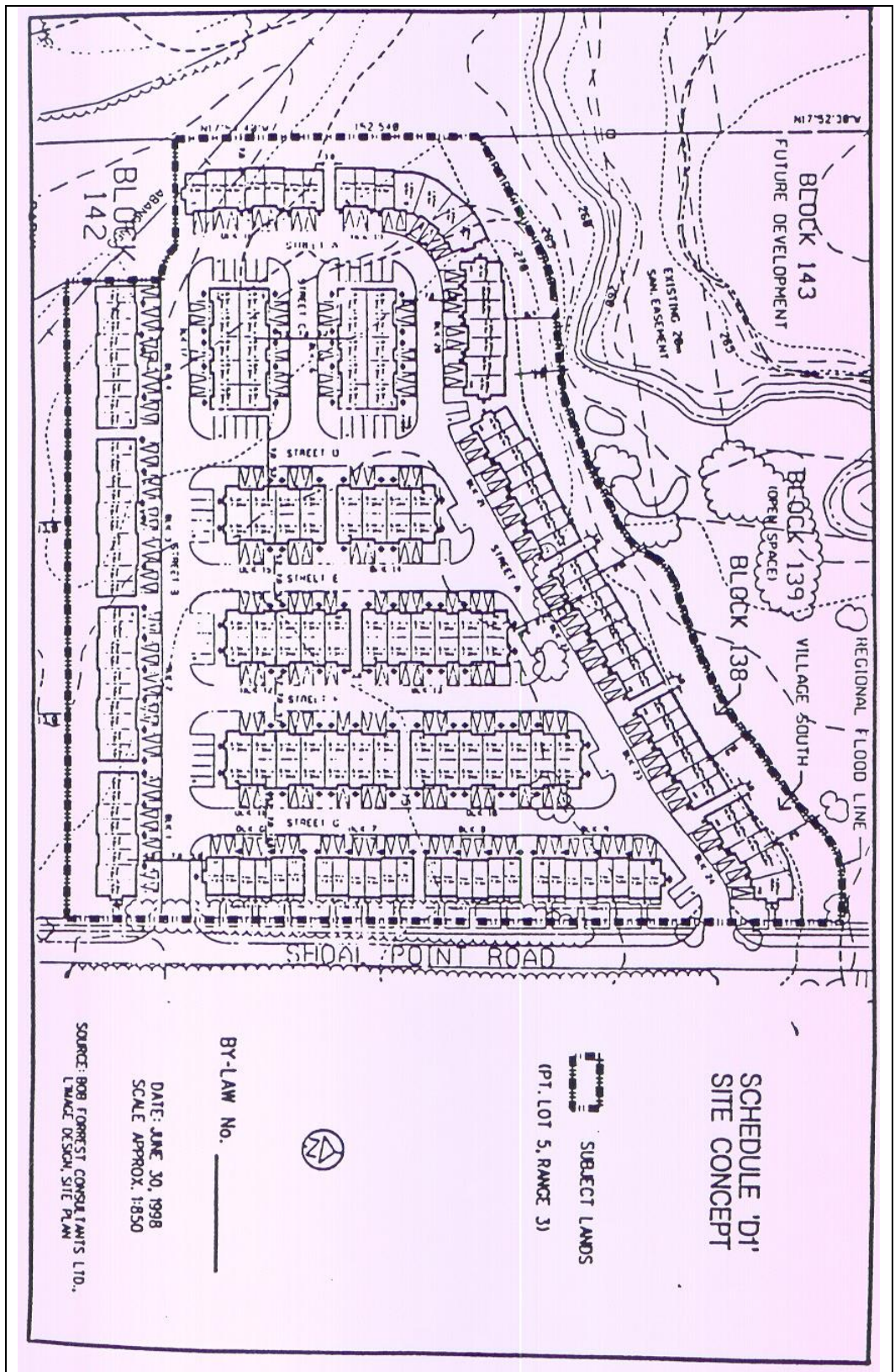
SCHEDULE 'C2'

TOWN OF AJAX PROPOSAL
TYPICAL CROSS-SECTION

SCALE 1:500

PROPOSED DRAFT PLAN OF SUBDIVISION
REGIONAL, FILE NO.: 18T-88025
SHOAL POINT ROAD - AJAX

* NOTE: SEPARATION BETWEEN GARAGE AND BAY EXPANSION AREA
CAN BE REDUCED TO 5.25 m WHERE SPECIFIC BUILDING
PLANS ARE PROVIDED



Exception	Zoning	Map	By-law	File Reference
40	I-B	18	113-02	Z1/98
<p>i) Location: Multi-Use Campus, 1355, 1365, and 1375 Harwood North</p> <p>ii) Legal Description: Part Lot 7, Concession III</p> <p>iii) Additional Uses: Retail and <i>restaurant uses</i> that form part of the <i>principal building</i> and are secondary, accessory or supportive of the predominant use</p> <p>iv) Prohibited Uses: Free standing retail and/or <i>restaurant buildings drive-thru restaurants</i></p> <p>v) Development Standards:</p> <p>a) Maximum Floor Area of Retail Uses: 929.0 m²</p> <p>vi) Other:</p> <p>a) Primary access to all retail and <i>restaurant uses</i> shall be obtained from within the <i>principal building</i></p> <p>b) Off-street parking facilities shall be provided in accordance with Section 5.10.2, except for the following exceptions</p> <p><i>Office and Retail:</i> 1.0 per 25.0 m² of gross floor area</p> <p><i>Community Centre and Public</i> 1.0 per 50.0 m² of gross floor area <i>Portion of a Community Library,</i> 0.18 per student and staff member <i>Theater, High School</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
41	R1-C, R1-D, R2-B, R3, NC, OS	18		Z18/94, Z19/94
<p>i) Location: Northwest corner of Harwood Avenue and Rossland Road</p> <p>ii) Additional Uses: In the 'NC' zone – <i>motor vehicle gas bar</i></p> <p>iii) Other:</p> <p>a) <i>Daylighting Triangle</i> requirements within any residential zone shall not be less than 3.0 metres; and</p> <p>b) The maximum outside width of double garages in the 'R1-C' and 'R1-D' zones shall not exceed 6.1 metres. The maximum outside width of garages in the 'R2-B' zone with <i>lot frontages</i> less than 12.0 metres shall not exceed 5.0 metres</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
42	R1-B, R1-D, R2-A, R3, A	18		Z18/94, Z19/94
<p>i) Location: North of Rossland Road, west of Harwood Avenue, Plan 40M-2116</p> <p>ii) Legal Description: Part Lot 7, Concession III (Draft Plan 18T-94017)</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Yard - Front</i> Minimum setback for an attached garage 5.5 m</p> <p>b) The minimum <i>interior side yard</i> requirements for <i>detached dwellings</i> in the 'R2-A' zone may range between 0.0 metres and 1.2 metres provided that:</p> <p>i) A minimum of 0.0 metres may apply on one side of the <i>dwelling</i> only;</p> <p>Exception 42 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
42 continued	R1-B, R1-D, R2-A, R3, A	18		Z18/94, Z19/94
<p>ii) The minimum aggregate of both <i>interior side yards</i> shall be 1.2 metres; and</p> <p>iii) The minimum distance between adjacent <i>dwellings</i> shall be 1.2 metres.</p> <p>iv) Other:</p> <p>a) <i>Daylighting triangle</i> within any residential zone shall not be less than 3.0 metres; and</p> <p>b) Should Block 1 on Draft Plan 18T-94017 be developed for 'R3' uses, no reverse <i>lot frontage</i> or individual <i>driveway</i> access to Street A on Draft Plan 18T-94107 shall be permitted</p> <p>c) The maximum outside width of garages in 'R2-A' and 'R3' zones with <i>lot frontages</i> of 10.6 metres or less shall not exceed 5.0 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
43	I-A,/R1-D, R1-C, R1-D, R1-E, LC/R1-E, OS	16	4-2000 117-2004 78-2009 101-2012	Z18/94, Z19/94, Z11/04, SPA6/12
<p>i) Location: Lands generally bounded by Rossland Road, Westney Road, Harwood Avenue, and Williamson Drive (Nottingham)</p> <p>ii) Legal Description: Part Lots 9 and 10, Concession III (Draft Plan 18T-94018)</p> <p>iii) Additional Uses: <i>Drive-thru facility</i> in the 'LC' – Local Commercial Zone</p> <p>iv) Development Standards:</p> <p>a) Minimum <i>Lot Depth</i>: - 'R1-C': 25.0 m - 'R3': 25.0 m</p> <p>Exception 43 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
43 continued	I-A,/R1-D R1-C, R1-D, R1-E, LC/R1-E, OS	16	4-2000 117-2004 78-2009 101-2012	Z18/94, Z19/94 Z11/04, SP5/09, SPA6/12

b) Minimum *Yard* – Rear:

- i) Main *building* shall be setback a minimum of 10.0 metres from the ‘EP’ – Environmental Protection Zone

c) Minimum *Yard* – Front:

- i) In the ‘R1-D’ and ‘R1-E’ zones, the minimum *front yard* setback for an attached garage on a street side having a right-of-way width greater than 16.5 metres with a sidewalk shall be 5.0 metres.
- ii) In the ‘R1-D’ zone, where the opening for vehicular access to an attached garage faces an interior *yard*, the maximum *front yard* setbacks shall be 10.0 metres for the *dwelling unit*, and the *front yard* setback requirement for the attached garage shall be those applicable for the *dwelling unit*.

d) Minimum Distance from Accessory Building:

- i) For *lots* located on Block 71, Draft Plan 18T-94018, accessory *structures* with foundations shall be setback a minimum of 5.0 metres from the ‘EP’ – Environmental Protection Zone.
- ii) For *lots* located on Blocks 97 and 109 on Draft Plan 18T-94018, accessory *structures* with foundations shall be setback a minimum of 5.0 metres from the survey dripline of the woodlot in Block 117 on Draft Plan 18T-94018.

v) Other:

- a) *Daylighting triangles* within any residential zone shall not be less than 3.0 metres.
- b) The maximum *lot coverage* for bungalows within the ‘R1-D’ zone shall be 50%.
- c) Within the ‘R1-C’ and ‘R1-D’ zones, the maximum outside width of double garages shall not exceed 6.1 metres.

Exception 43 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
43 continued	I-A,/R1-D, R1-C, R1-D, R1-E, LC/R1-E, OS	16	4-2000 117-2004 78-2009 101-2012	Z18/94, Z19/94 Z11/04, SPA6/12

- d) Within the 'R1-E' zones, with frontage(s) less than 12.0 metres, the maximum outside width of garages shall not exceed 5.0 metres.
- e) For the lands known on September 13, 2004 as "Enclave 16", zoned 'R1-E' and for the *lots* within Enclave 16 having frontages of 15.0 metres and greater, the maximum garage width shall not exceed 6.1 metres, and the maximum outside width of double garages shall not exceed 6.1 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
44	EP, R1-D, R1-E, R1-F, OS	9	117-2004	Z20/94, Z11/04

- i) Location: Lands bound by Taunton Road, Westney Road, and Williamson Drive
- ii) Legal Description: Part Lot 10, Concession III (Draft Plan 18T-94019)
- iii) Development Standards:
 - a) Minimum *Lot Depth*:
 - 'R1-C': 25.0 m
 - 'R3': 25.0 m
 -
 - b) Minimum *Yard – Rear*:
 - i) Main *building* shall be setback a minimum of 10.0 metres from the 'EP' – Environmental Protection Zone
 - c) Minimum *Yard – Front*:
 - i) In the 'R1-D' and 'R1-E' zones, the minimum *front yard* setback for an attached garage on a street side having a right-of-way width greater than 16.5 metres with a sidewalk shall be 5.0 metres.

Exception 44 is continued on the next page...

Exception	Zoning	Map	By-law	File Reference
44 continued	EP, R1-D, R1-E, R1-F, OS	9	117-2004	Z10/94, Z11/04

ii) In the 'R1-D' zone, where the opening for vehicular access to an attached garage faces an interior *yard*, the maximum *front yard* setbacks shall be 10.0 metres for the *dwelling unit*, and the *front yard* setback requirement for the attached garage shall be those applicable for the *dwelling unit*.

iv) Other:

- a) Accessory *structures* with foundations setback on 2.5 m
lots in Block 56 adjacent to woodlot:
- b) The location of *structures* without foundations shall comply with the requirements of this By-law.
- c) All residential *daylighting triangles* shall not be less than 3.0 metres.
- d) The maximum *lot coverage* for bungalows within the 'R1-D' zone shall be 50%.
- e) Within the 'R1-C' and 'R1-D' zones, the maximum outside width of double garages shall not exceed 6.1 metres.
- f) Within the 'R1-E' zone, with frontage(s) less than 12.0 metres, the maximum outside width of garages shall not exceed 5.0 metres.
- g) For Lots 1 to 26 and Lots 71 to 75 on Plan 40M-2055, zoned 'R1-E', the maximum garage width shall not exceed 6.1 metres and the maximum width of double garages shall not exceed 6.1 metres.
- h) For the lands known on September 13, 2004 as "Enclave 13", zoned 'R1-E' and for the *lots* within Enclave 13 having frontages of 12.8 metres and greater, the maximum garage and *driveway widths* shall not exceed 5.7 metres, and the maximum outside width of double garages shall not exceed 6.1 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
45	R1-D, R1-E, R2-B/R1-F, R3/R2-B, OS	9	134-2004	Z23/94

i) Location: Southwest quadrant of Harwood Avenue and Taunton Road

ii) Development Standards:

a) Minimum *Lot Depth*: - 'R1-C': 25.0 m

iii) Other:

a) *Daylighting Triangle* requirements within any residential zone shall not be less than 3.0 metres.

b) The maximum garage and *driveway widths* for single *detached dwellings* in the R1-E and R2-B/R1-F zones shall be governed by the following:

	Maximum <i>Driveway Width</i>	Maximum Garage Width
<i>Lots with frontages 11.9 metres or greater</i>	5.6 m	5.6 m
<i>Lots with frontages less than 11.9 metres</i>	5.0 m	3.0 m

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
46	I-A, R1-C, R1-D, R1-E, R2-A, R2-B	15, 16	94-2004	Z21/03, Z11/07

i) Location: East of Ravenscroft Road, north of Rossland Road

ii) Legal Description: Part of Lots 11 and 12, Concession 3 (18T-95004)

Exception 46 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
46 continued	I-A, R1-C, R1-D, R1-E, R2-A, R2-B	15, 16	94-2004	Z21/03, Z11/07

iii) Development Standards:

- a) Minimum *Lot Depth*:
- R1-C': 25.0 m
 - R2-B': 30.0 m
 - R2-A': 30.0 m
 - Block 132, 40M-2215 and Part 1, 40R-24383 when merged: 24.0 m

- b) Maximum *Lot coverage*: Bungalows in the 'R1-C' and 'R1-D' zones: 50%

iv) Other:

- a) *Daylighting triangle* within any residential zone shall not be less than 3.0 metres.
- b) The maximum width of garages in the 'R1-C' and 'R1-D' zones shall not exceed 6.1 metres.
- c) The maximum width of garages in the 'R1-C' zone with *lot frontages* of 18.3 metres or greater shall not exceed 8.8 metres.
- d) The maximum width of garages in the 'R1-D' zone with *lot frontages* greater than 15.5 metres shall not exceed 7.2 metres.
- e) The maximum width of garages in the 'R1-E' and 'R2-A' zones with *lot frontages* less than 11.9 metres shall not exceed 5.0 metres.
- f) Notwithstanding any other provision of this By-law, the maximum width of a garage on a *corner lot* in the 'R1-E' zone with *lot frontages* greater than 12.0 metres shall not exceed 6.1 metres.
- g) The maximum width of a garage for a *semi-detached dwelling* in the 'R2-B' zone for *lots* with frontages of 7.5 metres or greater shall not exceed 3.6 metres.
- h) The maximum *building* setback requirements within Section 6.2.4 of this By-law may be measured from the front face of a *porch* provided the minimum area of the *porch* is 4.5 m².

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
47	R1-D, R1-F, R2-B, NC, OS	8	42-2004	Z2/04

- i) Location: South of the Hydro Corridor, west of Westney Road
- ii) Legal Description: Part of Lot 11, Concession III
- iii) Other:
 - a) The maximum width of garages in the 'R1-D' zone shall not exceed 6.1 metres.
 - b) In the 'R1-F' zone, the maximum width of garages for a single *detached dwelling* with a minimum frontage of 9.0 metres shall be 5.0 metres.
 - c) In the 'R1-F' zone, the maximum width of garages for a single *detached dwelling* with a minimum *lot frontage* of 11.9 metres shall be 5.6 metres.
 - d) In the 'R2-B' zone, the maximum width of garages for a *semi-detached dwelling* with a minimum *lot frontage* of 9.0 metres shall be 5.0 metres.
 - e) For Block 12 of Draft Plan of Subdivision 18T-95013 Revised, the following shall apply
 - i) Williamson Road shall be deemed to the *front lot line*.
 - ii) The setback to the real *lot line* for a garage accessed via the *rear yard* shall be a minimum of 6.5 metres;
 - iii) The maximum *front yard* setback shall be 11.5 metres.
 - iv) The *daylighting triangle* requirements within Section 4.7 of the By-law do not apply.
 - f) The maximum *driveway width* shall not exceed the exterior width of the garage.
 - g) The maximum *front yard* setback may be measured to the *porch*, subject to the following:

Exception 47 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
47 continued	R1-D, R1-F, R2-B, NC, OS	8	42-2004	Z2/04
<p>i) The minimum depth of the <i>porch</i> shall not be less than 1.5 metres.</p> <p>ii) The minimum width of the <i>porch</i> shall not be the lesser of 3.0 metres or the entire width of the habitable portion of the <i>dwelling</i>, measured from the nearest exterior wall of the attached <i>private garage</i> to the opposite exterior side wall of the <i>principal building</i>.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference																					
48	R1-D, R1-F, I-A/NC, I-A/R2-B, R3/RM6	15		Z18/97																					
<p>i) Location: Northeast corner of Rossland Road and Ravenscroft Road</p> <p>ii) Legal Description: Part of Lot 12, Concession 3 (18T-97022)</p> <p>iii) Additional Uses: In the 'NC' Zone – Residential street townhousing in accordance with the provisions of the 'R3' zone; <i>office</i>, retail establishment, <i>restaurant</i>, and <i>financial institution</i>.</p> <p>iv) Prohibited Uses: In the 'NC' Zone – Freestanding apartment <i>building</i></p> <p>v) Development Standards:</p> <table border="0"> <tr> <td>a) Minimum Lot Depth:</td> <td>- R1-C'</td> <td>25.0 m</td> </tr> <tr> <td></td> <td>- R3'</td> <td>25.0 m</td> </tr> <tr> <td></td> <td>-</td> <td></td> </tr> <tr> <td>b) Minimum Lot Coverage:</td> <td>- Bungalows in the 'R1-C' and 'R1-D' zones:</td> <td>50%</td> </tr> <tr> <td>c) Minimum Yard:</td> <td>- Front 'NC'</td> <td>6.0 m</td> </tr> <tr> <td></td> <td>- Exterior 'NC'</td> <td>6.0 m</td> </tr> <tr> <td></td> <td>-</td> <td></td> </tr> </table> <p>Exception 48 is continued on the next page.</p>					a) Minimum Lot Depth:	- R1-C'	25.0 m		- R3'	25.0 m		-		b) Minimum Lot Coverage:	- Bungalows in the 'R1-C' and 'R1-D' zones:	50%	c) Minimum Yard:	- Front 'NC'	6.0 m		- Exterior 'NC'	6.0 m		-	
a) Minimum Lot Depth:	- R1-C'	25.0 m																							
	- R3'	25.0 m																							
	-																								
b) Minimum Lot Coverage:	- Bungalows in the 'R1-C' and 'R1-D' zones:	50%																							
c) Minimum Yard:	- Front 'NC'	6.0 m																							
	- Exterior 'NC'	6.0 m																							
	-																								

Exception	Zoning	Map	By-law	File Reference
48 continued	R1-D, R1-F, I-A/NC, I-A/R2-B, R3/RM6	15		Z18/97

d) In the event of a conflict with other performance standards to the lands zoned 'I-A', the following standards will apply:

i) The minimum depth of the *porch* shall not be less than 1.5 metres.

Minimum Yard:

- Front:	6.0 m
- Interior Side:	7.5 m
- Exterior Side:	6.0 m
- Rear:	3.0 m

vi) Other:

a) *Daylighting Triangle* requirements within any residential zone shall be not less than 3.0 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
49	VC1	28	28-99 38-2008	Z12/98, Z01/08

i) Location: 90 Old Kingston Road

ii) Legal Description: Lot 19 and Part Lot 20, Plan 11, and Part Lot 48 Plan 73

iii) Other:

a) No on-site parking shall be required.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
50	RM6	46	58-2002	Z5/02

- i) Location: Southeast corner of Shoal Point Road and Bayly Street
- ii) Legal Description: Part Lot 5, Broken Front Concession, Range III
- iii) Development Standards:
 - a) Minimum Yard:
 - Front: - Units fronting Bayly Street: 3.0 m
 - - Units flanking Bayly Street: 2.0 m
 - Interior Side : - West property line: 7.5 m
 - Interior Side - East property line: 10.0 m
 - Exterior Side - Real – South property line: 10.0 m
 - b) Minimum Private Road Width:: 6.0 m
 - c) Maximum GFA as a % of Lot Area 50%
 - d) Minimum Floor Area per Dwelling Unit: 120.0 m²
 - e) Minimum Parking: 2 spaces per residential dwelling
- iv) Other:
 - a) The delineation between the 'RM6' – Residential Zone and 'EP' – Environmental Protection Zone shall be represented by the Regional Floodline or the stable top-of-bank or 10.0 metres from the watercourse, whichever line is further from the watercourse.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

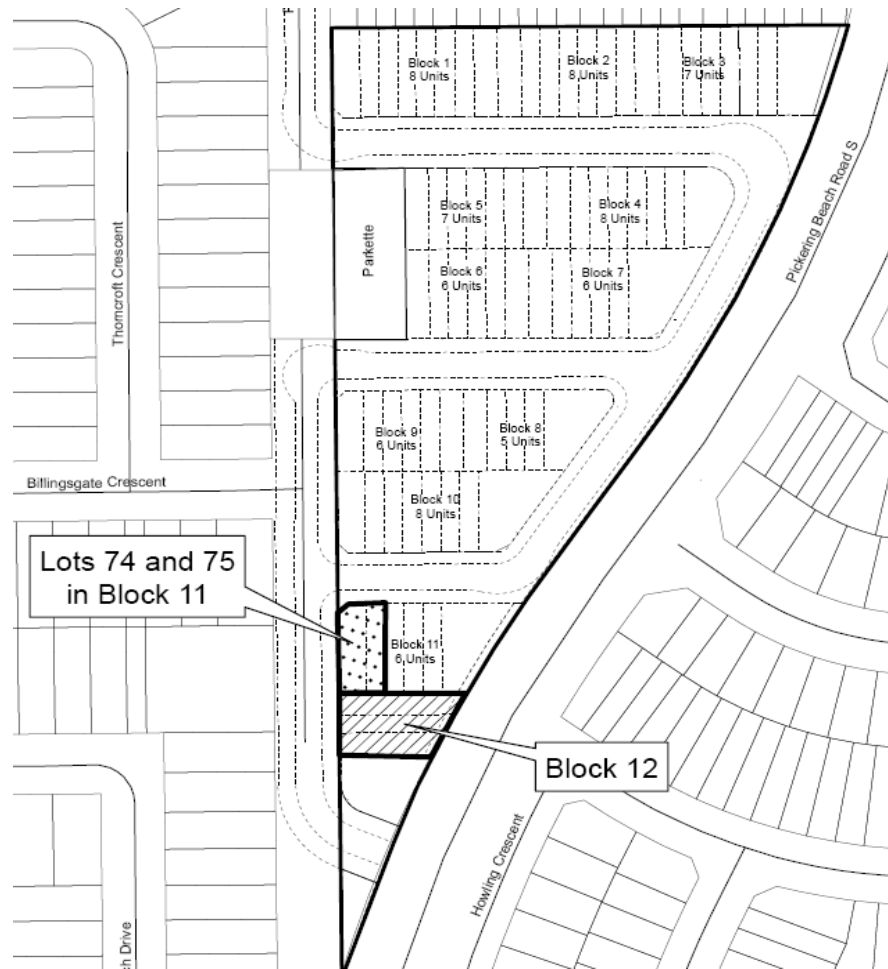
Exception	Zoning	Map	By-law	File Reference
51	R2-B	45	151-2009	Z9/99, Z10/07

- i) Location: South of Bayly Street between *existing* and re-aligned Pickering Beach Road
- ii) Legal Description: Part Lot 6, Broken Front Concession, Range III
- iii) Development Standards:
 - a) Minimum *Lot Depth*: 27.0 m
 - b) Maximum *Lot Coverage*: 59 %
 - c) Minimum *interior side lot line* setback to an exterior side wall of all street townhouse end units in Block 12, as identified on the schedule below: 0.75 m
 - d) Minimum setback from *rear lot line* for *lots 74 and 75* in Block 11, as identified on the schedule below: 6.5 m
- iv) Other:
 - a) The residential *daylighting triangles* shall not be less than 3.0 metres.
 - b) The provisions of Section 6.2.3 – Garage Requirements, shall not apply.
 - c) *Dwelling units* on *lots* where the front and rear *lot lines* abut a public road (*through lots*) shall be designed as double front units, where the street facing facades present a frontal expression including a front door(s), windows, and a *porch*.
 - d) For all *through lots*, the *front yard* shall be the *yard* facing the thoroughfare having the greater road right-of-way width.
 - e) For all *through lots*, no fencing is to be erected in the *front yard*, and no fencing higher than 1.0 metre shall be erected in a *rear yard* or in a *yard* abutting an Open Space zone.
 - f) No air conditioning units shall be permitted in a front or *exterior side yard*.
 - g) A maximum of one satellite dish shall be permitted for each residential unit.

Exception 51 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
51 continued	R2-B	45	151-2009	Z9/99, Z10/07

h) No accessory buildings shall be permitted on a *through lot*.



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
52	UC	31	97-02	Z25/01
<p>i) Location: Northwest corner of Harwood Avenue and Kingston Road</p> <p>ii) Legal Description: Plan 40M-1518, Block 118</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Yard</i>:</p> <ul style="list-style-type: none"> - Western property line: 22.0 m - Northern property line (Abutting Ducatel Crescent and the residential property line along the east leg of Ducatel Crescent): 16.0 m <p>b) Maximum <i>Building Height</i>: 12.0 m</p> <ul style="list-style-type: none"> - along Ducatel Crescent, Harwood Avenue, and Kingston Road: 9.0 m <p>iv) Other:</p> <p>a) <i>Buildings</i> and/or patios may extend 6.0 metres into the landscape strip along Kingston Road.</p> <p>b) No <i>parking space, driveway</i> or drive-thru shall be permitted between any proposed <i>building</i> located within 50.0 metres of Kingston Road and the Kingston Road landscape strip.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
53	EP, GC, GE, PE	40	56-2000	Z16/99
<p>i) Location: 348 Bayly Street East</p> <p>ii) Legal Description: Part of Lot 5, Concession I</p> <p>iii) Additional <i>Uses</i>: Farmer's Market</p> <p>Exception 53 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
53 continued	EP, GC, GE, PE	40	56-00	Z16/99
<p>iv) Development Standards:</p> <p>a) Minimum Yard:</p> <p style="padding-left: 40px;">- Front 6.0 m</p> <p>v) Other:</p> <p>a) A farmer's market shall not exceed 1,324.0 m² of <i>gross leasable floor area</i>.</p> <p>b) Minimum landscape strip along the north side of Bayly Street East shall be 6.0 metres.</p> <p>c) Minimum setback for any <i>building, structure</i> or paved surface from the regulatory floodline and the drip-line surveyed on March 23, 2002 shall be 10.0 metres.</p> <p>d) <i>Parking spaces, driveways</i> and drive-thru <i>lanes</i> shall not be permitted between Bayly Street and a <i>building</i> other than the main <i>building</i> on site.</p> <p>e) All garbage storage areas on the Subject Lands shall be enclosed and designed to be part of the commercial <i>building</i>, and not provided by way of a free-standing garbage enclosure.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
54	DCA/I	44, 50	89-00 86-2005	Z8/00, Z6/05, OPA No. 20
<p>i) Location: 601 Harwood Avenue South</p> <p>ii) Legal Description: Part Lot 8, Range 3</p> <p>iii) Additional Uses: <i>Office uses</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
55	PE, GE	40, 46, 55, 61	90-00	Z9/00
<p>i) Location: 500 Bayly Street East</p> <p>ii) Legal Description: Part Lots 3 and 4, Concession I</p> <p>iii) Additional Uses: In the 'PE' Zone: <i>Art gallery</i>, live theatre, museum, parking deck as an <i>accessory use</i>, public <i>library</i>, garden center, boat sales establishment, and snow vehicle sales establishment</p> <p>iv) Development Standards:</p> <p>a) Minimum Landscape Area: A minimum of 60% of the <i>yard</i> of each block facing Highway 401 be landscaped</p> <p>v) Other:</p> <p>a) The following <i>building</i> setbacks from the railway right-of-way shall apply:</p> <p>i) 30.0 m in the case of institutional, commercial, recreational and/or similar <i>uses</i>;</p> <p>ii) 15.0 m in the case of industrial, automobile service, warehousing, distribution centers, parking deck and/or similar <i>uses</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
56				
<p>i) Location: 65 Harwood Avenue South</p> <p>ii) Legal Description: Part Block A, Plan 510</p> <p>Exception 56 was deleted by By-law 86-2005.</p>				

Exception	Zoning	Map	By-law	File Reference
57	DCA/MU	44	42-2005 86-2005	S-A-2004-03, Z14/04, Z6/05, OPA No. 20

- i) Location: 100 Bayly Street West
- ii) Legal Description: Part of Block V, Registered Plan M-25 and Part of Block V, Plan 480
- iii) Development Standards:
 - a) Minimum *Lot Frontage*:
 - For all *lots*/blocks fronting onto Bayly Street: 5.2 m
 - For all *lots*/blocks fronting onto an Open Space Zone: 4.4 m
 - b) Minimum *Lot Depth*: 20.0 m
 - c) Minimum *Yard*:
 - Front: 1.2 m
 - Exterior Side: 1.2 m
 - d) *Porch* Projection permitted in any *yard*: 1.8 m
- iv) Other:
 - a) The maximum garage door width is 2.44 metres.
 - b) A front door and a *porch* shall be provided in front of all *dwelling units* abutting an Open Space Zone.
 - c) The *daylighting triangle* requirements for Residential zones within Section 4.7.1 of this By-law shall apply.
 - d) A maximum of 10 *dwelling units* may be attached side-by-side in a *street townhouse dwelling* or *live-work unit dwelling*.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
58	DCA/MU	38, 44	32-2001 65-2004 86-2005	Z6/04, Z6/05, OPA No. 15, OPA No. 20

- i) Location: Harwood Plaza
- ii) Legal Description: Parts 1 to 5, Plan WR-266
- iii) Additional Uses: *Drive-Thru Restaurant and Drive-Thru Facility* where the drive-thru consists of only one *queuing lane* leading to only one service window per tenant
- iv) Development Standards:
 - a) Yard Requirements:
 - i) For all lands between 76.0 metres and 100.0 metres south of Hunt Street, abutting Harwood Avenue South, a *Build-Within Zone* of 0.0 to 11.0 metres shall apply for all *buildings* less than 1,200.0 m² in *ground floor area*, provided that such *buildings* are associated with an outdoor patio located between the east *building* wall and Harwood Avenue South.
 - ii) For all lands more than 100.0 metres south of Hunt Street, abutting Harwood Avenue South, a *Build-Within Zone* of 0.0 to 7.0 metres shall apply to any portion of a *building* where an outdoor patio is located between the east *building* wall and Harwood Avenue, for all *buildings* less than 1,200.0 m² in *ground floor area*.
 - iii) A minimum of 0.0 metres and a maximum of 5.0 metres from Bayly Street West.
 - iv) A minimum of 0.0 metres and a maximum of 6.0 metres from the east limit of the future southerly extension of Commercial Avenue.
 - b) Minimum Landscape Area:
 - i) A minimum 3.0 metre landscape strip shall be provided along Hunt Street, Harwood Avenue South, Bayly Street West, and the future extension of Commercial Avenue, except where such a strip contains *buildings* or an outdoor patio.

Exception 58 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
58 continued	DCA/MU	38, 44	32-2001 65-2004 86-2005	Z6/04, Z6/05, OPA No. 15, OPA No. 20

v) Other:

- a) *Lot lines* which abut Hunt Street, Harwood Avenue South, Bayly Street West, and the east limit of the future southerly extension of Commercial Avenue shall be deemed to be *front lot lines*.
- b) Free-standing commercial *buildings* with less than 280.0 m² of *gross leasable floor area* shall not be permitted, unless the *building* that is less than 280.0 m² of *gross leasable floor area* is physically connected to another *building* by a shared loading/service court that is screened from view from the street such that the total *ground floor area* of the resulting *structures* is not less than 600 square metres.
- c) Drive-thru access, parking, *driveways* or other service related components shall not be permitted in any part of a *building's front yard* that is located between the front face of the *building* and the *front lot line*.
- d) The minimum number of vehicular spaces within a stacking *lane* behind the order board for a *drive-thru restaurant* shall be 5.
- e) No drive-thru shall be associated with any *building*, or part thereof, located within 70.0 metres of the Bayly Street West road right-of-way.
- f) No drive-thru shall be permitted within 30.0 metres of a residential mixed-use development site or a single-use residential development site.
- g) No part of any drive-thru *queuing lane* before the service window shall be located within 12.0 metres of a *lot line* abutting a public street, unless the *building* where the service window is provided is a single-use, free-standing *building* located between 76.0 metres and 100.0 metres south of Hunt Street, adjacent to Harwood Avenue South.
- h) A total of 3 drive-thrus, regardless of type, shall be permitted.
- i) Until the dedication of the future Commercial Avenue extension to the Town of Ajax, Section 4.12.2 ii) of this By-law shall not apply.
- j) A maximum of 5.4 *parking spaces* per 100.0 m² of *gross floor area* shall be permitted for the exclusive purpose of a *shopping centre*;

Exception 58 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
58 continued	DCA/MU	38, 44	32-2001 65-2004 86-2005	Z6/04, Z6/05, OPA No. 15, OPA No. 20

k) Notwithstanding Section 6.9.2.1 i)b) of this By-law, a Master Concept Development Plan shall not be required to be submitted for extensions or expansions of *buildings* that are *existing* and/or site plan approved as of September 30, 2005, provided that the amount of new *ground floor area* of the particular extension/expansion does not exceed the lesser of the following:

- i) An amount which would double the *ground floor area* of the parent *building*; or,
- ii) A maximum 6,040.0 m² for the purpose of a supermarket, provided that the supermarket existed prior to July 14, 2003 as part of a *shopping centre*, and a maximum of 3,700.0 m² in all other instances.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
59	RM5	31	33-2001	Z22/00

- i) Location: 290 Old Harwood Avenue
- ii) Legal Description: Part of Lot 9, Concession I
- iii) Maximum Number of Units:
 - a) 48 *Multiple Attached Dwellings*; and
 - b) Maximum number of *dwelling units* within a senior's residence shall be subject to setback, *height*, *parking space*, and *lot coverage* requirements.

Exception 59 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
59 continued	RM5	31	33-2001	Z22/00
<p>iv) Development Standards:</p> <p><u>Multiple Attached Dwellings</u></p> <p>a) Maximum Yard:</p> <p style="padding-left: 40px;">i) 7.5 metres from south, west and north <i>lot lines</i></p> <p style="padding-left: 40px;">ii) 3.0 metres from Old Harwood</p> <p>b) Minimum Parking:</p> <p style="padding-left: 40px;">- Residents: 1.0 space per unit</p> <p style="padding-left: 40px;">- Visitors: 0.25 space per unit</p> <p><u>Seniors Residence</u></p> <p>a) Minimum Yard: 20.0 m from all <i>lot lines</i></p> <p>b) Maximum Lot Coverage: 20%</p> <p>c) Maximum Building Height: 15.0 m</p> <p>d) Minimum Parking: 0.25 space per unit</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
60	PE	27, 28, 34, 35	88-2001	Town Initiated, OPA 01-A1
<p>i) Location: Southeast quadrant of Notion Road and Kingston Road</p> <p>ii) Permitted Uses: Banquet facilities, commercial fitness center, indoor recreational establishment; <i>personal service shop</i>, research and development facility, distribution center, convention center; and private recreational facility</p> <p>Exception 60 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
60 continued	PE	27, 28, 34, 35	88-2001	Town Initiated, OPA 01-A1

iii) Prohibited Uses: *Commercial school, school, day care center, child care facility, any development which includes the storage, handling, production or use of a chemical, flammable, explosive, toxic, corrosive, other dangerous material and the treatment, collection or disposal of sewage, railway trackage for industrial purposes, automobile salvage or recycling facility or any similar operation, garbage sorting station, transfer station, recycling depot, or any waste management operation or facility*

iv) Development Standards:

a) Minimum Yard:

- Front: 4.5 m
- Any yard adjacent to an 'EP' – Environmental Protection Zone: 6.0 m

b) Minimum Landscape Area:

Minimum Landscape Strip adjacent to Highway 401: 20.0 m *Buildings may encroach 3.0 metres into the landscape strip provided parking, servicing, or loading facilities shall not be permitted between any building and Highway 401*

Minimum landscape strip adjacent to Notion and Orchard: 6.0 m *May be reduced to 3.0 metres if the total landscaped area is greater than 10% of the area of the lot.*

Minimum landscape strip adjacent to the 'EP' zone: 6.0 m *May be reduced to 3.0 metres if the total landscaped area is greater than 10% of the area of the lot.*

Minimum interior side yard and rear yard landscape strips: 4.5 m *May be reduced to 3.0 metres if the total landscaped area is greater than 10% of the area of the lot.*

Exception 60 is continued on the next page.

Exception 60 continued	Zoning PE	Map 27, 28, 34, 35	By-law 88-2001	File Reference Town Initiated, OPA 01-A1
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Minimum landscape requirement 10% of the area of the *lot*

Minimum landscape strip where parking areas of neighbouring properties abut in the side or *rear yards* 6.0 m

c) Servicing and Loading:

i) Servicing and loading areas shall be located in the rear or *side yard* only. Such areas shall be screened from public view *thru* architectural screening, landscape buffering, berming or a combination of these treatments

v) Other:

a) This by-law shall not prevent the *use* of any lands or part thereof, *buildings* or *structures* for any purpose if any part of such lands, *buildings* or *structures* were lawfully used for such purpose immediately prior to the passing of this by-law, so long as it continues to be used for that purpose. In addition to the foregoing, *existing* permitted *gross floor area* as of the date of the passing of this by-law used for purposes not otherwise permitted in the Prestige Industrial (M1) Zone or By Section 11.213(1) in By-law 35-77, as amended, shall be permitted to expand up to 25%, provided the *use* of the increased floor area is the same as the *existing use*, and provided all other requirements of this by-law can be met, at the following locations:

Property	Legal Description
57 Notion Road	R.P. 40R-17529, Parts 6,7
81 Notion Road	R.P. 40R-1598, Parts 1, 2
91 Notion Road	R.P. 40R-7228, Parts 1, 2, 3, 4, 5, 6

Exception 60 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
60 continued	PE	27, 28, 34, 35	88-2001	Town Initiated, OPA 01-A1
Property		Legal Description		
77/83 Orchard Road		Con. I, Pt. Lot 16, R.P. 40R-5117, Parts 1, 2 and RP. 40R-5962, Part 1 and Part of Road Allowance between Lots 16 and 17, and R.P. 40R-5331 Parts 1, 2, 3.		
109 Orchard Road		R.P. 40R-1598, Part 3		
Except as amended herein, all other provisions of this By-law, as amended, shall apply.				

Exception	Zoning	Map	By-law	File Reference
61	PE	40	69-2001 90-2006 50-2013	Z1/01, Z8/06, OPA 06-A3
i) Location:		Southeast corner of Chambers Drive and the easterly leg of Beck Crescent		
ii) Legal Description:		Part of Lot 1, Concession 5; Parts 1 to 5 of Plan 40R-21149		
iii) Additional Uses:		Research and Development Facility		
iv) Prohibited Uses:		<i>Drive-Thru Facility, Drive-Thru Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, and Warehouse/Distribution Centre</i>		
		Free-standing forms of the following: <i>Financial Institution, Restaurant, Personal Service Shop, and Service or Repair shop</i>		
Exception 61 is continued on the next page.				

Exception	Zoning	Map	By-law	File Reference
61 continued	PE	40	69-2001 90-2006 50-2013	Z1/01, Z8/06, OPA 06-A3

v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Minimum *Gross Floor Area*:

i) Minimum *Gross Floor Area*: 600.0 m²

ii) Minimum Upper Floor Area:

1) Where the minimum required *building height* is two storeys, the second storey shall have a minimum floor area equal to 25% of the *ground floor area* of the *building*, or 600 square metres, whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300 square metres shall be required.

2) Where the minimum required *building height* is three storeys, the second and third storeys shall have a combined minimum floor area equal to 50% of the *ground floor area* of the *building*, or 1,200 square metres, whichever is greater.

Notwithstanding the above noted Minimum Upper Floor Area requirements, in cases where the uppermost storey needed to meet the minimum *building height* requirement consists of ancillary *office* space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the upper storey in question shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* equipment.

b) Minimum *Floor Space Index* (FSI): 0.2

c) Minimum *Lot Coverage*:

- *Building Area*: 20% for all purposes save and except for a *motor vehicle sales establishment*, which shall have a minimum *building coverage* of 15% of the *lot area*. However, in instances where an urban square is provided between the *principal building* and a street corner, the area of the urban square, up to an amount not

Exception 61 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
61 continued	PE	40	69-2001 90-2006 50-2013	Z1/01, Z8/06, OPA 06-A3

exceeding 5% of the total *lot area*, **may** be considered as a substitute for *Building Area*, in lieu of actual *building coverage*.

d) Minimum *Building Height*:

- | | |
|---|------------------------|
| i) Non-corner <i>buildings</i> fronting onto Chambers Drive or Beck Crescent: | 2 storeys and
6.0 m |
| ii) Corner <i>buildings</i> at the intersection of Chambers Drive and Beck Crescent | 2 storeys and
9.0 m |

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

e) Minimum Built Frontage within a *Build-Within Zone*:

- i) 50% of the *lot frontage* along an arterial or collector road;
- ii) 40% of the *lot frontage* along a local road; or
- iii) Provided that the *building* has a *Gross Floor Area* of at least 3,800 square metres shall apply to at least three points (as measured perpendicular from the adjacent *lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the front and/or *exterior side lot line*

However, notwithstanding the above, where the *lot* is a *corner lot* and an urban square is developed between the *principal building* and the street corner, the street frontage of the urban square **may** be considered equivalent to a length of *building* façade in terms of contributing to the required minimum built frontage.

f) *Front Yard and Exterior Side Yard Build-Within Zones*:

- i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the front and *exterior side lot lines*.

Exception 61 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
61 continued	PE	40	69-2001 90-2006 50-2013	Z1/01, Z8/06, OPA 06-A3

- i) In the case of a *corner lot*, a portion of the junction of the front and exterior side walls (i.e., the *building* “corner”) shall be built within 3.0 to 12.0 metres of the *daylighting triangle/corner rounding*. An exception to this requirement shall be in the event that an urban square is developed between the *principal building* and the street corner, in which case at least 50% of that part of the perimeter of the urban square which is not adjacent to a street edge or sight triangle/corner rounding shall abut a *building* façade.

The *Build-Within Zone* does not apply to *accessory buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

g) Parking:

- i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a front and/or *exterior side lot line* between at least three separated points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

vi) Other:

- a) The development standards identified in sub-section (v) above do not apply to a public utility *building*.
- b) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*
- c) Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards
- | | |
|--------------------------------------|------------------------|
| i) Minimum <i>Gross Floor Area</i> : | 3,800.0 m ² |
| ii) Minimum <i>Building Height</i> : | 3 storeys |

Exception 61 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
61 continued	RM4	32	98-86 90-2006 50-2013	Z6/86, IC15/88, Z8/06, OPA06-A3

- iii) Maximum *Lot Area*: 1.91 ha
- iv) Outdoor vehicular storage areas for new vehicles shall only be permitted in a *rear yard*.
- v) No *outdoor storage* or display of vehicles associated with ancillary used *motor vehicle* sales shall be permitted.
- vi) No outdoor vehicle storage areas shall be visible from the traveled portion of Highway 401 or Salem Road.

Where the standards specifically applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

d) Interim Non-Compliance With Respect to Built Frontage, *Lot Coverage* and Density (FSI) Requirements:

i) Extensions/Expansions of *Existing Non-Complying Development*

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, extensions or expansions of *existing non-complying* development (namely, additions to *existing buildings* or the development of new *buildings* on the same site as *existing* development) on development sites larger than 2.0 hectares shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density (FSI), provided that:

- a) The intent of the Official Plan is met; and
- b) The *building* extension or expansion is designed and sited in a manner which demonstrates, to the satisfaction of the Town, that the development of the site is moving toward a greater level of compliance with all applicable regulations of this By-law, and does not preclude or hinder the ability to ultimately achieve compliance. In this regard, a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions shall be submitted for approval by the Town. This plan shall demonstrate that the proposed *building*

Exception 61 is continued on the next page

Exception	Zoning	Map	By-law	File Reference
61 continued	RM4	32	98-86 90-2006 50-2013	Z6/86, IC15/88, Z8/06, OPA06-A3

extension or expansion shall protect for the ability of progressive intensification on the site to ultimately achieve Compliance. It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

ii) Phasing of New Development on Vacant Sites

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, it is understood that the development of any given property may involve a number of phases before it achieves ultimate build-out. As a result, the density (FSI), built frontage and *lot coverage* provisions contained in this By-Law might only be achieved upon the completion of all phases, rather than on a phase-by-phase basis.

Accordingly, in instances where a development on a vacant site larger than 2.0 hectares is proposed to be phased, *building* phases which individually do not comply with the built frontage, *lot coverage* and/or density (FSI) provisions of sub-section (v) above shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density (FSI), provided that a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions is submitted and approved by the Town. Each phase of development undertaken by the proponent shall protect for future phases in accordance with the Master Concept Development Plan. The phasing of development in accordance with the approved Master Concept Development Plan shall be a requirement of any related Site Plan Agreement.

It is understood that the Master Concept Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

Exception 61 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
61 continued	RM4	32	98-86 90-2006 50-2013	Z6/86, IC15/88, Z8/06, OPA06-A3

- a) A minimum 5.0 metre setback from the staked and surveyed drip-line of the adjacent woodlot to the south shall be required from any *building, structure* or paved surface.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
62	VC1	29	86-2001	Z5/01

- i) Location: 362 and 368 Kingston Road West
- ii) Legal Description: Part of Lot 12, Concession II
- iii) Development Standards:
- a) Maximum Yard:
- Interior Side: 6.0 m
 - Rear: 9.0 m
- b) Minimum Landscape Area: A 3.0 metre *landscaped buffer* shall be provided adjacent to low density residential uses
- iv) Other:
- a) A 1.8 metre privacy fence shall be provided adjacent to low density residential uses.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
63	PE	35	88-2001	
<p>i) Location: 77 Orchard Road</p> <p>ii) Legal Description: Parts 1 and 4, Plan 40R-9920</p> <p>iii) Additional Uses: Contractor's yard and open storage</p> <p>iv) Other:</p> <p>a) A contractor's yard and open storage shall be permitted in accordance with Section 6.4.1(3) of this By-law, provided that any open storage area is not located within any required landscaping strip.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
64	UC	32	99-01	Z3/01
<p>i) Location: Northwest corner of Salem Road and Kingston Road</p> <p>ii) Legal Description: Part of Lot 7, Concession II</p> <p>iii) Development Standards:</p> <p>a) Minimum Lot Line:</p> <ul style="list-style-type: none"> - Southern: 9.0 m - Eastern: 2.0 m - Northern: 12.0 m - Western: 2.0 m <p>b) Minimum Landscape Area:</p> <ul style="list-style-type: none"> i) Landscape strip adjacent to Salem Road and Ringer Road 3.0 m <p>c) Minimum Parking:</p> <ul style="list-style-type: none"> i) 1 space per 21.1 m² of gross leasable floor area <p>Exception 64 is continued on the next page</p>				

Exception	Zoning	Map	By-law	File Reference
64 continued	UC	32	99-01	Z3/01
<p>ii) Minimum <i>parking space</i> depth of 5.5 metres</p> <p>iv) Other:</p> <p>a) The minimum required floor area for any <i>building</i> shall be 2,000.0 m²</p> <p>b) No <i>parking space, driveway</i> or drive-thru shall be permitted between the proposed southerly <i>building</i> and the Kingston Road/Salem Road landscape strip.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
65	DCA/MU	44	42-2005 86-2005	S-A-2004-03, Z14/04, Z6/05, OPA No. 20
<p>i) Location: 100 Bayly Street</p> <p>ii) Legal Description: Part of Block V, Registered Plan M-25 and Part of Block V, Plan 480</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i>: 4.6 m</p> <p>b) Minimum <i>Lot Depth</i>: 20.0 m</p> <p>c) Maximum <i>Yard</i>:</p> <p>- <i>Front yard</i> setback to a <i>porch</i>: 4.5 m</p> <p>d) Maximum <i>Porch</i> Projection:</p> <p>- <i>Within a Front Yard</i> 1.8 m</p> <p style="padding-left: 40px;"><i>Within an Exterior Side Yard</i> 1.8 m</p> <p>Exception 65 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
65 continued	DCA/MU	44	42-2005 86-2005	S-A-2004-03, Z14/04, Z6/05, OPA No. 20
<p>iv) Other:</p> <p>a) The maximum garage door opening shall not exceed 50% of the frontage of any <i>lot</i>.</p> <p>i) A front door and a <i>porch</i> shall be provided in front of all <i>dwelling units</i> abutting an Open Space Zone.</p> <p>ii) The <i>daylighting triangle</i> requirements for Residential zones within Section 4.7.1 of this By-law shall apply.</p> <p>iii) A maximum of 11 <i>dwelling units</i> may be attached side-by-side in a <i>street townhouse</i> or <i>live-work unit dwelling</i>, having a maximum <i>dwelling</i> width of 53.0 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
66	PE, EP	19, 25, 26, 32, 33	94-01	Z7/99
<p>i) Location: Part of Lot 6, Concession II</p> <p>ii) Additional Uses: In the PE' Zone – Convention centers, research and development, and stormwater management facilities</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Area</i>: 0.2 ha</p> <p>b) Minimum <i>Yard</i>:</p> <p>- Interior Side: 3.5 m</p> <p>iv) Other:</p> <p>a) For those <i>lots</i> or blocks that do not abut Salem Road and/or Rossland Road, any 'GE' Zone <i>use</i>, as described in Section 6.4.1 may be permitted.</p> <p>Exception 66 is continued on the next page</p>				

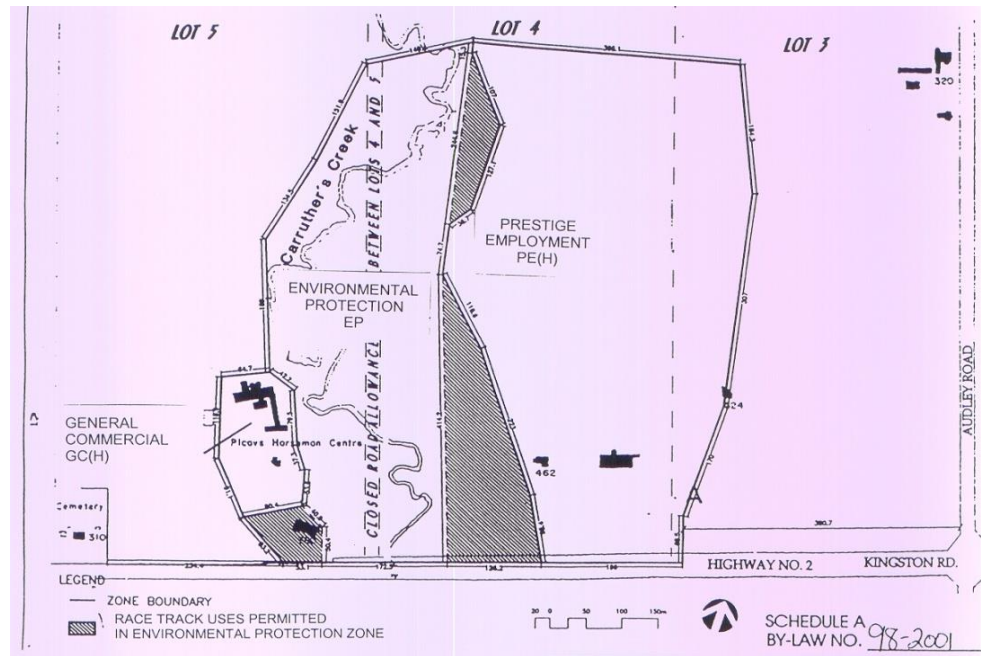
Exception	Zoning	Map	By-law	File Reference
66 continued	PE, EP	19, 25, 26, 32, 33	94-01	Z7/99

- b) Outside storage shall not be permitted in any *yard* facing Salem Road and/or Rossland Road. Outside storage shall otherwise be permitted in accordance with Section 6.4.1.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
67	EP	26, 33	98-01	

- i) Location: North of Kingston Road, west of Audley Road
- ii) Legal Description: Part of Lot 3, 4, and 5, Concession II
- iii) Additional Uses: A portion of a racetrack oval and chute, a trail and exercise area for race horses, parking area and a stormwater management pond within the hatched area identified below.



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
68	PE	26, 33 60		

- i) Location: North of Kingston Road, west of Audley Road
- ii) Legal Description: Part of Lot 3, 4, and 5, Concession II
- iii) Additional Uses: Racetrack and *gaming establishment*
- iv) Prohibited Uses: *Dwelling Unit*
- v) Development Standards:
 - a) Minimum *Lot Frontage*: 30.0 m
 - b) Minimum *Yard*:
 - Interior Side (west *lot line*): 0.0 m
 - Exterior Side (east *lot line*): 10.0 m
 - Rear (north *lot line*): 9.0 m
- vi) Other:
 - a) A "*Gaming Establishment*" shall mean *premises* accommodating up to 800 *slot machines*, together with related *restaurants*, lounges, administrative *offices* and other *accessory uses*. For the purposes of this definition, a "*Gaming Establishment*" shall not include a bingo parlour or any other casino-type game or *use*.
 - b) A "Racetrack" shall mean an oval race course with starting chutes including a betting theatre; pari-mutuel lobby, together with appurtenances for the conduct of horse races; a grandstand; *restaurants*; lounges and administrative *office*; a museum; retail space for the sale of racetrack and tourist-related merchandise; and areas and facilities for stabling, grooming, training and showing of horses; accommodation for staff, the parking of *motor vehicles* and horse vans; and storage facilities for feed, straw, equipment and accessories.
 - c) A "*Slot machine*" shall mean any coin, token or slug-activated automatic machine, the results of the operation of which are a matter of chance or uncertainty to the operator.
 - d) The *gross floor area* of all accessory *buildings* shall not exceed 10 percent of the area of the *lot*. Such *buildings* shall not exceed three storeys in *height*.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
69	UC	31	145-2001 59-2004 82-2004	Z17/00 Z19/03

- i) Location: East side of Harwood Avenue between Mandrake Street and Doric Street
- ii) Legal Description: Part of Lots 88, 89 and 90, Plan M-377
- iii) Permitted Uses: *Art gallery, financial institution, office, day care facility, apartment dwelling, multiple attached dwelling, street townhouse dwelling, restaurant but not a drive-thru facility, commercial fitness center, hotel, library, personal service shop, place of worship, commercial school, retail convenience store, retail establishment, seniors citizen residence, and parking lot*
- iv) Development Standards:
 - a) Minimum *Lot Frontage*: - On Harwood Avenue: 45.0 m
 - b) Minimum *Lot Area*: 0.4 ha
 - c) Minimum *Rear Yard*: - For *lots* fronting onto Harwood Avenue: 24.0 m
 - d) Maximum *Yard*: - From Harwood Avenue: 5.0 m
 - e) *Building* setbacks from Doric Street and Mandrake Street:
 - Minimum: 3.0 m
 - Maximum: 5.0 m
 - f) Maximum *Building Height*:
 - i) Maximum permitted *building height* within 45.0 metres of the center line of Harwood Avenue is 3 storeys or 12.9 metres, whichever is less
 - ii) Maximum Permitted *building height* between 45.0 metres and 65.0 metres of the center line of Harwood Avenue is 2 storeys or 8.6 metres, whichever is less.

Exception 69 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
69 continued	UC	31	145-2001 59-2004 82-2004	Z17/00 Z19/03

g) Maximum Landscape Area:

i) A minimum 6.0 metre landscape strip shall be provided adjacent to any Residential Zone

h) Additional Performance Standards:

i) In addition to the above standards, the following residential performance standards shall apply

Permitted Use	Minimum Frontage (metres)	Minimum Yard (metres)			
		Front	Rear	Side	
				Interior	Exterior
<i>Multiple Attached Dwelling</i>	5.48	3.0	7.5	0.3 to 1.2	3.0 to 6.0
Street Townhouse	6.0	3.0	7.5	0.3 to 1.2	3.0 to 6.0
Stacked Townhouse	3.0/unit	3.0	7.5	0.3 to 1.2	3.0 to 6.0

v) Other:

a) A billiard or pool room shall be permitted on lands described as Parts 88, 89 and 90, Plan M-377, provided that the *building* accommodating such a *use* is located within 5.0 metres of Mandrake Street.

b) No garage associated with any residential *building* or development shall protrude more than 2.4 metres beyond the main *façade* of a *dwelling unit*, unless a *porch* of a minimum of 1.2 metres in width is associated with the *façade*, and the width of the garage door shall not occupy more than 50 percent of the front *façade* of the *dwelling unit*.

c) With respect to *Multiple Attached Dwellings*, Street Townhouses, and Stacked Townhouses, any *porch* and stairs may encroach up to 1.0 metre into a required setback.

d) A retirement home shall be permitted on lands described as Part 8, 40R-22342 with a minimum *lot area* of .23 ha; a minimum of 21 *parking spaces*; 0.0 metre *front yard* setback; and a minimum 1.5

Exception 69 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
69 continued	UC	31	145-2001 59-2004 82-2004	Z17/00 Z19/03

metre landscape strip adjacent to any residential *uses*. Furthermore, a Holding provision (H) shall be placed on the above-noted lands, to be removed upon Site Plan approval of the retirement home.

- e) Where the principal *use* of a property is to provide parking, the facility (either at grade, or in a *structure*) may use up to 75 percent of the site for parking (inclusive of *driveway* aisles and accesses), provided that all applicable landscaping requirements in this By-law, as amended, are maintained.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
70	R3	16	130-2001	Z18/00

- i) Location: Bean Crescent, Plan 40M-2098
- ii) Legal Description: Part of Lot 11, Concession III
- iii) Development Standards:
 - a) All *buildings* shall be setback a minimum of 10.0 metres from Westney Road
 - b) Minimum *Lot Depth*: 30.0 m

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
71	I-A	27	140-2001	Z6/07
<p>i) Location: Forest Brook Bible Chapel (Elizabeth Street and Kearney Drive)</p> <p>ii) Legal Description: Part of Lot 16, Concession II</p> <p>iii) Development Standards:</p> <p>a) Minimum Parking:</p> <p>i) 1 space for every 19.5 m²of <i>gross floor area</i> or 0.3 <i>parking spaces</i> per seat, whichever is greater.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
72	R1-B	27	16-2002	Z9/01
<p>i) Location: 36 Elizabeth Street</p> <p>ii) Legal Description: Part of Lot 16, Concession II</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i>: 14.12 m</p> <p>b) Maximum <i>Yard</i>:</p> <p>- Interior Side Adjacent to southern property line: 2.1 m</p> <p>- Rear: 10.0 m</p> <p>c) Maximum <i>Lot Coverage</i>: 42%</p> <p>d) Section 6.2.3 shall not apply.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
73	R1-B	28	57-2002	Z27/01
<p>i) Location: 86 – 88 Church Street South</p> <p>ii) Legal Description: Part of Lot 15, Concession I</p> <p>iii) Additional Uses: The design, manufacture and application of signs (excluding sign work on large commercial vehicles from an accessory <i>building</i>)</p> <p>iv) Minimum Parking: In addition to the requirements for a residential <i>use</i>, a minimum of 2 <i>parking spaces</i> shall be provided for the commercial operation.</p> <p>v) Other:</p> <p>a) The commercial operation shall be conducted primarily indoors and confined to an area of not more than twenty-five percent (25%) of the total floor area of the <i>dwelling</i>, or a maximum of forty-five square metres (45.0 m²) whichever is less.</p> <p>b) Any sandblasting for the manufacture of signs be done indoors, in a certified, self-contained, filtered, and self-ventilating <i>unit</i>.</p> <p>c) No outside storage of materials shall be permitted.</p> <p>d) Truck deliveries for the commercial operation shall be restricted to normal daytime business hours (i.e. 9 am to 5 pm).</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
74	I-A	50	44-2002	Z3/02
<p>i) Location: 990 Westney Road South</p> <p>ii) Legal Description: Part of Block 112, Plan 40M-1268</p> <p>iii) Maximum Number of Units: 25 beds</p> <p>Exception 74 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
74 continued	I-A	50	44-2002	Z3/02
<p>iv) Permitted Uses: <i>Crisis Care Facility</i> for Women and Children</p> <p>v) Development Standards:</p> <p>a) Minimum Yard:</p> <ul style="list-style-type: none"> - Front (Harwood Avenue): 3.0 m - Interior Side (southern <i>lot line</i>): 7.5 m <p>b) Maximum <i>Building Height</i>: 2 storey:</p> <p>c) Maximum <i>Gross Floor Area</i>: 1,420.0 m²</p> <p>d) Minimum Parking: 19 space:</p> <p>vi) Other:</p> <p>a) The <i>front yard</i> shall be defined as the Harwood Avenue frontage.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
75	AC	8	71-2002 97-2008 15-2013	Z28/01, SPA6/07, Z7/07, SP9/12
<p>i) Location: Southwest corner of Taunton Road West and Westney Road North</p> <p>ii) Legal Description: Part of Lot 11, Concession 3</p> <p>iii) Additional Permitted Uses: <i>Drive-thru Restaurant</i></p> <p>iv) Development Standards:</p> <p>a) Minimum Yard:</p> <ul style="list-style-type: none"> - Front (Westney) <ul style="list-style-type: none"> - to Drive-thru Canopy and Decorative Wall 5.5 m - to <i>building</i> 11.0 m <p>Exception 75 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
75 continued	AC	8	71-2002 97-2008 15-2013	Z28/01, SPA6/07, Z7/07, SP9/12

- Interior Side: 3.0 m
- Exterior Side (Taunton) – to *building*: 15.0 m
- Rear: 3.0 m

b) Minimum *Building Height*: 1 storey

c) Minimum Landscape Area:

- i) A minimum landscape strip of 6.0 metres shall be provided adjacent to Taunton Road and Westney Road.
- ii) The Drive-thru Canopy shall be permitted to encroach a minimum of 0.5 metres in the required landscape strip.

v) Other:

- a) The *queuing lane* for an automatic *motor vehicle* washing facility shall accommodate a minimum of 15 vehicles leading into the automatic car wash and a minimum of 3 vehicles exiting the automatic car wash.
- b) The *queuing lane* for a *Drive-thru Restaurant* shall be a minimum of 8 vehicles before the service window and a minimum of 1 vehicle after the service window.
- c) The minimum *building* setback to the *daylighting triangle* shall be 4.0 metres.
- d) A *Drive-thru Restaurant* shall only be permitted in association with a gas station and located in the same *building*.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
76	EP, I-A, NC, R1-D, R1-E, R2-B, RM6, OS	19, 59	50-2003	Z1/99

- i) Location: Northwest corner of Audley Road and Rossland Road
- ii) Legal Description: Part of Lots 3 and 4, Concession III
- iii) Additional Uses: Apartment *Building* in the 'RM6' Zone
- iv) Development Standards:
 - a) Minimum *Building Height*: 6 storeys for an apartment *building*
 - b) Minimum *Lot Frontage*:
 - 'R1-D' zone: 11.3 m
 - 'R1-E' zone: 9.0 m
 - c) Maximum *Lot Coverage*:
 - 'R1-D' zone: 47%
 - 'R1-E' zone: 46%
 - d) Minimum *Yard*:
 - Interior Side – 'R2-B' zone: 1.0 m on one side
0.0 m on the other
 - e) Maximum Garage and *Driveway widths* for single *detached dwellings* in the 'R1-E' and 'R1-F' zones shall be governed by the following

	Maximum <i>Driveway Width</i>	Maximum Garage Width
<i>Lots with frontages 11.3 metres or greater</i>	5.6 m	5.6 m
<i>Lots with frontages less than 11.3 metres</i>	5.0 m	3.0 m

Exception 76 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
76 continued	EP, I-A, NC, R1-D, R1-E, R2-B, RM6, OS	19, 59	50-2003	Z1/99

v) Other:

- a) For lands zoned 'R2-B', the following definition shall apply:

DWELLING, SEMI-DETACHED shall mean a separate *building* divided vertically above and below grade into not more than two (2) *dwelling units*, which must contain a common wall that extends a minimum of 5.0 metres in length and has a and has a minimum *height* of 2.0 metres above grade. The minimum distance between any portion of a *dwelling unit* not containing a common wall and abutting property line shall be 0.6 metres.

- b) Maximum density shall be 60 units per hectare for an apartment *building*.

- c) *Multiple attached dwelling* shall mean a separate *building* divided vertically into two (2) or more *dwelling units* which shall be developed in accordance with the following setbacks:

i) *Dwelling units* designed to front a *public road* 3.0 m

ii) *Dwelling units* designed to flank a *public road* 2.0 m

iii) *Dwelling units* designed to flank a private road, commercial block or freehold *dwelling* 2.0 m

iv) Minimum distance between a *detached dwelling* and a detached garage 6.0 m

v) All units are to have vehicle access provided a private road

vi) No reverse frontages shall be permitted along any *public road*.

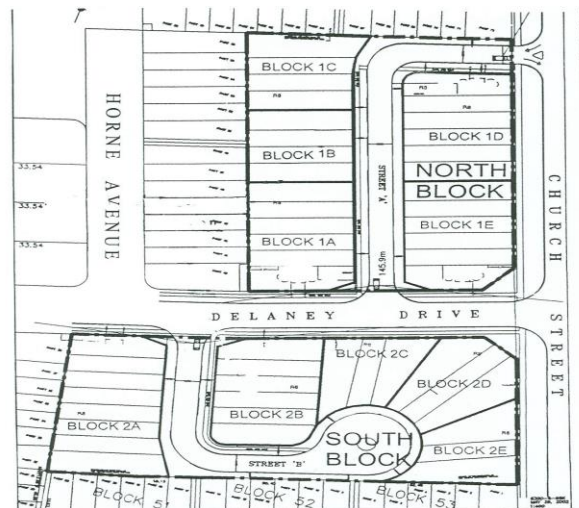
- d) Section 4.21.2 ii) of this By-law shall not apply to Blocks 55, 56, 60, 61, 66, 67 and 70 of Draft Plan of Subdivision 18T-98014

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
77	R3	21	123-2002	Z1/02

- i) Location: Northwest and southwest corners of Delaney Drive and Church Street
- ii) Legal Description: Part of Lot 15, Concession II
- iii) Development Standards:
 - a) Minimum *Lot Frontage*: 7.5 m
 - b) Minimum *Lot Frontage (corner lot)*: 9.5 m
 - c) Minimum *Lot Depth*: 30.0 m
 - d) Section 6.2.4 shall apply, save and except for the following provisions:
 - i) Maximum *Garage Width (corner lot)*: 5.5 m
 - ii) Maximum *Front yard – Garage*: 0.5 m
 - iii) Maximum *Front yard Setback*: 12.0 m
 - e) Minimum *Side yard – Accessory Building*: 0.0 m
- iv) Other:
 - a) Church Street and Delaney Drive shall be deemed to be the *front yard* for Blocks 2C, 2D, 2E, 1D, and 1E as identified on the schedule below.

9.5 m



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
78	HE	37	137-2002	Z13/01
<p>i) Location: 150 and 160 Dowty Road</p> <p>ii) Legal Description: Lot H-2 and Part of Lot H-1 and Part of Rowe Street, Plan 480, designated as Parts 2, 3, and 4 on Plan 40R-12652 and Part of Block L, Plan M-26, designated as Parts 1 and 2 on Plan 40R-7231</p> <p>iii) Additional Uses: Automobile recycling facility and salvage yard</p> <p>iv) Other:</p> <p>a) A vehicle crusher shall only be permitted on the subject lands provided it is located not closer than 50.0 metres from the <i>front lot line</i> of Dowty Road, and in no case shall a vehicle crusher be permitted unless it is visually screened from all <i>lot lines</i></p> <p>b) <i>Outdoor storage</i> may be permitted up to 57% of the area of the site and all <i>outdoor storage</i> areas shall be fully screened by a 2.4 metre board fence.</p> <p>c) <i>Outdoor storage</i> for crushed/wrecked vehicles shall not exceed a <i>height</i> limit of 2.28 metres.</p> <p>d) <i>Outdoor storage</i> shall be permitted adjacent to the northerly property boundary and shall also be permitted subject to a minimum distance separation of 6.0 metres from the property line of Dowty Road.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
79	I-A/R2-A, R1-D, R2-A, OS	16	121-2002	Z8/02
<p>i) Location: Northwest quadrant of Westney Road and Rossland Road</p> <p>ii) Legal Description: Part of Lot 11, Concession III</p> <p>Exception 79 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
79 continued	I-A/R2-A, R1-D, R2-A, OS	16	121-2002	Z8/02

iii) Other:

- a) For the lands zoned 'R2-A', the following definition will apply:

DWELLING, SEMI-DETACHED shall mean a separate *building* divided vertically above and below grade into not more than two (2) *dwelling units*, which must contain a common wall that extends a minimum of 5.0 metres in length and has a minimum *height* of 2.0 metres above grade. The minimum distance between any portion of a *dwelling unit* not containing a common wall and abutting property line shall be 0.6 metres.

- b) Maximum clear inside width of garages for *lots* zoned 'R2-A' shall not exceed 3.4 metres.
- c) Maximum clear inside width of garages for *lots* zoned 'R1-D' shall not exceed 6.1 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
80	R1-C, R1-D, R1-E, OS, R2-B/R1-E, OS/I-A/R1-E	10, 11, 19	29-2003 9-2005 108-2006	Z116/98, 18T-98016, Z17/04

- i) Location: Southwest quadrant of Taunton Road and Audley Road
- ii) Legal Description: Part of Lots 3, 4, and 5, Concession III
- iii) Additional Uses: In the 'RM4' zone, provided that a minimum of 31 residential *dwelling units* are constructed, the following *uses* are permitted: *art gallery, retail store, convenience store, personal service shop, service or repair shop, office, place of entertainment, restaurant, library, medical clinic, financial institution, self serve Laundromat, dry cleaning depot, veterinary clinic and day care facility*

Exception 80 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
80 continued	R1-C, R1-D, R1-E, OS, R2-B/R1-E, OS/I-A/R1-E	10, 11, 19	29-2003 9-2005 108-2006	ZI16/98, 18T-98016, Z17/04

iv) Prohibited Uses: In the 'RM4' zone – *retail warehouse, motor vehicle gas bar, motor vehicle sales establishment, motor vehicle used sales establishment, motor vehicle repair facility, motor vehicle service center, and a motor vehicle washing establishment*

v) Development Standards:

a) Minimum *Lot Frontage*:

- 'R1-C' zone: 17.0 m
- 'R1-D' zone: 11.3 m
- 'R1-E' zone: 9.0 m
- 'R2-B' zone: 7.5 m/unit

b) Minimum *Lot Depth*:

- 'R1-C' zone: 20.0 m

c) Minimum *Yard*:

- Interior Side - 'R2-B' zone: 1.0 m on one side
0.0 m on the other
- Rear: - 'RM4' zone: 7.5 m

d) Maximum GLFA:

- *Retail store selling food*: 930.0 m²
- *Convenience store*: 250.0 m²

e) Maximum *Lot Coverage*:

- Bungalows in 'R1-D' zone: 47%
- Bungalows in 'R1-E' zone: 46%

f) Maximum Garage Width:

- 'R1-C' zone: 6.1 m
- 'R1-E' zone for *lots* with frontages equal to or more than 11.3 metres: 5.6 m

g) Maximum *Driveway Width*:

- 'R1-E' zone for *lots* with frontages equal to or more than 11.3 metres: 5.6 m

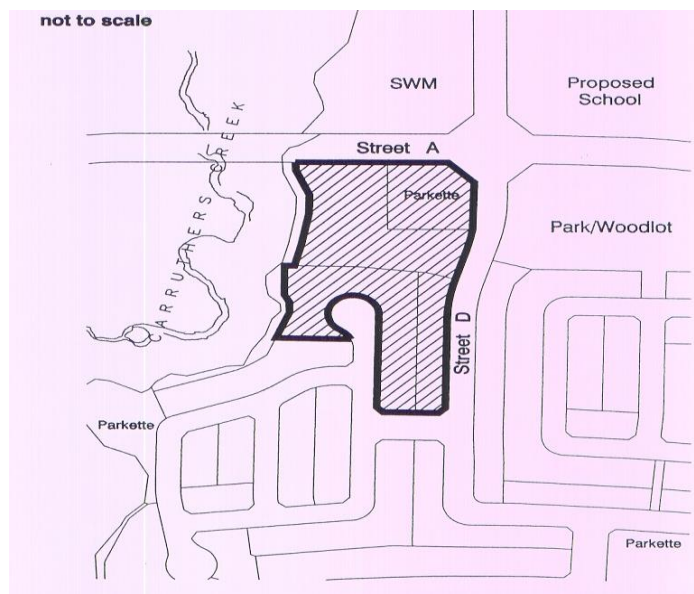
Exception 80 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
80 continued	R1-C, R1-D, R1-E, OS, R2-B/R1-E, OS/I-A/R1-E	10, 11, 19	29-2003 9-2005 108-2006	ZI16/98, 18T-98016, Z17/04

- h) Maximum Curb Cut:
 - 'R1-E' zone for lots with frontages equal to or more than 11.3 metres 5.6 m

vi) Other:

- a) *Detached dwellings* and *semi-detached dwellings* may be permitted and built as *model homes* within Blocks 72 and 73 of Draft Plan of Subdivision 18T-98016.
- b) A sales *office* shall be permitted in the area identified on the Schedule outlined below provided that such *uses*, when no longer required for sales *uses*, is removed or converted to another permitted *use*.
- c) Parking for non-residential *uses* shall be provided at a rate of 1 *parking space* for every 15.0 m² of *gross floor area*.



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
81	AC	18	43-2003	Z11/02
<p>i) Location: Southeast corner of Harwood Avenue and Rossland Road</p> <p>ii) Legal Description: Part of Lot 7, Concession II</p> <p>iii) Additional Uses: <i>Restaurant</i></p> <p>iv) Prohibited Uses: Free-standing <i>restaurant</i> and <i>drive-thru restaurants</i></p> <p>v) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i>: 67.0 m</p> <p>b) Minimum <i>Lot Depth</i>: 60.0 m</p> <p>c) Maximum <i>Yard</i>:</p> <p>- Front: 6.0 m</p> <p>d) Minimum <i>Yard</i>:</p> <p>- Front: 3.0 m</p> <p>- Exterior Side: 9.0 m</p> <p>- Rear: 6.0 m</p> <p>e) Maximum <i>Lot Coverage</i>: 25%</p> <p>f) Maximum <i>Gross Floor Area</i>:</p> <p>- <i>Restaurant</i>: 110.0 m²</p> <p>- <i>Convenience Store</i>: 250.0 m²</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
82	PE	18	43-2003	Z11/02
<p>i) Location: Southeast corner of Harwood Avenue and Rossland Road</p> <p>ii) Legal Description: Part of Lot 7, Concession II</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Area</i>: 3900.0 m²</p> <p>iv) Other:</p> <p>a) Drive-thru <i>lanes</i> for a <i>drive-thru restaurant</i> shall not be permitted between Harwood Avenue and any <i>building</i> on the <i>lot</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
83	R3	30		
<p>i) Location: Southeast corner of Chapman Drive and Ducatel Crescent</p> <p>ii) Additional <i>Uses</i>: <i>Semi-detached dwellings</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
84	OS, R1-D	60	95-2003	S-A-2002-03
<p>i) Location: Draft Plan of Subdivision S-A-2002-03</p> <p>ii) Legal Description: Part of Lots 3 and 4, Concession 2</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i>: 11.3 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
85	GC	27		Town Initiated
<p>i) Location: 778 Kingston Road West</p> <p>ii) Legal Description: Con 2 Part Lot 16 and Registered Plan 40R12295 Part 1</p> <p>iii) Prohibited <i>Uses</i>: <i>Motor vehicles sales establishment, and motor vehicle used sales establishment</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
86	PE, EP	19, 33		Town Initiated
<p>i) Location: South of Rossland Road and east of Salem Road</p> <p>ii) Legal Description: Concession 2 Part Lot 3, Part Lot 4 and Part Road Allowance between Lot 4, 5, and RP 40R835 Part 1</p> <p>iii) Other:</p> <p>a) For those <i>lots</i> or blocks that do not abut Salem Road, and/or Rossland Road, any 'GE' Zone <i>use</i>, as described in Section 6.4.1 may be permitted.</p> <p>b) Outside storage shall not be permitted in any <i>yard</i> facing Salem Road, and/or Rossland Road. Outside storage shall otherwise be permitted in accordance with Section 6.4.1.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
87	PE, EP	18, 25		Town Initiated
<p>i) Location: South of Rossland Road and east of Harwood Avenue</p> <p>ii) Legal Description: Concession 2 Part Lot 7 and Part Road Allowance between Lot 6, 7 now RP 40R13950 Part 4, 5, Part 3 Part</p> <p>iii) Other:</p> <p>a) For those <i>lots</i> or blocks that do not abut Harwood Avenue and/or Rossland Road, any 'GE' Zone <i>use</i>, as described in Section 6.4.1 may be permitted.</p> <p>b) Outside storage shall not be permitted in any <i>yard</i> facing Harwood Avenue and/or Rossland Road. Outside storage shall otherwise be permitted in accordance with Section 6.4.1</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
88	GF, EP	62		Town Initiated
<p>i) Location: South of Bayly Street and east of Audley Road</p> <p>ii) Legal Description: Part of Lot 2, Broken Front Concession, Range III</p> <p>iii) Additional Uses: One <i>detached dwelling</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
89	EP	58	54-2003	Z16/02, Z17/02
<p>i) Location: 2999 Lakeview Boulevard and 3081 Lakeview Boulevard</p> <p>ii) Legal Description: Part of Lots 5 and 6, Range 2, Broken Front Concession</p> <p>iii) Other:</p> <p>a) Notwithstanding the provisions of Section 6.8 of this By-law, for the lands municipally known on March 24, 2003, as 2999 Lakeview Boulevard and 3081 Lakeview Boulevard, any <i>non-conforming building</i> or <i>structure</i> that is damaged by fire, lightening, explosion, tempest, flood, or other act of God may be repaired provided that the damage represents less than seventy-five percent (75%) of the value of the <i>non-conforming building</i> or <i>structure</i>.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
90	DCA/RM1	44	55-2003 86-2005	Z20/02, Z6/05, OPA No. 20
<p>i) Location: 3 Moss Lane</p> <p>ii) Legal Description: Plan M26, Part Block O, P, S, Now RP 40R7520 Part 1, 2</p> <p>iii) Other:</p> <p>a) Notwithstanding the provisions of Section 4.10 of this By-law, one <i>Group Home A</i> accommodating a maximum of three <i>persons</i> shall be permitted.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
91	DCA/MU	44	38-85 67-2004 86-2005	Z6/04, Z6/05, OPA No. 15, OPA No. 20
<p>i) Location: 75, 95, and 105 Bayly Street (Baywood Plaza)</p> <p>ii) Legal Description: Part of Block O and T, Registered Plan M-25, and Parts 1 to 8, 10 and 11 on Reference 40R-14532</p> <p>iii) Prohibited Uses: <i>Drive-Thru Facility, Drive-Thru Restaurant, and Taxi Depot</i></p> <p>iv) Other:</p> <p>a) A <i>retail store</i> may include limited <i>retail warehouse uses</i> to a maximum aggregate floor area of 4,645 square metres provided that such <i>uses</i> are located within the <i>building</i> envelope in place at the time a <i>building</i> permit is sought, save and except a freestanding pad.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
92	I-B	41		
<p>i) Location: 740 Church Street South</p> <p>ii) Legal Description: Concession Broken Front Range 3, Part Lot 14 now Registered Plan 40R17258 Parts 1, 2, and 3</p> <p>iii) Additional Uses: <i>Group Home B</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
93	RM5	16	95-2003 81-2009	Z01/07, 81-2009, OMB Decision
<p>i) Location: 1257 Westney Road North (Westney Villa)</p> <p>ii) Legal Description: Part Lot 10, Concession 3</p> <p>iii) Permitted Uses: <i>Residential Care Facility</i></p> <p>iv) Development Standards:</p> <p>a) Maximum <i>Building Height</i>: 11.0 m</p> <p>b) Minimum Number of <i>Parking Spaces</i>: 8 spaces (2 of which are for persons with disabilities)</p> <p>v) Other:</p> <p>a) “<i>Outdoor Amenity Space</i>” shall mean a common area on a property which provides benefits to the occupants, which increase the attractiveness, functionality and value of a property and which areas are dedicated to passive and active recreational uses, exclusive of <i>parking lots</i> and drive aisles based on a ratio of 10 square metres per bed. Such areas can include but are not limited to patios, decks, swimming pools, paths, leisure spaces or lawns.</p> <p>b) A “<i>Residential Care Facility</i>” shall mean a publicly or privately funded residential facility having 6 or more beds, not greater than 37 beds, in</p> <p>Exception 93 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
93 continued	RM5	16	95-2003 81-2009	81-2009, OMB Decision
<p>which <i>persons</i> with physical disabilities, <i>persons</i> who are developmentally delayed, <i>persons</i> with psychiatric disabilities, and/or pensioners are provided with care and lodging.</p> <p>c) One of the six (6) <i>parking spaces</i> shall be identified as a “<i>parking space for persons with disabilities</i>” on site, with two additional <i>parking spaces</i> being provided as part of the condominium plan.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
94	R2-B	31	62-2001	S-A-200-02, Z14/02
<p>i) Location: Blocks 1 to 10, Plan 40M-2114</p> <p>ii) Development Standards:</p> <p>a) Maximum <i>Lot Coverage</i>: 55%</p> <p>b) Minimum <i>Yard</i>:</p> <p>- Exterior Side: 2.0 metres except flanking Old Harwood Avenue: 4.5 m</p> <p>Flanking Harwood Avenue North 6.0 metres except for the easterly end unit on Block 9 of Subdivision S-A-2000-02 where the minimum shall be 4.5 metres; and 5.5 metres flanking Chapman Drive</p> <p>(<i>Side yards for lots flanking Old Harwood Avenue and Harwood Avenue North shall be considered exterior side yards</i>)</p> <p>c) Minimum Distance from Accessory <i>Building</i>:</p> <p>- Exterior Side: 2.0 m</p> <p>Exception 94 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
94	R2-B	31	62-2001	Z14/02, S-A-200-02
<p>d) Minimum Floor area Per <i>Dwelling Unit</i>:</p> <p>- Where the Units have in excess of 2 bedrooms 120.0 m²</p> <p>e) Maximum Outside Garage Width: 3.3 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
95	VC3	29	89-2003 38-2008	Z15/02, Z01/08
<p>i) Location: 448 Kingston Road West</p> <p>ii) Legal Description: Part Lot 13, Concession 2</p> <p>iii) Development Standards:</p> <p>a) Required <i>Parking Spaces</i>: 11</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
96	VC3	29	90-2003	Z4/03, Z01/08
<p>i) Location: 475 Kingston Road West</p> <p>ii) Legal Description: Pt. Lot 13, Part 2, Concession. 1, Plan 40R-7641</p> <p>iii) Additional <i>Uses</i>: Triplex</p> <p>Exception 96 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
96 continued	VC3	29	90-2003	Z4/03, Z01/08

iv) Development Standards:

a) Minimum Parking:

i) A maximum of six *parking spaces* shall be permitted in the *front yard*.

b) *Landscape Buffer*:

Notwithstanding Sections 4.12 i) and iii) the following minimum *landscape buffers* shall apply:

Location	Minimum <i>Landscape Buffer</i>
Between the parking area and the north property line (road widening line)	1.5 m
Along the west property line adjacent to the <i>parking spaces</i>	1.5 m
Along the east property line adjacent to the parking area	1.5 m

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
97	R1-D, R2-B, R1-F, OS, I-A, LC	9, 10, 18	121-2003	S-A-2002-04 S-A-2003-03

i) Location: South-west corner of Taunton Road and Salem Road

ii) Legal Description: Part of Lots 7 and 8, Concession III

iii) Development Standards:

a) Minimum *Lot Frontage*:

- 'R1-D' zone: 11.3 m

Exception 97 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
97 continued	R1-D, R2-B, R1-F, OS, I-A, LC	9, 10, 18	121-2003	S-A-2002-04, S-A-2003-03

- 'LC' zone: 85.0 m
- b) Minimum *Yard* – Interior:
 - 'R2-B' zone - *Semi-detached dwelling*: 1.0 m on one Side
0.0 m on the other
- c) Maximum *Lot Coverage*: 47 %
- iv) Other:
 - a) For lands zoned 'R2-B', the following definition shall apply: *DWELLING, SEMI-DETACHED* shall mean a separate *building* divided vertically above and below grade into not more than two (2) *dwelling units*, which must contain a common wall that extends a minimum of 5.0 metres in length and has a minimum *height* of 2.0 metres above grade. The minimum distance between any portion of a *dwelling unit* not containing a common wall and abutting property line shall be 0.6 metres.
 - b) Taunton Road shall be deemed to be the *front yard* for Blocks 10-15 inclusive of Draft Plan of Subdivision S-A-2002-04.

Williamson Road shall be deemed to be the *front yard* for Blocks 3, 4 and 5 of Draft Plan of Subdivision S-A-2002-04.

Street 'C' shall be deemed to be the *front yard* for Blocks 1 and 2 of Draft Plan of Subdivision S-A-2002-04.

Street 'F' shall be deemed to be the *front yard* for Blocks 6 and 7 of Draft Plan of Subdivision S-A-2002-04.

Street 'I' shall be deemed to be the *front yard* for Blocks 8 and 9 of Draft Plan of Subdivision S-A-2002-04.

Street 'X' shall be deemed to be the *front yard* for Blocks 1 and 2 of Draft Plan of Subdivision S-A-2003-03

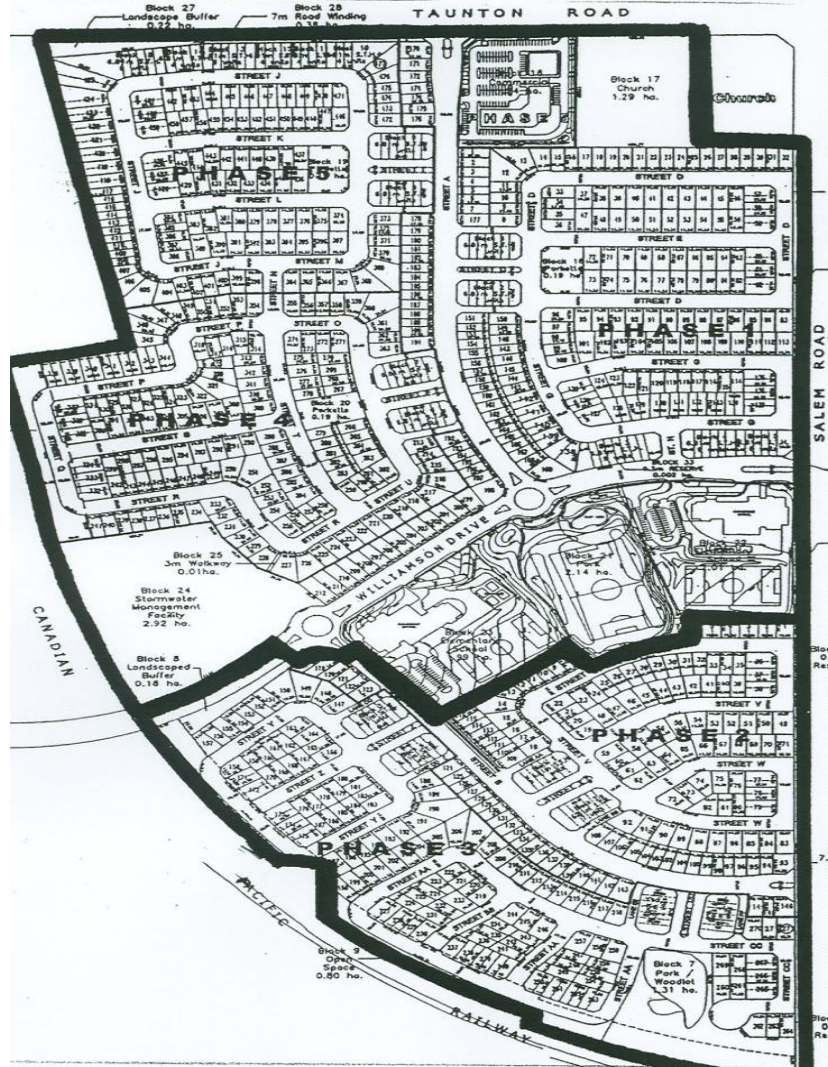
Street 'Z' shall be deemed to be the *front yard* for Blocks 3 and 4 of Draft Plan of Subdivision S-A-2003-03.

Exception 97 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
97 continued	R1-D, R2-B, R1-F, OS, I-A, LC	9, 10, 18	121-2003	S-A-2002-04, S-A-2003-03

Street 'DD' shall be deemed to be the *front yard* for Blocks 5 and 6 of Draft Plan of Subdivision S-A-2003-03.

- c) For the Blocks referred to in item (b) above, the setback to the *rear lot line* for a garage accessed via the *rear yard* shall be 6.5 metres.



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
98	R2-B	45, 46	124-2003	S-A-2003-04, S-A-2003-05
<p>i) Location: Both sides of realigned Pickering Beach Road, approximately 55.0 metres south of Bayly Street</p> <p>ii) Legal Description: Part of Lots 6, Broken Front Concession, Range 3</p> <p>iii) Development Standards:</p> <p>a) Maximum <i>Lot Coverage</i>: 55 %</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
99	R1-D, R2-B, NC, OS, I-A	16	42-2004 68-2008	S-A-2004-01, Z02/04
<p>i) Location: 201 Williamson Drive West West of Westney Road between Rossland Road and the Hydro Corridor</p> <p>ii) Legal Description: Concession 3, Part of Lot 11, RP 40R-22121, Part of Part 1</p> <p>iii) Additional <i>Uses</i>: Commercial Fitness Establishment, Opticians Store, Veterinarian Clinic, <i>Commercial School</i> and Dental <i>Office</i>. One <i>restaurant</i> shall be permitted to a maximum <i>gross leasable floor area</i> of 139.0 m².</p> <p>iv) Development Standards:</p> <p>a) Minimum <i>Yard</i>:</p> <p>- Front: (Westney Road) 0.8 m</p> <p>b) <i>Gross Leasable Floor Area</i> shall mean the aggregate area of all floors in a <i>building</i> measured from the centre line of the joint interior partitions and from the exteriors of outside walls, and used or capable of being used for commercial purposes, such as sales, display, and <i>offices</i> but excluding storage areas, washroom areas garbage areas and electrical and mechanical rooms.</p> <p>Exception 99 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
99 continued	R1-D, R2-B, NC, OS, I-A	16	42-2004 68-2008	S-A-2004-01, Z02/04

c) Minimum Off-Street Parking Required: 44 *Parking Spaces*

d) Minimum *Landscape Buffer*:

- Williamson Drive 4.2 m
- Westney Road 3.0 m
- N.E. corner of the *building* next to Westney Road 0.8 m

e) Minimum Length of a Parking Stall:
(Including Disabled Parking) 5.7 m

v) Other:

- a) Within the 'NC' zone, the maximum *building* setback from Westney Road shall be 5.0 metres;
- b) The maximum *driveway width* shall not exceed the exterior width of the garage;
- c) Within all residential zones, the maximum *front yard* setback may be measured to the *porch* subject to the following:
 - i) The minimum depth of the *porch* shall not be less than 1.5 metres; and
 - ii) the minimum depth of the *porch* shall not be the lesser of 3.0 metres or the entire width of the habitable portion of the *dwelling* from the nearest exterior wall of the attached *private garage* to the opposite exterior side wall of the *principal building*.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
100	UC	31	58-2004	Z6/04
<p>i) Location: Northwest corner of Harwood Avenue South and Gardiner Drive (20 Harwood Avenue South), and the northeast quadrant of Harwood Avenue South and Mandrake Street (3 to 19 Harwood Avenue South, inclusive, and 2 Mandrake Street</p> <p>ii) Legal Description: Part of Block 120, Plan 40M-1277, and Lots 74 to 86, inclusive, Part of Lot 87 and Part of Lot 163, Plan M-377</p> <p>iii) Additional Uses: <i>Parking Lot, and Motor Vehicle Sales Establishment (excluding accessory service/repair and outdoor storage or display of vehicles)</i></p> <p>iv) Prohibited Uses: <i>Drive-thru facility, Drive-thru restaurant, and Taxi depot</i></p> <p>v) Other:</p> <p>a) Where the principal use of a property is to provide parking, the facility (either at grade, or in a <i>structure</i>) may use up to 75 percent of the site for parking (inclusive of <i>driveway</i> isles and accesses), provided that all applicable landscaping requirements in this By-law, as amended, are maintained.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
101	DCA/ME1, DCA/ME2	38	61-2004 86-2005	Z6/04, Z6/05, OPA No. 15, OPA No. 20
<p>i) Location: The lands bounded by Station Street to the north, Commercial Avenue to the east, Hunt Street to the south, and Mills Road to the west, except for the southwest corner of Station Street and Commercial Avenue</p> <p>ii) Legal Description: Blocks A, D, E, F, G, H, J, K, M, and N, Part of Block B, and Bank Street (now closed), Plan M-27</p> <p>iii) Prohibited Uses: <i>Drive-Thru Facility, Drive-Thru Restaurant, Motor Vehicle Rental Establishment, and Motor Vehicle Service/Repair or Outdoor Storage or Display of Motor Vehicles as an accessory use to a Motor Vehicles Sales Establishment</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
102	NC	16	81-2004	OPA03-A2, Z10/03
<p>i) Location: South-west corner of Rossland Road West and Westney Road North</p> <p>ii) Legal Description: Plan 40M-1425, Block 192</p> <p>iii) Prohibited Uses: <i>Convenience store, dry cleaning depot, self-serve laundromat, personal service shop, service or repair shops, financial institution and library</i></p> <p>iv) Development Standards:</p> <p>a) Minimum Yard:</p> <ul style="list-style-type: none"> - Front: 0.0 m - Interior Side: 1.2 m - Exterior Side: 1.5 m <p>b) Maximum <i>Building Height</i>: 13.0 m</p> <p>Exception 102 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
102 continued	NC	16	81-2004	OPA03-A2, Z10/03
<p>c) <i>Landscape Buffer</i>: Notwithstanding Sections 4.12 (i) and (iii), the following minimum <i>landscape buffers</i> shall apply:</p> <ul style="list-style-type: none"> i) Adjacent to Rossland Road West: 1.192 m ii) Adjacent to Westney Road North: 0.0 m iii) <i>Rear Lot Line</i>: 1.5 m iv) <i>Interior Side Lot Line</i>: 0.0 m <p>v) Other:</p> <ul style="list-style-type: none"> a) The <i>daylighting triangle</i> is to be in accordance with an approved site plan. <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
103	AC	45	96-2004	Z1/04
<ul style="list-style-type: none"> i) Location: 211 Bayly Street East ii) Legal Description: Part of Lot 6, Range 3, Broken Front Concession iii) Development Standards: <ul style="list-style-type: none"> a) Minimum Landscape Strip: <ul style="list-style-type: none"> i) adjacent to Bayly Street 4.2 m ii) for any <i>buildings</i> adjacent to Bayly Street 3.0 m iii) Adjacent to residential <i>uses</i> 8.5 m iv) Other: <ul style="list-style-type: none"> a) A Holding (H) provision shall be placed on the above-noted lands, to be removed upon Site Plan approval of the service station. <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
104	DCA/MU	38, 39, 44	60-2004 68-2004 86-2005	Z6/04, Z6/05, OPA No. 15, OPA No. 20

i) Location:	Bayly Street between Mackenzie Avenue and Monarch Avenue; the north side of Bayly Street; approximately 187.0 metres west of Harwood Avenue South; the side of Hunt Street, between Commercial Avenue and Monarch Avenue, save and except for the Hunt Street frontage of the Verona site (Central Park Village) and the Skymark property; the lands bounded by Hunt Street to the south, Harwood Avenue South to the east, Station Street to the North and Commercial Avenue to the west, save and except for the <i>premises</i> known as 75 Commercial Avenue (the Ajax Car Wash) (commonly known as the Ajax, Station Street and Scot Plazas), the southwest corner of Station Street and Commercial Avenue, the northeast corner of Harwood Avenue South and Achilles Road; and the northwest corner of Harwood Avenue South and Station Street
ii) Legal Description:	Lands include Part of Blocks S, T, V and X, Plan 480, Part of Block N, Plan 481, Part of Block X, Plan M-25, Part of Block F, Plan M-26, Part of Block B, Plan M-27 and Lots 17 and 18, Plan 563
iii) Prohibited Uses:	<i>Drive-Thru Facility, Drive-Thru Restaurant, and Taxi Depot</i>
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	

Exception	Zoning	Map	By-law	File Reference
105	DCA/MU	38, 44	68-2004 86-2005	Z6/04, Z6/05, OPA No. 15, OPA No. 20
<p>i) Location: Southeast corner of Hunt Street and Monarch Avenue (167 Hunt Street/225 Monarch Avenue - Skymark Building)</p> <p>ii) Legal Description: Block U and Part of Block V, Plan 480</p> <p>iii) Prohibited Uses: <i>Drive-Thru Facility, Drive-Thru Restaurant, and Taxi Depot</i></p> <p>iv) Development Standards:</p> <p>a) Notwithstanding any other provision of this By-law, the <i>build-within zone</i> along Monarch Avenue shall be between 6.0 metres and 9.0 metres.</p> <p>b) A minimum 6.0 metre <i>landscaped buffer</i> shall be provided abutting Monarch Avenue, except for an approved <i>driveway</i> access location.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
106	RM4	32	95-2004 75-2011	Z23/01, Z3/10, SP1/11
<p>i) Location: Northeast corner of Twilley Lane and Trott Lane</p> <p>ii) Legal Description: Part of Lot 3, Plan 377 (40R-23916, Parts 29 to 31 and 34) and Part of Lot 6, Plan 377</p> <p>iii) Additional Use: <i>Dwelling, Stacked</i></p> <p>iv) Development Standards:</p> <p>a) Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to these lands zoned 'RM4' – 'Residential Multiple Four':</p> <p style="margin-left: 40px;">i) Minimum <i>Lot Frontage</i> along Twilley Lane: 53.0 m</p> <p style="margin-left: 40px;">ii) Minimum Setback from Twilley Lane (South): 4.0 m</p> <p>Exception 106 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
106 continued	RM4	32	95-2004 75-2011	Z23/01, Z3/10, SP1/11
<ul style="list-style-type: none"> iii) Minimum Setback from Lane 'A' (North): 3.0 m iv) Minimum Setback from Trott Lane (West): 3.0 m v) Minimum Setback from east property line (East): 0.9 m vi) Maximum <i>Lot Coverage</i>: 40 % vii) Minimum Separation Distance between Blocks: 3.0 m viii) Minimum <i>Parking Space</i> Dimension within a <i>Private Garage</i>: 3.1 m x 6.0 m ix) Minimum <i>Parking Space</i> Dimension: 3.3 m x 6.0 m x) Minimum Required <i>Parking Spaces</i>: <ul style="list-style-type: none"> Residents: 71 Visitors: 61 <ul style="list-style-type: none"> b) Section 5.6 of Zoning By-law 95-2003, as amended, shall not apply c) The roofs of detached garage blocks are permitted to encroach into the east <i>side yard</i> to a maximum distance of 0.3 metres. v) Other: <ul style="list-style-type: none"> a) All air conditioning units shall only be located on a balcony associated with the <i>dwelling unit</i>. b) Air conditioning units shall not be permitted in any <i>yard</i>. <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

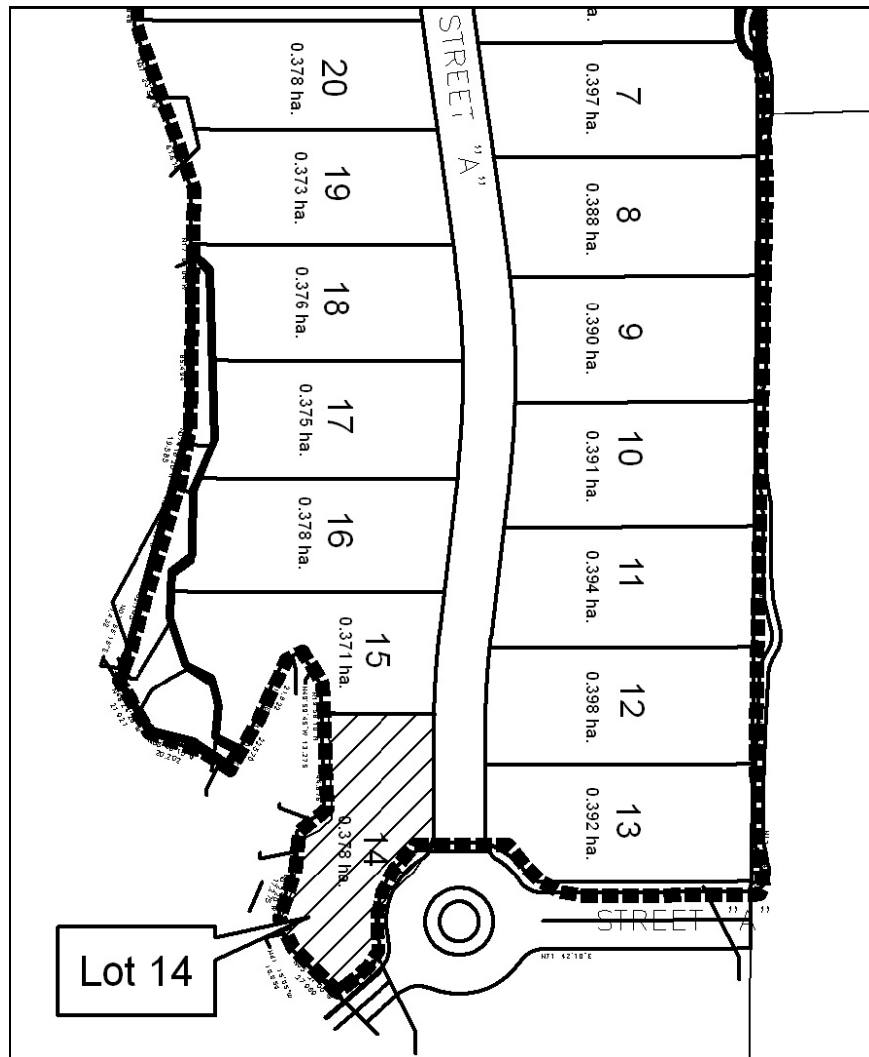
Exception	Zoning	Map	By-law	File Reference
107	NC	29, 30	86-2004	Z22/03
<p>i) Location: 110 Ritchie Avenue</p> <p>ii) Legal Description: Plan 40M-1386, Block 32</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Landscape Buffer</i>: (adjacent to Type B Arterial Road) 0.0 m</p> <p>b) Minimum <i>Parking Space</i> Length: 5.5 m</p> <p>c) Minimum Aisle Width for 60 to 90 degree <i>parking spaces</i>: 5.5 m</p> <p>d) Required <i>Parking Spaces</i> 43</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
108	CR, POS	5	92-2008	S-A-2007-01, Z2/07
<p>i) Location: South side of Fifth Concession Road, east of Bugey Lane, west of Audley Road and north of Taunton Road</p> <p>ii) Legal Description: Part of Lots 3 and 4, Concession 4 (40R-10348, Parts 1 to 6) (Blk 69 and 71, 40M-1577, Lot 1, 40M-1578 and 40R-17476, Part 2)</p> <p>iii) Maximum Number of Units in the "CR" zone: 27 Estate Residential Dwellings</p> <p>iv) Development Standards within the "CR" zone:</p> <p>a) Minimum <i>Lot Frontage</i>: 38.0 m</p> <p>b) Minimum <i>Lot Area</i>: 0.37 ha</p> <p>Exception 108 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
108 continued	CR, POS	5	92-2008	S-A-2007-01, Z2/07

v) Other:

- a) Notwithstanding Section 6.2.2 of Zoning By-law 95-2003 as amended, for the purposes of this development the minimum *lot depth* shall not apply within the “CR” – “Country Residential” Zone.
- b) The *lot* hatched below shall have a minimum front and rear yard setback of 10.0 metres.



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
109	LC, R2-B	21	123-2004	OPA03-A8, S-A-2003-09, Z17/03
<p>i) Location: North-east corner of Church Street and Delaney Drive</p> <p>ii) Legal Description: Plan 40M-1658, Block 263</p> <p>iii) Prohibited Uses: <i>Banquet facility, drive-thru facility, drive-thru restaurant, place of entertainment, and a dry cleaning establishment</i></p> <p>iv) Development Standards:</p> <p>a) Minimum Landscape Strip:</p> <p>i) adjacent to Delaney Drive for the area between the property line and a <i>building</i>: 3.0 m</p> <p>ii) adjacent to Church Street for the area between the property line and a <i>building</i>: 3.0 m</p> <p>iii) adjacent to Church Street for the area between the property line and the parking area: 6.0 m</p> <p>v) Other:</p> <p>a) No <i>outdoor patios</i> shall be permitted within 30.0 metres of any residential zone.</p> <p>b) All <i>buildings</i> shall have pedestrian access facing either Church Street or Delaney Drive.</p> <p>c) A holding provision shall be placed on the subject lands, to be removed upon Site Plan approval.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
110	R1-D, R1-E, R1-F, R2-B, OS, EP	62	1-2005 68-2013	18T-94026, RL2/04, Z3/04 RL2/11, Z4/11

- i) Location: South of Bayly Street, west of the unopened Audley Road allowance
- ii) Legal Description: Part of Lot 3, Range 3, Broken Front Concession, and Part 1, Plan 40R-12352
- iii) Development Standards:
 - a) Notwithstanding Section 6.7.1, Permitted Uses, specifically Open Space – ‘OS’, all buildings and structures of any kind, the removal or placement of fill, or the alteration of a watercourse, other than as required for flood or erosion control and stormwater management are prohibited within Block 423 on revised draft plan REV. 18T-94026 (RL2/11), Date: Nov. 26-12, Drawing Number 8962-76dp.”;
 - b) Maximum *lot coverage* for bungalows or back-split *dwelling*s within the ‘R1-D’ Residential Zone 50%
 - c) Notwithstanding Section 6.2.2, Zone Standards, specifically “Residential One – ‘D’ (R1-D), the minimum lot depth shall be 19.2 metres for Lots 48 to 53 (inclusive) on draft plan REV. 18T-94026 (RL2/11), Date: Nov. 26-12, Drawing Number 8962-76dp.
 - d) Notwithstanding any other provision of this By-law, the maximum width of a garage on a *corner lot* in the ‘R1-E’ zone with *lot frontages* greater than 12.0 metres shall not exceed 6.1 metres.
 - e) The maximum width of garages within the ‘R1-E’ and ‘R1-F’ zones with *lot frontages* less than 11.9 metres shall not exceed 5.0 metres.
 - f) The maximum width of a garage for a *semi-detached dwelling* in the ‘R2-B’ zone for *lots* with frontages of 7.5 metres or greater shall not exceed 3.6 metres.
 - g) The maximum width of double car garages in the ‘R1-D’ zone shall not exceed 6.1 metres.
 - h) Notwithstanding Section 6.2.2, Zone Standards, specifically “Residential One – ‘D’ (R1-D), for lot frontages greater than 15.5 metres, the maximum garage width shall not exceed 7.2 metres for a three car garage.

Exception 110 is continued on the next page.

Exception 110 continued	Zoning R1-D, R1-E, R1-F, R2-B, OS, EP	Map 62	By-law 1-2005 68-2013	File Reference 18T-94026, RL2/04, Z3/04
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- i) Notwithstanding Section 6.2.4, Front Yard and Exterior Yard Requirements, the maximum front yard setback of 7.5 metres as measured from the front of the principal building to the front lot line shall not apply for Lots 1 to 53 (inclusive), 82 to 89 (inclusive), 203 to 211 (inclusive), 328 to 335 (inclusive) and 354 to 363 (inclusive) on draft plan REV. 18T-94026 (RL2/11), Date: Nov. 26-12, Drawing Number 8962-76dp.
- j) The maximum *building* setback requirements within Section 6.2.4 of this By-law may be measured from the front face of a *porch*, provided the minimum area of the porch is 4.5 m².
- k) Notwithstanding Section 6.2.2, Zone Standards, the maximum driveway width and maximum garage width shall be 6.1 metres for Lot 382 on draft plan REV. 18T-94026 (RL2/11), Date: Nov. 26-12, Drawing Number 8962-76dp.
- l) Notwithstanding Section 6.2.4, Front Yard and Exterior Yard Requirements, for lots flanking the west side of Audley Road zoned “Residential One –‘D’ (R1-D), the following shall apply:

Standard	Minimum Setback from Exterior Lot Line
i) Dwelling unit on street side with a sidewalk	1.7 m
ii) Attached garage on street with a sidewalk	1.7 m
iii) Platform on street side with a sidewalk	0.7 m

- m) Notwithstanding Section 5.3.1, Required Parking Spaces Within Private Garage, all required parking spaces within a private garage shall have a minimum width of 2.7 metres and a minimum depth of 5.7 metres free of any obstructions. Where more than one required parking space is provided within a private garage, all subsequent parking spaces provided shall have a minimum width of 2.5 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference										
111	AC	32	142-2005	Z11/03, OMB Approved										
<p>i) Location: Northeast corner of Salem Road and Chambers Drive</p> <p>ii) Legal Description: Plan 40M-1453, Block 103</p> <p>iii) Permitted Uses: <i>Motor Vehicle Gas Bar and Convenience Store</i></p> <p>iv) Development Standards:</p> <p>a) <i>Landscape Buffer:</i></p> <table border="0"> <tr> <td>i) immediately adjacent to the day-lighting triangle</td> <td>6.0 m</td> </tr> <tr> <td>ii) along the frontages of Chambers Drive and Salem Road</td> <td>6.0 m</td> </tr> <tr> <td>iii) abutting Field Crescent</td> <td>2.8 m</td> </tr> </table> <p>b) Minimum <i>Lot Frontage:</i> 42.0 m</p> <p>c) Minimum Setback for the weather canopy:</p> <table border="0"> <tr> <td>i) From <i>Exterior Side Lot Line:</i></td> <td>6.0 m</td> </tr> <tr> <td>ii) From <i>Interior Side Lot Line:</i></td> <td>5.5 m</td> </tr> </table> <p>d) Minimum Setback from <i>Rear Lot Line:</i> 6.0 m</p> <p>e) Maximum <i>Height</i> of the <i>Convenience Store</i> exclusive of roof top mechanicals 5.3 m</p> <p>f) For the purposes of this by-law, <i>height</i> will be measured from the finished grade immediately adjacent to the <i>building</i> or <i>structure</i> being measured.</p> <p>v) Other:</p> <p>a) Section 6.3.1 (1) shall not apply.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>					i) immediately adjacent to the day-lighting triangle	6.0 m	ii) along the frontages of Chambers Drive and Salem Road	6.0 m	iii) abutting Field Crescent	2.8 m	i) From <i>Exterior Side Lot Line:</i>	6.0 m	ii) From <i>Interior Side Lot Line:</i>	5.5 m
i) immediately adjacent to the day-lighting triangle	6.0 m													
ii) along the frontages of Chambers Drive and Salem Road	6.0 m													
iii) abutting Field Crescent	2.8 m													
i) From <i>Exterior Side Lot Line:</i>	6.0 m													
ii) From <i>Interior Side Lot Line:</i>	5.5 m													

Exception	Zoning	Map	By-law	File Reference
112	R1-F, R2-B, G, O1	60	10-2005	S-A-2004-04, Z13/04
<p>i) Location: North-west corner of Audley Road and Kerrison Drive</p> <p>ii) Legal Description: Part Lot 3, Concession 2</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Coverage</i>:</p> <ul style="list-style-type: none"> - 'R1-F' zone: 50 % - 'R2-B' zone: 55 % <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
113	VC3	28	21-2005	Z18/04, Z01/08
<p>i) Location: 579 Kingston Road West</p> <p>ii) Legal Description: Plan 11, Part Lot 5</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Landscape Buffer</i>:</p> <ul style="list-style-type: none"> i) Next to Residential or Open Space – East, <i>interior side lot line</i> 0.0 m ii) Adjacent to Type A and Type B Arterial Road: 5.0 m <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
114	UC	31, 32	53-2005	Z15/04

- i) Location: South-east corner of Harwood Avenue and Ringer Road
- ii) Prohibited Uses: *Drive-thru restaurant*
- iii) Other:
 - a) All commercial tenants shall have pedestrian entries facing Harwood Avenue and Ringer Road.
 - b) Notwithstanding Section 4.12 of this By-law, all *buildings* within 30.0 metres of the intersection of Ringer Road and Harwood Avenue shall have a minimum *gross floor area* of 750.0 m² and shall be within 6.0 metres of the *street line* of Harwood Avenue.
 - c) Notwithstanding Section 4.12 of this By-law, all *buildings* within 50.0 metres of the southernmost property line next to Harwood Avenue shall have a minimum *gross floor area* of 750.0 m² and shall be within 6.0 metres of the *street line* of Harwood Avenue
 - d) A Holding Provision (H) shall apply, which shall be removed upon issuance of Site Plan approval.
 - e) Any *building* within 30.0 metres of the intersection of Harwood Avenue and Ringer Road shall have a minimum *building height* of 9.0 metres
 - f) Subject to paragraph iii) (a), a maximum of one *drive-thru facility* shall be permitted but in no case shall such *use* be permitted within 30.0 metres of Harwood Avenue.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
115	DCA/MU	38, 44	42-2005 86-2005	S-A-2004-03, Z14/04, Z6/05
<p>i) Location: 100 Bayly Street West</p> <p>ii) Prohibited Uses: Part of Block V, Registered Plan M-25 and Part of Block V, Registered Plan 480</p> <p>iii) Development Standards:</p> <p>a) The minimum built frontage along Hunt Street shall be 50 percent.</p> <p>b) The <i>daylighting triangle</i> requirements for Residential Zones within Section 4.7.1 of this By-law shall apply.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference															
116	VC3	28	38-2005	Z21/04, Z01/08															
<p>i) Location: 66 Church Street South</p> <p>ii) Legal Description: Lot 3 and Part of Lot 4, Registered Plan 11 (Lot 15, Con 1)</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Landscape Buffer</i> Next to Residential or Open Space Zones::</p> <table border="0"> <tr> <td>- Rear:</td> <td>at the hammerhead:</td> <td>0.36 m</td> </tr> <tr> <td></td> <td>otherwise:</td> <td>1.8 m</td> </tr> <tr> <td>- South interior side:</td> <td></td> <td>0.40 m</td> </tr> <tr> <td>- North interior side:</td> <td></td> <td>0.44 m</td> </tr> <tr> <td>- Adjacent to Type A and Type B Arterial Road:</td> <td></td> <td>4.41 m</td> </tr> </table> <p>b) <i>Parking Spaces</i> Required: 9</p> <p>c) <i>Parking Space</i> Length (including disabled parking stall length) 5.45 m</p> <p>Exception 116 is continued on the next page.</p>					- Rear:	at the hammerhead:	0.36 m		otherwise:	1.8 m	- South interior side:		0.40 m	- North interior side:		0.44 m	- Adjacent to Type A and Type B Arterial Road:		4.41 m
- Rear:	at the hammerhead:	0.36 m																	
	otherwise:	1.8 m																	
- South interior side:		0.40 m																	
- North interior side:		0.44 m																	
- Adjacent to Type A and Type B Arterial Road:		4.41 m																	

Exception	Zoning	Map	By-law	File Reference
116 continued	VC3	28	38-2005	Z21/04, Z01/08
<p>d) Aisle Width for 60 to 90 degree <i>parking spaces</i> 6.0 m</p> <p>iv) Other:</p> <p>a) An <i>apartment dwelling</i> is permitted on the upper floor and/or ground level of the <i>building</i>.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
117	DCA/MU	44	42-2005 86-2005	S-A-2004-03, Z14/04,Z6/05, OPA No. 20
<p>i) Location: 100 Bayly Street West</p> <p>ii) Legal Description: Part of Block V, Registered Plan M-25 and Part of Block V, Registered Plan 480</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i>: 5.0 m</p> <p>b) Minimum <i>Lot Depth</i>: 13.0 m</p> <p>c) <i>Yard</i> – Maximum setback to a <i>porch</i>: 4.5 m</p> <p>iv) Other:</p> <p>a) Maximum garage door opening shall not exceed 50% of the frontage of any <i>lot</i>.</p> <p>b) The <i>daylighting triangle</i> requirements for Residential Zones within Section 4.7.1 of this By-law shall apply</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
118	DCA/MU	44	42-2005 86-2005	S-A-2004-03, Z14/04, Z6/05, OPA No. 20
<p>i) Location: 100 Bayly Street West</p> <p>ii) Legal Description: Part of Block V, Registered Plan M-25 and Part of Block V, Plan 480</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i>:</p> <p>- For all <i>lots</i>/blocks in locations identified as Block 06, Block 07 and Block 10 within draft plan of subdivision S-A--2004-03, revised March 22, 2005 4.6 m</p> <p>b) Minimum <i>Lot Depth</i>: 20.0 m</p> <p>c) <i>Yard</i>:</p> <p>- Minimum Front: 1.2 m</p> <p>- Minimum Exterior Side: 1.2 m</p> <p>iv) Other:</p> <p>a) A <i>porch</i> may encroach to within 0.0 metres of a <i>front lot line</i> or <i>exterior side yard lot line</i>.</p> <p>b) The maximum garage door opening shall not exceed 50% of the frontage of any <i>lot</i>.</p> <p>c) A front door and a <i>porch</i> shall be provided in the <i>front yard</i>.</p> <p>d) A maximum of 11 <i>dwelling units</i> may be attached side-by-side in a <i>street townhouse dwelling</i>, having a maximum <i>dwelling</i> width of 53.0 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
119	PE	37, 38, 43	86-2005 135-2008	Z6/05, Z6/08, OPA 08-A2

i) Location: The north side of Hunt Street from Mills Road to Dowty Road, known municipally as No's 110 through 182 Hunt Street, inclusive; and lands bound by Hunt Street to the north, Monarch Avenue to the east, the south side of the former CN Railway spur to the south, and Mackenzie Avenue to the west, known municipally as 205 and 225 Mackenzie Avenue, 175 and 215 Hunt Street, and 270 Monarch Avenue

ii) Legal Description: Lots 1 and 2 Plan 512, Part of Lot 9 Plan M30 being the most easterly 120 feet of even width from front to rear of Lot 9 Plan M30, Part Lot 9 Plan M30 lying to the west of the most easterly 120 feet of even width throughout from front to rear, Part of Lot 9 Plan 512 as in D467122, Part of Lot 9 Plan 512 as in D240835, Part Block 4 Plan 480 being Parts 8 and 17 on 40R-1451, Part Block R Plan 480 being Part 9 on 40R-1451, Part Block T Plan 480 being Part 9 on 40R-3761, Part Block 4 Plan 480 being Part 10 on 40R-1451, Part Block R Plan 480 being Parts 3 and 5 on 40R-20035, Part Block R Plan 480 being Parts 3 and 4 on 40R-3761 and Part 14 on 40R-1451, Part Block R, Plan 480 being Parts 1 and 2 on 40R-3761, Part Block 4 Plan 480 being Part 11 on 40R-20035 except Part 17 on 40R-1451, Part Block 4 Plan 480 and Part Block R Plan 480 being Parts 5 and 6 on 40R-1451 and Part Block T Plan 480 being Part 4 on 40R-1451.

iii) Additional Permitted Uses: The following Automobile Commercial uses at 158 Hunt Street: *Convenience Store; Motor Vehicle Gas Bar; Motor Vehicle Service Centre; and Motor Vehicle Wash, Automatic*

Accessory retail sales Outlet for lands known municipally as 110 through 182 Hunt Street inclusive, provided that such use does not exceed 50% of the gross floor area of the premises in which it is located for the retail and wholesale of products manufactured, processed or assembled on site.

Exception 119 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
119 continued	PE	37, 38, 43	86-2005 135-2008	Z6/05, Z6/08, OPA 08-A2
<p>iv) Prohibited Uses: <i>Drive-thru Facility, Motor Vehicle Rental Establishment, Motor Vehicle Sales Establishment, Motor Vehicle Used Sales Establishment, Taxi Depot, and Restaurant, Drive-Thru</i></p> <p>v) Development Standards:</p> <p>a) Maximum Yard:</p> <ul style="list-style-type: none"> - Front: 6.0 m - Exterior Side: 6.0 m <p>b) Minimum Yard:</p> <ul style="list-style-type: none"> - Front: 3.0 m <p>c) Maximum Height: 8 storeys or 28.0 metres, whichever is less</p> <p>d) Minimum Height: 2 storeys or 6.0 metres, whichever is less</p> <p>e) Minimum Landscape Buffer:</p> <ul style="list-style-type: none"> i) Adjacent to any public street 3.0 m ii) Between any parking area and any public street 6.0 m <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
120	DCA/I	44, 50	86-2005	Z6/05, OPA No. 20

i) Location: Lands bounded by Harwood Avenue South to the east, Clements Road West to the south, Centennial Road to the west, and the *Ajax Community Centre* to the north (580 Harwood Avenue South – Ajax Pickering Health Centre)

ii) Development Standards:

Notwithstanding the provisions of Section 6.9.2 of this By-law, only the following development standards shall apply to the *existing hospital building* (Ajax Pickering Health Centre) and all future expansions thereto, and these standards shall apply to the principal *hospital building* exclusively. Any *building* not physically attached to the *hospital*, and/or any permitted non-*hospital use* that is not accessory to the *hospital use*, shall comply with the provisions of Section 6.9.2 of this By-law

a) Setbacks:

- i) Minimum setback from Front *Lot Line*: 0.0 m
- ii) Minimum setback from *Exterior Side Lot Line*: 0.0 m
- iii) Minimum Setback from *Interior Side Lot Line*: 7.5 m
- iv) Minimum Setback from *Rear Lot Line*: 9.0 m

b) Parking Area:

- i) Minimum Perpendicular Width of Parking Aisle (whether or not there is adjacent parking) 6.0 m
- ii) Minimum Size of *Parking Space* for *Persons* with Disabilities: 5.7 m long by 4.0 m wide
- iii) Maximum Number of Surface *Parking Spaces*: 1 space per 38.0m² of *Gross Floor Area*

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
121	AC(H)	39, 40	84-2005	Z4/04

- i) Location: Southeast corner of Salem Road and Achilles Road
- ii) Legal Description: Part of Lots 6 and 7, Concession 1
- iii) Prohibited Uses: Notwithstanding the provisions of Section 6.3.1, within the 'AC' zone, a *Motor Vehicle Service Centre* and a *Drive-thru facility* shall not be permitted
- iv) Development Standards:
 - a) Notwithstanding the provisions of Sections 4.12, 5.3.2, and 6.3.2, an accessory *Convenience Store* shall be permitted under the following performance standards.
 - i) Maximum *building* setback of 3.0 metres from the *street line* (including daylight triangle
 - ii) Minimum *building height* of 6.0 metres.
 - iii) All required off-street *parking spaces* shall have a minimum width of 2.7 metres and a minimum depth of 5.5 metres.
 - iv) Direct pedestrian access shall be provided to the nearest *public road*.
 - b) Notwithstanding the provisions of Section 5.11.1, 5.11.3, and 6.3.2, an accessory *Motor Vehicle Wash, Automatic* shall be permitted under the following performance standards:
 - i) Minimum distance of 75.0 metres from Salem Road
 - ii) Minimum Queuing Space Requirements shall be 10 (Ingress) and 1 (Egress).
 - iii) Minimum length of a Queuing Space shall be 5.8 metres.
 - iv) Minimum setback to an Employment Zone shall be 3.0 metres.
 - c) Notwithstanding Section 4.12, the minimum *Landscape Buffer* adjacent to Achilles Road shall be 3.0 metres.

Exception 121 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
121 continued	AC(H)	39, 40	84-2005	Z4/04

v) Other:

- a) A Holding provision (H) shall be placed on the above-noted lands, to be removed upon Site Plan approval.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
122	PE	39, 40	84-2005 94-2006 50-2013	Z4/04, Z8/06, OPA06-A3

i) Location: Southeast corner of Salem Road and Achilles Road

ii) Legal Description: Part of Lots 6, Concession 1

iii) Additional Uses: Research and Development Facility

iv) Prohibited Uses: *Drive-thru facility, Motor Vehicle Rental Establishment, Motor Vehicle Sales Establishment, Public Storage Facility, Recreation Facility, Service or repair shop, and Warehouse/ Distribution Centre*

Free-standing forms of the following: *Financial Institution, Restaurant, and Personal Service Shops*

v) Development Standards:

Development Standards: Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Minimum Gross Floor Area:

i) Minimum Ground Floor Area: 800.0 m², save and except for a *Restaurant Drive-Thru*, which shall be permitted having a minimum ground floor area of 280 square metres;

ii) Minimum Second Floor Area: the second storey shall have a minimum floor area equal to 50% of the ground floor area of the

Exception 122 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
122 continued	PE	39, 40	84-2005 94-2006 50-2013	Z4/04, Z8/06, OPA06-A3

building, or 790.0 m², whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300.0 m² shall be required.

Notwithstanding the above noted Minimum Upper Floor Area requirements, in cases where the second floor consists of ancillary *office* space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the second storey shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

b) Minimum *Floor Space Index* (FSI): 0.2

c) Maximum *Lot Coverage – Building Area*: 20%

d) Minimum *Building Height*:

i) *Buildings* fronting onto Salem Road or Achilles Road, save and except for a free-standing *Restaurant, Drive-Thru*, which shall be permitted to have a minimum *height* of 1 storey and 3.7 metres. 2 storeys and 9.0 m

ii) Interior *buildings* not located within 48.0 metres of a front and/or *exterior side lot line* 1 storey and 9.0 m

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

e) Minimum Built Frontage within a *Build-Within Zone*:

i) 50% of the *lot frontage*; or

ii) Provided that the *building* has a *Gross Floor Area* of at least 3,800.0 m²; shall apply to at least three points (as measured perpendicular from the adjacent *lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the front and/or *exterior side lot line*

Exception 122 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
122 continued	PE	39, 40	84-2005 94-2006 50-2013	Z4/04, Z8/06, OPA06-A3

f) *Front Yard and Exterior Side Yard Build-Within Zone:*

- i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the front and *exterior side lot lines*. However, in the case of a *Restaurant, Drive Thru*, a *build-within zone* of between 3.0 metres and 18.0 metres shall apply.

The *Build-Within Zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

g) Parking:

- i) No parking areas, *driveway aisles*, or *queuing lanes* shall be permitted between an adjacent street and any part of the *building façade* within the *build-within zone*. Where the *build-within zone* extends along a front and/or *exterior side lot line* between at least three separated points, no parking areas, *driveway aisles*, or *queuing lanes* shall be permitted in the *yard* area bounded by the street-facing *façade* of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.
- ii) All required off-street *parking spaces* shall have a minimum *parking space length* of 5.7 metres. Where a *parking space* overhangs a curb, the minimum *parking space length* shall be 5.5 metres.
- iii) The parking requirement for any permitted *use* other than a *Restaurant, Drive-Thru*; located on the ground floor of any multi-unit *building* shall be 1 space per 28.0 m² of *gross floor area*.

h) Minimum Setback from a Storm Water Management Pond site or Open Space block: 9.0 m

i) Minimum Landscape Strip adjacent to Salem Road, save and except where a *building façade* is located within a *build-within zone*: 6.0 m

Exception 122 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
122 continued	PE	39, 40	84-2005 94-2006 50-2013	Z4/04, Z8/06, OPA06-A3

vi) Other:

- a) The development standards identified in sub-section (v) above do not apply to a public utility *building*
- b) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*.
- c) The maximum number of *Restaurant, Drive-Thrus* shall be limited to one (1).
- d) Interim Non-Compliance With Respect to Built Frontage, *Lot Coverage* and Density (FSI) Requirements:

(1) Extensions/Expansions of *Existing Non-Complying* Development:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, extensions or expansions of *existing non-complying* development (namely, additions to *existing buildings* or the development of new *buildings* on the same site as *existing* development) on development sites larger than 2.0 hectares shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density (FSI), provided that:

- i) The intent of the Official Plan is met; and
- ii) The *building* extension or expansion is designed and sited in a manner which demonstrates, to the satisfaction of the Town, that the development of the site is moving toward a greater level of compliance with all applicable regulations of this By-law, and does not preclude or hinder the ability to ultimately achieve compliance. In this regard, a Master Concept Development Plan demonstrating compliance under by the Town. This plan shall demonstrate that the proposed *building* extension or expansion shall protect for the ability of a progressive intensification on the site to ultimately achieve compliance. It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's

Exception 122 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
122 continued	PE	39, 40	84-2005 94-2006 50-2013	Z4/04, Z8/06, OPA06-A3

satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

(2) Phasing of New Development on Vacant Sites:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, it is understood that the development of any given property may involve a number of phases before it achieves ultimate build-out. As a result, the density (FSI), built frontage and *lot coverage* provisions contained in this By-Law might only be achieved upon the completion of all phases, rather than on a phase-by-phase basis.

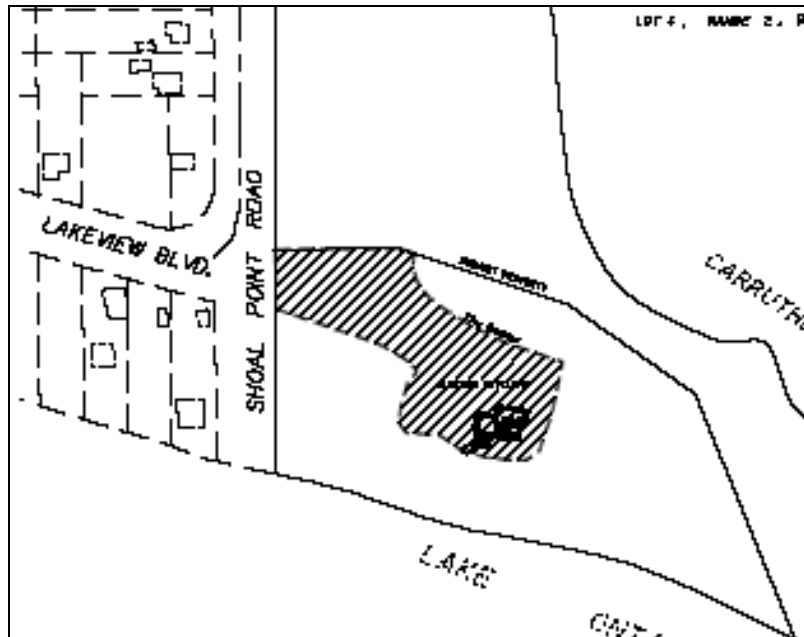
Accordingly, in instances where a development on a vacant site larger than 2.0 hectares is proposed to be phased, *building* phases which individually do not comply with the built frontage, *lot coverage* and/or density (FSI) provision of sub-section (v) above shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density (FSI), provided that a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions is submitted and approved by the Town. Each phase of development undertaken by the proponent shall protect for future phases in accordance with the Master Concept Development Plan. The phasing of development in accordance with the approved Master Concept Development Plan shall be a requirement of any related Site Plan Agreement.

It is understood that the Master Concept Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
123	EP	58	141-2005	Z04/01, OMB Approved

- i) Location: 1183 Shoal Point Road
- ii) Legal Description: Part of Lot 4, Range 2, Broken Front Concession
- iii) Other:
 - a) Notwithstanding the provisions of Section 4.21.3 and 6.8 of this By-law, for the lands municipally known as 1183 Shoal Point Road, and shown on the sketch below as “subject property”, the principal residence located thereon is a permitted *detached dwelling* and may be replaced, enlarged or extended as a *detached dwelling* within the limits of the “*building envelope*” shown on the sketch. Furthermore, accessory *buildings* or *structures*, but not including living accommodations or *dwellings*, may be permitted within the “*building envelope*” subject to the provisions of Section 4.1.1.



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
124	RM5	18	99-2005	Z2/05
<p>i) Location: Northwest quadrant of Rossland Road and Harwood Avenue</p> <p>ii) Legal Description: Part of Lot 7, Concession 3, Town of Ajax, Block 48/49 Plan 40M-2116; Part 1 Plan 40R-18670 and Part 1 Plan 40R-22588</p> <p>iii) Development Standards:</p> <p>a) Interpretation: Harwood Avenue shall be considered the <i>front yard</i>.</p> <p>b) <i>Yard</i>:</p> <ul style="list-style-type: none"> - Minimum <i>exterior side yard</i> setback (Rossland) – RM5 zone: 4.55 m - Minimum <i>exterior side yard</i> setback (Biggs) – ‘RM5’ zone: 5.70 m <p>iv) Other:</p> <p>a) An accessory <i>structure</i> shall be permitted in the <i>front yard</i> (Harwood Avenue) with a minimum setback of 1.50.0 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
125	LC/AC	10, 18, 19	157-2005 62-2008 78-2011	Z18/03, SP4/07, Z5/07 S-A-2003-10
<p>i) Location: South of Taunton Road, east of Salem Road</p> <p>ii) Legal Description: Part of Lots 6 and 7, Concession 3</p> <p>iii) Interpretation: For the purposes of this By-law, <i>Gross Leasable Floor Area</i> shall mean the aggregate area of all floors in a <i>building</i> measured from the centre line of the joint interior partitions and from the exteriors of</p> <p>Exception 125 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
125 continued	LC/AC	10, 18, 19	157-2005 62-2008 78-2011	Z18/03, Z5/07, SP4/07, S-A-2003-10
<p>outside walls, and <i>used</i> or capable of being <i>used</i> for commercial purposes, such as sales, display, storage and <i>offices</i> but excluding garbage enclosures, mechanical, electrical and other <i>building</i> service rooms and spaces, stairs, internal service corridors, mezzanines <i>used</i> by staff, and storage areas below grade.</p> <p>iv) <i>Additional Uses:</i> A seasonal <i>garden centre</i> associated with a supermarket; and a <i>commercial school</i>.</p> <p>v) <i>Development Standards:</i></p> <p>a) <i>Maximum Gross Leasable Floor Area:</i> 11,000.0 m²</p> <p>b) At least one <i>building</i> along each frontage of Taunton Road and Salem Road shall have a minimum <i>Ground Floor Area</i> of 750.0 m².</p> <p>c) Notwithstanding Section 4.12 of this By-law, the maximum <i>front yard</i> along Salem Road shall be 6.0 metres.</p> <p>d) All <i>buildings</i> along Taunton Road and Salem Road shall have a minimum <i>building height</i> of 6.0 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
126				
NOT APPLICABLE				

Exception	Zoning	Map	By-law	File Reference
127	R1-D	10, 18, 19	157-2005	S-A-2003-10, Z18/03
<p>i) Location: South of Taunton Road, east of Salem Road</p> <p>ii) Legal Description: Part of Lots 6 and 7, Concession 3</p> <p>iii) Development Standards:</p> <p>a) Notwithstanding the provisions of the R1-D zone, the minimum <i>lot frontage</i> shall be 11.3 metres;</p> <p>b) Notwithstanding the provisions of the R2-B zone, the maximum <i>lot coverage</i> shall be 55% of the area of the <i>lot</i>;</p> <p>c) Notwithstanding the provisions of the R1-D and R1-F zones, the maximum <i>lot coverage</i> shall be 50% of the area of the <i>lot</i>;</p> <p>d) Notwithstanding the provisions of the R1-F zone, the provisions of the R1-D zone shall apply for all <i>lots</i> with frontages 11.3 metres or greater;</p> <p>e) Notwithstanding the provisions of the R1-D zone, all <i>lots</i> that have a <i>Front yard</i> on Williamson Drive shall have a minimum frontage of 12.0 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
128	PE	36, 37	137-2005	Z10/05
<p>i) Location: 147 Westney Road South</p> <p>ii) Legal Description: Part of Lot 12, Concession 1, Town of Ajax, Part Block N, Plan M-25</p> <p>iii) Permitted <i>Uses</i>: A <i>Motor Vehicle Repair Facility</i> shall be permitted (up to 42% of the total <i>Gross Floor Area</i> of all <i>buildings</i>, or 605.0 m², whichever is less).</p> <p>Exception 128 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
128 continued	PE	36, 37	137-2005	Z10/05
<p>iv) Development Standards:</p> <p>a) No loading doors shall be located within 25.0 metres of the <i>front lot line</i>.</p> <p>b) No parking shall be permitted between a permitted <i>building</i> and the <i>Front Lot Line</i>.</p> <p>c) The minimum <i>building height</i> shall be 6.0 metres.</p> <p>d) One pedestrian entry shall be provided facing Westney Road.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
129	RM4(H)	11	139-2005	OPA05-A7, Z14/05
<p>i) Location: Southwest quadrant of Williamson Drive and Seward Drive</p> <p>ii) Legal Description: Part of Lot 4, Concession 3, Block 261, Plan 40M-2186</p> <p>iii) Interpretation:</p> <p>For the purposes of this Exception, the <i>yards</i> adjacent to the south <i>lot line</i> and the west <i>lot line</i> shall be considered as <i>Rear yards</i>.</p> <p>iv) Development Standards:</p> <p>a) <i>Yard</i>:</p> <ul style="list-style-type: none"> - Minimum setback from Williamson Drive: 4.5 m - Minimum setback from Seward Drive 4.55 m <p>Exception 129 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
129 continued	RM4(H)	11	139-2005	OPA05-A7, Z14/05
<p>v) Other:</p> <p>a) Privacy fencing shall not be permitted adjacent to the 'VG' zone. Only ornamental decorative fencing to a maximum <i>height</i> of 1.2 metres shall be permitted adjacent to the 'VG' zone.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
130	AC, PE	43	150-2005	Z7/05
<p>i) Location: 460 Bayly Street West</p> <p>ii) Legal Description: Part of Block N, RP 480, Town of Ajax</p> <p>iii) Development Standards</p> <p>a) Minimum <i>landscape buffer</i> adjacent to Westney Road and Bayly Street 6.0 m</p> <p>b) Maximum <i>building height</i> of a <i>convenience store</i>. 5.5 m</p> <p>c) Minimum <i>Interior side yard</i>: 3.0 m</p> <p>d) Minimum <i>Rear yard</i>: 1.0 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
131	RM4	30, 31	12-2006	Z18/05
<p>i) Location: 132 Kingston Road West</p> <p>ii) Legal Description: Part of Lot 10, Concession 2</p> <p>iii) Additional Uses: <i>Art Gallery</i></p> <p>iv) Other:</p> <p style="padding-left: 40px;">a) For the purposes of this Exception, an <i>Art Gallery</i> shall be exempt from an on-site parking requirement.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
132	PE	48	119-2006 50-2013	OPA 05-A/8, Z19/05
<p>i) Location: South-west corner of Westney Road South and Clements Road West</p> <p>ii) Legal Description: Part of Lots 12 and 13, Concession Broken Front</p> <p>iii) Permitted Uses: Notwithstanding the <i>uses</i> permitted within the Prestige Employment (PE) Zone, only the following <i>uses</i> shall be permitted:</p> <p style="padding-left: 40px;"><i>Accessory Retail Sales Outlet, Commercial School, Light Manufacturing, Offices, Personal Service Shop, and Warehouse/distribution centre</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
133	R1-B	39	68-2006	S-A-2005-05, Z13/05

- i) Location: Northeast corner of King's Crescent and Rideout Street
 - ii) Legal Description: Part of Lot 8, Concession 1 now Part 1, RP-575, Block E and part of Block F, RP-510, Town of Ajax
 - iii) Interpretation: For the purposes of this Exception, Development Standards a) '*Yard Requirements*' shall only apply to the *dwelling* located at 62 Rideout Street and Lot 5.
 - iv) Development Standards:
 - a) *Yard*:
 - 62 Rideout Street
 - i) Minimum *Lot Frontage*: 13.5 m
 - ii) Minimum Interior *Yard* (east side only): 0.8 m
 - Lot 5
 - i) Minimum Exterior Side 3.0 m
 - b) Maximum *Building Height*:
 - i) Lots 1, 2, 3, 4, 6, 7 and 8 and Block 10 on Draft Plan of Subdivision S-A-2005-05 2 storeys
 - ii) Lots 5 and 9 on Draft Plan of Subdivision S-A-2005-05 1.5 storeys
- Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
134	R1-D, R1-D(H), R1-F, OS	10, 18	66-2009	Z17/05, S-A-2005-08
<p>i) Location: 1537 Salem Road North</p> <p>ii) Legal Description: North Part Lot 6, Concession 3</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i> in the 'R1-D' zone: 11.3 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
135	HE	37	84-2006	OPA 05-A/9, Z20/05
<p>i) Location: CN Railway spur line</p> <p>ii) Legal Description: Part of Part 1 on Plan 40R-20035 being of an irregular shape, 807.2 square metres in area, 95.0 metres in depth, with 24.3 metres of frontage on Dowty Road, and a northern limit located parallel to and 2.04 metres south of the centreline of the spur line.</p> <p>iii) Additional <i>Uses</i>: Upon removal of the Holding (H) symbol, the following additional <i>use</i> is permitted, being the <i>outdoor storage</i> associated with an automobile recycling operation, not closer than 1.5 metres from the northerly property boundary.</p> <p>iv) Other:</p> <p>a) Approval from the Regional Land Division committee for consent to sever the subject land and adding the parcel to the abutting property to the south.</p> <p>b) The site plan agreement between the Town and the owners be executed which shall include the provision of a 2.4 metre board fence or other barrier devices as approved by the Town.</p> <p>Exception 135 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
135 continued	HE	37	84-2006	OPA 05-A/9, Z20/05

- c) That a Record of Site Condition be submitted to the Town of Ajax and acknowledged by the Ministry of the Environment.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
136	PE	32, 33, 39, 40	88-2006 152-2009 50-2013	OPA 06-A3, OPA 06-A6, Z8/06, Z14/06, OMB Approved

- i) Location: Lands enclosed by Chambers Drive and Beck Crescent, known municipally as Nos. 75, 85 and 155 Chambers Drive and No. 555 Beck Crescent

- ii) Legal Description: Block 2, Registered Plan 1454, now Parts 1 to 3, Plan 40R-10338

- iii) Additional Uses: Research and Development Facility

- iv) Prohibited Uses: *Drive-Thru Facility, Drive-Thru Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, Warehouse/Distribution Centre,*

Free-standing forms of the following: *Financial Institution, Restaurant, Personal Service Shop, and Service or Repair Shop*

- v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

- a) Minimum Lot Coverage:

- i) *Building Area:* 20% for all purposes save and except for a *motor vehicle sales establishment*, which shall have a minimum *building coverage* of 15% of the *lot area*. However, in instances where an urban square is

Exception 136 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
136 continued	PE	32, 33, 39, 40	88-2006 152-2009 50-2013	OPA 06-A3, OPA 06-A6, Z8/06, Z14/06, OMB Approved

Building 20% for all purposes save and except for a *motor Area, vehicle sales establishment*, which shall have a continued: minimum *building* coverage of 15% of the *lot area*. However, in instances where an urban square is

b) Maximum Built Frontage within a *Build-Within Zone*:

- i) 50% of the *lot frontage* along an arterial or collector road;
- ii) 40% of the *lot frontage* along a local road; or
- iii) Provided that the *building* has a *Gross Floor Area* of at least 3,800 square metres, the minimum built frontage within a *build-within zone* shall apply to at least three points (as measured perpendicular from the adjacent *lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the front and/or *exterior side lot line*.

However, notwithstanding the above, where the *lot* is a *corner lot*, and an urban square is developed between the *principal building* and the street corner, the street frontage of the urban square may be considered equivalent to a length of *building* façade in terms of contributing to the required minimum built frontage.

c) *Front Yard and Exterior Side Yard Build-Within Zones*:

- i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the front and *exterior side lot lines*.
- ii) In the case of a *corner lot*, a portion of the junction of the front and exterior side walls (i.e., the *building* "corner") shall be built within 3.0 to 12.0 metres of the *daylighting triangle*/corner rounding. An exception to this requirement shall be in the event that an urban square is developed between the *principal building* and the street corner, in which case at least 50% of that part of the perimeter of the urban square which is not adjacent to a street edge or *daylighting triangle*/corner rounding shall abut a *building* façade.

Exception 136 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
136 continued	PE	32, 33, 39, 40	88-2006 152-2009 50-2013	OPA 06-A3, OPA 06-A6, Z8/06, Z14/06, OMB Approved

The *Build-Within Zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

d) Minimum *Building Height*:

- i) For non-corner *buildings* fronting onto Chambers Drive or Beck Crescent: 2 storeys and 6.0 m
- ii) For corner *buildings* at any intersection of Chambers Drive and Beck Crescent 2 storeys and 9.0 m

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

e) Minimum *Gross Floor Area*:

- i) Ground floor: 600.0 m²
- ii) Second floor: 25% of the *ground floor area* of the *building* or 600.0 m², whichever is greater. In the case of a *banquet facility*, a minimum second floor area of 300.0 m² shall be required.

Notwithstanding the above noted Minimum Second Floor Area requirements, in cases where the second floor consists of ancillary *office* space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the second storey shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

f) Parking:

- i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a front and/or *exterior side lot line* between at least three separated

Exception 136 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
136 continued	PE	32, 33, 39, 40	88-2006 152-2009 50-2013	OPA 06-A3, OPA 06-A6, Z8/06, Z14/06, OMB Approved

points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

g) Minimum *Floor Space Index* (FSI): 0.2

vi) Other:

a) The development standards identified in sub-section (v) above do not apply to a public utility *building*.

b) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*.

c) Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards:

i) Minimum *Gross Floor Area*: 3,800.0 m²

ii) Minimum *Building Height*: 3 storeys

iii) Maximum *Lot Area*: 1.91 ha

iv) Outdoor vehicular storage areas for new vehicles shall only be permitted in a *rear yard*.

v) No *outdoor storage* or display of vehicles associated with an ancillary *motor vehicle used sales establishment* shall be permitted.

vi) No outdoor vehicle storage areas shall be visible from the travelled portion of Highway 401 or Salem Road South.

Where the standards specifically are applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
137	PE	39, 40	89-2006 151-2012 50-2013	OPA06-A3, Z8/06, SP10/12

- i) Location: Northeast quadrant of the Highway 401/Salem Road interchange, situated between Highway 401 and Beck Crescent (500, 550 and 600 Beck Crescent), and also comprising a portion of the Highway 401 right-of-way situated directly south of the easterly leg of Beck Crescent
- ii) Legal Description: Part of Block 1, Registered Plan 40M-1454, and lands forming part of the Highway 401 right-of-way
- iii) Additional Uses: Research and Development Facility
- iv) Prohibited Uses: Drive-Through Facility, Drive-Through Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, Warehouse/Distribution Centre,

Free-standing forms of the following: *Financial Institution, Restaurant, Personal Service Shop, and Service or Repair Shop*

- v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

- a) Minimum Gross Floor Area:

- i) Minimum Ground Floor Area: 600.0 m²

- ii) Minimum Second Floor Area: The second storey shall have a minimum floor area equal to 25% of the *ground floor area* of the *building*, or 600.0 m², whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300.0 m² shall be required.

Notwithstanding the above noted Minimum Second Floor Area requirements, in cases where the second floor consists of ancillary

Exception 137 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
137 continued	PE	39, 40	89-2006 151-2012 50-2013	OPA06-A3, Z8/06, SP10/12,

office space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the second storey shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

b) Minimum *Floor Space Index* (FSI): 0.2

c) Minimum *Lot Coverage*:

i) *Building Area*: 20% for all purposes save and except for a *motor vehicle sales establishment*, which shall have a minimum *building coverage* of 15% of the *lot area*.

d) Minimum *Building Height*: 2 storeys and 7.5 m

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

e) Minimum Built Frontage within a *Build-Within Zone*:

i) 40% of the *lot frontage*; or

ii) Provided that the *building* has a *Gross Floor Area* of at least 3,800.0 m², shall apply to at least three points (as measured perpendicular from the front lot line) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the front lot line.

f) *Front Yard Build-Within Zone*:

i) The required Minimum Built Frontage shall be located between 2.5 metres (minimum) and 12.0 metres (maximum) of the front *lot line*. However, in the case of a *banquet facility* featuring a porte-cochere located between the front *building wall* and the front *lot line*, a front *yard build-within zone* of between 6.0 metres and 35.0 metres shall apply.

The *Build-Within zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in

Exception 137 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
137 continued	PE	39, 40	89-2006 151-2012 50-2013	OPA06-A3, Z8/06, SP10/12

the interior of a development site and adjacent only to a private road or *driveway*.

g) Parking:

- i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a *front lot line* between at least three separated points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

An exception to the above noted parking restriction shall be in the event the *building* is used for the purposes of a *banquet facility*, in which case up to a maximum of 20% of the required spaces shall be permitted in the area of the *front yard* between the front wall of the *banquet facility* and the *front lot line*, provided that the spaces are used exclusively for visitor parking and are arranged in a single row.

vi) Other:

- a) The development standards identified in sub-section (v) above do not apply to a public utility *building*.
- b) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*.
- c) Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards:
 - i) Minimum *Gross Floor Area*: 3,800.0 m²
 - ii) Minimum *Building Height*: 3 storeys
 - iii) Maximum *Lot Area*: 1.91 ha
 - iv) Outdoor vehicular storage areas for new vehicles shall only be permitted in a *rear yard*.

Exception 137 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
137 continued	PE	39, 40	89-2006 151-2012 50-2013	OPA06-A3, Z8/06, SP10/12

- v) No *outdoor storage* or display of vehicles associated with ancillary used *motor vehicle* sales shall be permitted.
- vi) No outdoor vehicle storage areas shall be visible from the traveled portion of Highway 401 or Salem Road.
- vii) Where the standards specifically applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

d) Interim Non-Compliance With Respect to Built Frontage, *Lot Coverage* and Density (FSI) Requirements:

i) Extensions/Expansions of *Existing Non-Complying Development*:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, extensions or expansions of *existing* non-complying development (namely, additions to *existing buildings* or the development of new *buildings* on the same site as *existing* development) on development sites larger than 2.0 hectares shall be permitted without amendments to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage and Density* (FSI), provided that:

- (1) The intent of the Official Plan is met; and,
- (2) The *building* extension or expansion is designed and sited in a manner which demonstrates, to the satisfaction of the Town, that the development of the site is moving toward a greater level of compliance with all applicable regulations of this By-law, and does not preclude or hinder the ability to ultimately achieve compliance. In this regard, a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions shall be submitted for approval by the Town. This plan shall demonstrate that the proposed *building* extension or expansion shall protect for the ability of progressive intensification on the site to ultimately achieve compliance. It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such

Exception 137 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
137 continued	PE	39, 40	89-2006 151-2012 50-2013	OPA06-A3, Z8/06, SP10/12

amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law

ii) Phasing of New Development on Vacant Sites:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, it is understood that the development of any given property may involve a number of phases before it achieves ultimate build-out. As a result, the density (FSI), built frontage and *lot coverage* provisions contained in this By-law might only be achieved upon the completion of all phases, rather than on a phase-by-phase basis.

Accordingly, in instances where a development on a vacant site larger than 2.0 hectares is proposed to be phased, *building* phases which individually do not comply with the built frontage, *lot coverage* and/or density (FSI) provision of sub-section (v) above shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density (FSI), provided that a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions is submitted and approved by the Town. Each phase of development undertaken by the proponent shall protect for future phases in accordance with the Master Concept Development Plan. The phasing of development in accordance with the approved Master Concept Development Plan shall be a requirement of any related Site Plan Agreement.

It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
138	PE	39	92-2006 50-2013	OPA06-A3, Z8/06

- i) Location: Northeast corner of Salem Road and Achilles Road
- ii) Legal Description: Part of Lot 6, Concession 1
- iii) Additional Uses: Research and Development Facility
- iv) Prohibited Uses: Drive-Through Facility, Drive-Through Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, Warehouse/Distribution Centre

Free-standing forms of the following: Financial Institution, Restaurant, Personal Service Shop, and Service or Repair Shop

v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Minimum Gross Floor Area:

i) Minimum Ground Floor Area: 600.0 m²

ii) Minimum Upper Floor Area:

(1) Where the minimum required *building height* is two storeys, the second storey shall have a minimum floor area equal to 25% of the *ground floor area* of the *building*, or 600 square metres, whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300 square metres shall be required

(2) Where the minimum required *building height* is three storeys, the second and third storeys shall have a combined minimum floor area equal to 50% of the *ground floor area* of the *building*, or 1,200 square metres, whichever is greater.

Notwithstanding the above noted Minimum Upper Floor Area requirements, in cases where the uppermost storey needed to meet the minimum *building height* requirement consists of ancillary *office* space in association with a principal *light*

Exception 138 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
138 continued	PE	39	92-2006 50-2013	OPA06-A3, Z8/06

manufacturing use or research and development facility, the minimum floor area of the upper storey in question shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

b) Minimum *Floor Space Index* (FSI): 0.2

c) Minimum *Lot Coverage*:

- i) *Building Area*: 20% for all purposes save and except for a *motor vehicle sales establishment*, which shall have a minimum *building coverage* of 15% of the *lot area*. However, in instances where an urban square is provided between the *principal building* and a street corner, the area of the urban square, up to an amount not exceeding 5% of the total *lot area*, **may** be considered as a substitute for *Building Area*, in lieu of actual *building coverage*.

d) Minimum *Building Height*:

- i) Non-corner *buildings* fronting onto Salem Road or Achilles Road 2 storeys and 9.0 m
- ii) Corner *buildings* at the intersection of Salem Road or Achilles Road 3 storeys and 9.0 m

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

e) Minimum Built Frontage within a *Build-Within Zone*:

- i) 50% of the *lot frontage* along an arterial or collector road; or
- ii) Provided that the *building* has a *Gross Floor Area* of at least 3,800 square metres; shall apply to at least three points (as measured perpendicular from the adjacent *lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the front and/or *exterior side lot line*.

Exception 138 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
138 continued	PE	39	92-2006 50-2013	OPA06-A3, Z8/06

However, notwithstanding the above, where the *lot* is a *corner lot* and an urban square is developed between the *principal building* and the street corner, the street frontage of the urban square **may** be considered equivalent to a length of *building* façade in terms of contributing to the required minimum built frontage.

f) *Front Yard and Exterior Side Yard Build-Within Zone:*

- i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the front and *exterior side lot lines*.
- ii) In the case of a *corner lot*, a portion of the junction of the front and exterior side walls (i.e., the *building* “corner”) shall be built within 3.0 to 12.0 metres of the *daylighting triangle/corner rounding*. An exception to this requirement shall be in the event that an urban square is developed between the *principal building* and the street corner, in which case at least 50% of that part of the perimeter of the urban square which is not adjacent to a street edge or sight triangle/corner rounding shall abut a *building* façade.

The *Build-Within zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

g) *Parking:*

- i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a front and/or *exterior side lot line* between at least three separated points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

vi) *Other:*

- a) The development standards identified in sub-section (v) above do not apply to a public utility *building*.

Exception 138 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
138 continued	PE	39	92-2006 50-2013	OPA06-A3, Z8/06

- b) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*.
- c) Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards:
 - i) Minimum *Gross Floor Area*: 3,800.0 m²
 - ii) Minimum *Building Height*: 3 storeys
 - iii) Maximum *Lot Area*: 1.91 ha
 - iv) Outdoor vehicular storage areas for new vehicles shall only be permitted in a *rear yard*.
 - v) No *outdoor storage* or display of vehicles associated with ancillary used *motor vehicle* sales shall be permitted.
 - vi) No outdoor vehicle storage areas shall be visible from the traveled portion of Highway 401 or Salem Road.

Where the standards specifically applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

- d) Interim Non-Compliance With Respect to Built Frontage, *Lot Coverage* and Density (FSI) Requirements:
 - i) Extensions/Expansions of *Existing Non-Complying Development*:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, extensions or expansions of *existing* non-complying development (namely, additions to *existing buildings* or the development of new *buildings* on the same site as *existing* development) on development sites larger than 2.0 hectares shall be permitted without amendments to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage and Density* (FSI), provided that:

- (1) The intent of the Official Plan is met; and,

Exception 138 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
138 continued	PE	39	92-2006 50-2013	OPA06-A3, Z8/06

(2) The *building* extension or expansion is designed and sited in a manner which demonstrates, to the satisfaction of the Town, that the development of the site is moving toward a greater level of compliance with all applicable regulations of this By-law, and does not preclude or hinder the ability to ultimately achieve compliance. In this regard, a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions shall be submitted for approval by the Town. This plan shall demonstrate that the proposed *building* extension or expansion shall protect for the ability of progressive intensification on the site to ultimately achieve compliance. It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

ii) Phasing of New Development on Vacant Sites:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, it is understood that the development of any given property may involve a number of phases before it achieves ultimate build-out. As a result, the density (FSI), built frontage and *lot coverage* provisions contained in this By-Law might only be achieved upon the completion of all phases, rather than on a phase-by-phase basis.

Accordingly, in instances where a development on a vacant site larger than 2.0 hectares is proposed to be phased, *building* phases which individually do not comply with the built frontage, *lot coverage* and/or density (FSI) provision of sub-section (v) above shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density (FSI), provided that a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions is submitted and approved by the Town. Each phase of development undertaken by the proponent shall protect for future phases in accordance with the Master Concept Development Plan. The phasing of development in accordance with the approved Master Concept Development Plan shall be a requirement of any related Site Plan Agreement.

Exception 138 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
138 continued	PE	39	92-2006 50-2013	OPA06-A3, Z8/06

It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
139	PE, PE(H)	39, 40	93-2006 50-2013 64-2013	OPA06-A3, Z8/06, SP20/12 OMB Approved

- i) Location: East of Salem Road, between Achilles Road and the Highway 401/CNR corridor
 - ii) Legal Description: Part of Lot 6, Concession 1
 - iii) Additional Uses: Research and Development Facility
 - iv) Prohibited Uses: Drive-Through Facility, Drive-Through *Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, Warehouse/Distribution Centre*
- Free-standing forms of the following: *Financial Institution, Restaurant, Personal Service Shop, and Service or Repair Shop*

Exception 139 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
139 continued	PE, PE(H)	39, 40	93-2006 50-2013 64-2013	OPA06-A3, Z8/06, SP20/12 OMB Approved

v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Minimum *Lot Coverage*:

- i) *Building Area*: 20% for all purposes save and except for a *motor vehicle sales establishment*, which shall have a minimum *building coverage* of 15% of the *lot area*.

b) Minimum Built Frontage within a *Build-Within Zone*:

- i) 50% of the *lot frontage* along an arterial or collector road; or
- ii) Provided that the *building* has a *Gross Floor Area* of at least 3,800 square metres; shall apply to at least three points (as measured perpendicular from the adjacent *lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the front and/or *exterior side lot line*.

c) *Front Yard and Exterior Side Yard Build-Within Zone*:

- i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the *front lot line*.

The *Build-Within zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

d) Minimum *Building Height*: 2 storeys and 9.0 m

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

Exception 139 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
139 continued	PE, PE(H)	39	93-2006 50-2013 64-2013	OPA06-A3, Z8/06, SP20/12 OMB Approved

e) *Minimum Gross Floor Area:*

i) *Minimum Ground Floor Area:* 600.0 m²

ii) *Minimum Second Floor Area:*

The second storey shall have a minimum floor area equal to 25% of the *ground floor area* of the *building*, or 600.0 m², whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300 square metres shall be required.

Notwithstanding the above noted Minimum Second Floor Area requirements, in cases where the second floor consists of ancillary *office* space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the second storey shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

f) *Minimum Floor Space Index (FSI):* 0.2

g) *Parking:*

i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a *front lot line* between at least three separated points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

vi) *Other:*

a) The development standards identified in sub-section (v) above do not apply to a public utility *building*.

b) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*.

Exception 139 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
139 continued	PE, PE(H)	39	93-2006 50-2013 64-2013	OPA06-A3, Z8/06, SP20/12 OMB Approved

c) Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards:

- i) Minimum *Gross Floor Area*: 3,800.0 m²
- ii) Minimum *Building Height*: 3 storeys
- iii) Maximum *Lot Area*: 1.91 ha
- iv) Outdoor vehicular storage areas for new vehicles shall only be permitted in a *rear yard*.
- v) No *outdoor storage* or display of vehicles associated with ancillary used *motor vehicle* sales shall be permitted.
- vi) No outdoor vehicle storage areas shall be visible from the traveled portion of Highway 401 or Salem Road.

Where the standards specifically applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
140	PE(H)	40	95-2006 50-2013	OPA06-A3, Z8/06, OMB Approved

- i) Location: North and south sides of Achilles Road, east of Salem Road, west of Carruthers Creek
- ii) Legal Description: Part of Lots 5 and 6, Concession 1
- iii) Additional *Uses*: Research and Development Facility

Exception 140 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
140 continued	PE(H)	40	95-2006 50-2013	OPA06-A3, Z8/06, OMB Approved

iv) Prohibited Uses Drive-Through Facility, Drive-Through Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, Warehouse/Distribution Centre

Free-standing forms of the following: Financial Institution, Restaurant, Personal Service Shop, and Service or Repair Shop

v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Minimum Lot Coverage:

i) *Building Area:* 20% for all purposes save and except for a *motor vehicle* sales establishment, which shall have a minimum *building* coverage of 15% of the *lot area*.

b) Minimum Built Frontage within a *Build-Within Zone*:

i) 50% of the *lot frontage*; or

ii) Provided that the *building* has a *Gross Floor Area* of at least 3,800 square metres, shall apply to at least three points (as measured perpendicular from the *front lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the *front lot line*.

c) *Front Yard Build-Within Zone*:

i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the *front lot line*.

The *Build-Within zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

Exception 140 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
140 continued	PE(H)	40	95-2006 50-2013	OPA06-A3, Z8/06, OMB Approved

- d) Minimum *Building Height*: 2 storeys and 9.0 m

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

- e) Minimum *Gross Floor Area*:

- i) Minimum *Ground Floor Area*: 600.0 m²

- ii) Minimum *Second Floor Area*:

The second storey shall have a minimum floor area equal to 25% of the *ground floor area* of the *building*, or 600 square metres, whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300.0 m² shall be required.

Notwithstanding the above noted Minimum Second Floor Area requirements, in cases where the second floor consists of ancillary *office* space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the second storey shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

- f) Minimum *Floor Space Index (FSI)*: 0.2

- g) *Parking*:

- i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a *front lot line* between at least three separated points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

- vi) *Other*:

- a) The development standards identified in sub-section (v) above do not apply to a public utility *building*.

Exception 140 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
140 continued	PE(H)	40	95-2006 50-2013	OPA06-A3, Z8/06, OMB Approved

b) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*.

c) Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards:

i) Minimum *Gross Floor Area*: 3,800.0 m²

ii) Minimum *Building Height*: 3 storeys

iii) Maximum *Lot Area*: 1.91 ha

iv) Outdoor vehicular storage areas for new vehicles shall only be permitted in a *rear yard*.

v) No *outdoor storage* or display of vehicles associated with ancillary used *motor vehicle* sales shall be permitted.

vi) No outdoor vehicle storage areas shall be visible from the traveled portion of Highway 401 or Salem Road.

Where the standards specifically applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

d) Interim Non-Compliance With Respect to Built Frontage, *Lot Coverage* and Density (FSI) Requirements:

i) Extensions/Expansions of *Existing Non-Complying Development*:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, extensions or expansions of *existing non-complying* development (namely, additions to *existing buildings* or the development of new *buildings* on the same site as *existing* development) on development sites larger than 2.0 hectares shall be permitted without amendments to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage and Density* (FSI), provided that:

Exception 140 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
140 continued	PE(H)	40	95-2006 50-2013	OPA06-A3, Z8/06, OMB Approved

(1) The intent of the Official Plan is met; and,

(2) The *building* extension or expansion is designed and sited in a manner which demonstrates, to the satisfaction of the Town, that the development of the site is moving toward a greater level of compliance with all applicable regulations of this By-law, and does not preclude or hinder the ability to ultimately achieve compliance. In this regard, a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions shall be submitted for approval by the Town. This plan shall demonstrate that the proposed *building* extension or expansion shall protect for the ability of progressive intensification on the site to ultimately achieve compliance. It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

ii) Phasing of New Development on Vacant Sites:

Notwithstanding the Built Frontage, *Lot Coverage* and Density (FSI) requirements within sub-section (v) above, it is understood that the development of any given property may involve a number of phases before it achieves ultimate build-out. As a result, the density (FSI), built frontage and *lot coverage* provisions contained in this By-Law might only be achieved upon the completion of all phases, rather than on a phase-by-phase basis.

Accordingly, in instances where a development on a vacant site larger than 2.0 hectares is proposed to be phased, *building* phases which individually do not comply with the built frontage, *lot coverage* and/or density (FSI) provision of sub-section (v) above shall be permitted without amendment to the Zoning By-law with respect to the provisions regulating Built Frontage, *Lot Coverage* and Density (FSI), provided that a Master Concept Development Plan demonstrating compliance under ultimate build-out conditions is submitted and approved by the Town. Each phase of development undertaken by the proponent shall protect for future

Exception 140 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
140 continued	PE(H)	40	95-2006 50-2013	OPA06-A3, Z8/06, OMB Approved

phases in accordance with the Master Concept Development Plan. The phasing of development in accordance with the approved Master Concept Development Plan shall be a requirement of any related Site Plan Agreement.

It is understood that the Master Concept Development Plan may be amended from time-to-time, in response to the vagaries of the market, but all such amendments shall continue to demonstrate, to the Town's satisfaction, the ability to ultimately achieve compliance in a fashion which maintains the intent of the Official Plan and the requirements of the Zoning By-law.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
141	R1-B(H)	28	105-2006	Z20/04

- i) Location: South side of Kearney Drive, east of Elizabeth Street
- ii) Legal Description: Part of Lots 19, 20 and 21, Registered Plan 68
- iii) Development Standards:
 - a) Minimum *Lot Depth*: 32.0 m
 - b) Maximum *Lot Coverage*: 45 %
- iv) Other:
 - a) A (H) Holding symbol be placed on the subject lands to be removed upon the following conditions:
 - i) That an agreement of purchase and sale be executed between the owner of the subject land and the Town outlining the terms of the sale;
 - ii) Approval from the Regional Land Division Committee for severance of the subject land in conformity with this By-law;

Exception 141 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
141 continued	R1-B(H)	28	105-2006	Z20/04
<p>iii) That the owner provide detailed engineering drawings to the satisfaction of the Town, indicating servicing and grading of the proposed <i>lots</i>, proposed house siting, and <i>driveway</i> locations; and</p> <p>iv) That a development agreement between the Town and the owner be executed covering all requirements financial and otherwise including securities for mud deposit.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
142	R1-B(H)	28	105-2006	Z20/04
<p>i) Location: South side of Kearney Drive, east of Elizabeth Street</p> <p>ii) Legal Description: Part of Lots 19, 20 and 21, Registered Plan 68</p> <p>iii) Other:</p> <p>a) A (H) Holding symbol be placed on the subject lands to be removed upon:</p> <p>i) That an agreement of purchase and sale be executed between the Town and the owner(s) of 55 Kearney Drive outlining the terms of the sale;</p> <p>ii) That the subject land be conveyed by the Town to the owner(s) of 55 Kearney Drive.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
143	R2-B	18, 19	12-2007	S-A-2005-04, Z11/05
<p>i) Location: 1409 Salem Road North</p> <p>ii) Legal Description: Part of Lots 5 and 6, Concession 3</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Lot Frontage</i>:</p> <p>i) R2-B zone: 7.0 m</p> <p>ii) Street Townhouse <i>lots</i> that are located on single-loaded roads, predominately in locations next to the Canadian Pacific Railway right-of-way and adjacent to Salem Road: 6.7 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
144	RM5, I-A	16	54-2007	Z6/06
<p>i) Location: 1010 and 1020 Westney Road North</p> <p>ii) Legal Description: Part Lot 11, Concession 3, RP 40R-20448, Part 4</p> <p>iii) Interpretation: For the purpose of this exception, Westney Road North shall be considered to be the <i>front lot line</i>.</p> <p>iv) Development Standards for the lands municipally known as 1010 Westney road North and zoned RM5:</p> <p>a) Minimum Built Frontage Within a Build Within Zone:</p> <p>i) A minimum of 70% of the length of the Build Within Zone along Westney Road North must be occupied by a main front <i>building</i> face.</p> <p>ii) A minimum of 50% of the length of the Build Within Zone along Rossland Road West must be occupied by a main front <i>building</i> face.</p> <p>Exception 144 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
144 continued	RM5, I-A	16	54-2007	Z6/06

b) *Front Yard and Exterior Side Yard Build Within Zone:*

- i) The main front *building* face shall be located in the *Build-Within Zone* as indicated on Schedule 'D' attached hereto.
- ii) The *Build-Within Zone* does not apply to *Accessory Buildings or Structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

c) Minimum *Building Height*: 4 storeys

d) *Gross Floor Area:*

- i) Minimum *Ground Floor Area*: 1600.0 m²
- ii) Each of the second, third and fourth storeys shall have a minimum floor area measured between the exterior faces and the exterior walls equal to at least 80% of the *ground floor area*.

e) *Parking:*

- i) No parking areas or drive aisles shall be permitted between an adjacent street and any part of a *building* façade.
- ii) Minimum *Parking Space* Depth: 5.5 m
- iii) Minimum Required *Parking*: 68 spaces

f) *Accessory building or structures:*

- i) No accessory *buildings* or *structures* shall be permitted between an adjacent street and any part of a *building* façade.

g) *Porch:*

- i) A *porch* on the ground floor level can encroach to within a minimum of 2.0 metres from any front and/or *exterior side lot line*, but in no instance shall any part of a *porch* encroach within a sight triangle measuring 11.0 metres along Rossland Road West and 13.14 metres along Westney Road North.

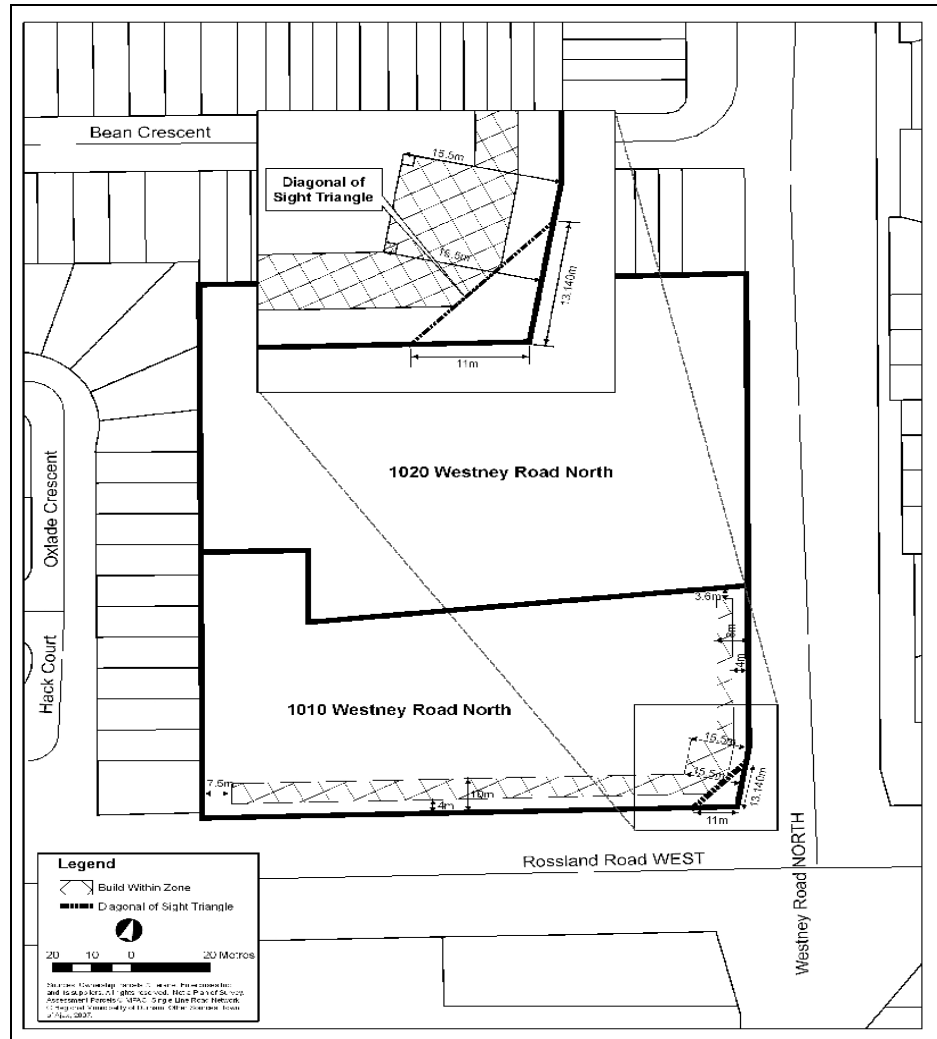
Exception 144 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
144 continued	RM5, I-A	16	54-2007	Z6/06

v) Development Standards for the lands municipally known as 1020 Westney Road North and zoned I-A:

a) Minimum *Interior Side Yard*: 5.0 m

b) Minimum Required Parking: 55 spaces



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
145	VC3(H)	28	38-2008	Z9/06, Z01/08
<p>i) Location: 68 Church Street South</p> <p>ii) Legal Description: Parts 2 and 3, Plan 40R-5649</p> <p>iii) Development Standards:</p> <p>a) Minimum Width – Aisles (where there is no adjacent parking): 4.0 m</p> <p>b) Minimum Landscape Buffer:</p> <p>i) Next to an Open Space Zone or <i>lot</i> developed for single-use residential purposes – North Interior Side: 0.55 m</p> <p>ii) Adjacent to a Type ‘B’ Arterial Road: 0.8 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
146	GC, RM5	33	64-2007 140-2009 114-2011	S-A-2004-05, Z19/04
<p>i) Location: South side of Kingston Road East, east of Wicks Drive</p> <p>ii) Legal Description: North Part of Lot 5, Concession 1</p> <p>iii) Maximum Number of Units in the ‘RM5’ zone: 43 <i>Multiple Attached Dwellings</i></p> <p>iv) Notwithstanding Section 6.3.1, permitted <i>uses</i> in the “GC” zone shall be limited to:</p> <p><i>Art Gallery, Commercial School, Day Care Facility, Financial Institution, Library, Medical Clinic, Museum, Office, Personal Service Shop, Restaurant, Unlicensed Accessory Outdoor Patio, and Bed and Breakfast</i></p> <p>Exception 146 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
146 continued	GC, RM5	33	64-2007 140-2009 114-2011	S-A-2004-05, Z19/04

v) Development Standards for the lands within the 'GC' zone:

- a) Minimum *Lot Frontage* along Galea Drive: 39.0 m
- b) Minimum *Lot Depth*: 54.0 m
- c) Minimum *Yard*:
 - i) From Kingston Road 4.5 m
 - ii) From the west property line: 7.5 m
 - iii) From the south property line: 7.5 m
- d) Minimum *Lot Area* 2,350.0 m²
- e) Maximum *Height*: 11.0 m
- f) Minimum Parking: 26 *parking spaces* to be used in conjunction with any permitted *use* on the property; 2 of which shall be maintained for parking for people with disabilities
- g) Minimum *Landscaped Buffer*:
 - i) From Kingston Road 6.0 m

vi) Development Standards for the lands within the 'RM5' zone:

- a) Maximum *Yard*:
 - i) From Kingston Road 6.0 m
 - ii) Exterior side: For *dwelling units* abutting Galea Drive and Clarepark Court: 3.0 m
- b) Minimum *Yard*:
 - i) From the west property line: 7.5 m
 - ii) From the south property line: 7.5 m

vii) Other:

- a) The minimum required setback shall be 7.5 metres, where a *dwelling unit's* rear wall abuts the "GC" zone and 3.0 metres, where a *dwelling unit's* exterior side wall abuts the "GC" zone.
- b) Private *rear yards* shall be a minimum of 7.5 metres.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
147	GC(H)	8	107-2007	OPA06-A2, Z5/06
<p>i) Location: Southeast Quadrant of Taunton Road and Ravenscroft Road</p> <p>ii) Legal Description: Part of Lot 11, Concession 3</p> <p>iii) Interpretation: The lands that are subject to this Exception shall be interpreted as one “lot”.</p> <p>iv) Additional Uses: <i>Building</i> Supply Store, with an accessory Retail Garden Centre and open staging/outdoor storage area; Retail Food Store (Supermarket)</p> <p>v) Development Standards:</p> <p>a) Notwithstanding Sections 4.12, 4.21.1, and 6.3.2 of this By-law, for <i>buildings</i> within 60.0 metres of Taunton Road, a <i>building</i> setback of a minimum of 0.5 metres and a maximum of 4.5 metres shall be permitted from Taunton Road or Ravenscroft Road subject to the following:</p> <p>i) Pedestrian doorways shall face the abutting street.</p> <p>ii) 20% of the area of each <i>building</i> face along the streetline shall be constructed of transparent materials allowing for unencumbered visual access into the <i>building</i> at ground level.</p> <p>iii) Each <i>building</i> facing the street shall have a hard surfaced pedestrian walkway connected to the abutting sidewalk.</p> <p>b) For <i>buildings</i> within 60.0 metres of the intersection of Taunton Road and Ravenscroft Road, the following provisions shall apply (measured from the property line):</p> <p>i) Minimum <i>Building Height</i>: 2 storeys</p> <p>ii) Minimum <i>Gross Floor Area</i>: 1,300.0 m²</p> <p>c) For all <i>buildings</i> within 60.0 metres of Taunton Road, the following provisions shall apply:</p> <p>i) Minimum setback from the easterly <i>lot</i> line: 1.0 m</p> <p>ii) Minimum <i>Gross Floor Area</i>: 450.0 m²</p> <p>Exception 147 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
147 continued	GC(H)	8	107-2007	OPA06-A2, Z5/06
<p>vi) Other:</p> <p>a) An accessory Retail <i>Garden Centre</i> shall only be permitted within 95.0 metres of the southerly property line.</p> <p>b) Notwithstanding Sections 4.12 and 6.3.2 of this By-law, an accessory Retail <i>Garden Centre</i> may be permitted within 1.0 metre of Ravenscroft Road.</p> <p>c) Notwithstanding Section 5.3.3, for 60 to 90 degree <i>parking spaces</i>, the minimum perpendicular width of aisle shall be 6.0 metres.</p> <p>d) Notwithstanding Section 5.3.2, the minimum length of a <i>parking space</i> shall be 5.7 metres.</p> <p>e) Notwithstanding Section 5.10, no additional parking shall be required for permitted <i>uses</i> on the second floor of a retail or commercial <i>building</i>.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
148	GC(H), R2-B	32, 33	122-2007	S-A-2006-02, Z12/06
<p>i) Location: 257 to 319 Kingston Road East</p> <p>ii) Legal Description: North Part of Lots 5 and 6, Concession 1 and Blocks 14 and 15, Plan 40M-1608</p> <p>iii) Maximum Number of Units in the "R2-B" zone: 36 <i>semi-detached dwellings</i></p> <p>iv) Permitted <i>Uses</i>:</p> <p>Notwithstanding Section 6.3.1, permitted <i>uses</i> in the "GC" zone shall be limited to:</p> <p><i>Art Gallery, Commercial Fitness Centre, Commercial School, Convenience Store, Day Care Facility, Drive-Thru Facility, Dry Cleaning Depot, Financial</i></p> <p>Exception 148 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
148 continued	GC(H), R2-B	32, 33	122-2007	S-A-2006-02, Z12/06

Institution, Funeral Homes, Garden Centre, Hotel, Self Serve Laundromat, Library, Licensed Accessory Outdoor Patio, Medical Clinic, Museum, Office, Personal Service Shop, Place of Worship, Restaurant, Restaurant Drive-Thru, Retail Store, Service or Repair Shop, Unlicensed Accessory Outdoor Patio, Veterinary Clinic

- v) Development Standards within the 'GC' zone:
- a) Notwithstanding Sections 4.12, 4.21.1, and 6.3.2 of this By-law, for *buildings* within 50.0 metres of Kingston Road, a *building* setback of a minimum of 2.0 metres and a maximum of 6.0 metres shall be required from Kingston Road, or *daylighting triangle*, subject to the following:
 - i) Pedestrian doorways shall face the abutting street.
 - ii) 20% of the area of each *building* face along the street shall be constructed of transparent materials allowing for unencumbered visual access into the *building* at ground level.
 - iii) Each *building* facing the street shall have a hard surfaced pedestrian walkway connected to the abutting sidewalk.
 - b) The minimum setback to all other property lines other than the property line along Kingston Road shall be 6.0 metres.
 - c) Notwithstanding Sections 4.12, 4.21.1, and 6.3.2 of this By-law, for *buildings* within 50.0 metres of Kingston Road, a *building* setback of a minimum of 2.0 metres and a maximum of 6.0 metres shall be required from Kingston Road, or *daylighting triangle*, subject to the following:
 - i) 1 *parking space* per 19.0 m² of *gross floor area* shall be required.
 - ii) Notwithstanding paragraph iv) c) above and Section 5.10, no additional parking shall be required for permitted *uses* on the second floor a retail or commercial *building*.
 - iii) No *parking space* or drive aisle shall be located closer to a property line than 6.0 metres.

Exception 148 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
148 continued	GC(H), R2-B	32, 33	122-2007	S-A-2006-02, Z12/06

vi) Other:

- a) A *medical clinic* and an *office use* located within 50.0 metres of Kingston Road must be within a *building* that is a minimum of 2 storeys in *height*.
- b) A drive-thru *queuing lane* shall not be located between the *building* and any *street line*.
- c) A maximum of one *Drive-Thru Restaurant* is permitted provided it is within 50.0 metres of Kingston Road and provided it is not within 40.0 metres of a residential zone.
- d) A maximum *height* of 2 storeys.
- e) Notwithstanding Section 5.3.2, the minimum length of a parking stall shall be 5.7 metres.
- f) Notwithstanding Section 5.13, a *building* having a *gross floor area* in excess of 1,000 square metres with more than one (1) unit on the ground floor, shall not be required to provide a *loading space* subject to the following:
 - i) Each unit at ground level within the *building* shall not exceed a maximum *gross floor area* of 1,000 square metres; and
 - ii) Second floor day care facilities, *medical clinics*, and *office uses* shall be exempt from providing a *loading space*.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
149	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07

- i) Location: Southwest corner of Rossland Road East and Audley Road North
- ii) Legal Description: Part of Lots 3 and 4, Concession 2 and Part of the Road allowance Between Lots 4 and 5, Concession 2 (40R-835, Part 1)
- iii) Interpretation:
 - a) For all *lots*/blocks abutting a *lane* on one side and Audley Road North or an open space zone on the opposite side, the *front yard* shall be the *yard* abutting Audley Road North or the open space zone, and the *front lot line* shall be the *lot line* that divides the *front yard* from Audley Road North or the open space zone. Should an open space zone on any such *lot* also extend along one side of the *lot*, the *yard* abutting the side in question shall be considered to be an *interior side yard*.
 - b) For all *through lots*/blocks abutting a public street on one side and a *lane* or public street on the opposite side, the *front yard* shall be the *yard* facing the thoroughfare having the greater right-of-way width.
- iv) Development Standards within all Residential Zones:
 - a) *Lot Coverage*:
 - i) No minimum or maximum *lot coverage* requirements shall apply to *principal buildings*.
 - b) *Maximum Height*: 12.5 m
 - c) *Satellite Dish*:
 - i) A maximum of one satellite dish shall be permitted for each residential unit.
 - d) *Porch Projection*:
 - i) The depth of any *porch* projecting from the front or rear exterior wall shall not be less than 1.5 metres, measured from the *building* wall of the *dwelling unit* from which the *porch* projects to the front face of the *porch*.

Exception 149 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
149 continued	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07

e) *Daylighting Triangle:*

- i) Minimum setback to a *daylighting triangle:* 0.0 m
- ii) Where an entry feature abuts a *daylighting triangle*, the setback shall be 0.0 metres to the *dwelling unit*.

v) Development Standards within the "R2-A" Zone::

Notwithstanding any other section of this By-law, the following development standards shall apply:

a) Additional *Uses:*

- i) Live-Work *Dwelling Unit*
- ii) Additional *Uses* permitted within a Live-Work *Dwelling Unit*:

Convenience Store, Day Care, and Dry Cleaning Depot (excluding self-serve laundry facilities)

b) Minimum *Lot Frontage:* 8.3 m

c) Minimum *Lot Depth:* 20.0 m

d) Minimum *Front Yard:*

- i) 2.4 m to a *dwelling unit* fronting onto a local or collector road
- ii) 1.2 m to a *dwelling unit* fronting onto Audley Road North or an "OS" – "Open Space" Zone
- iii) 0.9 m to a *platform* in a *front yard* abutting a local or collector road
- iv) 0.0 m to a *platform* in a *front yard* abutting Audley Road North or an "OS" – "Open Space" Zone
- v) No stairs shall be permitted to encroach within a public road right-of-way or an "OS" – "Open Space" Zone

Exception 149 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
149 continued	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07

e) *Minimum Rear Yard:*

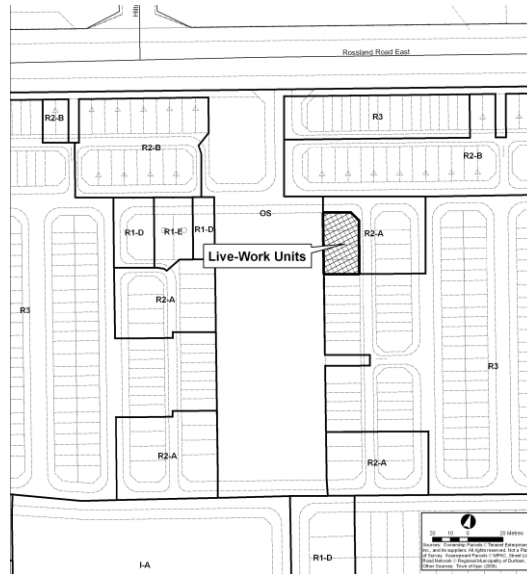
- i) 2.1 m to a *dwelling unit, platform* or stairs
- ii) 5.0 m to a garage door

f) *Other:*

- i) No maximum area or maximum *yard* coverage restrictions shall apply to *platforms* accessed from the ground floor. *Platforms* accessed from upper storeys shall have a maximum area of 30.0 m².
- ii) No additional *parking spaces* except those required for the residential component of a Live-Work *Dwelling Unit* shall be required.
- iii) Live-Work *Dwelling Units* shall only be permitted within the cross-hatched area shown on the schedule below.
- iv) Air conditioning units shall not be located in a *front yard*.
- v) No fencing is to be erected in a *front yard* that abuts Audley Road North or an "OS" - : "Open Space" Zone.
- vi) No accessory *buildings* shall be permitted on any *lot*.
- vii) *Driveways* shall be permitted to have a maximum width of 5.0 metres, but in no instances shall the maximum width of the *driveway* exceed the exterior dimension of a projecting or recessed *private garage*.

Exception 149 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
149 continued	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07



vi) Development Standards within the “R2-B” Zone::

Notwithstanding any other section of this By-law, the following development standards shall apply:

- a) Minimum *Lot Depth*: 20.0 m
- b) Minimum *Front Yard*:
 - i) 2.4 m to a *dwelling unit* fronting onto a local or collector road
 - ii) 1.2 m to a *dwelling unit* fronting onto Audley Road North or an “OS” – “Open Space” Zone
 - iii) 0.9 m to a *platform* in a *front yard* abutting a local or collector road
 - iv) 0.0 m to a *platform* in a *front yard* abutting Audley Road North or an “OS” – “Open Space” Zone
 - v) No stairs shall be permitted to encroach within a public road right-of-way or an “OS” – “Open Space” Zone

Exception 149 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
149 continued	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07

c) *Minimum Rear Yard:*

- i) 2.1 m to a *dwelling unit, platform* or stairs
- ii) 5.0 m to a garage door

d) *Other:*

- i) No maximum area or maximum *yard* coverage restrictions shall apply to *platforms* accessed from the ground floor. *Platforms* accessed from upper storeys shall have a maximum area of 30.0 m².
- ii) Air conditioning units shall not be located in a *front yard*.
- iii) No fencing is to be erected in a *front yard* that abuts Audley Road North or an "OS" - "Open Space" Zone.
- iv) No accessory *buildings* shall be permitted on any *lot*.

vii) Development Standards within the "R3" Zone::

Notwithstanding any other section of this By-law, the following development standards shall apply:

a) *Additional Uses:*

- i) *Back-to-Back Townhouse Dwelling*

- b) Minimum *front yard* setback to a garage associated with a *Back-to-Back Dwelling Unit* shall be 5.7 metres.

c) *Minimum Lot Frontage:*

- i) *Dwelling , Street Townhouse* 5.0 m
- ii) *Dwelling, Back-to-Back Townhouse* 5.5 m

d) *Minimum Lot Depth:*

- i) *Dwelling , Street Townhouse* 20.0 m
- ii) *Dwelling, Back-to-Back Townhouse* 13.0 m

Exception 149 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
149 continued	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07

e) Minimum *Front Yard* Setback:

- i) To a *dwelling unit* fronting onto a local or collector road 2.4 m
- ii) To a *dwelling unit* fronting onto Audley Road North or an "OS" – "Open Space" Zone 1.2 m
- iii) To a *platform* in a *front yard* abutting a local or collector road 0.9 m
- iv) To a *platform* in a *front yard* abutting Audley Road North or an "OS" – "Open Space" Zone 0.0 m
- v) No stairs shall be permitted to encroach within a public road right-of-way or an "OS" – "Open Space" Zone

f) Minimum *Rear Yard* Setback:

- i) To a *Back-to-Back Townhouse Dwelling Unit* 0.0 m
- ii) To a *dwelling unit, platform* or stairs 2.1 m
- iii) To a garage door 5.0 m

g) Other:

- i) No maximum area or maximum *yard* coverage restrictions shall apply to *platforms* accessed from the ground floor. *Platforms* accessed from upper storeys shall have a maximum area of 30.0 m².
- ii) Air conditioning units shall not be located in a *front yard* for *Street Townhouse Dwelling Units*.
- iii) Air conditioning units associated with *Back-to-Back Dwelling Units* shall be located on a *platform* accessed from an upper storey.
- iv) No fencing is to be erected in a *front yard* that abuts Audley Road North or an "OS" - "Open Space" Zone.

Exception 149 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
149 continued	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07

v) The maximum width of a garage door shall not exceed 50% of the frontage of any *lot* within a *Back-to-Back Townhouse Dwelling Unit*.

vi) No accessory *buildings* shall be permitted on any *lot*.

viii) Development Standards within the "OS" Zone::

Notwithstanding any other section of this By-law, the following development standards shall apply:

a) Additional *Uses*:

i) *Sales Pavilion*

ii) Within a converted *sales pavilion* designed and constructed as a permanent convertible *building*:

(1) Concession Stand

(2) Day Care

(3) *Community Centre*

(4) *Library*

b) Minimum *Front Yard* Setback: 6.0 m

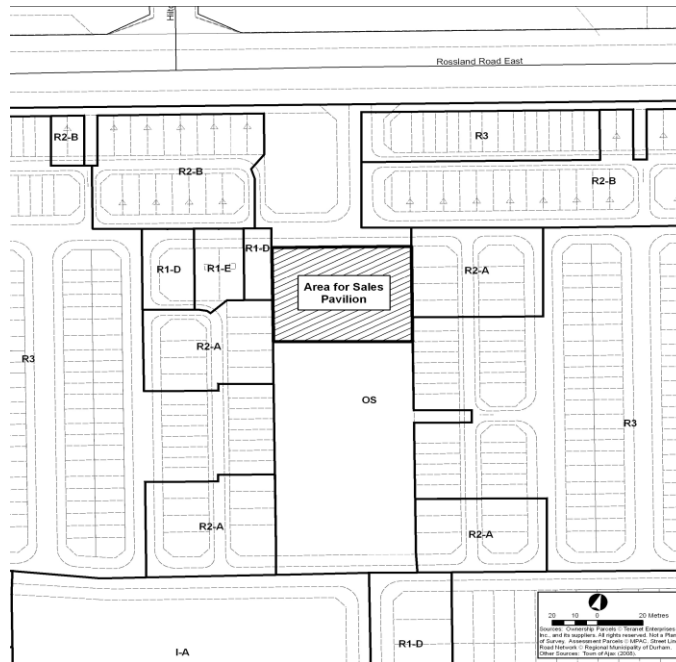
c) Other:

i) Additional *uses* shall only be permitted within the hatched area on the schedule below.

ii) A *platform* associated with a *sales pavilion* may encroach 3.0 m into the *front yard* and stairs associated with a *platform* may have a minimum setback of 0.0 m.

Exception 149 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
149 continued	R1-D, R1-E, R1-F, R2-A, R2-B, R3, I-A, OS, EP	19, 26, 59, 60	55-2008	S-A-2007-03, Z08/07



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
150	RM5	13	68-2009	18T-90015, OPA90/26D, Z2/90

- i) Location: North side of Rossland Road West, west of Riverside Drive, opposite Bunting Court
- ii) Legal Description: Part of Lot 17, Concession 3
- iii) Additional Uses: *Dwelling, Apartment*
- iv) Prohibited Uses: *Dwelling, Multiple Attached*

Exception 150 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
150 continued	RM5	13	68-2009	18T-90015, OPA90-/26D, Z2/90

v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Maximum Number of *Dwelling Units* 70

b) *Front Yard and Exterior Side Yard Build-Within Zone*:

i) A minimum of two-thirds of the length of each street-facing façade of a *principal building* shall be located between 6.0 metres (minimum) and 12.0 metres (maximum) of the front and *exterior side lot lines*.

ii) No portion of the junction of the front and exterior side walls (i.e., the *building "corner"*) of a *principal building* shall be built within 6.0 metres of the diagonal of a *daylighting triangle*.

iii) The *Build-Within Zone* does not apply to *accessory buildings or structures*.

c) Maximum *Building Height*: 5 storeys, excluding any roof-top access/amenity enclosure occupying in the aggregate less than 25 percent of the area of the roof of the *building* on which it is located, provided that a roof-top garden occupying at least 50 percent of the roof area of the *building* is also provided.

d) Parking:

i) No parking/service areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*.

ii) All required off-street standard *parking spaces* shall have a minimum width of 2.7 metres and a minimum length of 5.7 metres.

Parking for this *apartment dwelling* shall require a rate of 1 *parking space* per *dwelling unit*.

Exception 150 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
150 continued	RM5	13	68-2009	18T-90015, OPA90-/26D, Z2/90

e) *Landscaped Buffer.*

- i) A *landscaped buffer* having a minimum width of 6.0 metres shall be provided between any parking/service area and/or *driveway* aisle and any adjacent road.

vi) Other:

- a) The *lot line* abutting Rossland Road West shall be deemed to be the *front lot line* for the purposes of this By-law.
- b) The ground floor of the *principal building* shall have a minimum clear floor-to-ceiling *height* of 3.3 metres.
- c) Main pedestrian entrances shall be located to face an adjacent street; further, main pedestrian entrances shall be located within 10.0 metres of the *building* corner closest to the road intersection.
- d) A hard-surfaced, non-asphalt pedestrian walkway shall connect street-facing *building* entrances to the adjacent sidewalk.
- e) A minimum of 30% of the vertical area (excluding parapets) of street-facing *building* facades shall be constructed of transparent materials.
- f) Any *principal building* containing more than 30 *apartment dwelling units* shall be LEED (Leadership in Energy and Environmental Design) certified.
- g) A 1.0 metre *interior side yard* setback shall be permitted within the R2-B zone only for the *lots* identified as Blocks 3 and 4 of Draft Plan of Subdivision 18T-90015.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
151	UC	32	82-2008	OPA06-A5, Z11/06
<p>i) Location: 60 Salem Road South (Northwest corner of Salem Road South and Twilley Lane)</p> <p>ii) Legal Description: Part of Lot 4, 5, 6 and 7, Plan 377</p> <p>iii) Development Standards:</p> <p>a) Minimum <i>Front Yard</i>:</p> <p>i) Front: Abutting Salem Road 3.0 m</p> <p>ii) Interior Side: Abutting Twilley Lane 3.0 m</p> <p>iii) Interior Side: Abutting 36 Salem Road 7.5 m</p> <p>iv) Rear: 3.0 m</p> <p>b) <i>Landscaped Buffer</i>:</p> <p>i) To any <i>building</i> adjacent to Salem Road 3.0 m</p> <p>ii) Adjacent to Twilley Lane and the rear (west) property line 3.0 m</p> <p>iii) To any parking area adjacent to Salem Road 6.0 m</p> <p>c) Minimum Total <i>Gross Floor Area</i> on the <i>Lot</i>: 600.0 m²</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
152	PE	32, 39	88-2006 152-2009 50-2013	OPA 06-A3, OPA 06-A6, Z8/06, Z14/06, OMB Approved
<p>i) Location: Southeast corner of Salem Road South and Chambers Drive</p> <p>ii) Legal Description: Part of Block 1, Registered Plan 40M-1454, now Parts 1 to 3, Plan 40R-19755</p> <p>iii) Additional <i>Uses</i>: Research and Development Facility</p> <p>Exception 152 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
152 continued	PE	32, 39	88-2006 152-2009 50-2013	Z8/06, Z14/06, OPA 06-A3, OPA 06-A6, OMB Approved

Additional Uses continued:

The following *uses*, provided that their combined *Gross Floor Area* does not exceed 1,900.0 m², and that they are located on the ground floor of an *office building* having a minimum *height* of three storeys and a minimum *Gross Floor Area* of 5,574.0 m², situated directly adjacent to the southeast corner of the intersection of Salem Road South and Chambers Drive: *Dry Cleaning Depot* (excluding self-serve laundry facilities), *Motor Vehicle Rental Depot*, and ancillary *Retail Stores*.

iv) Prohibited Uses: *Drive-Thru Facility, Drive-Thru Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, Warehouse/Distribution Centre.*

v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Minimum *Lot Coverage*:

18%; however, in instances where an urban square is provided between the *principal building* and a street corner, or where a shared pedestrian arcade located between two *buildings* is provided with a direct, dedicated pedestrian link to an adjacent public sidewalk, the area of the urban square and/or the pedestrian arcade, up to an amount not exceeding 5% of the total *lot area*, may be considered as a substitute for *Building Area*, in lieu of actual *building coverage*.

b) Minimum Built Frontage within a *Build-Within Zone*:

- i) 55% of the *lot frontage* along Salem Road;
- ii) 38% of the *lot frontage* along Chambers Drive;
- iii) 34% of the *lot frontage* along Beck Crescent;

Exception 152 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
152 continued	PE	32, 39	88-2006 152-2009 50-2013	Z8/06, Z14/06, OPA 06-A3, OPA 06-A6, OMB Approved

However, notwithstanding the above, where an urban square is developed between a *principal building* and a street corner, the street frontage of the urban square may be considered equivalent to a length of *building* façade in terms of contributing to the required minimum built frontage.

c) *Front Yard Build-Within Zone:*

- i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the *front lot line*, save and except for a *motor vehicle sales establishment* fronting along Salem Road South, in which case the maximum limit shall be 15.0 metres.
- ii) In the case of a corner *building*, a portion of the junction of the front and exterior side walls (i.e., the *building* “corner”) shall be built within 3.0 to 12.0 metres of the adjacent *daylighting triangle/corner rounding*. An exception to this requirement shall be in the event that an urban square is developed between a *principal building* and the street corner, in which case at least 50% of that part of the perimeter of the urban square, which is not adjacent to a street edge or *daylighting triangle/corner rounding*, shall abut a *building* façade.

The *Build-Within zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

d) Minimum *Rear Yard:* 15.0 m

e) Minimum *Building Height:*

- i) For non-corner *buildings* fronting onto Salem Road South 2 storeys and 9.0 m
- ii) For non-corner *buildings* fronting onto Chambers Drive and Beck Crescent 2 storeys and 6.0 m

Exception 152 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
152 continued	PE	32, 39	88-2006 152-2009 50-2013	Z8/06, Z14/06, OPA 06-A3, OPA 06-A6, OMB Approved

iii) For a corner *building* at the intersection of Salem Road South and Chambers Drive 3 storeys and 12.0 m

iv) For corner *buildings* at any intersection of Chambers Drive and Beck Crescent 2 storeys and 9.0 m

v) Notwithstanding clauses i) and ii) above, the following exceptions shall apply:

(1) A *motor vehicle sales establishment* shall have a minimum *height* of one storey and an upper level *office* mezzanine area, and 8.0 metres, with a minimum ground floor-to-roof deck *height* of 7.5 metres. Both the 8.0 metre *height* requirement as well as the minimum 7.5 metre ground floor-to-roof deck *height* requirement shall apply to a minimum of 70 percent of the ground floor area of all parts of the *motor vehicle sales establishment* save and except for an ancillary *motor vehicle service centre* component, which may have a minimum 6.0 metre *height* and a minimum 5.5 metre ground floor-to-roof deck *height* for the entire service centre area, provided that no part of the *motor vehicle service centre* area is located within 25.0 metres of a public road;

(2) Any *building* having a *ground floor area* of less than 600 square metres shall have a minimum *height* of one storey or, in the case of a flat roof, 6.0 metres, in addition to one or more vertical architectural elements which shall cover an area not less than 10 percent of the *gross floor area* of the *building* and shall have a minimum *height* of 9.0 metres.

vi) For *buildings* having a minimum *height* requirement of two storeys, the minimum *building height* requirement as specified in metres shall apply to an enclosed minimum area, covered or uncovered, equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey. For *buildings* having a minimum *height* requirement of three storeys, the minimum *building height* requirement as specified in metres shall apply to an enclosed minimum area, covered or uncovered, equal to 50% of the *ground floor area* of the *building*.

Exception 152 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
152 continued	PE	32, 39	88-2006 152-2009 50-2013	Z8/06, Z14/06, OPA 06-A3, OPA 06-A6, OMB Approved

f) Minimum *Gross Floor Area*:

i) Minimum *Ground Floor Area*:

- | | |
|---|----------------------|
| (1) For a maximum of two free-standing <i>buildings</i> provided that said <i>buildings</i> are linked with a neighbouring permitted <i>building</i> by a shared pedestrian arcade. | 465.0 m ² |
| (2) All other <i>buildings</i> : | 600.0 m ² |

ii) Minimum Upper Floor Area:

- (1) Where the minimum required *building height* is two storeys, the second storey shall have a minimum floor area equal to 25% of the *ground floor area* of the *building*, or 600 square metres, whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300 square metres shall be required.
- (2) Where the minimum required *building height* is three storeys, the second and third storeys shall have a combined minimum floor area equal to 1.5 times the amount of *ground floor area*.

Notwithstanding clauses 1) and 2) above, in cases where the uppermost storey needed to meet the minimum *building height* requirement consists of ancillary *office* space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the upper storey in question shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

g) Minimum *Floor Space Index* (FSI): 0.2

h) Minimum *Landscaped Buffer*:

Along Chambers Drive: 4.5 m

Exception 152 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
152 continued	PE	32, 39	88-2006 152-2009 50-2013	Z8/06, Z14/06, OPA 06-A3, OPA 06-A6, OMB Approved

i) Parking:

- i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone* or any outdoor patio.
- ii) The parking requirement for any permitted *use* located on the second floor (or subsequent floor) of any multi-unit *building* shall be 1 space per 56.0 m² of *gross floor area*.

vi) Other:

- a) *Lot lines* that abut Salem Road South, Chambers Drive and Beck Crescent shall be deemed to be the *front lot lines* for the purposes of this by-law, and *lot lines* abutting the Highway 401 westbound off-ramp shall be deemed to be the *rear lot lines*.
- b) The development standards identified in sub-section (v) above does not apply to a public utility *building*.
- c) A minimum seating capacity of 25 *persons* shall be provided per *restaurant*. A maximum of two free-standing *restaurants* shall be permitted on-site, provided that each is linked with a neighbouring permitted *building* by a shared pedestrian arcade.
- d) An outdoor patio, where provided in conjunction with a *restaurant*, shall be sited between a street-facing façade and an adjacent street, or at the side of a *restaurant* provided that it is sited no further back from the *front lot line* that the street-facing façade of the *restaurant* itself.
- e) A maximum of three *buildings* containing *motor vehicle sales establishments* shall be permitted. Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards:
 - i) Minimum *Gross Floor Area*: 2,100.0 m² per *building* used for *motor vehicle sales establishment* purposes, but where two *buildings* containing *motor vehicle sales establishments* are linked

Exception 152 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
152 continued	PE	32, 39	88-2006 152-2009 50-2013	Z8/06, Z14/06, OPA 06-A3, OPA 06-A6, OMB Approved

by a common roof *structure*, a combined minimum *gross floor area* of 3,000.0 m² is required between the *motor vehicle sales establishments* in the two *buildings*;

- ii) A maximum combined total of 410 on-site *parking spaces* for all *motor vehicle sales establishments* shall be permitted, provided that the spaces used for vehicular storage are sited no closer than 100.0 metres south of Chambers Drive;
- iii) Security barriers for an outdoor vehicular storage area or display area shall not include chain link or wire fencing, guardrails, pre-cast concrete barriers, or bollards that are not stone or without ornamental metal exteriors.

Where the standards specifically applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

- f) The ground floor of *buildings* shall have a minimum clear floor-to-ceiling *height* of 3.3 metres.
- g) A parapet/roof-top wall shall not exceed 1.5 metres in *height*, save and except for a parapet/roof-top wall of any *building* having *frontage* along Salem Road South, in which case the parapet/roof-top wall shall not exceed 2.5 metres in *height*
- h) A minimum of 25% of the vertical area (excluding parapets) of street-facing *building* facades within the *build-within zone* shall be constructed of transparent materials; further, this proportion of transparency shall be maintained, notwithstanding translucent/ opaque treatments that may be directly applied to transparent materials.
- i) Any portion of a front or exterior side *building* wall, excluding a parapet that is located higher than 12.0 metres above the *established grade* shall be subject to a minimum 2.0 metre step-back requirement.
- j) Notwithstanding the definition of "*Lot*", all lands within the subject Exception shall be considered to be one *lot* for the purposes of this By-law.

Exception 152 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
152 continued	PE	32, 39	88-2006 152-2009 50-2013	Z8/06, Z14/06, OPA 06-A3, OPA 06-A6, OMB Approved

k) Interim Non-Compliance With Respect to Built Frontage, *Lot Coverage* and Density (FSI) Requirements

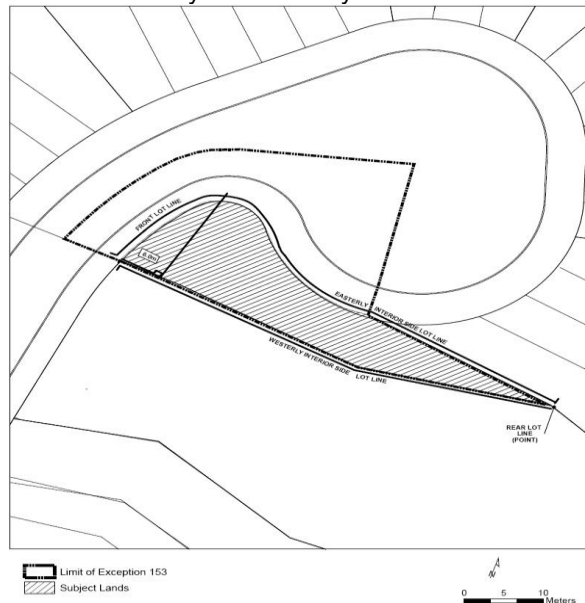
Notwithstanding the Minimum Built Frontage, Minimum *Lot Coverage* and Minimum *Floor Space Index* (FSI) requirements within sub-section (v) above, interim phases of development of the *lot* may be permitted which individually do not comply with the Minimum Built Frontage, Minimum *Lot Coverage*, and Minimum *Floor Space Index* (FSI) requirements of sub-section (v) provided that:

- i) For each phase of development, a Master Concept Development Plan is provided which demonstrates to the satisfaction of the Town compliance with all provisions of this By-law under *lot* build-out conditions;
- ii) The parking requirements associated with each particular phase do not require any parking on lands associated with future phases in order to comply with the provisions of this By-law;
- iii) No additional parking in excess of the minimum parking requirements associated with each particular phase is provided on lands associated with future phases;
- iv) The ability to achieve *lot* build-out conditions in accordance with the Master Concept Development Plan does not involve a final phase consisting of a site area of less than 6,500.0 m² and that requires more than:
 - (1) 30% *building* coverage measured relative to the site area of the final phase; and,
 - (2) A *Floor Space Index* of 0.6 measured relative to the site area of the final phase.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
153	R1-D	13	68-2009	18T-90015; OPA90/26D, Z2/90

- i) Location: North side of Rossland Road West, west of Riverside Drive, opposite Bunting Court
- ii) Legal Description: Part of Lot 17, Concession 3
- iii) Interpretation: For the purposes of this Exception, the front, rear, and *interior side lot lines* shall be defined as follows, illustrated on the sketch below.
 - a) *Lot lines* abutting an Environmental Protection Zone (“EP”) shall be deemed to be the interior westerly *side lot line*.
 - b) The *front lot line* shall be deemed to be that segment of the *lot/street* boundary line which extends between the westerly *interior side lot line* and a point along the *lot/street* boundary line defined by extending a line perpendicular from the westerly *interior side lot line*, measured 6.0 metres back from the westerly *lot/street* boundary, across the width of the *lot* such that it intersects with the *lot/street* boundary line.
 - c) The easterly *interior side lot line* shall be deemed to be that segment of the *lot/street* boundary line which is not a *front lot line*, as well as the *lot* line shared with an abutting residential *lot*.
 - d) The *rear lot line* shall be deemed to be that point formed by the intersection of the westerly and easterly *side lot lines*.



Exception 153 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
153 continued	R1-D	13	68-2009	18T-90015; OPA90/26D, Z2/90
<p>iv) Development Standards:</p> <p>Notwithstanding any other section of this By-law, the following development standards shall apply:</p> <p>a) Minimum <i>Lot Frontage</i>: 11.4 m</p> <p>b) Minimum setback:</p> <p>i) Front: 5.0 m</p> <p>ii) <i>Westerly interior side lot line</i>: 1.2 m</p> <p>iii) <i>Easterly interior side lot line</i>: 1.5 m where the <i>lot line</i> divides the <i>lot</i> from the street</p> <p>c) Maximum <i>Lot Coverage</i>: 35%</p> <p>v) Other:</p> <p>a) No fence higher than 1.0 metres shall be permitted where the <i>easterly interior side yard</i> divides the <i>lot</i> from the street.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
154	RM4, R1-F, R1-B, EP	20	99-2008	OPA07-A4, S-A-2007-04, SP18/07, Z13/07
<p>i) Location: West side of Riverside Drive, north of the East Duffins Creek, south of Rossland Road West and west of the <i>Riverside Golf Course</i></p> <p>ii) Legal Description: Pat of Lots 14 and 17, Concession 2</p> <p>iii) Development Standards within the 'RM4' Zone::</p> <p>a) Maximum Number of Units: 48 <i>Multiple Attached Dwellings</i></p> <p>Exception 154 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
154 continued	RM4, R1-F, R1-B, EP	20	99-2008	OPA07-A4, S-A-2007-04, SP18/07, Z13/07

- b) Minimum Yard:
- i) Front – to a *dwelling unit*: 2.4 m
– to an attached garage: 5.7 m
 - ii) Interior Side: 1.2 m
 - iii) Exterior Side: 2.4 m
 - iv) Rear: 7.5 m

Notwithstanding Section iii) b) iv) above, a maximum room projection of 1.0 metre is permitted into a required *rear yard* provided that the room projection does not exceed 50% of the width of the *dwelling unit*.

- c) Road Radius Yard: 1.8 m

- d) Other Development Standards Within the 'RM4' Zone:

- i) Notwithstanding Section 6.2.2 of Zoning By-law 95-2003, as amended, for the purposes of this development the *lot frontage* for the development block will be Riverside Drive and the minimum *lot frontage* required shall be 168.0 metres. This provision will satisfy the requirement of having frontage onto a public road.
- ii) Notwithstanding Section d) i) above, for the purposes of this development the internal private road will be deemed to be the *front lot line*, the *front lot line* will be the face of curb at the edge of the private road for the purposes of establishing minimum *yard setbacks* for each *multiple attached dwelling unit*.
- iii) Notwithstanding Section 4.1.1iv) of Zoning By-law 95-2003, the minimum *exterior side yard setback* shall be 2.4 metres and no accessory *structure* shall be located closer to a private road than the *dwelling unit*.
- iv) Sections 6.2.3 and 6.2.4 of Zoning By-law 95-2003, as amended, shall not apply.
- v) A minimum separation of 3.0 metres is required between multiple attached housing blocks within the RM4 Zone.
- vi) Notwithstanding Section 4.3 of Zoning By-law 95-2003, as amended, a *platform* shall maintain a minimum *exterior side yard setback* of 1.2 metres (a *yard* abutting a private road or public

Exception 154 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
154 continued	RM4, R1-F, R1-B, EP	20	99-2008	OPA07-A4, S-A-2007-04, SP18/07, Z13/07

street) and a minimum *interior side yard* setback of 1.0 metre (a *yard* between blocks of multiple attached units). Where there is a common property line within a block of *multiple attached dwellings*, a *platform* shall maintain a minimum setback of 0.0 metres.

iv) Development Standards within the 'R1-B' Zone::

a) Maximum Number of Units: 3 Single *Detached Dwellings*

b) Minimum *Yard*:

i) Front – to a *dwelling unit*: 3.0 m
- to an attached garage: 5.7 m

ii) Rear: Notwithstanding Section 6.2.2 of Zoning By-law 95-2003 as amended, a maximum room projection of 1.0 metre is permitted into a required *rear yard* provided that the room projection does not exceed 50% of the width of the *dwelling unit*.

v) Development Standards within the 'R1-F' Zone::

a) Maximum Number of Units: 2 Single *Detached Dwellings*

b) *Front Yard*:

i) Minimum: to a *dwelling unit*: 3.0 m
ii) Maximum: to a *dwelling unit*: 6.0 m

c) Interior North Side *Yard Setback* (Lot 52):

i) Minimum: 0.6 metres to *dwelling unit* and accessory *structure*
ii) Rear: Notwithstanding Section 6.2.2 of Zoning by-law 95-2003 as amended, a maximum room projection of 1.0 metre is permitted into a required *rear yard* provided that the room projection does not exceed 50% of the width of the *dwelling unit*.

vi) Other Development Standards Within the 'R1-F' Zone:

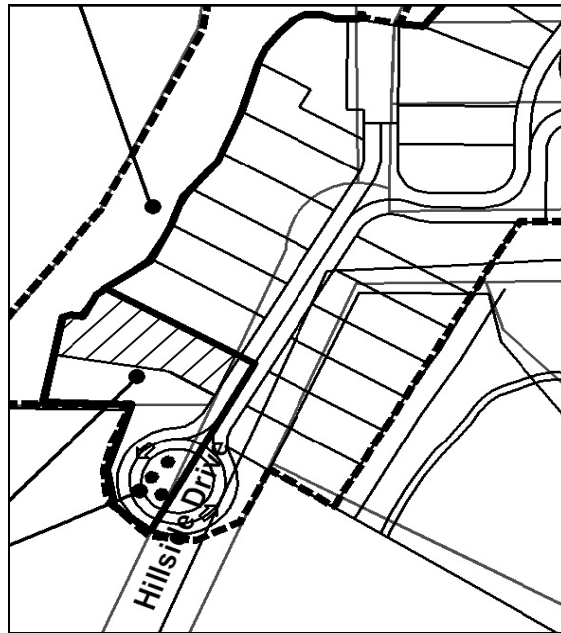
a) Notwithstanding Section v) b) and c) above, the *lot* hatched below shall be deemed to be legal *non-complying*, although any additions or

Exception 154 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
154 continued	RM4, R1-F, R1-B, EP	20	99-2008	OPA07-A4, S-A-2007-04, SP18/07, Z13/07

projections must be in accordance with Zoning By-law 95-2003, as amended.

- b) Notwithstanding Section 4.4.1iii) of Zoning By-law 95-2003, as amended, for the *lot* hatched below a detached garage shall be permitted to be setback a minimum of 5.7 metres from the *front lot line*. Further, a detached garage must maintain a minimum *interior side yard* of 0.6 metres.



- vii) Other Development Standards within all zones:

- a) Notwithstanding Section 5.3.1 of Zoning By-law 95-2003, as amended, where a garage exceeds a width of 3.6 metres, the minimum garage length shall be 6.0 metres.
- b) Notwithstanding Section 5.3.2 of Zoning By-law 95-2003, as amended, the width of a *parking space* within a *driveway* shall be a minimum of 2.5 metres, if a structural column is located within a *driveway*.
- c) Notwithstanding Section 5.3.2 of Zoning By-law 95-2003, as amended, all *parking spaces*, both within a private *driveway* and on a private road, shall be permitted to have a minimum length of 5.7 metres.

Exception 154 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
154 continued	RM4, R1-F, R1-B, EP	20	99-2008	OPA07-A4, S-A-2007-04, SP18/07, Z13/07
<p>d) Notwithstanding Section 6.2.2 of Zoning By-law 95-2003, a maximum <i>driveway</i> width of 6.0 metres shall be permitted for all units with a double car garage.</p> <p>e) A minimum internal garage depth of 6.0 metres shall be required for all double garages.</p> <p>f) Notwithstanding Section 6.2.2 of Zoning By-law 95-2003, as amended, minimum <i>lot area</i>, frontage, depth and coverage requirements of the RM4, R1-B and R1-F zones shall not apply.</p> <p>g) A water meter room and a change room must comply with the provisions for accessory <i>structures</i> within Section 4.1.1 of Zoning By-law 95-2003, as amended. Notwithstanding this section, the change room can be setback 2.0 metres from the private road.</p> <p>h) <i>Platforms</i> are to be permitted within 1.2 metres of a front and exterior <i>lot line</i> or street radius.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
155	RM4(H), RM5(H), POS	8	115-2008	OPA07-A4. Z15/07
<p>i) Location: Southwest corner of Taunton Road West and Ravenscroft Road</p> <p>ii) Legal Description: North Part of Lot 12, Concession 3</p> <p>iii) Development Standards within the "RM4" and "RM5" zones:</p> <p>a) Additional Permitted Uses: <i>Convenience Store, Day Care Facility, Financial Institution, Self Serve Laundromat, Library, Office, and Personal Service Shop</i></p> <p>b) Maximum Number of Units: 1,500</p> <p>Exception 155 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
155 continued	RM4(H), RM5(H), POS	8	115-2008	OPA07-A4. Z15/07

c) Minimum Number of Seniors Units: 300

d) Minimum *Rear Yard*: 7.5 m

e) Maximum *Lot Coverage*:

i) A maximum *lot coverage* of 35% shall be permitted over the entire site

ii) Notwithstanding Section iii) e) i) above, gazebos and other outdoor shade *structures* shall be exempt from the calculation of *lot coverage*.

f) Maximum *Height*: 24 storeys

g) Minimum Parking:

i) A minimum of 1.5 *parking spaces* per unit and 0.25 of a *parking space* per unit for visitors

iv) Other:

a) For the purposes of this zoning by-law, the *front lot line* shall be deemed to be Ravenscroft Road.

b) A maximum of 1,500 units is permitted over the entire site, of which 1,200 may be standard condominiums.

c) A minimum of 2 *buildings* must be used for special needs housing (senior's apartments).

d) All *buildings* shall front onto and provide direct pedestrian access to either Ravenscroft Road or Taunton Road West.

e) All *buildings* shall provide a minimum landscape buffer of 6.0 metres from Ravenscroft Road and Taunton Road West.

f) All visitor drop-off areas shall be provided at *building* entries.

g) Permanent parking, loading, underground parking ramps and service areas are to be located in interior side or *rear yards*.

Exception 155 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
155 continued	RM4(H), RM5(H), POS	8	115-2008	OPA07-A4. Z15/07
<p>h) All garage doors to underground parking areas shall not face Ravenscroft Road or Taunton Road West.</p> <p>i) All roof top mechanical units and elevator penthouses shall be fully screened.</p> <p>j) All <i>buildings</i> shall have their primary entrances, windows, and signage facing either Ravenscroft Road or Taunton Road West.</p> <p>k) The location of any public art must be located at the southwest corner of Taunton Road West and Ravenscroft Road.</p> <p>l) Commercial <i>uses</i> shall be limited to the ground floor.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
156	PE(H)	40	95-2006 152-2009 50-2013	Z8/06, OPA 06-A3, OMB Approved
<p>i) Location: North and south sides of Achilles Road, west of Carruthers Creek</p> <p>ii) Legal Description: Part of Lot 5, Concession 1</p> <p>iii) Additional <i>Uses</i>: Research and Development Facility, Outdoor Parking Facility for off-site Automobile Storage affiliated with a <i>Motor Vehicle Sales Establishment</i> (90 vehicles maximum)</p> <p>iv) Prohibited <i>Uses</i>: <i>Drive-Thru Facility, Drive-Thru Restaurant, Motor Vehicle Rental Establishment, Public Storage Facility, Recreation Facility, Warehouse/Distribution Centre, Free-standing forms of the following: Financial Institution, Restaurant, Personal Service Shop, and Service or Repair Shop.</i></p> <p>Exception 156 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
156 continued	PE(H)	40	95-2006 152-2009 50-2013	Z8/06, OPA 06-A3, OMB Approved

v) Development Standards:

Notwithstanding any other Section of this By-law, the following development standards shall apply:

a) Minimum *Lot Coverage*:

- i) *Building Area*: 20% for all purposes save and except for a *motor vehicle sales establishment*, which shall have a minimum *building coverage* of 15% of the *lot area*.

b) Minimum Built Frontage within a *Build-Within Zone*:

- i) 50% of the *lot frontage*; or
- ii) Provided that the *building* has a *Gross Floor Area* of at least 3,800.0 m², shall apply to least three points (as measured perpendicular from the *front lot line*) along the street-facing façade of the *building*, where each point is separated by a minimum distance of 35.0 metres as measured along the *front lot line*.

c) *Front Yard Build-Within Zone*:

- i) The required Minimum Built Frontage shall be located between 3.0 metres (minimum) and 12.0 metres (maximum) of the *front lot line*.

The *Build-Within zone* does not apply to accessory *buildings* or *structures*, or to *buildings* which by physical necessity are located in the interior of a development site and adjacent only to a private road or *driveway*.

d) Minimum *Building Height*: 2 storeys and 9.0 m

The minimum *building height* requirement as specified in metres shall apply to a minimum area equal to 50% of the *ground floor area* of the *building*, but in all instances shall apply to the entire floor area of the minimum specified upper storey.

e) Minimum *Gross Floor Area*:

- i) Minimum *Ground Floor Area*: 600.0 m²

Exception 156 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
156 continued	PE(H)	40	95-2006 152-2009 50-2013	Z8/06, OPA 06-A3, OMB Approved

ii) Minimum Second Floor Area:

The second storey shall have a minimum floor area equal to 25% of the *ground floor area* of the *building*, or 600.0 m², whichever is greater. However, in the case of a *banquet facility*, a minimum second floor area of 300.0 m² shall be required.

Notwithstanding the above noted Minimum Second Floor Area requirements, in cases where the second floor consists of ancillary *office* space in association with a principal *light manufacturing use* or research and development facility, the minimum floor area of the second storey shall be equal to at least 70% of the floor area associated with a ground floor ancillary *office* component.

f) Minimum *Floor Space Index* (FSI): 0.2

g) Minimum *Landscaped Buffer*:

Along Achilles Road: 4.5 m

h) Parking:

i) No parking areas or *driveway* aisles shall be permitted between an adjacent street and any part of the *building* façade within the *build-within zone*. Where the *build-within zone* extends along a *front lot line* between at least three separated points, no parking areas or *driveway* aisles shall be permitted in the *yard* area bounded by the street-facing façade of the *building*, the street, and the two end-points defining the limits of the *build-within zone*.

vi) Other:

a) The development standards identified in sub-section (v) above do not apply to a public utility *building* or in instances where the land is used as an Outdoor Parking Facility for off-site automobile storage affiliated with a *Motor Vehicle Sales Establishment*.

b) Where the land is used as an Outdoor Parking Facility for off-site automobile storage affiliated with a *Motor Vehicle Sales Establishment*, a *landscaped buffer* having a minimum width of 3.0 metres shall be provided adjacent to an *interior side lot line*.

Exception 156 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
156 continued	PE(H)	40	95-2006 152-2009 50-2013	Z8/06, OPA 06-A3, OMB Approved

- c) A minimum seating capacity of 25 *persons* shall be provided per *Restaurant*.
- d) Notwithstanding the development standards identified in sub-section (v) above, a *Motor Vehicle Sales Establishment* shall only be permitted subject to the following development standards:
 - i) Minimum *Gross Floor Area*: 3,800.0 m²
 - ii) Minimum *Building Height*: 3 storeys
 - iii) Maximum *Lot Area*: 1.91 ha
 - iv) Outdoor vehicular storage areas for new vehicles shall only be permitted in a *rear yard*.
 - v) No *outdoor storage* or display of vehicles associated with ancillary used *motor vehicle* sales shall be permitted.
 - vi) No outdoor vehicle storage areas shall be visible from the traveled portion of Highway 401 or Salem Road.

Where the standards specifically applicable to *Motor Vehicle Sales Establishments* do not otherwise conflict with the development standards identified in sub-section (v) above, the standards contained in sub-section (v) above shall apply.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
157	UC	31	37-2009	SPA2/05, Z2/08
<p>i) Location: North side of Kingston Road West, west of Harwood Avenue North, municipally known as 30 Kingston Road West</p> <p>ii) Legal Description: Plan 40M-1518, Block 118</p> <p>iii) <i>Accessory Use</i>:</p> <p>a) A seasonal <i>Garden Centre</i> having a maximum area of 1,689 square metres is permitted as an <i>accessory use</i> in association with a <i>retail store</i>.</p> <p>b) Such <i>Garden Centre</i> shall only be operational between March 1st and August 31st within every calendar year.</p> <p>c) A minimum of 504 <i>parking spaces</i> must be provided on site during the operation of the seasonal <i>Garden Centre</i>.</p> <p>d) A minimum of 573 <i>parking spaces</i> must be provided on site when the seasonal <i>Garden Centre</i> is not operational.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
158	RM5	31	58-2009	OPA08-A3, Z5/08, SP08/09
<p>i) Location: 216, 228 and 240 Old Harwood Avenue and the rear portion of 200 Old Harwood Avenue</p> <p>ii) Legal Description: Lots 13, 14 and 15 on Registered Plan 401</p> <p>iii) Development Standards:</p> <p>Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands zoned Residential Multiple Five Zone (RM5):</p> <p>a) Minimum <i>Lot Frontage</i>: 80.0 m</p> <p>Exception 158 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
158 continued	RM5	31	58-2009	OPA08-A3, Z5/08, SP08/09
<p>b) Maximum <i>Gross Floor Area</i>: 16,500.0 m²</p> <p>c) Maximum number of units: 175</p> <p>iv) Other:</p> <p>a) No less than 50% of the wall of the main <i>building</i> facing the <i>front lot line</i> shall be within the minimum and maximum <i>front yard</i> setback requirements.</p> <p>b) Minimum number of <i>parking spaces</i> 0.55 spaces/unit</p> <p>c) Minimum number of <i>loading spaces</i> required: 0</p> <p>d) Loading doors shall not face a street or shall be screened.</p> <p>e) Minimum setback of a canopy from the <i>front lot line</i>: 2.0 m</p> <p>f) Section 5.6 shall not apply.</p> <p>g) All garbage shall be fully enclosed in a designated storage area within a main <i>building(s)</i> on the site. <i>Outdoor storage</i> of garbage is prohibited.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
159	I-A	10	72-2009	SP36/05, Z10/06
<p>i) Location: 1964 Salem Road North</p> <p>ii) Legal Description: Part of Lot 7, Concession 3</p> <p>iii) Development Standards:</p> <p>Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands zoned Institutional – A (“I-A”):</p> <p>a) Minimum <i>Lot Frontage</i>: 130.0 m</p> <p>Exception 159 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
159 continued	I-A	10	72-2009	SP36/05, Z10/06
b) Minimum <i>Front Yard</i> :				6.0 m
c) Maximum <i>Front Yard</i> :				9.0 m
d) Minimum <i>Interior Side Yard</i> :				40.0 m
e) Minimum <i>Exterior Side Yard</i> : (Taunton Road East)				4.0 m
f) Maximum <i>Exterior Side Yard</i> (Taunton Road East)				11.0 m
g) Minimum <i>Rear Yard</i> :				70.0 m
h) Maximum <i>Height</i> :				14.0 m
i) Minimum Landscape Buffer:				
i) Along south <i>lot line</i> :				4.0 m
ii) Along west <i>lot line</i> :				3.0 m
iii) Along north <i>lot line</i> :				6.0 m
iv) Along east <i>lot line</i> :				3.0 m
j) Maximum <i>Gross Floor Area</i> :				8,750.0 m ²
iv) Development Standards for an Accessory <i>Building</i> :				
a) Minimum <i>Exterior Side Yard</i> : (Taunton Road East)				5.0 m
b) Maximum <i>Exterior Side Yard</i> (Taunton Road East)				6.0 m
c) Minimum <i>Rear Yard</i> :				3.0 m
d) Maximum <i>Rear Yard</i> :				4.0 m
e) Maximum <i>Height</i> :				8.0 m
f) Minimum Landscape Buffer:				
i) Along south <i>lot line</i> :				4.0 m
ii) Along west <i>lot line</i> :				3.0 m
Exception 159 is continued on the next page.				

Exception	Zoning	Map	By-law	File Reference
159 continued	I-A	10	72-2009	SP36/05, Z10/06
<ul style="list-style-type: none"> iii) Along north <i>lot line</i>: 6.0 m iv) Along east <i>lot line</i>: 3.0 m g) Maximum <i>Gross Floor Area</i>: 8,750.0 m² v) Development Standards for an Accessory <i>Building</i>: <ul style="list-style-type: none"> a) Minimum <i>Exterior Side Yard</i>: (Taunton Road East) 5.0 m b) Maximum <i>Exterior Side Yard</i>: (Taunton Road East) 6.0 m c) Minimum <i>Rear Yard</i>: 3.0 m d) Maximum <i>Rear Yard</i>: 4.0 m e) Maximum <i>Height</i>: 8.0 m f) Maximum <i>Gross Floor Area</i>: 260.0 m² vi) Other: <ul style="list-style-type: none"> a) The <i>lot line</i> abutting Salem Road North shall be deemed to be the <i>Front Lot Line</i>; b) A dormitory shall be permitted as an <i>accessory use</i> to a <i>school</i>. c) Maximum number of dormitory rooms 20 d) Minimum number of required <i>parking spaces</i> 350 e) Loading doors shall not face a street. f) <i>Height</i> requirements shall not apply to ornamental towers. g) All garbage shall be fully enclosed in a designated storage area within a main <i>building(s)</i> on the site. <i>Outdoor storage</i> of garbage is prohibited. <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
160	R1-E, R1-F, R2-B, EP	15	61-2010	S-A-2007-05, Z14/07

i) Location: West side of Ravenscroft Road, east of the Duffins Creek, north of the Driscoll Drive/Harty Crescent, and south of the Hydro One corridor

ii) Legal Description: Part of Lot 13, Concession 3

iii) Development Standards:

a) Development Standards within the 'R1-E' zone:

i) Maximum *Lot Coverage* 50%

ii) Maximum *Driveway Width*: 6.0 m

iii) Maximum Garage Width 5.6 m

iv) Maximum Curb Cut Width: 6.0 m

v) Other:

(1) Notwithstanding Section 5.3.1 of Zoning By-law 95-2003, as amended, a minimum internal garage dimension of 5.5 metres in width and 6.0 metres in length shall also be permitted.

(2) Notwithstanding Section 3.0 of Zoning By-law 95-2003, as amended, the definition of *Lot Frontage*, specifically for the purposes of measuring *lot frontage* for the lots cross-hatched on the diagram below, are to be measured by a line 21.0 metres back from and parallel to the chord of the *lot frontage*, and for the purpose of this paragraph, the chord of the *lot frontage*, is a straight line joining the two points where the *side lot lines* intersect the *front lot line*.



Exception 160 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
160 continued	R1-E, R1-F, R2-B, EP	15	61-2010	S-A-2007-05, Z14/07

- (3) Notwithstanding the first paragraph of Section 6.2.4 of Zoning By-law 95-2003, as amended, this section shall not apply.
- (4) Notwithstanding the second paragraph of Section 6.2.4 of Zoning By-law 95-2003, as amended, the maximum *front yard* setback shall be 25.0 metres measured from the front of the *principal building* to the *front lot line*. All of the remaining provisions within this paragraph shall apply.

b) Development Standards within the 'R1-F' zone:

- i) Maximum *Lot Coverage* 50%
- ii) Minimum *Exterior Side Yard*: 0.6 metre to an attached *porch* and 1.2 metres to a *dwelling unit* when flanking Ravenscroft Road (the setback is to be taken from the west side of the buffer block)

c) Development Standards within the 'R2-B' zone:

- i) Minimum *Exterior Side Yard*: 0.6 metre to an attached *porch* and 1.2 metres to a *dwelling unit* when flanking Ravenscroft Road (the setback is to be taken from the west side of the buffer block)
- ii) Minimum *Interior Side Yard*: 0.3 metres between units where not attached by a common wall or garage.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
161	PE	43	106-2010	Z1/10, SP8/10
<p>i) Location: 365 Bayly Street West</p> <p>ii) Legal Description: Part of Block A, Plan M-26 (40R-9315, Parts 2 to 5)</p> <p>iii) Additional Permitted Use: <i>Motor Vehicle Used Sales Establishment, Motor Vehicle Repair Facility</i> shall be permitted as an accessory use to a <i>Motor Vehicle Used Sales Establishment</i></p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

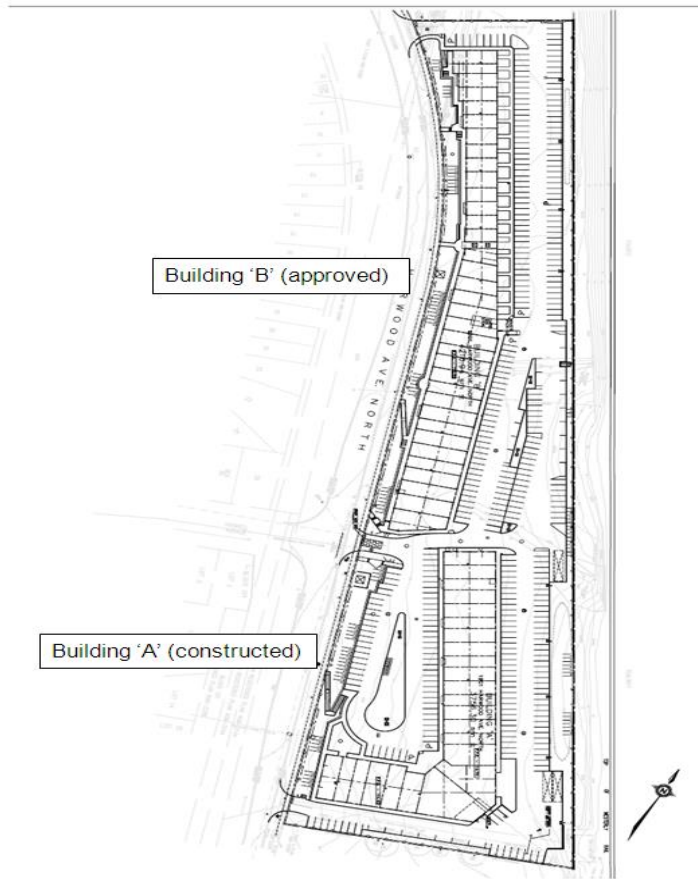
Exception	Zoning	Map	By-law	File Reference
162	PE	9	105-2010	SP36/06, Z2/09
<p>i) Location: 1801 and 1901 Harwood Avenue North</p> <p>ii) Legal Description: Part of Lot 8, Concession 3</p> <p>iii) Additional Uses: <i>Convenience Store, Retail Store</i></p> <p>iv) Development Standards:</p> <p>a) Parking:</p> <p>Notwithstanding Section 5.10.2, parking shall be provided at a ratio of 1 space per 21.5 m² of <i>gross floor area</i> for all permitted uses.</p> <p>v) Other:</p> <p>a) An individual <i>retail store</i> and/or <i>convenience store</i> shall not exceed a total floor area of 500.0 m².</p> <p>b) The cumulative floor area for all <i>retail store</i> and <i>convenience store</i> uses shall not exceed a total floor area of 2,790.0 m².</p> <p>c) No more than 1,878.0 m² of the total <i>gross floor area</i> of <i>Building A</i> shall be occupied by <i>retail stores</i> or <i>convenience stores</i> until <i>Building</i></p> <p>Exception 162 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
162 continued	PE	9	105-2010	SP36/06, Z2/09

B and the associated parking area has been constructed as identified on Schedule 'C' attached hereto.

- d) No change in land use is permitted on the subject lands unless a Certificate of Occupancy is issued by the Town.

Schedule 'C'



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
163	R1-D, RM5(H), PE, EP, OS	18, 19	73-2011	Z1/05, OPA 05-A1, S-A-2005-01, OMB Approved

i) Location: North of Rossland Road, east of Spitty Road, west of Carruthers Creek, and south of the CPR Rail line

ii) Legal Description: Part of Lots 5 and 6, Concession 3

iii) Interpretation: For the purposes of this exception, the *front lot line* for any through or *corner lot* within a 'PE' – 'Prestige Employment' Zone and 'RM5' – 'Residential Multiple Five' Zone shall be deemed to be Rossland Road East or Salem Road. Where a *lot* has frontage on both Rossland Road East and Salem Road, the *front lot line* shall be deemed to be Rossland Road East.

iv) Additional Uses: Convention Centres and Research and Development on a *lot* which is zoned 'PE' – 'Prestige Employment'

An education and training facility for children with special needs on a *lot* fronting the east side of Salem Road which is zoned 'PE' – 'Prestige Employment'

Motor Vehicle Gas Bar, Motor Vehicle Washing Establishment – Automatic, and Convenience Store with a total *gross floor area* not to exceed 500 square metres on a *lot* which is zoned 'PE' – 'Prestige Employment' provided that the *lot* is located in the northwest corner of Rossland Road East and Salem Road.

Outdoor storage shall only be permitted on a *lot* located west of Salem Road provided such *lot* does not have frontage on Rossland Road East. *Outdoor storage* shall be prohibited in any *yard* facing Salem Road or within 70.0 metres of the eastern *lot line* of the J. Clarke Richardson and Notre Dame secondary school lands. *Outdoor storage* shall otherwise be permitted in a *side yard* or *rear yard* in accordance with Section 6.4.1 and 6.4.3.1 ii).

One *motor vehicle repair facility* that is limited to conducting minor automotive running repairs comprising a maximum floor area of 350 square

Exception 163 is continued on the next page.

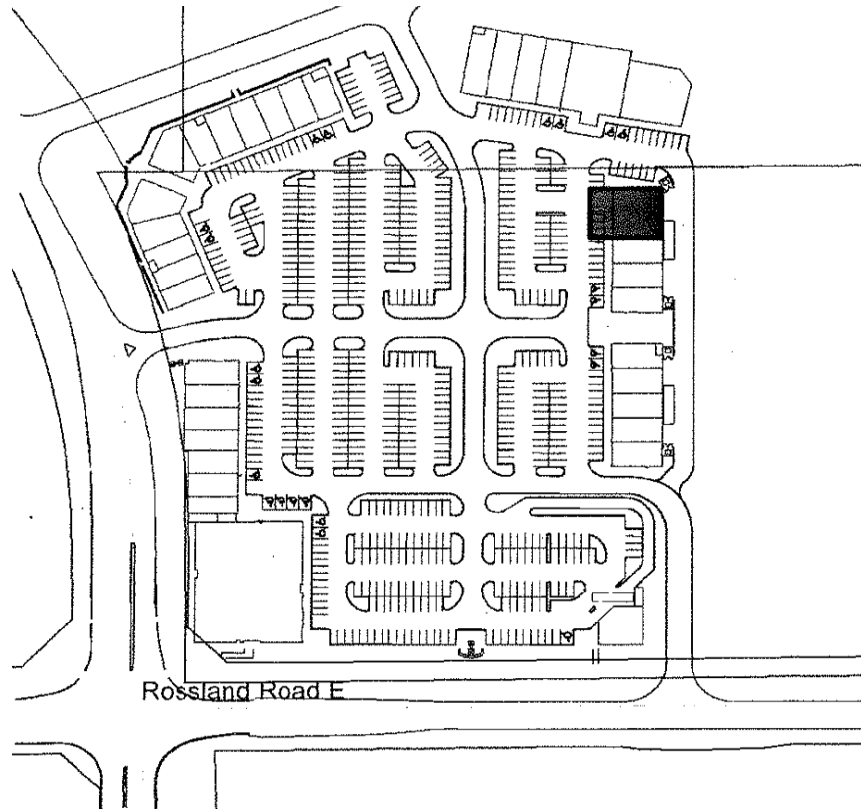
Exception	Zoning	Map	By-law	File Reference
163 continued	R1-D, RM5(H), PE, EP, OS	18, 19	73-2011	Z1/05, OPA 05-A1, S-A-2005-01, OMB Approved

metres and no more than two vehicle entry doors providing access to four vehicle bays shall only be permitted on a lot which is zoned 'PE' – Prestige Employment located on the east side of Salem Road as illustrated on Schedule 'D' to this By-law.

v) Development Standards for the 'RM5' Zone:

- a) Minimum Setback from *Front Lot Line*: 4.0 m
- b) Minimum Setback from *Exterior Side Lot Line*: 4.0 m
- c) Minimum Setback from *Interior Side Lot Line*: 3.6 m

Schedule 'D'



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
164	RM4	18	74-2011	SP11/08, Z3/08
<p>i) Location: On the south side of Rossland Road West, approximately 70.0 metres west of Harwood Avenue North</p> <p>ii) Legal Description: Block 159, Plan 40M-1829</p> <p>iii) Development Standards:</p> <p>Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands zoned 'Residential Multiple Four' Zone - 'RM4'.</p> <p>a) Minimum <i>Lot Frontage</i>: 45.0 m</p> <p>b) Minimum setback to the parking garage:</p> <p>i) from the <i>Front Lot Line</i>: 0.0 m</p> <p>ii) from the Easterly <i>Interior Side Lot Line</i>: 0.0 m</p> <p>iii) from the Westerly <i>Interior Side Lot Line</i> abutting Durham Condominium Plan 160: 2.0 m</p> <p>iv) from the Westerly <i>Interior Side Lot Line</i> abutting the <i>rear lot lines</i> of the lots fronting onto Smales Crescent: 103.0 m</p> <p>v) from the <i>Rear Lot Line</i>: 4.5 m</p> <p>c) Minimum setback to the <i>Apartment Dwelling</i>:</p> <p>i) from the <i>Front Lot Line</i>: 5.0 m</p> <p>ii) from the Easterly <i>Interior Side Lot Line</i>: 7.0 m</p> <p>iii) from the Westerly <i>Interior Side Lot Line</i> abutting Durham Condominium Plan 160: 11.0 m</p> <p>iv) from the Westerly <i>Interior Side Lot Line</i> abutting the <i>rear lot lines</i> of the lots fronting onto Smales Crescent: 150.0 m</p> <p>v) from the <i>Rear Lot Line</i>: 30.0 m</p> <p>d) No <i>Apartment Dwelling</i> shall be closer to the <i>rear lot line</i> than 30.0 metres.</p> <p>e) Maximum <i>Lot Coverage</i>: 20 %</p> <p>f) Maximum <i>Height</i>: 47.0 m</p> <p>Exception 164 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
164 continued	RM4	18	74-2011	SP11/08, Z3/08

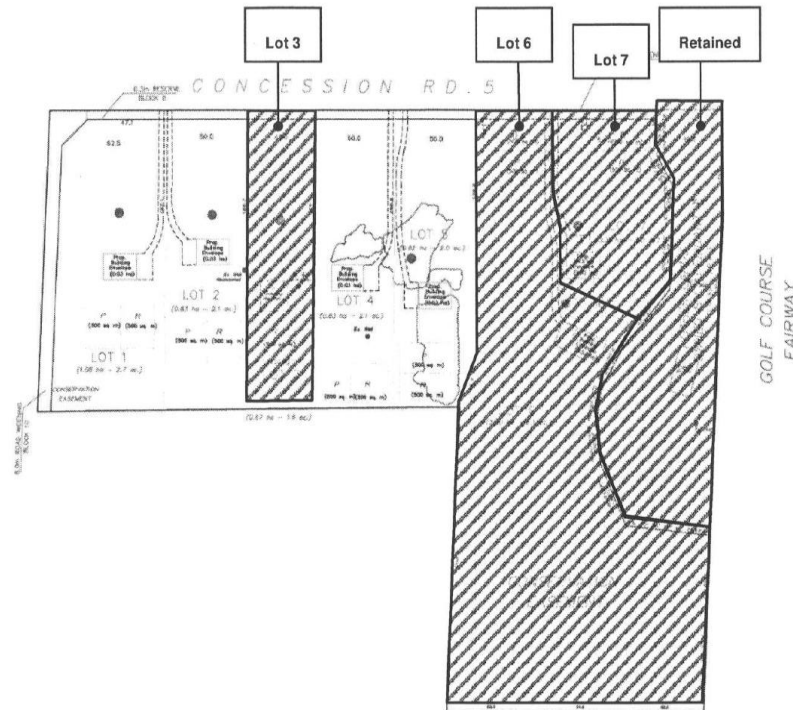
<p>g) Minimum <i>Landscape Buffer</i>:</p> <table border="0"> <tr> <td style="padding-left: 20px;">i) along north <i>lot line</i>:</td> <td style="text-align: right;">7.0 m</td> </tr> <tr> <td style="padding-left: 20px;">ii) along south <i>lot line</i>:</td> <td style="text-align: right;">8.0 m</td> </tr> <tr> <td style="padding-left: 20px;">iii) along east <i>lot line</i>:</td> <td style="text-align: right;">0.0 m</td> </tr> <tr> <td style="padding-left: 20px;">iv) along west <i>lot line</i>:</td> <td style="text-align: right;">2.5 m</td> </tr> </table> <p>h) Maximum <i>Gross Floor Area</i>: 32,000.0 m²</p> <p>i) Maximum Number of Units: 220</p> <p>iv) Other:</p> <p>a) Minimum number of <i>parking spaces</i>:</p> <table border="0"> <tr> <td style="padding-left: 20px;">i) 1.11 spaces per unit for the exclusive use of the occupants in addition to 0.25 space per unit for the exclusive use of visitors</td> <td></td> </tr> </table> <p>b) Minimum number of <i>loading spaces</i>: 1</p> <p>c) Minimum width of a drive aisle adjacent to no <i>parking spaces</i>: 6.7 m</p> <p>d) Servicing and loading doors shall not face a street unless they are fully screened from public view through architectural screening, berming, or a combination of both of these treatments.</p> <p>e) Section 5.6 shall not apply.</p> <p>f) All garbage shall be fully enclosed in a designated storage area within a principle <i>building(s)</i> on the site. <i>Outdoor storage</i> of garbage is prohibited.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>					i) along north <i>lot line</i> :	7.0 m	ii) along south <i>lot line</i> :	8.0 m	iii) along east <i>lot line</i> :	0.0 m	iv) along west <i>lot line</i> :	2.5 m	i) 1.11 spaces per unit for the exclusive use of the occupants in addition to 0.25 space per unit for the exclusive use of visitors	
i) along north <i>lot line</i> :	7.0 m													
ii) along south <i>lot line</i> :	8.0 m													
iii) along east <i>lot line</i> :	0.0 m													
iv) along west <i>lot line</i> :	2.5 m													
i) 1.11 spaces per unit for the exclusive use of the occupants in addition to 0.25 space per unit for the exclusive use of visitors														

Exception	Zoning	Map	By-law	File Reference
165	R1-D, R1-B	24	30-2011	S-A-2010-01, Z4/10
<p>i) Location: Southwest corner of Magill Drive and Old Harwood Avenue</p> <p>ii) Legal Description: Part of Lot 9, Concession 2 and Part of Lot 1, Plan 435</p> <p>iii) Development Standards:</p> <p>Notwithstanding Section 6.2.2 of this by-law, the following development standards shall apply:</p> <p>a) Development Standards within the 'R1-D' Zone</p> <p>i) Minimum <i>Lot Depth</i>: 24.2 m</p> <p>b) Development Standards within the 'R1-B' Zone</p> <p>i) Minimum <i>Exterior Side Yard</i>: 2.0 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
166	CR, EP	4	43-2011	18T-89058, Z17/89
<p>i) Location: 239 and 299 Fifth Concession Road</p> <p>ii) Legal Description: North Part of Lot 6, Concession 4 and North Part of Lot 6, Concession 4 (40R-13510, Parts 1 to 5)</p> <p>iii) Development Standards:</p> <p>Notwithstanding Section 6.2.2 of Zoning By-law 95-2003, as amended, the following zone standards shall apply:</p> <p>a) Lot 3:</p> <p>i) Minimum <i>Lot Frontage</i>: 40.0 m</p> <p>ii) Minimum East <i>Interior Side Yard</i> Setback: 3.0 m</p> <p>Exception 166 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
166 continued	CR, EP	4	43-2011	18T-89058, Z17/89

- b) Lot 6:
 - i) Minimum Lot Frontage: 45.0 m
- c) Lot 7:
 - i) Minimum Lot Depth: 99.0 m
 - ii) Minimum Rear Yard Setback: 7.5 m
- d) Retained:
 - i) Minimum Lot Frontage: 40.0 m



- iv) Other:
 - a) Section 2.4 vi) of the Town of Ajax Zoning By-law 95-2003, as amended, shall not be applicable.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
167	UC	32	58-2011	SPA11/10, Z2/10

- i) Location: 150 Kingston Road East
- ii) Legal Description: South Part of Lot 6 and 7, Concession 2, NOW Part 3 on 40R-14918 and Part 6 on 40R-15728
- iii) Additional Uses: *Motor Vehicle Gas Bar as an accessory use to a Retail Warehouse*
- iv) Development Standards associated with a *Motor Vehicle Gas Bar*:
 - a) Minimum Setback from the *Front Lot Line*:
 - i) Kingston Road East 19.0 m
 - ii) Ringer Road 330.0 m
 - b) Minimum Setback from the *Interior Side Lot Line*:
 - i) *West Interior Side Lot Line*: 78.0 m
 - ii) *East Interior Side Lot Line*: 20.0 m
 - c) Minimum Setback from the *Exterior Side Lot Line*: 7.5 m
 - d) Minimum Setback from the *Rear Lot Line*: 9.0 m
 - e) Maximum *Gross Floor Area*: 15.0 m²
 - f) Maximum *Height*: 3.0 m
- v) Other:
 - a) A maximum of one *Motor Vehicle Gas Bar* is permitted.
 - b) Notwithstanding the maximum *height* requirement herein, canopies over gas pumps may be permitted to a maximum *height* of 5.5 metres.
 - c) Minimum required parking of 4.58 spaces per 100.0 m² of *gross floor area*

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
168	EP, OS, R1-D, R1-F, R2-B, R1-D, R1-F, POS	13, 14	90-2011 79-2013	S-A-2008-01, Z4/08, OMB Approved

i) Location: North side of Rossland Road West, west of Church Street North

ii) Legal Description: Part of Lot 15 and 16, Concession 3

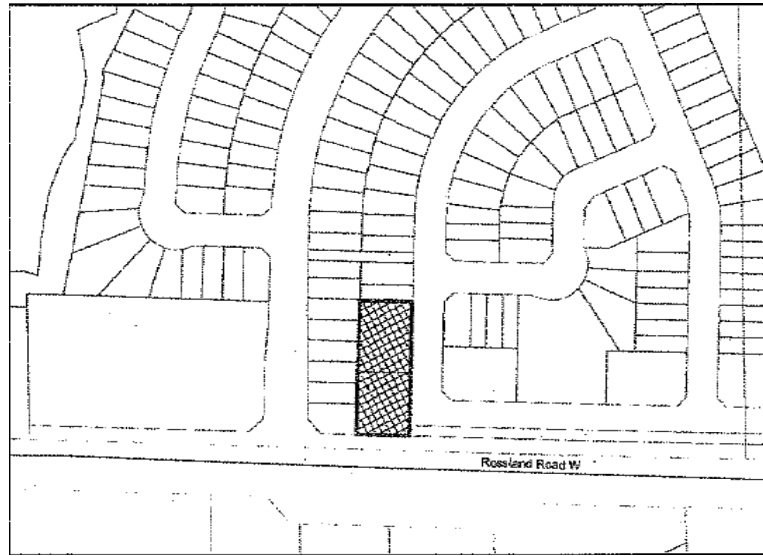
iii) Development Standards:

Notwithstanding Section 6.2.2 of this By-law, the following development standards shall apply:

a) Lands within the 'R1-D' and 'R1-F' zone:

i) Maximum *Lot Coverage*: 50%

b) *Lots* created within Blocks 121 and 122 on Draft Plan of Subdivision S-A-2008-01, as shown within the cross-hatched area on the schedule below, shall have minimum *Lot Frontages* of 7.0 metres.



Except as amended herein, all other provisions of this By-law, as amended, shall apply.

Exception	Zoning	Map	By-law	File Reference
169	RM4	30	43-2013	Z5/11 SPA11/11

- i) Location: Northeast corner of Kingston Road West and Chapman Drive
- ii) Legal Description: Part of Block 114, Plan 40M-1489 NOW Part 87, RP 40R-24069
- iii) Additional Uses: *Dwelling, Stacked*
- iv) Development Standards:
 - a) Notwithstanding Section 4.3, the following development standards shall apply:

Platforms: Height Above Finished Ground Level:
- Finished ground level to More than 1.2 metres:

 - i) Minimum setback from the *Exterior side lot line*
– Kingston Road West: 1.2 m
 - ii) Minimum setback from the *Front lot line*
– Chapman Drive: 1.0 m
 - b) Notwithstanding Section 5.3.2, the following development standards shall apply:
 - i) Minimum length of all required off-street parking except those within a *private garage*: 5.7 m
 - ii) Minimum perpendicular width of aisle with no adjacent parking: 6.7 m
Two directions
 - c) Section 5.6 shall not apply.
 - d) Notwithstanding Section 5.10.1 the following off-street parking requirement shall apply:
 - i) Minimum: 1.11 spaces per unit for exclusive *use* of the occupants in addition to 0.25 spaces per unit for exclusive *use* of visitors

Exception 169 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
169 continued	RM4	30	43-2013	Z5/11 SPA11/11
<p>e) Notwithstanding Section 5.3.2, the following development standards shall apply:</p> <p>i) Minimum length of each off-street <i>parking space</i> for <i>Persons with Disabilities</i>: 5.7 m</p> <p>f) Notwithstanding Section 6.2.2, the following development standards shall apply:</p> <p>i) Minimum <i>Lot Frontage</i>: 35.0 m</p> <p>ii) Minimum setback from the <i>Front lot line</i> – Chapman Drive: 1.70 m</p> <p>iii) Minimum setback from the <i>Rear lot line</i> – East Lot Line: 4.10 m</p> <p>iv) Minimum setback from the <i>Exterior side lot line</i> – Kingston Road West: 2.60 m</p> <p>v) Minimum setback from the <i>Interior side lot line</i> – North Lot Line: 3.40 m</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
170	UC	32	93-2012	OPA11-A3, Z3/11, SP3/12
<p>i) Location: 36 Salem Road South</p> <p>ii) Legal Description: Part of Lot 4, Plan 377, (40R-20189, Part 5)</p> <p>iii) Additional Uses: <i>Restaurant, Take-Out</i></p> <p>iv) Prohibited Uses: <i>Banquet Facility, Drive-Thru Facility, Funeral Home, Hotel, Library, Licensed Accessory Outdoor Patio, Motel, Motor Vehicle Rental Depot, Place of Assembly, Place of Entertainment, Place of Worship, and Drive-Thru Restaurant</i></p> <p>Exception 170 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
170 continued	UC	32	93-2012	OPA11-A3, Z3/11, SP3/12

v) Development Standards:

Notwithstanding any other section of this By-law, the following development standards shall apply:

- a) Minimum *Lot Frontage*: 22.0 m
- b) Minimum Setback from the *Front Lot Line*: 3.0 m
- c) Minimum Setback from the *Interior Side Lot Lines*:
 - ii) Setback from South *Lot Line*: 1.2 m
 - iii) Setback from North *Lot Line*: 1.2 m
- d) Minimum Setback from a *Rear Lot Line*: 23.0 m
- e) Minimum Built *Lot Frontage* (Front Wall): 89%
- f) Minimum *Gross Floor Area*: 420.0 m²
- g) Minimum *Building Height*: 6.0 m
- h) *Landscaped Buffer*:
 - i) Along South *Lot Line*: 1.2 m
 - ii) Along West *Lot Line*: 3.0 m
 - iii) Along East *Lot Line*: 3.0 m
 - iv) Along North *Lot Line*: 1.2 m

vi) Other:

- a) Minimum *Parking Space* Depth: 5.7 m
- b) Minimum Number of *Parking Spaces*: 15
- c) Maximum *Gross Floor Area* for a *Restaurant, Take-Out*: 140.0 m²

Exception 170 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
170 continued	UC	32	93-2012	OPA11-A3, Z3/11, SP3/12
<p>d) 30% of the area of the east, north and west <i>building</i> elevations shall be constructed of transparent materials allowing unencumbered visual access into the <i>building</i>.</p> <p>e) The principal entrance to the <i>building</i> from all tenancies shall be from Salem Road South. All principal entrances must be fully accessible at all times.</p> <p>f) A <i>Restaurant, Take-Out use</i> shall be located in the south portion of the <i>building</i> and any kitchen/food preparation area shall be located along the southern wall of the <i>building</i>.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
171	RM6	32, 39	145-2012	18T-95041, 18T-95041(RL2/10), SP12/10, C-A-2012-03, Z2/12
<p>i) Location: 1 – 77 Cooperage Lane</p> <p>ii) Legal Description: Block 27, 40M-2466</p> <p>iii) Interpretation: Section 4.9 of Zoning By-law 95-2003, as amended, shall not apply to the development of the subject lands for 58 <i>multiple attached dwellings</i>.</p> <p>iv) Development Standards:</p> <p>In the event that Block 27 is developed for 58 <i>multiple attached dwellings</i> pursuant to SP12/10, the following development standards shall apply:</p> <p>a) Maximum Number of <i>Multiple Attached Dwellings</i>: 58</p> <p>b) Minimum <i>Yard Setbacks</i> for each parcel of land associated with a <i>multiple attached dwelling</i>:</p> <p>i) <i>Front Yard</i> (abutting Cooperage Lane): 1.0 m</p> <p>Exception 171 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
171 continued	RM6	32, 39	145-2012	18T-95041, 18T-95041(RL2/10), SP12/10, C-A-2012-03, Z2/12
<ul style="list-style-type: none"> ii) <i>Interior Side Yard:</i> 0.0 m iii) <i>Exterior Side Yard:</i> 0.0 m iv) <i>Rear Yard (opposite the front yard):</i> 0.0 m <p>c) Other Development Standards for each parcel of land associated with a <i>multiple attached dwelling</i>:</p> <ul style="list-style-type: none"> i) <i>Minimum Lot Frontage:</i> 4.5 m ii) <i>Maximum Lot Coverage:</i> 100 % iii) A minimum separation of 3.0 metres is required between each <i>multiple attached dwelling</i> block. <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
172	GE	43	67-2013	OPA12-A1 Z3/12 SP19/12
<ul style="list-style-type: none"> i) <i>Location:</i> 384 Finley Avenue ii) <i>Legal Description:</i> Part of Block A, Plan M26 40R-9315, Part 7 & 8 and 40R-6894, Part 1 iii) <i>Additional Uses:</i> <i>Funeral Home, Funeral Visitation Centre, Crematorium</i> iv) <i>Development Standards:</i> <p>Notwithstanding any other section of this By-law, the following development standards shall apply:</p> <ul style="list-style-type: none"> a) <i>Minimum Number of Parking Spaces:</i> 143 parking spaces <p>Exception 172 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
172 continued	GE	43	67-2013	OPA12-A1 Z3/12 SP19/12
<p>b) Maximum Total <i>Gross Floor Area</i>: 1,200 m²</p> <p>c) Maximum Number of Cremators: 3 cremators</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
173	EP, RM6	9	52-2013	C-A-2012-06 S-A-2012-02 SP21/12, Z4/12
<p>i) Location: Southeast corner of Taunton Road East and Harwood Avenue North</p> <p>ii) Legal Description: PT LT 9 CON 3 PICKERING, PT 1 ON 40R24556 AND PT LT 9 CON 3 PICKERING, PTS 2, 3, AND 4 ON 40R24556 (PERMANENT CLOSING BY BY-LAW AS IN DR507321)</p> <p>iii) Interpretation:</p> <p>a) Section 4.9 of Zoning By-law 95-2003, as amended, shall not apply to the development of the subject lands for 84 multiple attached townhouse dwellings.</p> <p>iv) Development Standards:</p> <p>In the event that Block 1 is developed for 84 multiple attached townhouse dwellings pursuant to SP21/12, the following development standards shall apply:</p> <p>a) Maximum Number of Multiple Attached Townhouse Dwellings: 84</p> <p>Exception 173 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
173 continued	EP, RM6	9	52-2013	C-A-2012-06 S-A-2012-02 SP21/12, Z4/12

b) Zone Standards for each parcel of land associated with a multiple attached townhouse dwelling:

i) *Front Yard:*

- To a *dwelling unit* fronting onto a private park: 2.5 m
- To a *dwelling unit* fronting onto Harwood Avenue North or onto an Environmental Protection (EP) Zone: 3.0 m
- To a dwelling unit adjacent to the southerly private *driveway*: 2.0 m
- To a *dwelling unit* fronting onto an internal road – to be measured from the side of the sidewalk closest to a multiple attached dwelling: 3.0 m
- To any attached garage: 5.7 m

ii) *Interior Side Yard:* 1.5 m between blocks and 0.0 m between attached dwellings

iii) *Exterior Side Yard:* 1.4 m

iv) *Rear Yard:* 6.0 m

v) Road Radius Yard: 1.2 m

vi) Minimum *Lot Frontage*: 5.8 m

vii) Maximum *Building Height*: 12.0 m

c) Other Development Standards Within the RM6 Zone:

i) A minimum separation of 3.0 metres is required between each multiple attached dwelling block within the RM6 zone.

ii) A minimum setback of 0.0 metres between multiple attached dwellings within the same block of units.

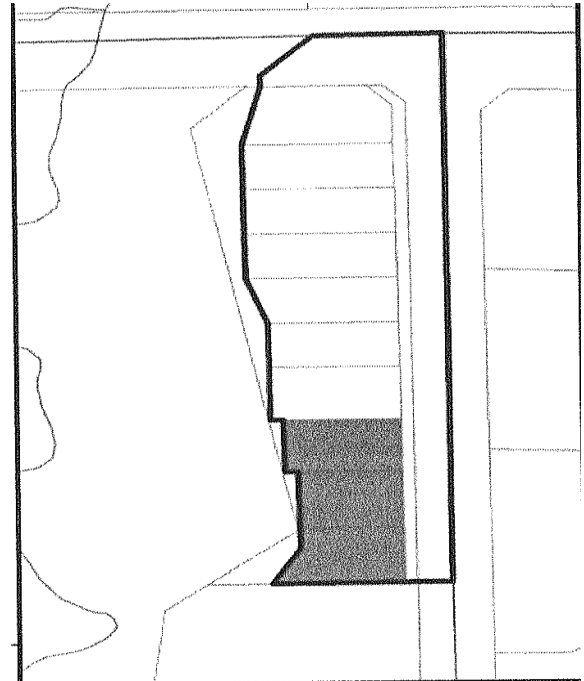
Exception 173 is continued on the next page.

Exception	Zoning	Map	By-law	File Reference
173 continued	EP, RM6	9	52-2013	C-A-2012-06 S-A-2012-02 SP21/12, Z4/12
<p>iii) Notwithstanding Section 4.1.1 iv) of Zoning By-law 95-2003, the minimum exterior side yard setback shall be 2.5 metres and no accessory <i>structure</i> shall be located closer to a private road than the <i>dwelling unit</i>.</p> <p>iv) No accessory structures or fences (other than decorative metal fences along the Environmental Protection (EP) zone boundary, Harwood Avenue North, and the southerly private <i>driveway</i>) are permitted within the <i>front yard</i> adjacent to Harwood Avenue North or the Environmental Protection (EP) zone boundary or any <i>front yard</i> adjacent to the private internal roadway, with the exception of the water meter/mail kiosk <i>building</i>, which shall maintain a minimum setback of 5.0 metres from the southerly private <i>driveway</i> or internal private road.</p> <p>v) A minimum setback between a multiple attached dwelling and a railway right-of-way shall be 30.0 metres.</p> <p>vi) Notwithstanding Section 5.3.2 of Zoning By-law 95-2003, as amended, the minimum width of a parking space within a private driveway shall be 2.5 metres if a structural column is located within the driveway. The minimum length shall be 5.7 metres.</p> <p>Except as amended herein, all other provisions of this By-law, as amended, shall apply.</p>				

Exception	Zoning	Map	By-law	File Reference
174	R1-B EP	13	65-2013	Z1/13 LD11/2013 to LD19/2013
<p>i) Location: 960 Riverside Drive</p> <p>ii) Legal Description: Lot 12, Plan M-1157</p> <p>iii) Development Standards:</p> <p>a) Maximum Lot Coverage: 45 %</p> <p>Exception 174 is continued on the next page.</p>				

Exception	Zoning	Map	By-law	File Reference
174 continued	R1-B EP	13	65-2013	Z1/13 LD11/2013 to LD19/2013

- b) Minimum Lot Depth: Lots 1, 2 and 3 created through Land Division Applications LD11/2013 to LD19/2013, as shown within the shaded area on the map below, shall have minimum Lot Depths of 28.5 metres for lots 1 and 2; and 32.5 metres for lot 3



- iv) Other:
- a) The minimum width of the attached front *porch* shall be not less than the following, whichever is less:
 - i) 2.0 metres;
 - ii) The entire width of the habitable portion of the *dwelling*, measured from the nearest exterior wall of an attached *private garage* to the opposite exterior side wall of the *principal building*.
 - b) Notwithstanding Section 6.2.2; Section 6.2.4 Front Yard and Exterior Yard Requirements 6.2.4 shall apply.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

SECTION 8
HOLDING PROVISIONS, TEMPORARY *USE* ZONES, AND INTERIM CONTROL ZONES

8.1 HOLDING PROVISIONS

Where, on the Schedules to this By-law, a zone symbol is shown followed by the letter (H), for example R1(H), the lands shall only be used for the identified *uses* and the expansion of those *uses* as of the date of adoption of this By-law, until such time as certain conditions have been met.

Council may pass a By-law pursuant to Section 36 of the Planning Act to remove the Holding (H) Symbol, thereby placing the lands in the zone indicated by the zone symbol, when all of the applicable requirements have been met. Zones with Holding Provisions are identified in Section 8.1.1 of this By-law.

8.1.1 List of Holding Provisions

The following holding provisions apply to the properties specified:

By-law No.	Property Description	Permitted <i>Uses</i> Until Holding Provision Removed	Conditions for Removal	Date Enacted
98-96	Lot 2, Plan 401 Land Owner: MacMillan File Reference: Z4/95	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none">▪ The applicant submit a site plan application to the Town of Ajax for approval; and▪ The applicant enter into a site plan/development agreement with the Town.	October 7, 1996

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
69-97	Part Lot 6, Broken Front Concession, Range III Land Owner: Losar Development File Reference: Z12/95	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none"> ▪ The applicant enter into a development agreement with the Town of Ajax; and ▪ The Region of Durham must confirm the availability of full municipal services to the subject lands. 	July 21, 1997
21-98 131-2012	Part of Blocks S and T, Registered Plan M-26 NOW Parts 5, 6, 7, 8 and 9, Plan 40R-11815 Land Owner: Medallion Developments (Bayly Square) Limited File Reference: Z8/96, SP18/11	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none"> ▪ The applicant submit a site plan application to the Town for approval; and ▪ That the applicant enter into a site plan/development agreement with the Town. 	February 2, 1998 October 9, 2012
96-98	Part Lot 6, Broken Front Concession, Range III Land Owner: Losar Investments File Reference: Z4/98	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none"> ▪ The applicant enter into a development agreement with the Town of Ajax. 	July 20, 1998

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
88-01	Lands bounded by Notion Road and Highway 401 Land Owner: Multiple File Reference: Town Initiated	The subject lands shall be developed in accordance with the provisions of Exception 60 of this By-law, as amended.	<ul style="list-style-type: none"> ▪ A site plan agreement shall be prepared to the satisfaction of Town <i>Council</i> 	July 19, 2001
56-2003	Part Lot 10, Concession 4, described as Parts 7, 8 and 9, Plan 40R-6127 Land Owner: Catholic Cemeteries File Reference: Z14/01	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none"> ▪ The applicant shall submit a site plan application and enter into a site plan agreement with the Town of Ajax; ▪ The applicant agrees to convey all necessary road widenings to the satisfaction of the Town of Ajax and the Region of Durham; ▪ The applicant agrees to provide an Edge Management Plan and a detailed planting and landscaping plan to the satisfaction of the Town and the TRCA. ▪ Conservation Authority Permits for fill and bridge crossings for the proposed development; and ▪ Prior to the commencement of any construction, the applicant shall submit an Environmental Construction Management Plan to the satisfaction of the Town of Ajax. 	May 26, 2003

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
95-2003	Concession I, South Part Lot 5 348 Bayly Street East Land Owner: Runnymede Development Corporation File Reference: Town Initiated	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none"> ▪ The landowner has submitted an Environmental Impact Study in accordance with the requirements of the Town's Official Plan; and ▪ The landowner has satisfied all of the requirements of the Town of Ajax and the Region of Durham. 	July 14, 2003
95-2003 72-2008	Concession II Part Lot 7 and Part Road Allowance between Lot 6 and 7 Now RP 40R13950 Part 4, 5, and Part 3 Part Land Owner: HDP Canada Industrial Fund I GP, Inc. File Reference: SP6/08	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none"> ▪ The landowner has submitted an Environmental Impact Study in accordance with the requirements of the Town's Official Plan; and ▪ The landowner has satisfied all of the requirements of the Town of Ajax and the Region of Durham. 	July 14, 2003 July 3, 2008
95-2003	Concession I North Part Lot 5 and Part Road Allowance between Lot 4, 5 Now RP 40R9703 Part 1 Part, Part 2, and 3 Land Owner: Runnymede Development Corporation File Reference: Town Initiated	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A" – Agricultural Zone as outlined in Section 6.6.	<ul style="list-style-type: none"> ▪ The landowner has submitted an Environmental Impact Study in accordance with the requirements of the Town's Official Plan; and ▪ The landowner has satisfied all of the requirements of the Town of Ajax and the Region of Durham. 	July 14, 2003

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
82-2004	Part of Lots 88, 89 and 90, Plan M-377 Land Owner: Tony Egi S&B Majestic Properties File Reference: Z19/03		<ul style="list-style-type: none"> ▪ The applicant has entered into a site plan agreement with the Town of Ajax. 	June 14, 2004
96-2004	Part of Lot 6, Range 3, B.F.C. Land Owner: Imperial Oil Limited File Reference: Z1/04, SP4/04		<ul style="list-style-type: none"> ▪ The applicant has entered into a site plan agreement with the Town of Ajax. 	July 5, 2004
123-2004	Plan 40M-1658, Block 263 Land Owner: Elm Developments Ltd. File Reference: Z1/04, SP4/04		<ul style="list-style-type: none"> ▪ The applicant has entered into a site plan agreement with the Town of Ajax. 	Sept. 27, 2004

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
86-2005	<p>580 Harwood Avenue South (Ajax Pickering Health Centre)</p> <p>Part of Block R, Registered Plan M-26</p> <p>Land Owner: Ajax Pickering General Hospital File Reference: Z6/05, OPA No. 20</p>	<p>Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the 'POS' – Private Open Space Zone as outlined in Section 6.7</p>	<ul style="list-style-type: none"> ▪ The landowner has submitted an Environmental Review Study in accordance with the requirements of the Town's Official Plan, together with a site plan satisfactory to the Town which reflects: <ul style="list-style-type: none"> (a) the recommendations of the above-noted report; and (b) arrangements to preserve the essential core integrity of the woodlot, recognizing that the report may determine that redevelopment of a peripheral portion of the woodlot can be appropriately accommodated while preserving the integrity of the remaining portion. 	July 17, 2005
129-2006	<p>Part of Lots 14 and 15, Plan 401</p> <p>Land Owner: Ronald Daynard File Reference: Z2/06,</p>	<p>Prior to removing the holding provision, the subject lands may be used in accordance with the permitted uses that are in existence as of the date of the passing of this By-law.</p>	<ul style="list-style-type: none"> ▪ When the four part <i>lots</i> are merged with the lands to the south to create four <i>lots</i> for residential units, the applicant applies and receives approval for exemption for part <i>lot</i> control; and ▪ The applicant has satisfied all the requirements of the Regional Municipality of Durham and the Town of Ajax. 	Sept. 25, 2006

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
115-2008	<p>Southwest corner of Taunton Road West and Ravenscroft Road</p> <p>Land Owners: 1613935 Ontario Inc</p> <p>File Reference: OPA07-A4, Z15/07</p>	<p>Permitted uses shall be those which are in existence as of the date of the passing of this By-law</p>	<p>Residential Multiple Four Zone (Holding) – “RM4(H)” and Residential Multiple Five Zone (Holding) – “RM5(H)”:</p> <ul style="list-style-type: none"> ▪ That the Applicant enter into a Site Plan Agreement with The Town of Ajax. ▪ That the Applicant complete all required studies and reports to the satisfaction of the Town of Ajax, Region of Durham, and the Toronto and Region Conservation Authority: <ul style="list-style-type: none"> - Functional Servicing Report - Environmental Site Assessment Phase 1 and 2 - Soil Investigation and Slope Stability Assessment - Environmental Impact Study - Traffic Impact Study - Stage 1 Archaeological Assessment - Environmental Noise Analysis ▪ That the Applicant provide the Town of Ajax a cash contribution equivalent to the cost of the entire right-of-way of Ravenscroft Road from the southern limit of the Rio Can property to the southern limit of the lands being developed. <ul style="list-style-type: none"> - Payment to Rio Can for its proportionate share for the reconstruction of Ravenscroft Road 	Nov. 10, 2008

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
115-2008 continued	Southwest corner of Taunton Road West and Ravenscroft Road Land Owners: 1613935 Ontario Inc File Reference: OPA07-A4, Z15/07		<ul style="list-style-type: none"> ▪ That the Applicant obtain approval from the Town of Ajax and the Toronto and Region Conservation Authority for the construction of the Duffins North Trail from Paulynn Park to Taunton Road. ▪ That the Applicant provide a cash contribution equivalent to the cost of the design and construction of the Duffins North Trail from Paulynn Park to Taunton Road and that the trail be constructed prior to the first occupancy of development. ▪ Conveyance of the lands needed for the realignment of Ravenscroft Road as ▪ Indicated in the Environmental Assessment to be undertaken for the road reconstruction. ▪ That the Applicant convey to the Town of Ajax a 3.0 metre road widening along the west side of Ravenscroft Road from Taunton Road West to the Hydro Corridor. <p>That the Applicant convey to the Toronto and Region Conservation Authority 11.6 ha (28.6 ac) of valleylands associated with the East Duffins watershed.</p> <ul style="list-style-type: none"> ▪ That the Applicant provide a contribution in the amount of \$200,000, indexed from the date of adoption of the site specific zoning. 	

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
115-2008 continued	Southwest corner of Taunton Road West and Ravenscroft Road Land Owners: 1613935 Ontario Inc File Reference: OPA07-A4, Z15/07		by-law for the provision of public art in conjunction with site plan approval to the satisfaction of the Town of Ajax. Public Art shall be subject to the approval of <i>Council</i> in accordance with the Town of Ajax Public Art Policy. <ul style="list-style-type: none"> ▪ That the Applicant provide not less than 300 units for seniors' purposes within the first phase of development. ▪ That the Applicant construct or provide a contribution equal to 100% of the cost of the implementation of traffic improvements, as identified within a traffic impact study, as may be revised to the satisfaction of the Town of Ajax. 	
66-2009	North Part Lot 6, Concession 3 Lands on the east side of Salem Road, north of the CPR tracks and south of Taunton Road Land Owners: Luvian Homes (Salem Road) Limited File Reference: Z17/05	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A – Agricultural Zone as outlined in Section 6.6	<ul style="list-style-type: none"> ▪ That the Part <i>Lots</i> located directly south of the subject lands be merged with Part Blocks 89 through to 96 on Draft Plan of Subdivision S-A-2005-08 to create 8 fully developable <i>lots</i> under the R1-D zone. 	June 8, 2009

By-law No.	Property Description	Permitted Uses Until Holding Provision Removed	Conditions for Removal	Date Enacted
73-2011	Part of Lots 5 and 6, Concession 3 zoned 'RM5'(H) Land Owners: Beechridge Farms Inc. File Reference: Z1/05, S-A-2005-01, OPA 05-A1	Prior to removing the holding provision, the subject lands may be used in accordance with the provisions of the "A – Agricultural Zone as outlined in Section 6.6, and a sales office, construction office, and/or customer service centre	<ul style="list-style-type: none"> ▪ That the applicant submit a site plan application and receive site plan approval; ▪ That the applicant enter into a site plan agreement with the Town of Ajax. 	July 8, 2011 (OMB Decision)

8.2 TEMPORARY USE ZONES

Where on Schedules to this By-law, a zone symbol is shown and followed by the letter (T), for example RU(T), one or more additional *uses* are permitted on the lands noted until the permission granted by the site specific by-law expires. Section 8.2.1 identifies the Temporary *Use Zones* within the Municipality.

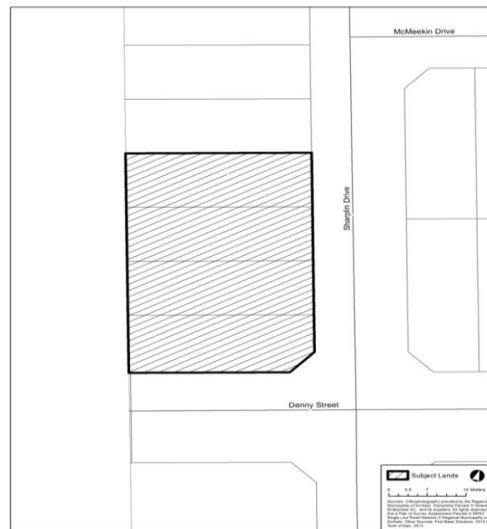
8.2.1 List of Temporary *Use Zones*

No.	By-law	Date Enacted	Date Permissions Terminate	Zoning	File Reference
1	69-2013	June 24, 2013	June 24, 2016	R1-D(T)	18T-94026, R2/11, Z4/11
<p>i) Location: Four (4) lots on the west side of Sharplin Drive, just north of Denny Drive</p> <p>ii) Land Owner: John Boddy Developments Ltd.</p> <p>iii) Legal Description: Part of Lot 3, Range 3, Broken Front Concession, and Part 1 on Registered Plan 40R-12352,</p> <p>iv) Additional Permitted Uses: <i>Contractors Yard and Outdoor Storage</i></p> <p>v) Development Standards:</p> <p style="padding-left: 20px;">a) Notwithstanding Section 6.2.2 the following development standards shall apply:</p> <p style="padding-left: 40px;">i) Min. Setback from the <i>Front Lot Line</i>: 10 m</p> <p>Temporary Use Zone No. 1 is continued on the next page.</p>					

No.	By-law	Date Enacted	Date Permissions Terminate	Zoning	File Reference
1 continued	69-2013	June 24, 2013	June 24, 2016	R1-D(T)	18T-94026, R2/11, Z4/11
<ul style="list-style-type: none"> ii) Min. Setback from the <i>Interior Side Lot Line</i>: 10 m iii) Min. Setback from the <i>Exterior Side Lot Line</i>: 10 m iv) Min. Setback from the <i>Rear Lot Line</i>: 10 m v) Maximum <i>Gross Floor Area</i>: 90 m² vi) Maximum <i>Height</i>: 5 m vii) <i>Outdoor Storage</i>: <ul style="list-style-type: none"> a) No <i>outdoor storage</i> shall be located closer than 5 metres to any lands with a residential dwelling; b) No materials shall be stored outside to a height greater than 1.8 metres; and c) All permitted or accessory <i>outdoor storage</i> shall be enclosed by a 1.8 metre high solid fence with no visual voids. <p>Temporary Use Zone No. 1 is continued on the next page.</p>					

No.	By-law	Date Enacted	Date Permissions Terminate	Zoning	File Reference
1 continued	69-2013	June 24, 2013	June 24, 2016	R1-D(T)	18T-94026, R2/11, Z4/11

b) Development Standards shall apply to the boundary limits of the hatched area in the schedule below.



vi) Date Enacted: June 24, 2013

vii) Date Permissions Terminate: June 24, 2016

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

8.3 Interim Control Zones

Where on Schedules to this By-law, a zone symbol is followed by a dash and the letter "I" (for example C4-I), no change in *use* and no construction of any *buildings* or *structures* is permitted until the expiry of the site specific by-law affecting the lands. Lands affected by site specific interim control by-laws are catalogued in Section 8.3.1.

8.3.1 List of Interim Control Zones

There are no interim control zones currently in effect.

**SECTION 9
ENACTMENT**

9.1 FORCE AND EFFECT

This By-law shall come into force and effect on the date it is passed by the *Council* of the Corporation of the Town of Ajax subject to the applicable provisions of the Planning Act, R.S.O. 1990, as amended.

9.2 READINGS BY COUNCIL

This By-law read a first time and second time on the 14th day of July, 2003.

This By-law read a third time and finally passed on the 14th day of July, 2003.

MAYOR: _____

(Municipal Seal)

CLERK: _____

9.3 CERTIFICATION

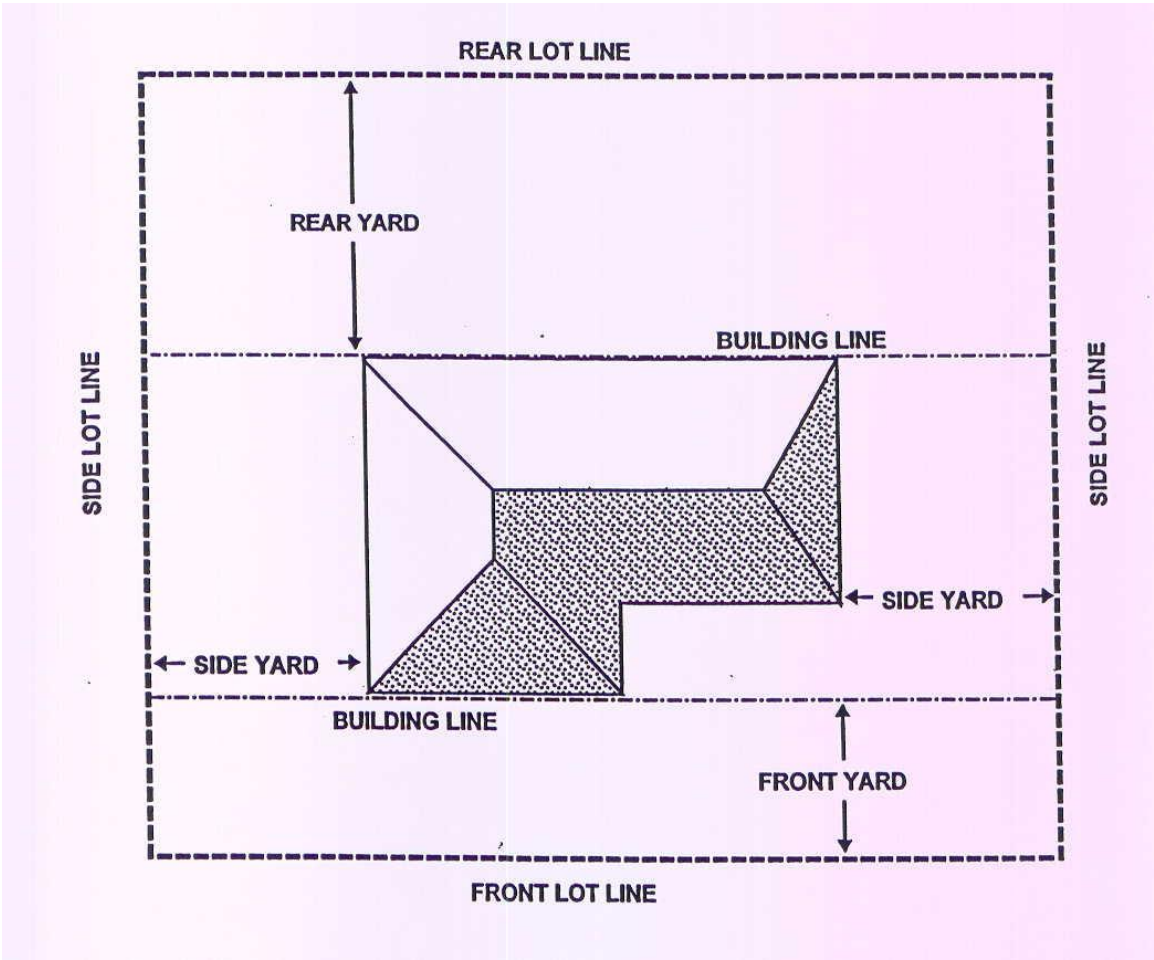
I hereby certify that the foregoing is a true copy of Zoning By-law No. 95-2003 as enacted by the *Council* of the Corporation of the Town of Ajax, on the _____ day of _____.

CLERK: _____

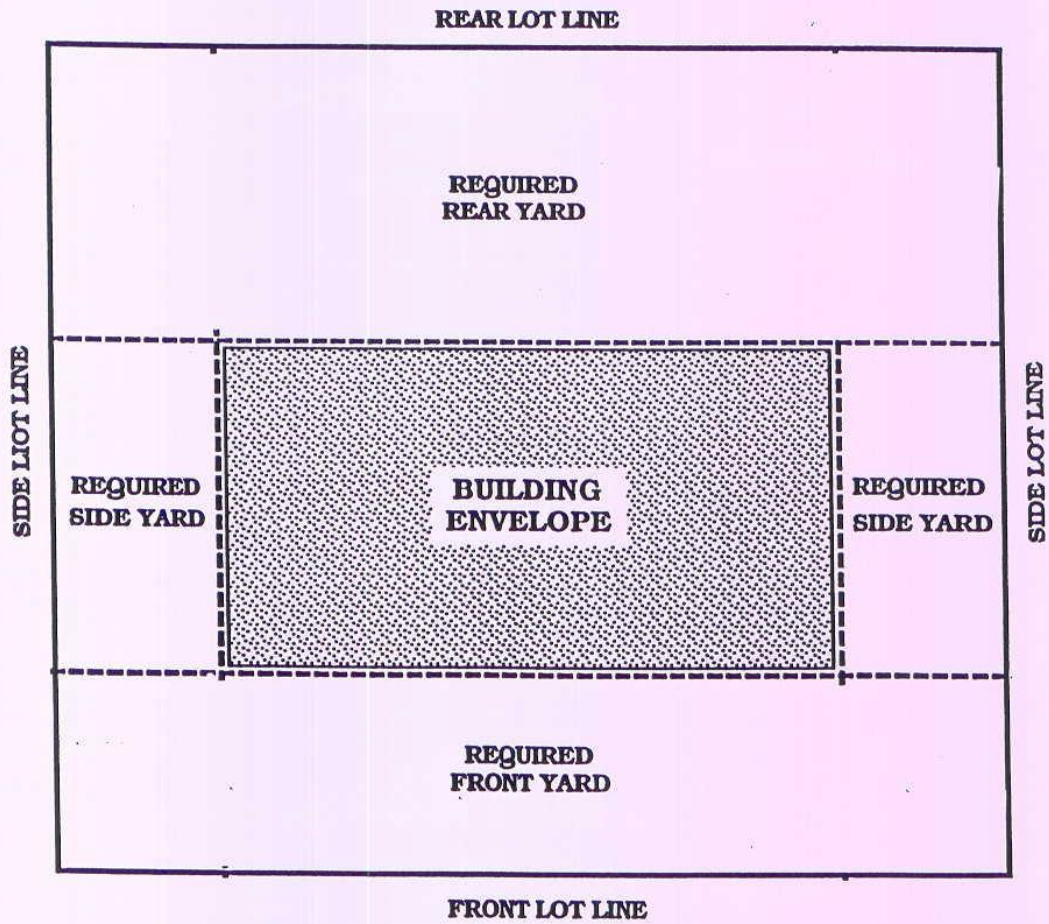
EXPLANATORY NOTES

(These Explanatory Notes do not form part of the
By-law but are intended for illustrative purposes only.)

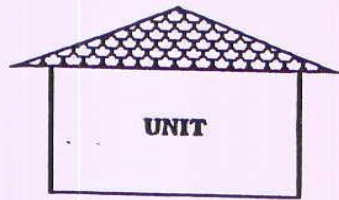
DEFINITION OF YARD



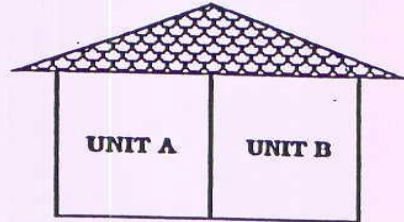
BUILDING ENVELOPE



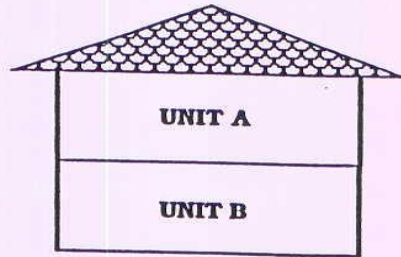
ILLUSTRATIONS OF DWELLING TYPES



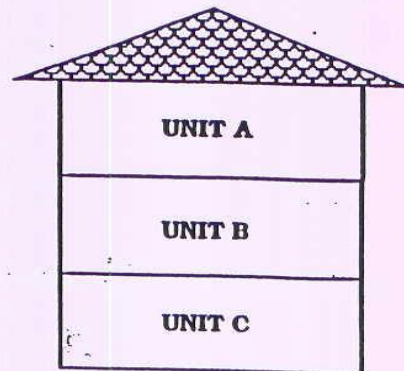
DETACHED UNIT



SEMI-DETACHED

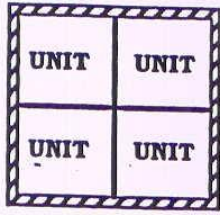


DUPLEX

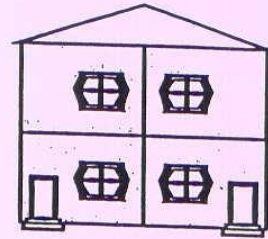


TRIPLEX

ILLUSTRATIONS OF TYPES OF DWELLINGS

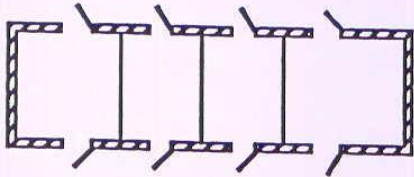


TOP VIEW

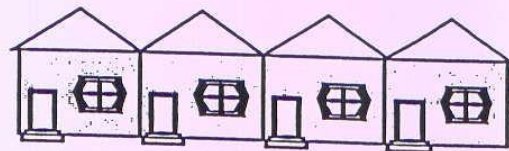


FRONT VIEW

FOURPLEX DWELLINGS

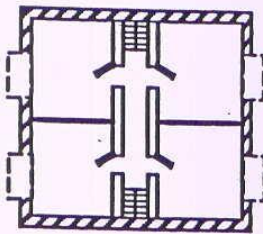


TOP VIEW

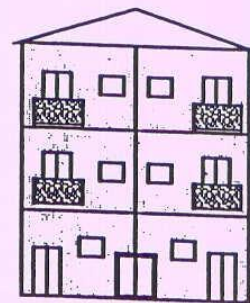


FRONT VIEW

ROW DWELLINGS



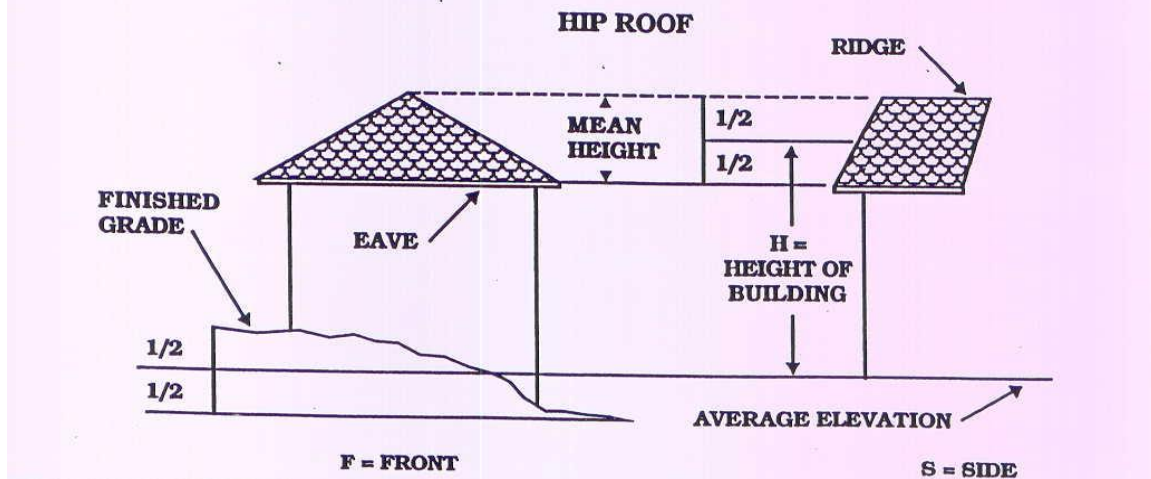
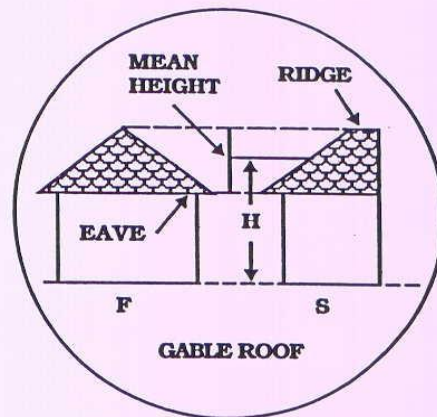
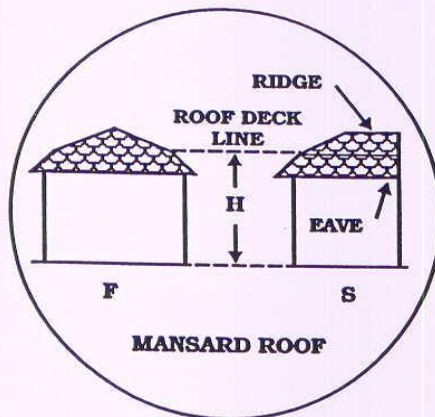
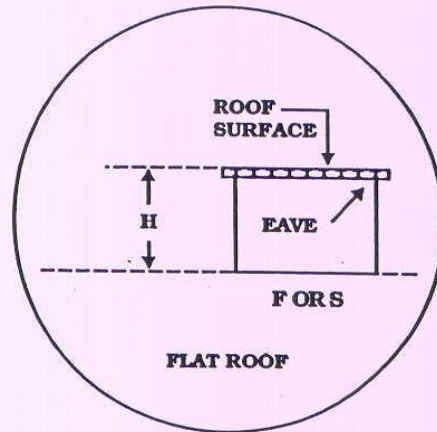
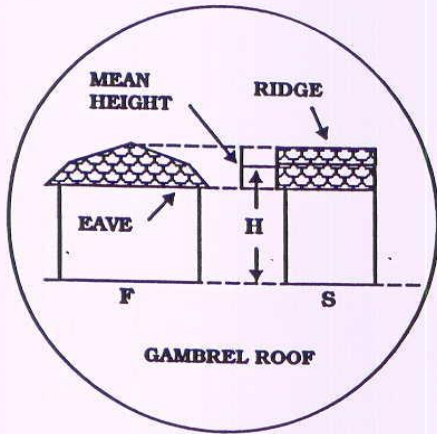
TOP VIEW



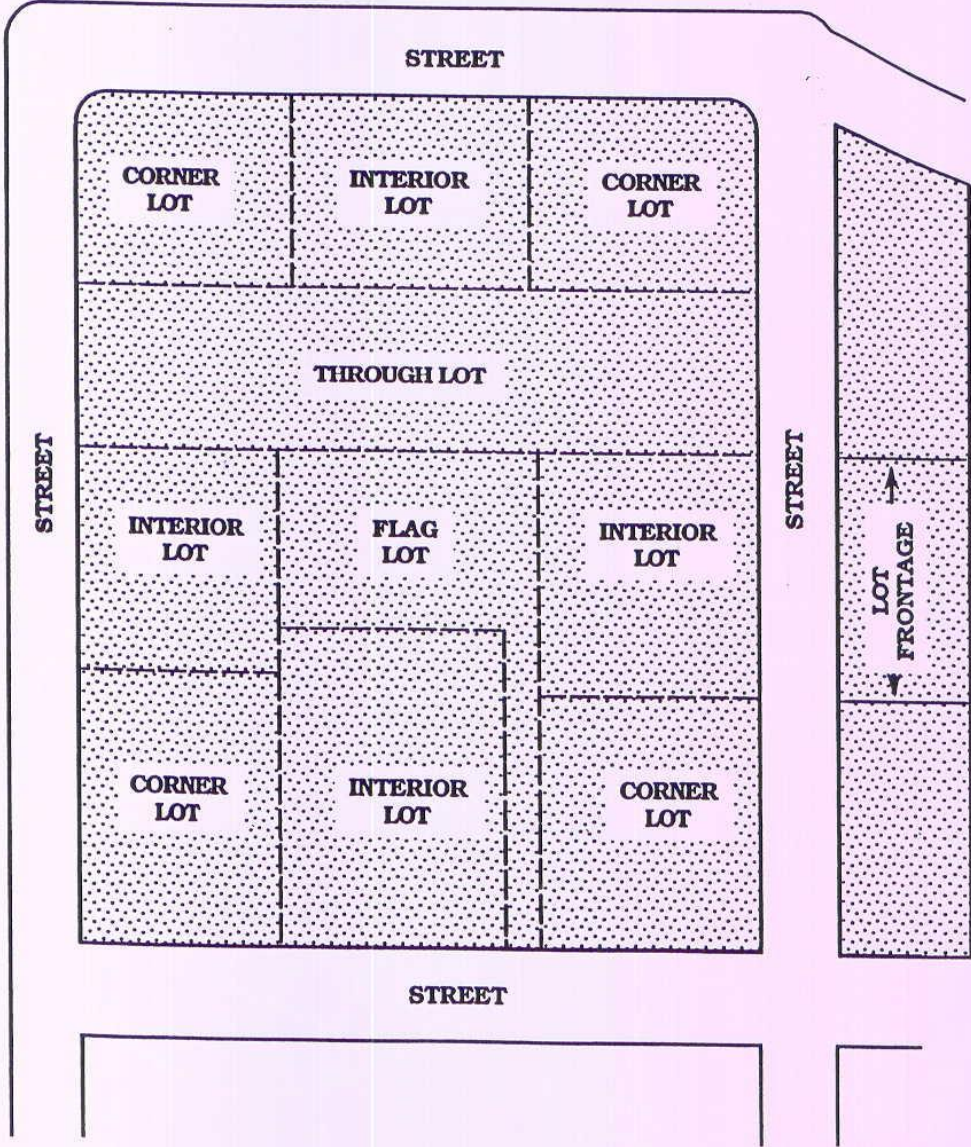
FRONT VIEW

APARTMENT DWELLINGS

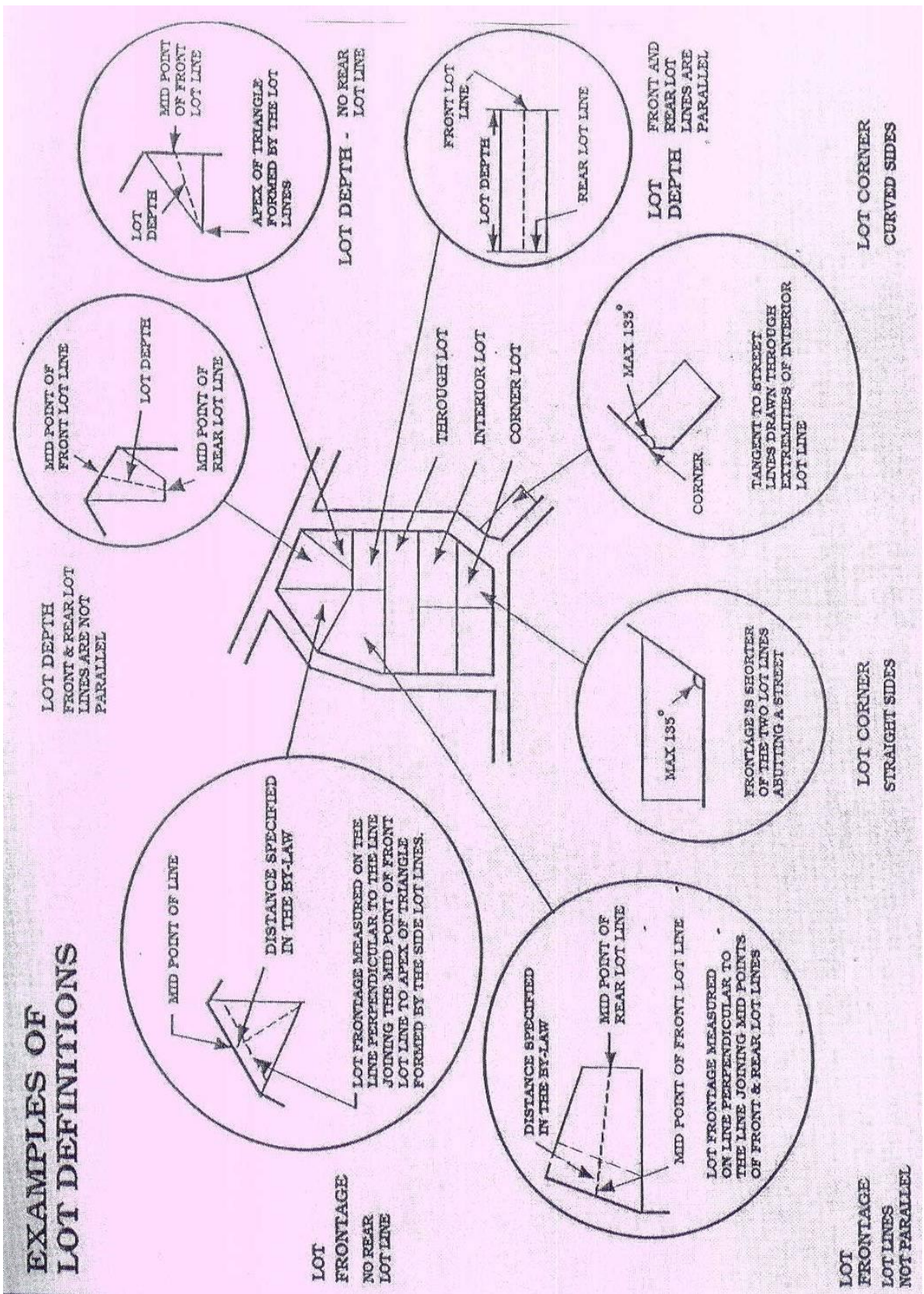
ILLUSTRATIONS OF BUILDING HEIGHT



DEFINITION OF TYPES OF LOTS



EXAMPLES OF LOT DEFINITIONS



LOT FRONTAGE - NO REAR LOT LINE

LOT DEPTH - NO REAR LOT LINE

LOT DEPTH - FRONT AND REAR LOT LINES ARE NOT PARALLEL

MID POINT OF FRONT LOT LINE
LOT DEPTH
MID POINT OF REAR LOT LINE

MID POINT OF LINE
DISTANCE SPECIFIED IN THE BY-LAW
LOT FRONTAGE MEASURED ON THE LINE PERPENDICULAR TO THE LINE JOINING THE MID POINT OF FRONT LOT LINE TO APEX OF TRIANGLE FORMED BY THE SIDE LOT LINES.

DISTANCE SPECIFIED IN THE BY-LAW
MID POINT OF FRONT LOT LINE
MID POINT OF REAR LOT LINE
LOT FRONTAGE MEASURED ON LINE PERPENDICULAR TO THE LINE JOINING MID POINTS OF FRONT & REAR LOT LINES

LOT FRONTAGE NOT PARALLEL LOT LINES

THROUGH LOT INTERIOR LOT CORNER LOT

FRONT LOT LINE
LOT DEPTH
REAR LOT LINE

LOT FRONT AND REAR LOT LINES ARE PARALLEL

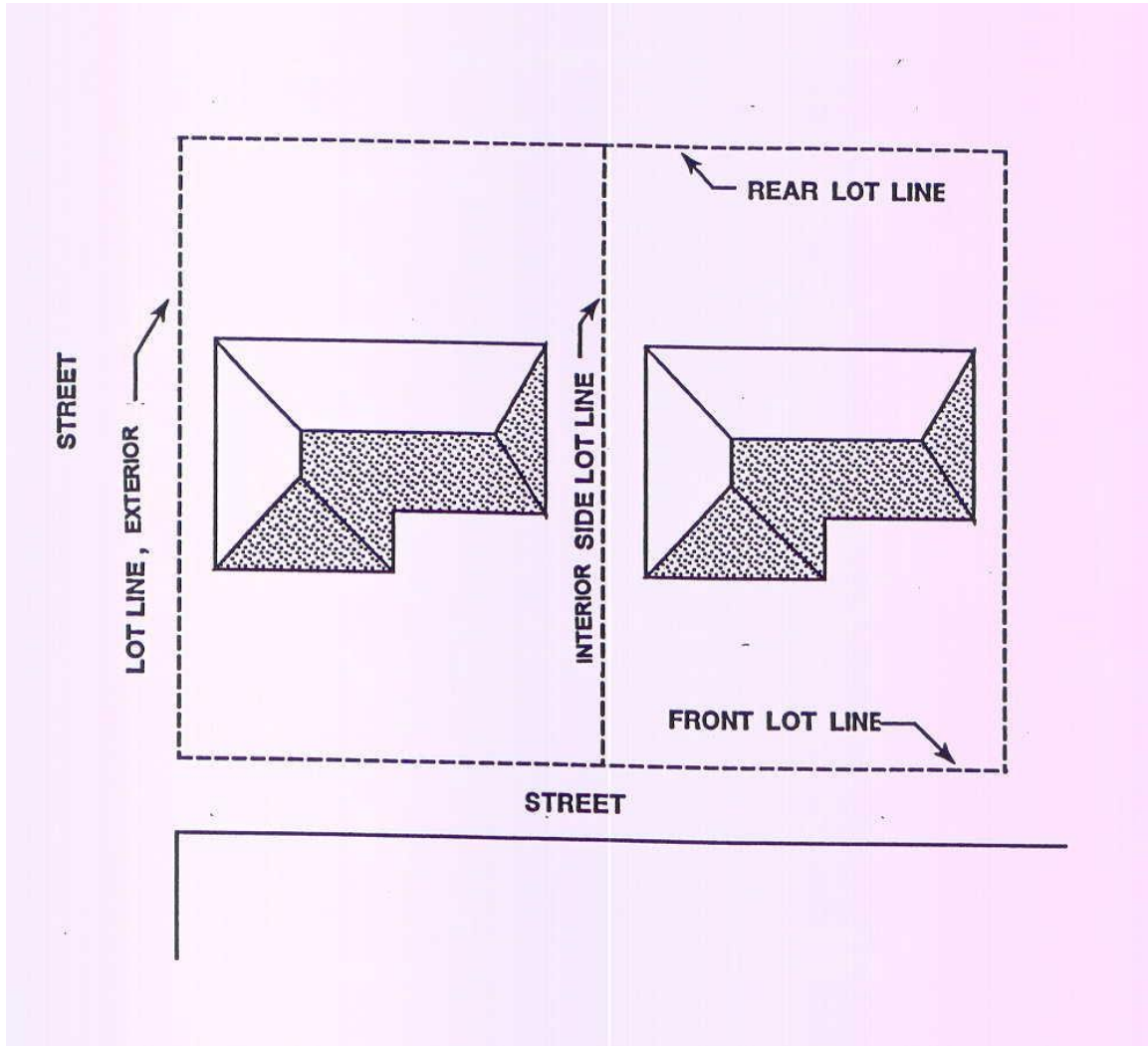
MAX 135°
CORNER
TANGENT TO STREET LINES DRAWN THROUGH EXTREMITIES OF INTERIOR LOT LINE

LOT CORNER CURVED SIDES

MAX 135°
FRONTAGE IS SHORTER OF THE TWO LOT LINES ABUTTING A STREET

LOT CORNER STRAIGHT SIDES

LOT LINE DESCRIPTIONS



PARKING AREA ILLUSTRATION

