

Comprehensive
Zoning Bylaw
12345

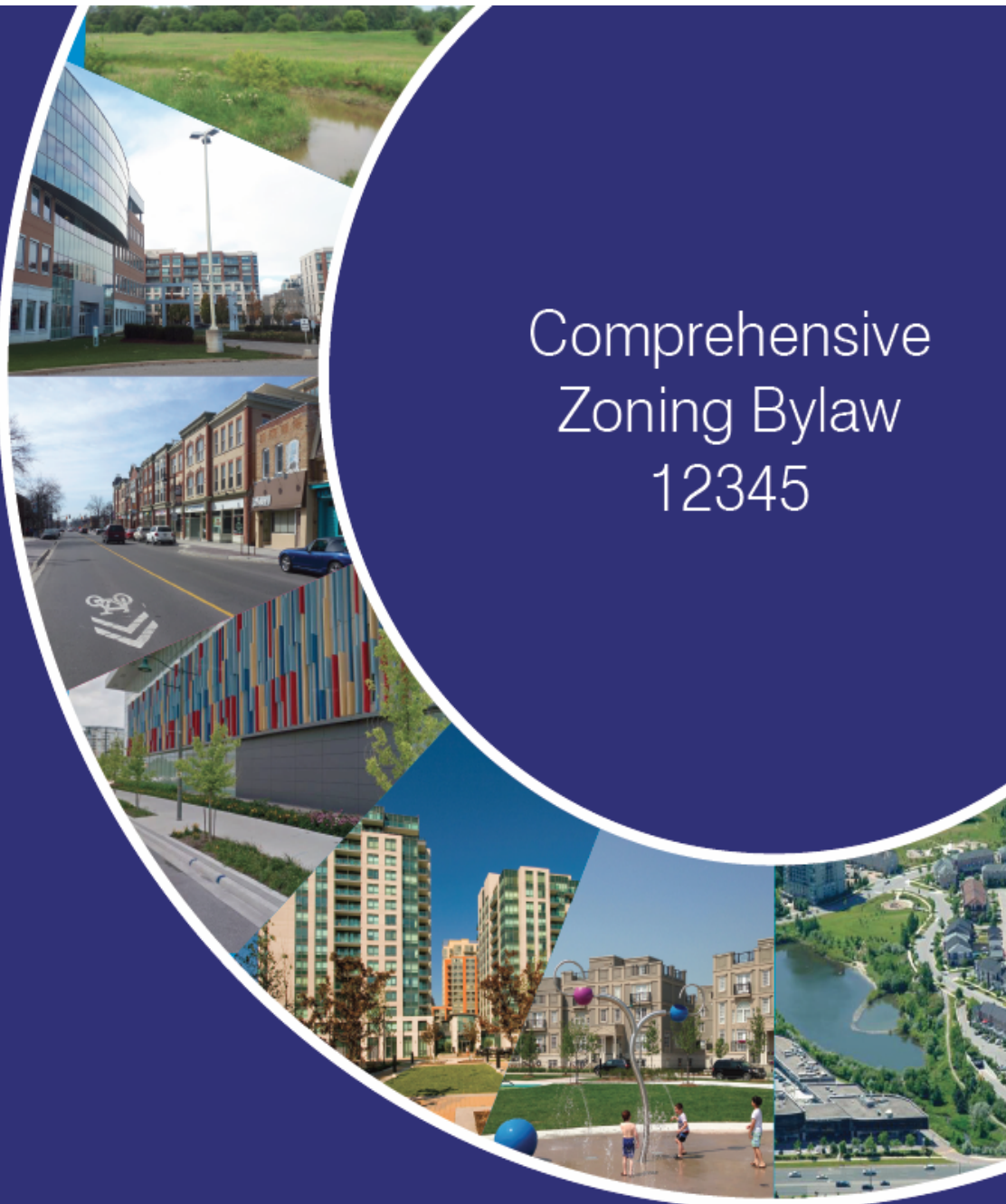


TABLE OF CONTENTS

PART 1.0 INTERPRETATION AND ENFORCEMENT

1.1 APPLICABILITY

1.2 CONFORMITY AND COMPLIANCE WITH BY-LAW

1.3 INTERPRETATION

1.3.1 USE OF PLAIN LANGUAGE

1.3.2 NEED TO COMPLY WITH OTHER REQUIREMENTS

1.3.3 REFERENCES TO PROVINCIAL ACTS

1.3.4 SEVERABILITY

1.3.5 DEFINITIONS

1.3.6 PERMITTED USES

1.3.7 ILLUSTRATIONS

1.3.8 PURPOSE STATEMENTS

1.3.9 INTERPRETATION OF BY-LAW

1.4 ENFORCEMENT

1.5 REPEAL OF FORMER BY-LAWS

1.5.1 BY-LAWS TO BE REPEALED IN THEIR ENTIRETY

TABLE 1.5.1: BY-LAWS TO BE REPEALED IN THEIR ENTIRETY

1.5.2 BY-LAWS TO BE REPEALED IN PART

TABLE 1.5.2: BY-LAWS TO BE REPEALED IN PART

1.6 PREVIOUS APPROVALS

1.6.1 MINOR VARIANCES TO FORMER BY-LAWS

1.6.2 PREVIOUS DECISIONS TO EXPAND LEGAL NON-CONFORMING USES

1.6.3 SITE PLAN APPROVALS

1.7 APPLICATIONS IN PROCESS

1.7.1 BUILDING PERMIT APPLICATIONS

1.7.2 MINOR VARIANCE APPLICATIONS

1.7.3 SITE PLAN APPROVAL APPLICATIONS

1.8 NON-CONFORMING USES

1.9 NON-COMPLYING BUILDINGS OR STRUCTURES

1.9.1 REPLACEMENT, ENLARGEMENT, REPAIR OR RENOVATION

1.9.2 NON-COMPLIANCE AS A RESULT OF AN ACQUISITION BY A PUBLIC AUTHORITY

1.9.3 NON-COMPLYING LOTS

1.10 TECHNICAL REVISIONS TO THE ZONING BYLAW

1.11 LAND OWNERSHIP

PART 2.0 ESTABLISHMENT OF ZONES

- 2.1 ZONES**
- 2.2 ABBREVIATIONS**
- 2.3 ZONE SCHEDULES**
- 2.4 DETERMINING ZONE BOUNDARIES**
- 2.5 MULTIPLE ZONES ON A LOT**
- 2.6 EXCEPTION ZONES**
- 2.7 TEMPORARY USES**
- 2.8 HOLDING PROVISIONS**

PART 3.0 DEFINITIONS

PART 4.0 GENERAL PROVISIONS THAT APPLY IN ALL ZONES

- 4.1 BARRIER-FREE ACCESS**
- 4.2 FRONTAGE ON A STREET**
- 4.3 PHASED CONDOMINIUM DEVELOPMENT**
- 4.4 MEASUREMENT OF SETBACKS AND YARDS**
- 4.5 SIGHT TRIANGLES**
- 4.6 PUBLIC USES, ACTIVITIES, OR INFRASTRUCTURE PERMITTED IN ALL ZONES**
- 4.7 USES PROHIBITED IN ALL ZONES**
- 4.8 SPECIAL STANDARDS**
 - 4.8.1 ACCESSORY BUILDINGS OR STRUCTURES
 - 4.8.2 DETACHED PRIVATE GARAGES ON LOTS NOT ACCESSED BY A LANE
 - 4.8.3 DECKS
 - 4.8.4 EXCEPTIONS TO HEIGHT REQUIREMENTS ALL ZONES
 - 4.8.5 SHIPPING CONTAINERS
 - 4.8.6 OUTDOOR PATIOS
 - 4.8.7 OUTDOOR DISPLAY AND SALES AREAS
 - 4.8.8 ENCROACHMENT INTO REQUIRED YARDS (EXCLUDING DECKS AND PORCHES)
 - 4.8.9 HARD AND SOFT LANDSCAPING
 - 4.8.9.1 HARD LANDSCAPING
 - 4.8.9.2 SOFT LANDSCAPING
 - 4.8.10 PORCHES
 - 4.8.10.1 SIZE OF PORCHES

4.8.10.2 ENCROACHMENT OF PORCHES INTO REQUIRED YARDS

4.8.11 MECHANICAL PENTHOUSES

4.9 SPECIAL USE PROVISIONS

4.9.1 HOME OCCUPATIONS

4.9.2 PLACE OF WORSHIP

4.9.3 TEMPORARY TENTS

4.9.4 ACCESSORY WASTE DISPOSAL AREAS

4.9.5 TEMPORARY CONSTRUCTION AND MODEL HOMES

4.9.6 MOTOR VEHICLE SALES AND MOTOR VEHICLE RENTAL ESTABLISHMENTS

4.9.7 MOTOR VEHICLE FUELING STATIONS

4.9.8 MOTOR VEHICLE MAINTENANCE SHOP AND MOTOR VEHICLE REPAIR AND BODY SHOP

4.9.9 ACCESSORY DWELLING UNITS

4.9.10 GARDEN HOMES

4.9.11 GARDEN SUITES

PART 5.0 PARKING AND LOADING STANDARDS

5.1 APPLICABILITY OF THIS SECTION

5.2 GENERAL PARKING PROVISIONS

5.2.1 RESTRICTION ON USE OF LAND, BUILDINGS AND STRUCTURES

5.2.2 CALCULATION OF PARKING REQUIREMENTS

5.2.3 MORE THAN ONE USE ON A LOT

5.2.4 EXCLUSIVE USE OF A PARKING SPACE

5.2.5 SIZE OF PARKING SPACES

5.2.6 ACCESS TO PARKING SPACES

5.2.7 WIDTH OF PARKING AISLES

5.2.8 WIDTH OF DRIVE AISLES

5.2.9 PARKING GARAGES

5.2.10 SPECIAL PARKING REGULATIONS WITHIN A PARKING GARAGE

5.2.11 SURFACE TREATMENT

5.2.12 CHARGING OF A FEE FOR REQUIRED PARKING

5.2.13 SPECIFIC EXEMPTIONS

5.3 ADDITIONAL RESIDENTIAL PARKING REQUIREMENTS

5.3.1 LOCATION OF MOTOR VEHICLE PARKING

5.3.2 DRIVEWAYS

5.3.3 CIRCULAR, HORSESHOE AND HAMMERHEAD PROVISIONS

5.3.4 PROVISIONS FOR PARKING PADS IN LOW RISE RESIDENTIAL ZONES

- 5.3.4.1 PARKING PADS ON A LOT ACCESSED BY A STREET
 - 5.3.4.2 PARKING PADS ON A LOT ACCESSED BY A LANE
 - 5.3.5 ACCESS TO PARKING SPACES IN A PRIVATE GARAGE
 - 5.3.6 PARKING SPACES IN PRIVATE GARAGES
 - 5.3.7 MINIMUM NUMBER OF PARKING SPACES REQUIRED
- 5.4 NON-RESIDENTIAL PARKING REQUIREMENTS**
 - 5.4.1 MINIMUM NUMBER OF PARKING SPACES REQUIRED
 - 5.4.2 SHARED PARKING PROVISIONS
- 5.5 ALTERNATIVE PARKING STANDARDS**
 - 5.5.1 MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR RESIDENTIAL USES
 - 5.5.2 MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR NON-RESIDENTIAL USES
 - 5.5.3 MAXIMUM NUMBER OF PARKING SPACES
- 5.6 ACCESSIBLE PARKING SPACE REQUIREMENTS**
- 5.7 ELECTRIC VEHICLE PARKING REQUIREMENTS**
 - 5.7.1 MINIMUM NUMBER OF REQUIRED ELECTRIC VEHICLE PARKING SPACES
 - 5.7.2 PERCENTAGE OF ACCESSIBLE PARKING SPACES AS ELECTRIC VEHICLE PARKING SPACES
 - 5.7.3 EXCEPTIONS TO ELECTRIC VEHICLE PARKING
- 5.8 REGULATIONS FOR LOADING SPACES**
 - 5.8.1 MINIMUM NUMBER OF REQUIRED LOADING SPACES FOR NON-RESIDENTIAL USES
 - 5.8.2 MINIMUM NUMBER OF REQUIRED LOADING SPACES FOR RESIDENTIAL USES
 - 5.8.3 REQUIREMENTS FOR LOADING SPACES
- 5.9 BICYCLE PARKING SPACE REQUIREMENTS**
 - 5.9.1 GENERAL PROVISIONS FOR BICYCLE PARKING
 - 5.9.2 MINIMUM NUMBER OF REQUIRED BICYCLE PARKING SPACES
 - 5.9.3 SPECIAL PROVISIONS FOR LONG TERM BICYCLE PARKING
 - 5.9.4 SPECIAL PROVISIONS FOR SHORT TERM BICYCLE PARKING
- 5.10 DRIVE-THROUGH SERVICE ESTABLISHMENTS**
 - 5.10.1 MINIMUM LOT AREA
 - 5.10.2 STACKING SPACE REQUIREMENTS
 - 5.10.3 STACKING SPACE DIMENSIONS
 - 5.10.4 MINIMUM NUMBER OF STACKING SPACES
 - 5.10.5 SETBACKS FROM RESIDENTIAL ZONE BOUNDARY
 - 5.10.6 LOCATION OF DRIVE-THROUGH SERVICE ESTABLISHMENT COMPONENTS

5.11 SPECIAL MOTOR VEHICLES

5.11.1 PARKING OF COMMERCIAL MOTOR VEHICLES

5.11.2 PARKING OF RECREATIONAL MOTOR VEHICLES

PART 6.0 RESIDENTIAL ZONES

6.1 ZONES

6.2 SPECIFIC USE PROVISIONS

6.2.1 COACH HOUSE DWELLING

6.3 ADDITIONAL GENERAL PROVISIONS

6.3.1 MAXIMUM OUTSIDE WALL HEIGHT

6.3.2 DETACHED PRIVATE GARAGES ON LOTS ACCESSED BY A LANE

6.3.3 BREEZEWAYS

6.4 PERMITTED USES AND ZONE STANDARDS

PART 7.0 MIXED USE ZONES

7.1 ZONES

7.2 PERMITTED USES AND ZONE STANDARDS

PART 8.0 COMMERCIAL ZONE

8.1 ZONE

8.2 ADDITIONAL GENERAL PROVISIONS

8.2.1 ACCESSORY BUILDINGS OR STRUCTURES IN COMMERCIAL ZONES

8.2.2 ACCESSORY INDUSTRIAL EQUIPMENT IN COMMERCIAL ZONE

8.2.3 LANDSCAPING STRIP REQUIREMENT IN COMMERCIAL ZONES

8.3 PERMITTED USES AND ZONE STANDARDS

PART 9.0 EMPLOYMENT ZONES

9.1 ZONES

9.2 SPECIFIC USE PROVISIONS

9.2.1 RESTRICTIONS ON THE LOCATION OF CANNABIS RELATED USES

9.3 ADDITIONAL GENERAL PROVISIONS

9.3.1 ACCESSORY OUTDOOR STORAGE

9.3.2 ACCESSORY BUILDINGS OR STRUCTURES IN EMPLOYMENT ZONES

9.3.3 ACCESSORY INDUSTRIAL EQUIPMENT

9.3.4 LANDSCAPING STRIP REQUIREMENTS

9.4 PERMITTED USES AND ZONE STANDARDS

PART 10.0 GREENWAY, COUNTRYSIDE AND HAMLET ZONES

10.1 ZONES

10.2 SPECIFIC USE PROVISIONS

10.2.1 LANDS SUBJECT TO THE GREENBELT PLAN

10.2.1.1 EXISTING USES

10.2.1.2 EXISTING LOTS

10.2.2 HOME INDUSTRY

10.3 PERMITTED USES AND ZONE STANDARDS

PART 11.0 OPEN SPACE AND COMMUNITY FACILITY ZONES

11.1 ZONES

11.2 ADDITIONAL GENERAL PROVISIONS

11.2.1 ACCESSORY BUILDINGS OR STRUCTURES

11.3 PERMITTED USES AND ZONE STANDARDS

PART 12.0 OTHER ZONES

12.1 ZONES

12.2 SPECIFIC USE PROVISIONS

12.2.1 FUTURE DEVELOPMENT

12.2.2 TRANSPORTATION AND UTILITIES

12.2.3 PARKWAY BELT WEST

12.3 PERMITTED USES AND ZONE STANDARDS

PART 13.0 OVERLAY ZONES

13.1 ZONES

13.2 SPECIFIC USE PROVISIONS (FLOOD PLAIN SPECIAL POLICY AREA)

13.3 SPECIFIC USE PROVISIONS (OAK RIDGES MORaine - HIGH AQUIFER VULNERABILITY AND OAK RIDGES MORaine - LANDFORM CONSERVATION)

PART 14.0 EXCEPTIONS

14.1 EXCEPTIONS

PART 15.0 TEMPORARY USES

15.1 TEMPORARY USES

PART 16.0 HOLDING PROVISIONS

16.1 HOLDING PROVISIONS

PART 17.0 OAK RIDGES MORAINIC CONSERVATION ZONES

17.1 ZONES

17.2 DEFINITIONS

17.3 GENERAL PROVISIONS

17.4 SPECIFIC USE PROVISIONS

17.4.1 HOME OCCUPATION(ORM)

17.4.2 HOME BUSINESS

17.5 SPECIFIC GENERAL PROVISIONS

17.5.1 GENERAL PROVISIONS FOR ALL ACCESSORY BUILDINGS OR STRUCTURES

17.5.2 SPECIAL PROVISIONS FOR SMALL ACCESSORY BUILDINGS

17.5.3 DETACHED PRIVATE GARAGES

17.6 PERMITTED USES AND ZONE STANDARDS IN ORM-L AND ORM-CS ZONES

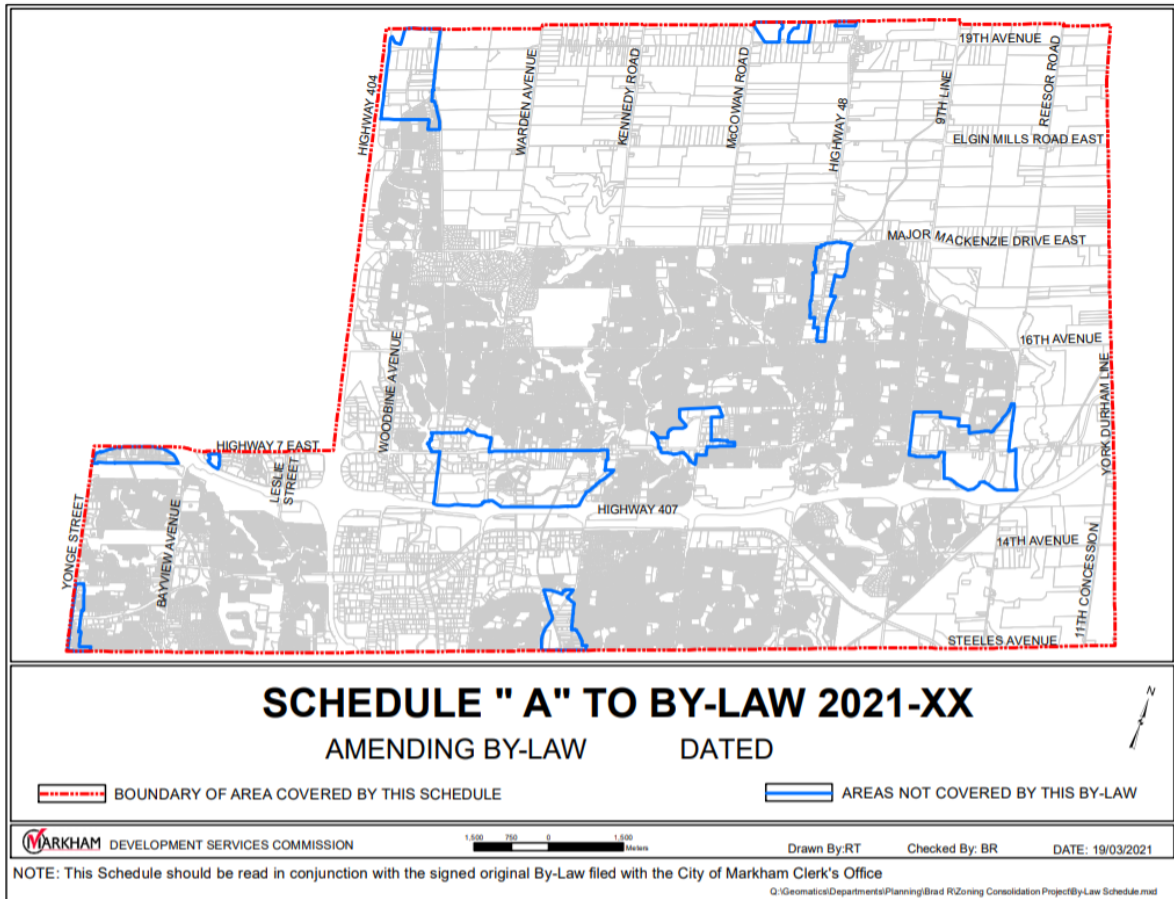
PART 18.0 ENACTMENT

PART 1.0 INTERPRETATION AND ENFORCEMENT

1.1 APPLICABILITY

This By-law may be referred to as the “City of Markham Zoning By-law” and applies to the lands within the **City** shown on Schedule “A” below:

SCHEDULE ‘A’



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** to which this By-law applies or occupy any land, **building** or **structure** except in accordance with the provisions of this By-law.

1.3 INTERPRETATION

1.3.1 USE OF PLAIN LANGUAGE

This By-law is written in plain language with a deliberate attempt to keep the words, grammar and syntax as simple as possible while meeting the legal requirement for clear and precise language. The word “shall” is mandatory. The phrase “used for” includes “arranged for”, “intended for”, “maintained for”, “designated for”, or “occupied for”. Unless otherwise specified in the By-law, words used in the singular include the plural, and words used in the plural include the singular. Words used in the present tense include the future tense, and words used in the future tense include the present tense as the context shall require.

1.3.2 NEED TO COMPLY WITH OTHER REQUIREMENTS

Nothing in this By-law shall relieve any person from any obligation to comply with the requirements of any other By-law of the **City** or any other requirement of the Regional Municipality of York, the Province of Ontario, the Government of Canada, or the Toronto and Region Conservation Authority, that may affect the **use** of lands, **buildings** or **structures** in the **City** to which the By-law applies.

1.3.3 REFERENCES TO PROVINCIAL ACTS

Where this By-law references a Provincial Act, or section in a Provincial Act, which is amended, repealed, or replaced, reference shall be made to include the new section, or any successor legislation, as applicable.

1.3.4 SEVERABILITY

A decision of a court or a tribunal 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.

1.3.5 DEFINITIONS

- a) All words within the body of any section, sub-section and table that are bolded are defined in Part 3.0 of this By-law.

- b) Each of the **uses** defined in Part 3.0 of the By-law are distinct and separate from other defined **uses**, unless the definition indicates otherwise.
- c) Unless otherwise defined, the words and phrases used in this By-law are defined as per the Canadian Oxford Dictionary.

1.3.6 PERMITTED USES

- a) Where a **use** is defined in Part 3.0 of this By-law and not specifically listed as a permitted **use** in a **zone**, the **use** as defined is not a permitted **use** in that **zone**.
- b) Unless specifically permitted in this By-law, all **uses** identified in this By-law, shall be conducted in a wholly enclosed **building**.

1.3.7 ILLUSTRATIONS

All illustrations in this By-law are not an operative part of this By-law. They are included only to assist as a visual aid to the reader with the interpretation of the By-law.

1.3.8 PURPOSE STATEMENTS

- a) Purpose statements are included in this By-law for each **zone** which are intended to assist in the understanding:
 - (i) of the **zones** objectives;
 - (ii) of the planning principles underlying the **use** provisions; and,
 - (iii) of the regulatory provisions of the **zone**.
- b) Purpose statements are also structured to reflect a prime objective of the By-law, which is to implement the land **use** related policies of the Official Plan. In this regard, each purpose statement contains three basic elements:
 - (i) The land **use** designation in the Official Plan that is being implemented;
 - (ii) The purpose of the land **use** designation; and,
 - (iii) A general overview of the permitted **uses** in the **zone**, the special **use** provisions that apply in the **zone** and the standards for that **zone**.
- c) Purpose statements are included in this By-law for the convenience of the reader and are not an operative part of this By-law.

1.3.9 INTERPRETATION OF BY-LAW

Notwithstanding any of the above directions, the final interpretation of any aspect of this By-law is the responsibility of the Supervisor of Zoning or their Designate.

1.4 ENFORCEMENT

Any person or corporation that contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the fine(s) as provided in the [Planning Act](#) and, if the person is a corporation, every director or officer of the corporation who knowingly concurs in the contravention is guilty of an offence.

1.5 REPEAL OF FORMER BY-LAWS

1.5.1 BY-LAWS TO BE REPEALED IN THEIR ENTIRETY

- a) All Zoning By-laws and associated amendments attached thereto, identified in table 1.5.1 below, are hereby superseded.
- b) Upon this By-law becoming in full effect and in force on any lands, those By-laws and associated amendments attached thereto identified in Table 1.5.1 as they apply to those lands, shall be repealed.
- c) Where this By-law has come in full effect and in force on all of the lands affected by a by-law identified in Table 1.5.1, that By-law shall be repealed in its entirety.

Table 1.5.1: By-laws to be repealed

By-law Number	By-law Name (if applicable) or general location
19-94	Buttonville Core Area By-law
28-82	14th Avenue and Highway 404
72-79	Birchmount Avenue and Steeles Avenue
72-81	Thornlea East Zoning By-law
77-73	Thornlea Industrial Area Zoning By-law
83-73	Victoria Square Hamlet By-law
88-76	Mount Joy Industrial Area Zoning By-law
91-79	Dicksons Hill Zoning By-law

108-81	South Markham Industrial Area Zoning By-law
118-79	Town Centre North
119-73	South Don Mills Industrial Area Zoning By-law
127-76	Browns Corners Zoning By-law
134-79	Unionville Northeast
145-78	Main Street Markham and Highway 7
151-75	Thornlea Zoning By-law
153-80	16th Avenue and McCowan Road
162-78	South East Markham
163-78	North-East Markham Residential
193-81	Hagerman Corners Zoning By-law
194-82	Box Grove Hamlet Zoning By-law
196-82	Locust Hill Hamlet Zoning By-law
221-81	Brown's Corners Residential Zoning By-law
250-77	Risebrough Zoning By-law
1442	Greentree (Sciberras Highway 7) (portion of former Police Village of Thornhill)
1507	Hughson Drive and Lunar Crescent (Markham Township)
1767	Thornhill (Bayview Avenue and John Street)
1914	Thornhill (Bayview Avenue and Laureleaf Road)
2284-68	Don Mills Open Storage Industrial By-law
2402	14th Avenue and Warden Avenue
2489	Thornhill North
2551	Langstaff Area Zoning By-law
2571	Leslie East Zoning By-law
2612	Bayview Summit - Leslie East Zoning By-law

1.5.2

BY-LAWS TO BE REPEALED IN PART

- a) All Zoning By-laws and associated amendments attached thereto, as identified in Section 1.1 - Schedule 'A', that are located within the geographical areas that are covered in this By-law, are hereby repealed as they apply to those lands affected in this By-law.
- b) Notwithstanding a), all parts of those By-laws identified in Table 1.5.2 below, and identified as areas not covered in this By-law in Section 1.1 - Schedule 'A', shall remain in full force and effect.

Table 1.5.2: By-laws to be repealed in part

By-law Number	By-law Name (if applicable)
47-85	Risebrough Centre Zoning By-law
88-76	Mount Joy Industrial Area Zoning By-law
90-81	Risebrough East Zoning By-law
122-72	Unionville Zoning By-law
165-80	Brown’s Corners District Zoning By-law
177-96	Urban Area By-law
184-78	Markville and Centennial
304-87	Town of Markham Rural Area Zoning By-law
1229	Zoning By-law of the Village of Markham
2004-196	Markham Centre By-law
2053	Thornhill Industrial Area
2551	The Langstaff Area Zoning By-law
2150	North Thornhill Zoning By-law
2237	South Thornhill Zoning By-law

1.6 PREVIOUS APPROVALS

1.6.1 MINOR VARIANCES TO FORMER BY-LAWS

- a) Where the Committee of Adjustment of the **City**, the Ontario Municipal Board or the Local Planning Appeal Tribunal has authorized a minor variance from one or more of the By-laws listed in Section 1.5, the provisions of this By-law (as they apply to such land, **building** or **structure**) are modified to the extent necessary to only and solely give effect to the provisions of that previous minor variance that would otherwise not be in conformity or compliance with this By-law.
- b) Sub-section a) does not authorize any relief from this By-law unless the relief was specifically granted in the previous minor variance.
- c) Sub-section a) only applies if the decision on the minor variance was made after June 12, 2014.

1.6.2 PREVIOUS DECISIONS TO EXPAND LEGAL NON-CONFORMING USES

- a) Where the Committee of Adjustment of the **City**, the Ontario Municipal Board or the Local Planning Appeal Tribunal has made a decision in accordance with Sections 45(2)(a) or (b) of the [Planning](#)

[Act](#), respecting a **use** that was a legal **non-conforming use** under a By-law listed in Section 1.5, the provisions of this By-law (as they apply to such **use, building or structure**) are modified to the extent necessary to implement the previous decision made before the effective date of this By-law.

- b) Sub-section a) only applies if the decision to expand a legal **non-conforming use** was made after June 12, 2014.

1.6.3 SITE PLAN APPROVALS

- a) Where site plan approval in accordance with the [Planning Act](#) has been granted by the **City** before the effective date of this By-law and a **building** permit for the project has not been issued, the provisions of this By-law, (as they apply to such land, **building or structure**), are modified to the extent necessary to implement the previous site plan approval.
- b) Sub-section a) only applies if the **building** permit was issued after June 12, 2014.

1.7 APPLICATIONS IN PROCESS

The provisions of this section are repealed three years after the effective date of this By-law.

1.7.1 BUILDING PERMIT APPLICATIONS

Nothing in this By-law shall prevent the erection or **use** of a **building** or **structure** for which an application for a **building** permit has been accepted, and the estimated fees have been paid in full, on or prior to the effective date of this By-law, if the project in question complies, with the provisions of the applicable By-law as it read on the day before the effective date of this By-law.

1.7.2 MINOR VARIANCE APPLICATIONS

The requirements of this By-law do not apply to prevent the erection or **use** of a **building** or **structure** for which an application for a minor variance under Section 45 of the [Planning Act](#) was filed on or prior to the effective date this By-law, provided the application was in compliance with the relevant By-law in Section 1.5 that applies, except for those aspects of the previous By-law that are subject to the minor variance application.

1.7.3 SITE PLAN APPROVAL APPLICATIONS

The requirements of this By-law do not apply to prevent the erection or **use** of a **building** or **structure** for which an application for site plan approval under Section 41 of the [Planning Act](#) was filed and accepted by the City on or prior to the effective date of this By-law provided the application conforms to the relevant By-law listed in Section 1.5 before the effective date of this By-law.

1.8 NON-CONFORMING USES

- a) Nothing in this By-law shall prevent the **use** of any land, **building** or **structure** for any purpose prohibited in this By-law if such land, **building** or **structure** was lawfully used for such purpose on the effective date of this By-law, provided it continues to be used for that purpose.
- b) Nothing in this By-law shall prevent the erection of an **accessory building, structure, deck, outdoor patio**, chimney breast, venting or other component supporting the operation of the **building**, that is accessory to a legal **non-conforming use**, provided such **accessory building, structure, deck, outdoor patio**, chimney breast, venting or other component supporting the operation of the **building**, that is accessory to a legal **non-conforming use**, complies with all applicable provisions of this By-law.

1.9 NON-COMPLYING BUILDINGS OR STRUCTURES

1.9.1 REPLACEMENT, ENLARGEMENT, REPAIR OR RENOVATION

- a) A **non-complying building** or **structure** that was legally erected or altered in accordance with a By-law or permitted by a variance to a By-law that was in effect prior to the effective date of this By-law may be enlarged, or renovated provided that the enlargement or renovation:
 - (i) Does not further encroach into a required **yard**;
 - (ii) Does not increase the amount of **floor area** or volume in a required **yard**;
 - (iii) Does not in any other way increase a situation of non-compliance;

- (iv) Does not result in the removal of the foundation or framing to the top plate of the above grade walls within a required **yard**; and,
 - (vi) Complies with all other applicable provisions of this By-law.
- b) Sub-section a) applies only if the **building** or **structure** was legally erected or altered in accordance with a By-law that was in effect at the time the **building** or **structure** was erected or altered.
- c) Nothing in this By-law prevents the repair, strengthening or restoration to a safe condition of any legal **non-complying building** or **structure** or part thereof provided that the dimensions of the original **building** or **structure** or of any **yards** associated with the **building** or **structure** are not altered in any way except in conformity with this By-law.
- d) Nothing in this By-law prevents the replacement or rebuilding of all or a portion of a legal **non-complying building** or **structure**, provided that:
 - (i) The **use** that exists or is proposed is permitted by the By-law; and,
 - (ii) The dimensions, volume and location of the original **building** or **structure** or of any **yards** associated with the **building** or **structure** are not altered in any way.

1.9.2 NON-COMPLIANCE AS A RESULT OF LAND ACQUISITION BY A PUBLIC AUTHORITY

Notwithstanding any other provision in this By-law, if land is acquired by the **City**, the Regional Municipality of York, the Province of Ontario, the Government of Canada or any department, board, commission or agency thereof, and the acquisition results in a contravention of this By-law, the following applies:

- a) If the acquisition results in a contravention of this By-law with respect to minimum **lot frontage**, **lot depth**, and **lot area** requirements, the remaining **lot frontage**, **lot depth**, and, or, **lot area** shall be deemed to comply.
- b) If the acquisition results in a contravention to this By-law relating to required **yards**, **setbacks**, or **lot coverages**, the lands so affected are

deemed to comply with this By-law to the extent it complied with this By-law on the day before the acquisition was finalized.

- c) Notwithstanding subsection b), no new **building, structure** or addition to an existing **building** or **structure** shall be erected or located except in accordance with all the provisions of this By-law, excluding sub-section a).
- d) Notwithstanding any other provision in this By-law, where as a result of the establishment of a new **street** abutting a **lot** that would have been considered an **interior lot** prior to the establishment of the **street**, such **lot** shall continue to be considered an **interior lot** for the purposes of determining compliance with this By-law.

1.9.3 NON-COMPLYING LOTS

A **lot** in existence prior to the effective date of this By-law that does not meet the **lot area, lot depth,** and, or, **lot frontage** requirements of the applicable **zone**, is permitted to be used and **buildings** and **structures** on the **lot** may be erected, enlarged, repaired or renovated provided the **use** conforms with the By-law and the **buildings** or **structures** comply with all of the other provisions of this By-law.

1.10 TECHNICAL REVISIONS TO THE ZONING BY-LAW

Provided that the purpose, effect, intent, meaning and substance of this By-law are in no way affected, the following technical revisions to this By-law are permitted without a zoning by-law amendment:

- a) Changes to the numbering, cross-referencing, format and arrangement of the text, tables, schedules and maps;
- b) Additions to and revisions of technical information on maps and schedules including, but not limited to: topographic information; notes; legends; shading; and, title blocks;
- c) **Alterations** of punctuation or language; and
- d) Correction of grammatical, dimensional, boundary, mathematical or typographic errors.

1.11 LAND OWNERSHIP

The **City** makes no representation or implication, nor should any inference be drawn from the Schedule(s) attached to this By-law as to the ownership of any land and, or, rights of access to such land. Ownership and access rights are legal matters that fall solely within the purview of a Court of competent jurisdiction.

PART 2.0 ESTABLISHMENT OF ZONES

2.1 ZONES

All lands subject to this By-law are contained within one or more of the following **zones**:

Residential Zones (see Part 6.0)

RES-ES	Residential - Estate
RES-ENLR	Residential - Established Neighbourhood Low Rise
RES-LR1	Residential - Low Rise One
RES-LR2	Residential - Low Rise Two
RES-LR3	Residential - Low Rise Three
RES-LR4	Residential - Low Rise Four
RES-LR5	Residential - Low Rise Five
RES-LR6	Residential - Low Rise Six
RES-LR7	Residential - Low Rise Seven
RES-PE	Residential - Public Education
RES-MR1	Residential - Mid Rise One
RES-MR2	Residential - Mid Rise Two
RES-MR3	Residential - Mid Rise Three
RES-HR	Residential - High Rise

Mixed Use Zones (see Part 7.0)

MU-FD	Mixed Use - Future Development
MU-LR	Mixed Use - Low Rise
MU-MR	Mixed Use - Mid Rise
MU-HR	Mixed Use - High Rise
MU-HMS (T)	Mixed Use - Heritage Main Street Thornhill
MU-HMS (U)	Mixed Use - Heritage Main Street Unionville
MU-HMS (M)	Mixed Use - Heritage Main Street Markham

Commercial and Automotive Zones (see Part 8.0)

COM	Commercial
-----	------------

Employment Zones (see Part 9.0)

EMP-GE	Employment - General Employment
EMP-SE	Employment - Service Employment
EMP-BP	Employment - Business Park
EMP-BP (O)	Employment - Business Park (Office Priority)

Greenway, Countryside and Hamlet Zones (see Part 10.0)

GWY1	Greenway One
GWY2	Greenway Two
GWY3	Greenway Three
CTS	Countryside
HAM-RES	Hamlet Residential

Open Space and Community Facility Zones (see Part 11.0)

OS-PU	Open Space - Public
OS-PR	Open Space - Private
OS-CEM	Open Space - Cemetery
CF-PW	Community Facility - Place of Worship

Other Zones (see Part 12.0)

FD	Future Development
T-UT	Transportation and Utilities
PBW	Parkway Belt West

Overlay Zones (see Part 13.0)

FP-SP	Flood Plain - Special Policy Area
ORM-HAV	Oak Ridges Moraine - High Aquifer Vulnerability
ORM-LC	Oak Ridges Moraine - Landform Conservation

Oak Ridges Moraine Conservation Area Zone Suffixes (see Part 17.0)

<u>ORM(CS)</u>	<u>Oak Ridges Moraine (Countryside)</u>
<u>ORM(L)</u>	<u>Oak Ridges Moraine (Linkage)</u>

2.2 ABBREVIATIONS

All of the zoning designations identified in Section 2.1 of this By-law are abbreviated in the remainder of this By-law. The full name of the zoning designations are as per Section 2.1.

2.3 ZONE SCHEDULES

- a) The **zones** and **zone** boundaries are shown on the following Schedules that form part of this By-law:

- (i) A6 and A7;
 - (ii) B6 and B7;
 - (iii) C1 to C7;
 - (iv) D1 to D7;
 - (v) E1 to E7;
 - (vi) F1 to F7;
 - (vii) G1 to G7;
 - (viii) H1 to H7;
 - (ix) J1 to J7; and,
 - (x) K1 to K7.
- b) For the convenience of the user, a single unofficial electronic consolidation of the Schedules listed in subsection a) has been prepared and is available on the **City's** website.
- c) The paper copy of this By-law retained at the **City's** Clerk's Department is the legal version.

2.4 DETERMINING ZONE BOUNDARIES

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

- a) Where a **zone** boundary is indicated as following a **street**, or **lane**, unopened road allowance, railway right-of-way or utility corridor, the **zone** boundary shall be the lot line abutting such a **street**, or **lane**, unopened road allowance, railway right-of-way or utility corridor.
- b) Where a **zone** boundary is indicated as substantially following **lot lines** shown on a Registered Plan of Subdivision or **lots** registered in a registry office or land titles office, the **zone** boundary shall be the same as such **lot lines**. If the location of a **lot line** changes in accordance with Section 1.9.2 of this By-law, the location of the **zone** boundary also changes to correspond with the new **lot line** location.
- c) Where the flooding hazard limit established by the Toronto and Region Conservation Authority extends outside the Greenway One or Greenway Two **zones**, the applicable Greenway **zone** applies, except where located in a **special policy area** as outlined in Section 13.
- d) Where none of the above provisions apply, the **zone** boundary shall be scaled from the **City's** Geographic Information System-based Zone Boundary Feature Class.

2.5 MULTIPLE ZONES ON A LOT

- a) Where a **lot** falls into two or more **zones**, each portion of the **lot** shall be used in accordance with the provisions of this By-law for the applicable **zone**.
- b) **Accessory buildings or structures** shall be located in the same **zone** as the **main building**.
- c) In no case is a **zone** boundary dividing a **lot** into two or more **zone** categories intended to function as a property boundary for the purposes of calculating **yards** and **setbacks**. In all cases, the **lot line** shall be used for the purposes of calculating **yards** and **setbacks**, unless otherwise specified in this By-law.

2.6 EXCEPTION ZONES

- a) Where the letter (X) followed by a number within a set of brackets follows a **zone** symbol on the attached Schedules to this By-law, the number refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are listed in Part 14 of this By-law.
- b) The provisions of the site-specific exception govern over any inconsistent provisions in this By-law.

2.7 TEMPORARY USES

- a) Where the letter (T) is followed by a number within a set of brackets follows a **zone** symbol on the attached Schedules to this By-law, the lands affected are subject to a temporary use by-law in accordance with Section 39 of the [Planning Act](#). Temporary use by-laws and the date that they expire are listed in Part 15 of this By-law.
- b) Upon the expiry of a temporary use by-law, the **use** of the land, **buildings** or **structures** for the purposes temporarily authorized shall cease.

2.8 HOLDING PROVISIONS

- a) Notwithstanding any other provision in this By-law, where the letter (H) followed by a number within a set of brackets follows a **zone** symbol, the lands affected are subject to a Hold provision in accordance with Section 36 of the [Planning Act](#).

- b) No person shall use the land to which the letter (H) applies for any **use** other than the **use** which legally existed on the date the By-law applying the Holding provision came into effect, or expand or replace an existing **building** or **structure**, until the (H) is removed in accordance with the policies of the Official Plan and the criteria or reasons for removal of the (H) have been satisfied.
- c) Notwithstanding the above, this provision does not apply to **public uses** in accordance with Section 4.6 a) of this By-law and other **uses** as per Section 4.6 d) of this By-law, which are permitted without the need to remove the Holding provision.
- d) The existence of the Holding provision does not prevent the issuance of a **building** permit to make structural repairs, carry out façade improvements, improve and, or replace mechanical systems and, or replace openings.
- e) The existence of the holding provision does not prevent the carrying out of shoring and excavation, or the development of underground **parking garages**, except where the hold is applied to the following **zones**:
- | | | |
|------|------|--------------------|
| i) | GWY1 | Greenway One |
| ii) | GWY2 | Greenway Two |
| iii) | GWY3 | Greenway Three |
| iv) | CTS | Countryside |
| v) | FD | Future Development |
- f) Holding provisions are listed in Part 16 of this By-law.

PART 3.0 DEFINITIONS

Accessory Building or Structure means a detached **building** or **structure**, the **use** of which is incidental to, subordinate to and exclusively devoted to the **principal use** in the **main building** located on the same **lot**.

Accessory Industrial Equipment means any equipment accessory and subordinate to a permitted **industrial use** or manufacturing process which is necessary to the normal, proper and safe function of that **use** or process such as a storage vessel, tower, stack, vent, duct, waste handling or conveyer system and any supportive **structure** thereof and may include a protective and, or, decorative enclosure of such equipment.

Accessory Use means a **use** of land, **buildings** or **structures** that are incidental to, subordinate to and exclusively devoted to the **principal use** located on the same **lot**.

Adult Entertainment Establishment means an establishment used for entertainment including activities, facilities, performances, exhibitions, viewings or encounters designed to appeal to erotic or sexual appetites or inclinations which a principal feature or characteristic is the nudity or partial nudity of any person.

Agricultural Use means the growing of crops, including nursery, biomass, sod farming, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agroforestry; maple syrup production; and associated on-farm **buildings** and **structures**, including, but not limited to livestock facilities, and manure storage. Agricultural use shall not include a **cannabis outdoor cultivation establishment** or **cannabis establishment**.

Agriculture-Related Uses means those farm-related commercial and farm-related **industrial uses** that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and, or, services to farm operations as a primary activity. Examples of **agriculture-related uses** include farmers markets, wineries, processing and storage of produce grown in the area and farm equipment repair.

Alteration means any modification to a **building** or **structure** that results in a change of **use**, or any increase or decrease in the volume or **floor area** of a **building** or **structure**.

Amenity Area means indoor or outdoor space on a **lot** that is designed for and available for use by the occupants of a **building** on the **lot** for recreational or social activities.

Angular Plane means an imaginary line that originates from the lowest grade of a **lot line** or **zone** boundary and inclines at an angle identified in the applicable **zone** category, across the entire subject **lot**. No portion of a **building** or **structure** shall project above the **angular plane** identified in the **zone** category.

Art Gallery means an establishment used for the preservation, exhibition and, or, sale of paintings or other works of art.

Artist studio means an establishment used for one or more artists for the creation of art or crafts, and may include an accessory **commercial school** or an accessory **art gallery**.

Arterial Road means a **street** owned, operated, managed or maintained by the **City**, City of Toronto, or the Regional Municipality of York, as shown on Map 10 of the Official Plan.

Asphalt Plant means an establishment that produces and, or, recycles asphalt or similar coated road stone and has equipment designed to heat and dry aggregate and to mix mineral aggregate with bitumen and, or, tar, and includes:

- a) The stockpiling and storage of bulk materials used in the process or finished product(s) manufactured on the **premises**; and,
- b) The storage and maintenance of equipment, and facilities for the administration or management of the business.

Average Grade Level means the average of the topography at the corner of all exterior walls, or in the case of a curved wall, at the tangent of the wall.

Balcony means a covered or uncovered platform that projects from the **main wall** of a **building** above **average grade level**. A **balcony** may be cantilevered, or may have structural supports from grade, but is not accessed by stairs from the outside.

Banquet Hall means an establishment for the purpose of catering to special events such as weddings, receptions or similar functions for which food and beverages are prepared and, or served exclusively to a private group and not to the general public.

Barrier-free means when applied to a **building** and its facilities, that the **building** and its facilities can be approached, entered and used by persons with physical, or sensory disabilities in accordance with the [Ontario Building Code](#), the [Ontario Human Rights Code](#) and the [Accessibility for Ontarians with Disabilities Act](#).

Basement means that portion of a **building** below the **first storey**.

Bay Window means a window or a combination of windows that project from the outer wall of a **building** that is not supported by a foundation wall.

Bed and Breakfast Establishment means an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) to the public, in up to three guest rooms within a **detached dwelling** that is the principal residence of the proprietor of the establishment.

Bicycle Parking Space means an area that is provided and maintained for the purpose of temporary storage of a bicycle or motor assisted bicycle as defined under the [Highway Traffic Act](#).

Bicycle Parking Space, Long-term means a **bicycle parking space** within a **building** or **structure** designed for the storage of Bicycles equipped with a rack or stand designed to lock the wheel and frame of a bicycle, or within a locked room for the exclusive use of parking bicycles

Bicycle Parking Space, Short-term means a **bicycle parking space** that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle, that is available for use by the general public.

Body Rub Establishment means an establishment where services involving the kneading, manipulation, rubbing, massaging, touching or stimulating by any means a person's body for the purposes of appealing to erotic or sexual appetites or inclinations.

Breezeway means a covered and unenclosed **structure** with no **basement** that connects a detached **accessory building** and the **main building** on the **lot** and which is designed and used as a walkway between **buildings** and not used for any other purpose. A **breezeway** is not deemed to be part of the **main building** on a **lot**.

Brewery, Craft means a brewery, winery, or distilling establishment which the fermentation or distillation of grains, fruits or other agricultural products is carried out, and which alcoholic beverages may be packaged and sold for distribution, retail, or wholesale. The establishment may include tours, and hospitality and tasting areas, by-the-glass sales, but shall not include a **restaurant** or tied house.

Brewery, Retail means an establishment that provides the location, material and equipment with which to make fermented or distilled beverages for a person's personal use. A **retail brewery** shall not include accessory **restaurants** or **retail stores** selling fermented or distilled beverages.

Building means a **structure** occupying an area greater than 10 square metres consisting of any combination of a wall, roof and floor, or a structural system serving the function thereof, including all associated works, fixtures and service systems.

Building Envelope means the area of the **main building** that is enclosed by the **main walls**. Unenclosed **decks**, **porches**, cold cellars, and **balconies** are not considered to be within the **building envelope** for the purpose of this definition.

Building Facade means the width of the **main building** facing a **street**, **lane**, or **private street** with the width measured from the exterior faces of the exterior walls. Where the

facade of a **building** includes horizontal or vertical indentations, a **building facade** shall be considered continuous provided the indentation of the facade is less than 7.0 metres.

Business Office means an establishment used for conducting the affairs of businesses, professions, services, industries, governments, or like activities, in which the chief product of labour is the processing and, or storage of information rather than the production and distribution of goods. For the purpose of this By-law a **business office** may include, but is not limited to, a **medical office**, **financial institution**, and a **motor vehicle rental office**.

Cannabis Establishment means a **use** where the production, cultivation, processing, research, or analytical testing, of cannabis is carried out in a wholly enclosed **building**, subject to regulations under the Federal [Cannabis Act](#) and the [Food and Drugs Act](#), as amended.

Cannabis Outdoor Cultivation Establishment means the growing of cannabis in an open air setting, for medical or recreational purposes, subject to regulations under the Federal [Cannabis Act](#) and the [Food and Drugs Act](#), as amended.

Carport means a **building** or **structure** that is not wholly enclosed, that is used (or intended to be used) for the parking or storage of one or more **motor vehicles**.

Casino means an establishment where patrons participate in any wagering, betting or gambling activity played with cards, dice, equipment, the use of communications technology, any mechanical, or electronic device or machine.

Cemetery means land used for the interment of human remains, and which may include scattering grounds, burial grounds, a **columbarium** and a **mausoleum** and as set out in the [Funeral, Burial and Cremation Services Act](#).

Child Care Centre means an establishment operated by a person that is licensed in accordance with the [Child Care and Early Years Act](#).

City means The Corporation of the City of Markham and where the context so implies, includes its **Council**, employees, solicitors, officers and agents.

Columbarium means a **building** or **structure** used for the interment of cremated human remains in sealed compartments.

Commercial Parking Lot or Garage means an area of land or a **building** or part of a **building** used for the parking of **motor vehicles** for a fee.

Commercial Storage Facility means an establishment used for the temporary storage of items in secured indoor areas or lockers.

Community Centre means a **building** or part of a **building** that is owned and, or, operated by a **public authority** or a **non-profit organization** that provides social, recreational or other similar facilities for use by the general public.

Community Garden means an area of land, rooftop, or other space managed and maintained by individuals and, or, **non-profit organizations** that is not located in a **building**, to grow and harvest:

- a) Food crops; or,
- b) Non-food, ornamental crops, such as flowers grown for personal or group use, consumption or donation.

A **community garden** shall not include a **cannabis outdoor cultivation establishment**.

Concrete Batching Plant means an establishment where concrete or concrete products used in **building** or construction is produced, and includes facilities for:

- a) The administration or management of the business;
- b) The stockpiling of bulk materials used in the production process or of finished products manufactured on the **premises**; or,
- c) The storage and maintenance of required equipment;
- d) But does not include the retail sale of finished concrete products.

Conservation Use means an area of land that is generally left in its natural state and which is used for any combination of preservation, protection, or improvement of components of the natural heritage system and which may include, as an **accessory use**, passive recreational **uses** (such as hiking trails and cross country ski trails), and **buildings** and **structures** (such as nature interpretation centres and public information centres).

Council means the Council of the Corporation of the City of Markham.

Crematorium means a **building** that is fitted with appliances for the purpose of cremating human remains, and includes everything necessarily incidental and ancillary to that purpose, and has been approved or established as a **crematorium** in accordance with the requirements of the [*Funeral, Burial and Cremation Services Act*](#).

Day Camp means a non-residential facility, intended to accommodate primarily outdoor recreational and educational activities for children but not providing for overnight accommodation or camping.

Deck means an uncovered and unenclosed **structure** that is accessory to a residential **use**

and used as an outdoor **amenity area**, with a foundation holding it erect and a floor which is above finished grade, provides direct access to grade, and may include a landing or a stair.

Dormitory means a **building** or part of a **building** that provides residential living accommodations for people attending a **college, university, private school**, or camp. A **dormitory** may include an accessory communal lounge, cooking, eating, sanitary and laundry facilities. A **dormitory** shall not include a **hotel** or **student residence**.

Drive Aisle means a defined area providing access for **motor vehicles** from a **street, provincial highway, a private street** or a **lane** to a **parking aisle**. A **drive aisle** does not directly abut a **parking space** or **loading space**.

Drive-Through Service Establishment means the **use** of land, **buildings** or **structures**, or parts thereof including **stacking spaces**, to provide or dispense products or services, either wholly or in part, through an attendant at a window or an automated machine, to customers remaining in **motor vehicles**. **Drive-through service establishments** are an **accessory use** to a permitted use.

Driveway means a defined stable surface that provides access for **motor vehicles** from a **street, a private street** or a **lane** to a **private garage, carport, parking pad** or **parking space** on a **lot** containing residential **uses**.

Dwellings regulated in this By-law are defined as follows:

- a) **Apartment Dwelling** means a **dwelling unit** in a **building** containing seven or more **dwelling units** that share a common external access to the outside through a common entrance and, or, a common corridor system, in which the **dwelling units** are arranged in any horizontal or vertical configuration.
- b) **Coach House** means a **dwelling unit** where the majority of the unit is located above a detached **private garage** in the **rear yard** of a **lot** that is accessed by a **lane**, and which is accessory to the principal **dwelling unit** on the same **lot**.
- c) **Detached Dwelling** means a **dwelling unit** in a **building** containing only one **dwelling unit**.
- d) **Dwelling Unit** means a unit consisting of one or more rooms, which contains cooking, eating, living and sanitary facilities and is not a **rooming house - large scale** or **rooming house - small scale**.
- e) **Garden Home** means a **dwelling unit** located within an **accessory building** in the **rear yard** of a **lot** that is not accessed by a **lane** and which is accessory to the principal **dwelling unit** on the same **lot**.

- f) **Garden Suite** means a temporary **dwelling unit** regulated under the [Planning Act](#) that is accessory to the principal **dwelling unit** on the same **lot** and which is designed to be portable.
- g) **Multiple Dwelling** means a **dwelling unit** in a **building** containing seven or more **dwelling units** that would not be considered as any other type of **dwelling unit** as defined in this By-law.
- h) **Multiplex Dwelling** means a **dwelling unit** in a **building** containing three to six **dwelling units**, each with an entrance that is independent or through a shared landing and, or, external stairwell.
- i) **Semi-Detached Dwelling** means a **dwelling unit** in a **building** that is divided vertically into two **dwelling units** that share a common wall above grade.
- j) **Townhouse Dwelling, Back to Back** means a **dwelling unit** in a **building** that is vertically divided above grade into a minimum of four **dwelling units**, each of which has an independent entrance to the outside to the front of the **building**, and which shares a common rear wall.
- k) **Townhouse Dwelling** means a **dwelling unit** in a **building** that is vertically divided above grade into a minimum of three **dwelling units**, each of which has an independent entrance to the outside to the front and rear of the **building**.

Electric Vehicle means a battery electric vehicle that runs only on a battery and an electric drivetrain, or a plug-in hybrid electric vehicle that runs on a battery and an electric drivetrain, and also uses an internal combustion engine.

Electric Vehicle Level 2 Charging Ready means a connected point in an electrical wiring installation at which Level 2 charging service can be taken to supply utilization equipment in accordance with the [Ontario Electrical Safety Code](#).

Electric Vehicle Charging Station means a publicly or privately owned parking space that provides a minimum of Level 2 charging power transfer and information exchange between a branch electric circuit and an **electric vehicle** and in accordance with the [Ontario Electrical Safety Code](#).

Entertainment Centre, Major Regional means an establishment used for social or amusement purposes and may include, but is not limited to, motion picture or live theatre establishments, concert halls, auditoriums, **nightclubs**, sports stadiums, go kart facilities, firearms ranges, but shall not include an **adult entertainment establishment**.

Entertainment Centre, Minor Local means an establishment used for social or amusement purposes and may include, but is not limited to, an arcade, gaming café, pool hall, virtual

reality games, escape room, or karaoke facilities, but shall not include an **adult entertainment establishment** or **nightclub**.

Essential Emergency Service means services which would be impaired during an emergency as a result of flooding, the failure of flood proofing measures and, or, protection works, and, or, erosion and includes **uses** such as police and fire stations and ambulance dispatch.

Established Building Line means a line that is the average distance between the **front lot line** and the nearest wall (including the **private garage**) of the **main building** facing the **front lot line** on the two **neighbouring lots** fronting the same **street**.

Established Grade means the level of the ground that is measured by averaging the grade located at two points that are 0.1 metres beyond the two side **lot lines** at a distance from the **front lot line** that is equal to the minimum **front yard setback**.

Farm Vacation Home means an establishment located on a farm that is the principal residence of the proprietor of the establishment. A **farm vacation home** provides sleeping accommodations and may include the participation in farm activities, meals, services, facilities and amenities for the exclusive use of guests in up to three guest rooms within a **detached dwelling**.

Film Studio means an establishment where live action or animated videos are filmed, produced or edited.

Financial Institution means an establishment in which financial services are offered to the public and includes a bank, credit union, trust company, savings office or any other retail banking operation.

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

Fitness Centre, Recreational means a **use** of land, **building** or **structure** that has been designated and equipped for the conduct of physical fitness and athletic activities and may include, but is not limited to, gymnasiums, indoor sports fields or arenas, yoga or pilates facilities, **swimming pools**, bowling alleys, skate or bicycle parks, rock climbing facilities, paintball facilities, and laser tag or indoor playgrounds. **Recreational Fitness Centres** may also provide instructional classes in dance, martial arts, and other similar physical fitness activities, including a **studio fitness centre**.

Fitness Centre, Studio means an establishment in which facilities are provided for fitness or athletic activities and may include, but is not limited to, fitness training, exercise classes and other similar **uses** associated with physical rehabilitation and instructional classes in dance, martial arts, yoga or pilates and other similar physical fitness activities.

Floor Area means as set out below:

- a) **Gross Floor Area** means the aggregate of the areas of each floor of a **building** or **structure** above or below grade, measured between the exterior faces of the exterior walls of the **building** or **structure**, or where there are common walls between **uses** or **buildings** or **structures**; measured to the centre-line of a common wall. The calculation of **gross floor area** excludes the areas of each floor used, or designed or intended for the parking of **motor vehicles**, unless the parking of **motor vehicles** is the **principal use** of a **building** or **structure**.
- b) **Gross Leasable Floor Area** means the total floor area designed for tenant occupancy and exclusive **use**, including **basements**, upper floors and mezzanines. It is measured from the centre line of joint partitions and from outside wall faces. For the purposes of this definition, common areas that are not designed nor leased for the exclusive use of the tenant are not included in the calculation of **gross leasable floor area**.
- c) **Net Floor Area** means the sum of the **gross floor areas** of a **building** above or below grade, but excluding:
 - (i) **Motor vehicle parking areas** within the **building**;
 - (ii) Stairways and common hallways not devoted to any individual **premises**;
Elevator shafts and other service and mechanical shafts;
 - (iii) Service rooms, mechanical rooms and penthouses;
 - (iv) Washrooms;
 - (v) Waste rooms and recycling rooms;
 - (vi) Staff locker, staff restrooms and staff lunch rooms;
 - (vii) Loading areas within a **building**;
 - (viii) Any space with a floor to ceiling **height** of less than 1.8 metres; and,
 - (ix) Any part of a **basement** that is unfinished is used solely for storage purposes and is not accessible to the public.

Floor Space Index (FSI) means the ratio of the **gross floor area** of all **buildings** on a **lot** divided by the area of the **lot** on which the **buildings** are located.

Forest Management means the management of woodlands, including **accessory uses** such as the construction and maintenance of forest access roads, maple syrup production facilities, for the production of wood and wood products and the provision of outdoor recreation opportunities.

Funeral Establishment means a funeral home, funeral parlour, undertaking establishment, or similar **use** used for furnishing funeral supplies and services to the public and includes facilities intended for the care and preparation of the human body for interment or cremation and facilities for the coordination of rites and ceremonies with respect to interment or cremation.

Garage Door means an opening used for vehicular access to a **private garage** from a **street** or a **lane**. Where there is more than one opening, the **garage door** shall be the distance between the two outer extremities of the **garage door** openings, including any intervening columns, doors, windows, or wall sections which may separate two or more **garage door** openings.

Golf Course means an area of land laid out for golf with a series of holes including tees, fairways, and putting greens and often one or more natural or artificial hazards, and may include an accessory clubhouse, **golf driving range**, mini golf, chipping and putting areas and banquet facilities.

Golf Driving Range means an outdoor establishment dedicated to the driving of golf balls from fixed golf tees. A **golf driving range** may include an accessory clubhouse and chipping and putting areas.

Group Home means an establishment used to provide supervised living accommodations, licensed or funded under Province of Ontario or Government of Canada legislation, for three to ten persons, exclusive of staff, living together in a single housekeeping unit in a group living arrangement.

Hazardous Waste has the same meaning as in [Regulation 347](#) of the [Environmental Protection Act](#).

Height (unless otherwise defined in this By-law) means with reference to a **building** or **structure**, the vertical distance measured from the **average grade level** to:

- a) The highest point of the roof surface or the parapet, whichever is the greater, of a flat roof;
- b) The mean level between the eaves and ridge of a gabled, hip, or other type of pitched roof; and
- c) In case of a **structure** with no roof, the highest point of the said **structure**.

Heritage Building means any **building** or **structure** located on a property designated under Part IV or Part V of the [Ontario Heritage Act](#), or its successors.

Home Industry means a small-scale **industrial use**, such as a carpentry shop, a metal working shop, a welding shop or an electrical shop that provides services or wares which is an **accessory use** to an **agricultural use** or a **detached dwelling**. For the purpose of this By-law, the repairing of **motor vehicles**, mobile homes or trailers, a paint shop, or furniture stripping is not a **home industry**.

Home Child Care means the caring of children in a **dwelling unit** in accordance with the [Child Care and Early Years Act](#).

Home Occupation means an occupation or profession conducted in a residential **dwelling unit** or **accessory building** where the business or profession is conducted wholly within the **dwelling unit** or **accessory building** in a manner that is accessory to the principal residential **use**.

Hotel means an establishment for temporary overnight accommodation to the public, and may include meeting facilities, recreation facilities, a **restaurant**, **banquet hall**, and **retail stores**, all of which are accessory and exclusively devoted to the primary temporary overnight accommodation function, and located on the same **lot**. A **hotel** shall not contain **dwelling units**.

Impervious Surface means a surface that does not allow the infiltration of water, such as a rooftop, asphalt pavement, or concrete.

Industrial Use means an establishment used for the warehousing of goods and materials, the assembly of manufactured goods, the manufacturing of goods, the repair and servicing of goods and similar **uses**. An **industrial use** shall not include a **commercial self-storage use** or **motor vehicle** related **uses**.

Infrastructure means physical **structures** (facilities and corridors) that form the foundation for development. **Infrastructure** includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Institutional Care Home means an establishment used to provide supervised living accommodations, licensed or funded under Province of Ontario or Government of Canada legislation, for more than ten persons, exclusive of staff, living together in a single housekeeping unit in a group living arrangement.

Kennel means an establishment where domestic pets are boarded or are kept for the purposes of breeding.

Landform Conservation Area means an area that contains important natural landscapes or features that are important for natural heritage, protection, appreciation, scientific study or education.

Landform Conservation Areas include, but are not limited to, kames, kettles, ravines, ridges and other Areas of Natural and Scientific Interest (ANSI's) as defined in the Oak Ridges Moraine Conservation Plan.

Landscaped Open Space means an area on a **lot** that is used exclusively for **landscaping**.

Landscaping means trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, all of which are designed to enhance the visual amenity of a property and shall not be used for the parking of **motor vehicles** or **outdoor patios**.

Landscaping, Hard includes any combination of brickwork, stonework, interlocking pavers or stones, or other **impervious surfaces** that are not covered by horticultural elements such as flowers, grass, shrubs, sod, or trees. A **deck** constructed over an **impervious surface** is considered **hard landscaping**.

Landscaping, Soft means that portion of a **lot** that consists of any combination of trees, shrubs, flowers, grass or other horticultural elements that is not covered by architectural elements including but not limited to asphalt, **buildings**, brickwork, concrete, stonework or **structures**.

Landscaping Strip means an area of land at the periphery of a **lot** that is used exclusively for **landscaping**. A **landscaping strip** can be crossed by walkways, **drive aisles** and ramps that access a **lot** from a **street** or **lane**.

Lane means a right of way owned by the **City** that is not intended for general traffic circulation and which provides **motor vehicle** access to an abutting **lot**.

Loading Space means an unobstructed area of land that is used for the temporary parking of one or more **commercial motor vehicles** or **commercial motor vehicle** trailers while merchandise or materials are being loaded or unloaded from such vehicles or trailers.

Lodging Room means one or more rooms within a **building** used for sleeping accommodations. **Lodging rooms** may contain cooking or washroom facilities, but not both.

Long Term Care Home means an establishment in accordance with the [Long-Term Care Homes Act](#), where living accommodation is provided for persons of any age and which has personal and medical care facilities, and may contain common lounges and dining areas. A **long term care home** may include an accessory **respite care home** or accessory **retirement home**.

Lot means a parcel of land that is registered as a legally conveyable parcel of land in the Registry Office and may include:

- a) **Corner Lot** means a **lot** at the intersection of two or more **streets** or upon two parts of the same **street** with such **streets** containing an angle of less than or equal to 135 degrees.
- b) **Interior Lot** means a **lot** situated between adjacent **lots** and having access to one **street**, highway or **lane**.

- c) **Through Lot** means a **lot** that is not a **corner lot** but has frontage on more than one **street**. If a **lot** is a **through lot**, both of the **lot lines** abutting the **street** are deemed to be **front lot lines**. Notwithstanding the above, where a 0.3 metre wide **reserve** or greater is located along one of the **lot lines** abutting a **street**, the **lot** is not a **through lot**.

Lot Area means the total horizontal area within the **lot lines** of a **lot**.

Lot Coverage means the percentage or area of the **lot** covered by all **buildings** and **structures**. **Lot coverage** in each **zone** shall be deemed to apply only to that portion of such **lot** that is located within said **zone**.

Lot Centre Line means a straight line measured from the middle of the **front lot line**, to the middle of the **rear lot line**. In the case where the **rear lot line** is a point, the **lot centre line** is measured from the middle of the **front lot line** to the point that forms the **rear lot line**.

Lot Depth means the length of the **lot centre line**.

Lot Frontage means the horizontal distance between the **interior side lot lines** and, or, **exterior side lot lines**, with such distance being measured perpendicularly to the **lot centre line**, to a point on that line that is 8.0 metres from the **front lot line**.

Lot Line means the boundary of a **lot**. Below are the four types of **lot lines**:

- a) **Exterior Side Lot Line** means the **lot line** of a **corner lot**, other than the **front lot line**, which divides the **lot** from a **street**.
- b) **Front Lot Line** means the **lot line** which divides the **lot** from a **street**, but, in the case of:
- i) a **corner lot**, the shortest of the **lot lines** that divides the **lot** from a **street** shall be deemed to be the **front lot line**;
 - ii) a **corner lot** where such **lot lines** are of equal length and where one **lot line** abuts a Regional road or **Provincial Highway**, the **front lot line** shall be deemed to be that line which abuts the Regional road or **Provincial Highway**;
 - iii) a **corner lot** where such **lot lines** are of equal length and where both **lot lines** abut a **street** under the same jurisdiction, the **City** may designate either **street** as the **front lot line**;
 - iv) a **lot** that is separated from a **street** by a **Public Park** and provided the **lot** is accessed by a **lane**, the shortest **lot line** that abuts the **Public Park** shall be deemed to be the **front Lot Line**; and
 - v) a **through lot**, the longest of the **lot lines** which divides the **lot** from the **streets** shall be deemed to be the **front lot line**. If both such **lot lines** are of equal length, the **City** may designate either **street** as the **front lot line**.

- c) **Interior Side Lot Line** means a **lot line**, other than a **rear lot line** that does not abut a **street**.
- d) **Rear Lot Line** means the **lot line** opposite to, and most distant from the **front lot line**. For the purpose of this definition, if two side **lot lines** join at a point, that point shall be deemed as a **rear lot line**.

Main Building means a **building** in which the **principal use** of a **lot** is conducted.

Main Wall means the exterior front, side and rear wall of a **building** and all structural components essential to the support of a fully enclosed space.

Major Collector Road means a **street** owned, operated, managed or maintained by the **City**, as shown on Map 10 of the 2014 Official Plan.

Massage Establishment means an establishment where services involving the kneading, manipulation, rubbing, massaging, touching or stimulating by any means a person's body, and may include a licensed massage therapist, but does not include a **body rub establishment**.

Mausoleum means a **building** or **structure**, other than a **columbarium**, used for the interment of human remains.

Maximum Building Envelope Setback means the maximum distance of the rear wall of the **main building** from the **front lot line** with the distance measured along the **lot centre line**.

Mechanical Penthouse means a room or enclosure on the roof of a **building** exclusively used for mechanical equipment, elevator equipment, building services equipment, or any combination thereof. For the purposes of this definition, a stair tower or elevator tower providing access to an outdoor **amenity area** is a **mechanical penthouse**.

Medical Office means an establishment used for the medical, dental, surgical and, or therapeutic treatment of human beings by licensed or registered medical professionals, and shall include clinics operated by a number and, or, a variety of practitioners.

Mineral Aggregate Operation means:

- a) Lands under license or permit, other than for **wayside pits and quarries**, issued in accordance with the [Aggregate Resources Act](#); and,
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of **mineral aggregate resources** and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Aggregate Resources means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the [Aggregate Resources Act](#) suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the [Mining Act](#).

Minor Collector Road means a **street** owned, operated, managed or maintained by the **City**, as shown on Map 11 of the 2014 Official Plan.

Model Home means a **building**, which is used on a temporary basis as a sales office or as an example of the type of **dwelling unit** that is for sale in a related development. A **model home** shall not be occupied or used as a **dwelling unit**.

Motor Vehicle means an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in the [Highway Traffic Act](#) and any other vehicle propelled or driven otherwise than by muscular power.

Motor Vehicle Fueling Station means an establishment for the retail sale of lubricating oils and fuel for **motor vehicles**. **Accessory uses** may include a **motor vehicle maintenance shop**, the sale of **motor vehicle** parts and accessories, a **restaurant**, **retail store** and a **motor vehicle washing establishment**.

Motor Vehicle Maintenance Shop means an establishment used for the maintenance and minor repair of **motor vehicles**, such as tire replacement and repair, the changing of fluids, repair of electrical systems, and the installation or replacement of filters or **motor vehicle** parts, but shall not include a paint or spray booth, or **motor vehicle repair and body shop**.

Motor Vehicle Repair and Body Shop means an establishment used for major structural, mechanical, painting and cosmetic repair of **motor vehicles**, and may include a **motor vehicle maintenance shop** and **motor vehicle washing establishment**.

Motor Vehicle Rental Office means an establishment used for the rental of **motor vehicles**, and does not include onsite or overnight **motor vehicle** storage.

Motor Vehicle Rental Establishment means an establishment used for the rental of **motor vehicles**, and includes onsite or overnight **motor vehicle** storage.

Motor Vehicle Sales Establishment means an establishment used for the lease or sale of **motor vehicles**. **Accessory uses** may include a **motor vehicle maintenance shop**, **motor vehicle washing establishment**, and retail sales of **motor vehicle** parts.

Motor Vehicle, Special means a **motor vehicle** used for commercial, service or recreational purposes. A special vehicle shall include a **commercial motor vehicle**; and a **recreational motor vehicle** as follows:

- a) **Commercial Motor Vehicle** means a **motor vehicle** used for commercial or service purposes and includes, but is not limited to, school buses, construction trucks, refreshment vehicles or food trucks, delivery vehicles, or any oversized **motor vehicle** not otherwise defined in this By-law. For the purposes of this definition, any **motor vehicle** used for the exclusive purposes of farming activities, is not considered a **commercial motor vehicle**.
- b) **Recreational Motor Vehicle** means a **motor vehicle** or trailer that is primarily designed to provide temporary living quarters for recreational camping, travel or seasonal use, whether under its own motor power, or is mounted on, or towed by another vehicle. A **recreational motor vehicle** includes, but is not limited to, motor homes, travel trailers, fifth wheel travel trailers, tent trailers and campers whether or not the camper is, or is not, attached to a **motor vehicle**, all-terrain vehicles, boats, motorized personal watercraft, snowmobiles and other similar equipment. For the purposes of this definition, a **garden suite** is not considered a **recreational motor vehicle**.

Motor Vehicle Washing Establishment means an establishment used for the washing and detailing of **motor vehicles**.

Municipal Parking Lot or Garage means an area of land, **building** or **structure** used for the parking of **motor vehicles** and operated by a **public authority**.

Municipal Wastewater Services means sewage works within the meaning of Section 1 of the [Ontario Water Resources Act](#) that is owned or operated by the Regional Municipality of York.

Municipal Water Services means a municipal drinking-water system within the meaning of Section 2 of the [Safe Drinking Water Act](#).

Neighbouring Lot means the **lots** on either side of a **lot**. In the case of a **corner lot**, a **neighbouring lot** is the adjacent **lot** that front on the same side of the **street**.

Net Developable Area means the area of a **lot** or site, less any area within a key natural heritage feature as identified on Map 5 - Natural Heritage Features and Landforms or, a key hydrologic feature as identified on Map 6 - Hydrologic Features in the Official Plan.

Nightclub means an establishment whose primary function is the provision of theatrical performances, pre-recorded music, dancing or live musical entertainment. A **nightclub** may include the accessory sale and consumption of food, alcoholic and non-alcoholic beverages and includes hookah lounges.

Non Complying means an existing **building**, **structure** or **lot** that does not comply with the regulations of this By-Law.

Non-Conforming Use means an existing **use** that is not a permitted **use** in the **zone** in which the said **use** is situated.

Non-Profit Organization means an incorporated organization that is established and which is operated in a manner that does not result in the generation of profits.

Non-Profit Private Club means an establishment used as a meeting place by members and guests of members of non-commercial community service and **non-profit organizations**.

Noxious Use means a **use** which from its nature or operation, creates a nuisance, or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust, or objectionable odour, or by reason of the unsightly storage of goods, wares, merchandise, salvage, refuse matter, waste or other material.

Office Building means a **building** designed to be primarily occupied by **business offices**.

Office Supply or Computer Retail Store means a **retail store** where the sale of office supplies and equipment or computers is the primary focus.

Outdoor Display and Sales Area means an outdoor open space area, used in conjunction with the **main building** on the same **lot**, for the accessory display and, or sale of produce, merchandise or the supply of services in association with the **principal use** of the **lot**. Such a display and, or sales area may be wholly or partially contained within a temporary tent **structure**.

Outdoor Patio means an outdoor patron area that is accessory to a non-residential **use**.

Outdoor Storage, Accessory means an area of land that is accessory to the **principal use** on the same **lot**, for the storage of goods and materials in the open air or in portable objects such as **shipping containers**.

Outdoor Storage Use means an area of land whose **principal use** is for the storage of goods and materials such as a **motor vehicle** wrecking **yard**, a **motor vehicle** storage compound or a construction equipment and, or materials **yard**.

Outside Wall Height means the vertical distance from **established grade** to the highest top plate of the outside wall of the upper most floor or **storey**.

Parcel of Tied Land: means a freehold parcel of land or any parcel of land with an attached interest in a common elements condominium corporation.

Parking Aisle means a defined area adjacent to a **parking space** or **loading space** that provides access for **motor vehicles** from a **drive aisle** to a **parking space** or **loading space**.

Parking Area means an open area of land not located within a **street** or **lane** that is used for the parking of **motor vehicles**, but shall not include the parking or storage of **motor vehicles** for the purpose of sale, rent, or repair.

Parking Garage means a **building**, or part thereof, used for the parking or storage of **motor vehicles** designed to be accessed by **multiple dwelling** units, **apartment dwelling** units, or by non-residential units.

Parking Pad means an open area of land in any residential low rise **zone**, other than a **driveway**, that provides access to **motor vehicles** from a **street** or **lane**, and that is paved or treated with a stable surface that is used for the parking of **motor vehicles**.

Parking Space means a space that has been designed and, or located for the parking of **motor vehicles**.

Personal Service Establishment means a **use** where a service is performed for the grooming, repair, or cleaning, or treatment of a person or their apparel, and may include a hairdresser, barber shop, beauty shop, spa, sauna, shoe repair, dry cleaning establishment, or laundromat, or **massage establishment**.

Pervious Surface means a surface that allows the filtration of water into the underlying soil and shall not include asphalt, concrete, stone, interlocking stone or other similar **impervious surfaces**.

Pet Services Establishment means an establishment for the aesthetic care, animal daycare, or a training centre for animals intended for use by domestic pets, located within a wholly enclosed **building**. A **pet services establishment** shall not provide for overnight accommodation or include a **kenel**.

Place of Worship means a **building** or part of a **building** used by a charitable religious group(s) for a **sanctuary** and may include **accessory uses** that are subordinate and incidental to the practice of religious rites. A **cemetery**, **child care centre**, or **private school** are not permitted **accessory uses** to a **place of worship**.

Podium means the base or lower portion of a multistorey **building**, which is located above **average grade level**, and is measured from **average grade level** to the maximum **podium height** as set out in the applicable **zone**. A **podium** may or may not have a **point tower** projecting above it.

Point Tower means portions of a **building** that projects above a **podium**.

Porch means a **structure** with a floor and roof, and at least two other sides that are open and unenclosed that are accessed directly from grade which provides access to the **first storey** of a **dwelling unit**. In the case of a **townhouse dwelling unit**, at least one side of the **porch** shall be open and unenclosed.

Portable Asphalt Plant means an establishment:

- a) With equipment designed to heat and, or, dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and,
- b) Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable Concrete Plant means a **building** or **structure**:

- a) With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and,
- b) Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Premises means the area of **buildings** or part thereof, occupied or used by an individual business or enterprise.

Principal Use means the primary purpose for which a **lot, building, or structure** is used.

Private Garage means an enclosed **structure, building,** or part thereof, accessory to a **detached dwelling, semi-detached, townhouse dwelling,** or other individual **dwelling unit,** designed for the storage or parking of one or more **motor vehicles,** and intended to be used solely by the occupant of the **dwelling unit.**

Private Hospital under the [Private Hospitals Act](#), means a facility where four or more persons may be admitted for the purpose of treatment. A **private hospital** shall not include:

- a) a children's residence licensed under Part IX (Residential Licensing) of the Child, Youth and [Child and Family Services Act](#), 2017;
- b) a community health facility within the meaning of the [Oversight of Health Facilities and Devices Act](#), 2017;
- c) a **group home**;
- d) an **institutional care home**;
- e) a **long term care home**;
- f) a **medical office**;

- g) a **public hospital** as defined by the [*Public Hospitals Act*](#);
- h) a **respite care home**;
- i) a **retirement home**;
- j) a **shared housing - large scale**;
- k) a **shared housing - small scale**; and,
- l) a **shared housing - supervised care home**.

Private Park means an area of land that is publicly accessible and intended for active or passive recreational **uses**, but are privately owned and maintained.

Private Street means a private right-of-way that is used by **motor vehicles** but is not owned by the **City** or any other **public authority**.

Provincial Highway means a **street** owned, operated, managed or maintained by the Province of Ontario, as shown as a **Provincial Highway** or Provincial 400 Series Highway on Map 10 of the Official Plan.

Public Authority means any commission, board, or authority or any quasi-public body that is controlled by the Federal and, or, Provincial governments and, or, any commission, board, or authority or any quasi-public body controlled by the Regional Municipality of York and, or, the **City**, provided it is owned or operated by or for, or under the authority of, the Government of Canada, the Province of Ontario, the Regional Municipality of York or the **City**.

Public Easement means an instrument that is registered on title that provides for the **use** of or, access across, land subject to the easement, including but not limited to, sewer, water, drainage or utility purposes and which may include a right-of-way in favour of a **public authority**.

Public Facility means an establishment owned and operated by a **public authority** that includes, but is not limited to the following:

- a) playgrounds;
- b) **community centres**;
- c) ambulance, fire and police stations;
- d) public washrooms;
- e) museums;

- f) **art galleries;**
- g) **stormwater management ponds;**
- h) sewage treatment facilities;
- i) **public schools;**
- j) **universities or colleges;** and,
- k) affordable housing developments as identified in Section 11.2 of the Official Plan

Public Hospital means an establishment for the purpose of the treatment of persons, as defined under the [Public Hospitals Act](#) as a hospital.

Public Park means any area of land under the jurisdiction of a **public authority** that is designed and, or, maintained for recreational purposes and is open to the public. A **public park** may include playgrounds, **golf courses**, **swimming pools**, tennis courts, bowling greens, botanical gardens and sports fields, and may contain accessory **retail stores**.

Public Use means any **use** of land, **buildings** or **structures** owned by or operated on behalf of a **public authority**.

Reserve means a strip of land abutting a **street** and owned by the authority having jurisdiction over such a **street**.

Respite Day Program Establishment means a non-profit and non-commercial establishment offering the temporary care of older adults, persons with disabilities, or other persons requiring supervised care on a temporary basis, which provides day programs, education, training or supervision to participants, such as an adult day program, but does not include overnight stays. **Child care centres** or **schools** are not considered as **respite day program establishments**.

Respite Care Home means a temporary institutional care of the infirmed, sick, elderly, or other persons requiring supervised care for overnight stays, and may include an accessory **respite day program establishment**.

Restaurant means an establishment in which the preparation and serving of food and beverages are sold to the public for consumption, and may include table service within or outside the **building**, and may include a **take-out restaurant**.

Restaurant, Take-Out means a premises designed and used for the sale of food or refreshments to the public for consumption off the premises and may include, as an **accessory use**, a seating area for up to twelve patrons.

Retail Store means an establishment in which goods; wares, merchandise, substances, articles or things are displayed, rented or sold directly to the public. A **retail store** includes, but is not limited to, a supermarket and an **office supply or computer retail store**.

Retirement Home means a residential **building** or part of a residential **building** used for semi-independent living accommodation, in accordance with the [Retirement Homes Act](#), and may include a **dwelling unit**.

Rooming House - Large Scale means a **building** where lodging is provided in return for remuneration or services (or both) in more than five **lodging rooms**. A **rooming house - large scale** may include one **dwelling unit** in addition to the **lodging rooms**, but does not include **shared housing - large scale, shared housing - small scale** or **shared housing - supervised care home**.

Rooming House - Small Scale means a **building** where lodging is provided in return for remuneration or services (or both) in three to five **lodging rooms**. A **rooming house - small scale** may include one **dwelling unit** in addition to the **lodging rooms**, but does not include **shared housing - large scale, shared housing - small scale** or **shared housing - supervised care home**.

Sanctuary means a room or series of rooms in which general worship services or religious rites are held.

School means an establishment where instruction is provided to students as the **principal use**. **Schools** that are regulated in this By-law are defined below:

- a) **College** means a publicly funded or publicly assisted community **college** that receives ongoing operating funding and, or, grants from the Province of Ontario, and which may include a **child care centre**.
- b) **Commercial School** means a **school** conducted for profit, that provides organized instruction or training in art, hobbies, or trades. A **commercial school** may include, but is not limited to, musical instruction, computer training, driving instruction, an adult day program centre, and tutoring services. A **commercial school** shall not include a **day camp, recreational fitness centre, a private school, or studio fitness centre**.
- c) **Public School** means an academic **school** under the jurisdiction of the York Region District School Board, the York Catholic District School Board, the Conseil Scolaire de district du Centre Sud-Ouest, the Conseil Scolaire de district Catholique Centre-Sud, or other similar provincially approved educational institution or parochial **school** operated on a non-profit basis, and may include an accessory **child care centre**.

- d) **Private school** means a **building** used as an academic **school** that follows the Ministry of Education's curriculum for elementary and, or, secondary **schools**, and which secures the major part of its funding from private sources.
- e) **University** means a publicly funded or publicly assisted **university** that receives ongoing operating funding and, or, grants from the Province of Ontario, and which may include a **child care centre**.

School Portable means a temporary **building** or **structure** designed to serve as a classroom on a **lot** that is also the site of a **public school**.

Service and Repair Establishment means an establishment used primarily for the repair of household articles but shall not include shops for the repair of internal combustion engines or **motor vehicles**.

Setback means the distance of a **structure** or other feature, from the property line or other feature.

Shared Housing - Large Scale means a form of housing where more than ten persons share accommodations with support services and may include a **respite care home, retirement home** or **institutional care home**.

Shared Housing - Small Scale means a form of housing where three to ten persons share accommodations with support services and may include a **group home, respite care home** or **retirement home**.

Shared Housing - Supervised Care Home means an establishment for persons where living accommodations are provided that contain supervised, personal and medical care facilities, common lounges and dining areas. **Shared housing - supervised care home** may include a **group home, institutional care home, long term care home, respite care home** or **retirement home**.

Shipping Container means a freight container that is used for the transportation and storage of goods and materials that can be loaded onto trucks, trains or ships for the purpose of moving goods and materials. A **shipping container** shall also include, but not be limited to, the body of a transport trailer or a straight truck and any prefabricated portable metal storage unit. For the purpose of this definition, a **shipping container** does not have wheels or include a **motor vehicle** or a transport trailer.

Shopping Centre means a **building** or a group of **buildings** containing a combination of permitted non-residential **uses** which have been designed, developed, and managed as one unit by a single owner or tenant, or group of owners and tenants, as distinguished from a business area comprised of unrelated individual uses.

Short Term Accommodation means an establishment that operates or offers a place of temporary overnight accommodation by way of concession, permit, lease, license, rental agreement or similar commercial arrangements for overnight accommodation, for one or more periods of less than 30 consecutive days, and not more than 180 total days over the duration of the calendar year, within a single **dwelling unit** that is the principal residence of the proprietor of the establishment.

Stacking Space means a space specifically designated as a waiting area for **motor vehicles** patronizing a **drive-through service establishment**.

Stepback means a portion of a **building** that is set back further from a **lot line** than any other portion of a **building**.

Storey means the portion of a **building** that is situated between the top of any floor and the top of the floor next above it. Where there is no floor above, **storey** means the portion of a **building** that is situated between the top of the floor and the ceiling above the floor. Any portion of a **building** partly below **average grade level** shall be deemed a **storey** where its ceiling is at least 50% above **average grade level**. A **mechanical penthouse** shall not be considered a **storey** or part thereof.

Stormwater Management Pond means a detention basin designed to temporarily store collected stormwater runoff and release it at a controlled rate.

Street means a roadway owned by a **public authority**, which may include a **Provincial Highway**, but which does not include a **lane**.

Student Residence means a **building** that is operated by a **public authority** and designed and used to accommodate students that are attending a **college** or **university**.

Structure means anything that is erected, built or constructed of parts joined together and attached or fixed permanently to the ground. For the purpose of this By-law, the following are deemed to not be **structures**:

- a) Fences;
- b) Light standards;
- c) Transformers;
- d) Sign;
- e) Natural gas or electricity metres;
- f) Air conditioning units;
- g) Antennas;
- h) Freestanding mailboxes;

- i) **Driveway** entrance feature statues;
- j) Storage lockers or dog houses, under 1.0 metre high, and under 10.0 square metres;
- k) Pool pumps and filters not inside **accessory buildings**;
- l) Flag poles;
- m) Trellises;
- n) Shopping cart enclosures;
- o) Waste receptacles;
- p) School bus shelters;
- q) Composters;
- r) Electric Vehicle Charging Stations;
- s) Swimming Pools
- t) Planters; and,
- u) Barbeques.

Swimming Pool means any body of water located outdoors contained in whole by artificial means, in which the depth of the water at any point can exceed 0.6 metres, and includes spas, hot tubs, landscaped ponds, wading pools, inflatable pools, above ground **swimming pools**, and in-ground **swimming pools**.

Tandem Parking Space means a **parking space** that is located behind another **parking space** and which, if used, prevents the other **parking space** from being accessed by a **motor vehicle** and shall not include parking on mechanical lifts.

Total Developable Area means the total area of the property less the area occupied by key natural heritage features, key hydrologic features and any related vegetation protection **zones** as identified by the Official Plan.

Trade and Convention Centre means a **building** or part of a **building** where facilities are provided for the displaying of goods and, or services for the general public, such as an auto show or a computer trade show or where groups of people meet for civic, educational, political, religious or social purposes.

Transport Terminal means an establishment used for the purpose of storing, servicing, washing, repairing or loading of trucks and, or transport trailers with materials or goods which are not manufactured, assembled, or processed on the same **lot**.

Use means the purpose for which any land, **building** or **structure** is arranged, designed, intended, operated, occupied or maintained.

Utility Trailer means any portable unit so constructed as to be suitable for attachment to a **motor vehicle** and capable of being used for the transportation of goods and, or, equipment.

Veterinary Clinic means an establishment where a licenced member of the College of Veterinarians of Ontario as identified under the [Veterinarians Act](#), treats domestic animals, birds or other livestock. A **veterinary clinic** may contain as an **accessory use**, boarding facilities for the purposes of animals undergoing treatment and recovery.

Wayside Pits and Quarries means a temporary pit or quarry opened and used by or for a **public authority** solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Yard means an open, uncovered space on a **lot** between a **building** and a **lot line** and which is unoccupied by **buildings** or **structures** except as specifically permitted in this By-law. The four types of **yards** are defined below:

- a) **Exterior Side Yard** means the **yard** of a **corner lot** extending from the **front yard** to the **rear yard** between the **exterior side lot line** and the nearest **main wall** of the **main building** or **structure** on the **lot**.
- b) **Front Yard** means a **yard** extending across the full width of the **lot** between the **front lot line** and the nearest **main wall** of the **main building** or **structure** on the **lot**.
- c) **Interior Side Yard** means a **yard** other than an **exterior side yard** that extends from the **front yard** to the **rear yard** between the **interior side lot line** and the **main wall** of the **main building** or **structure** on the **lot**.
- d) **Rear Yard** means a **yard** extending across the full width of the **lot** between the **rear lot line** and the nearest **main wall** of the **main building** or **structure** on the **lot**.

Zone means a classification of a land **use** shown on the Zoning Schedule(s) of this By-law.

PART 4.0 GENERAL PROVISIONS THAT APPLY IN ALL ZONES

4.1 BARRIER-FREE ACCESS

Nothing in this By-law prevents the establishment of **barrier-free** access in accordance with the requirements of the [Ontario Building Code](#) and the [Accessibility for Ontarians with Disabilities Act](#). In addition, nothing prevents the location of **barrier-free** access in a **private garage** that is attached to a **dwelling unit** provided the required number of **parking spaces** can still be provided.

4.2 FRONTAGE ON A STREET

Unless otherwise specified in this By-law, no person shall erect any **building** or **structure** and no person shall use any **building** or **structure** or **lot** unless the **lot**:

- a) Abuts or fronts on a **street** which is assumed by a **public authority** for maintenance purposes; or,
- b) Is being constructed pursuant to a Subdivision Agreement with a **public authority**; or,
- c) Fronts on a year round maintained **street** that was not established as a consequence of Registering a Plan of Subdivision; or,
- d) Abuts or fronts on a **private street** within a Plan of Condominium that either provides direct access to a **street** or which connects with other **private streets** within a Plan of Condominium or other Plans of Condominium to access a **street**.

Unless otherwise specified in this By-law, the **front lot line** of a **lot** separated from a **street** by a **reserve** or an open space block owned by a **public authority** shall be deemed to abut such a **street**.

4.3 PHASED CONDOMINIUM DEVELOPMENT

Unless provided elsewhere, where a Plan of Condominium is proposed to be developed as a phased condominium as defined and set out in the [Condominium Act](#), the lands shall be considered as one singular property for the purpose of determining conformity with the provisions of this By-law

and temporary **lot lines** created as a result of the phasing shall not be considered.

4.4 MEASUREMENT OF SETBACKS AND YARDS

- a) Where two **lot lines** meeting at the intersection of two **streets** and, or, a **street** and a **lane** are curved where they meet, the **yards** and **setbacks** required in this By-law shall be measured to the hypothetical **front, side, rear, or exterior side lot line**, projected from the tangent of the actual **lot line** in question.
- b) Where an area of land has been dedicated for a utility or snow storage notch, the **yards** and **setbacks** required in this By-law shall be measured from the extension of the **lot line** in question on the side of the utility or snow storage notch closest to the **street** or **lane**.

4.5 SIGHT TRIANGLES

- a) Notwithstanding any other provision of this By-law, no **building** or **structure**, fence, wall, **driveway, parking pad** or other hard surface or vegetative planting or **landscaping** that has a **height** of greater than 0.75 metres above **average grade level** shall be permitted in a sight line triangle as defined in sub-section b).
- b) A sight line triangle is that portion of a **corner lot** within the triangular space on a **lot** that is formed by creating a triangle that extends 6.0 metres from the hypothetical point of intersection of the **front** and **exterior side lot lines**.

4.6 PUBLIC USES, ACTIVITIES, OR INFRASTRUCTURE PERMITTED IN ALL ZONES

- a) **Public uses** or activities or **infrastructure** are permitted in all **zones**, except the Greenway One zone (GWY1), unless such **uses** are expressly prohibited in this By-law. Examples of **public uses** and **infrastructure** include, but are not limited to:
 - (i) **Municipal sewage services** and **municipal water services**;
 - (ii) Publicly owned and operated **community centres** and libraries, provided the **use** is located on an **arterial road** or a **major collector road** as shown on Map 10 of the Official Plan;
 - (iii) **Community gardens**;
 - (iv) Gateway features;
 - (v) Government offices;

- (vi) **Municipal parking lots or garages;**
 - (vii) **Public parks;**
 - (viii) Public works **yards;**
 - (ix) **Stormwater management ponds;**
 - (x) Telecommunication **infrastructure;**
 - (xi) Any component of a public transit system;
 - (xii) Any component of a municipal utility, including a municipal district heating and, or, cooling system;
 - (xiii) **Essential emergency services;** and,
 - (xiv) **Electric vehicle charging stations.**
- b) Where a **public use** is permitted, the following provisions apply:
- (i) Such **public use** must comply with all applicable **zone** standards, and parking and loading requirements of the **zone** in which it is located.
 - (ii) Notwithstanding section 4.6 b) (i) above, where one or more abutting or adjacent **lots** are owned by the same **public authority**, the abutting **lots** shall be deemed to be one **lot** for the purpose of applying zoning provisions for a **public use**.
 - iii) No **accessory outdoor storage** is permitted unless specifically permitted in the **zone** in which the **public use** is located.
- c) Notwithstanding subsections a) and b), no **buildings** or **structures** associated with a **public use** are permitted if **buildings** or **structures** are specifically prohibited in a **zone**.
- d) Notwithstanding subsections a) and b), **public schools, colleges** and **universities** and **student residences** are only permitted if such **use** is expressly permitted in a **zone**.

4.7 USES PROHIBITED IN ALL ZONES

The following **uses** are not part of any **use** permitted in this By-law, unless expressly permitted in this By-law:

- a) The **use** of any **lot** without a **main building** on the same **lot**;
- b) The **use** of any tent, trailer, coach body, rail car, or **motor vehicle** for human habitation;
- c) The storage or use of **shipping containers** on a **lot** unless **accessory outdoor storage** is specifically permitted on the **lot** in this By-law or if

the **shipping container** is permitted on a temporary basis on a **lot** in a Residential **zone** in accordance with Part 6.0 of this By-law;

- d) The permanent placement of **shipping containers** on a **lot** in a Residential **zone**;
- e) The outdoor storage of disused or partially dismantled **motor vehicles**, rail cars, streetcars, buses, truck bodies, trailers, appliances, or other scrap;
- f) The parking or storage of trailers or **commercial motor vehicles** on a vacant **lot**, unless an **accessory outdoor storage use** is permitted on the **lot** in this By-law;
- g) The parking or storage of trailers or **commercial motor vehicles** on a **lot** for the purposes of advertising;
- h) The manufacturing, refining, rendering or distillation of acid, ammonia, ammunitions, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar;
- i) The bulk storage of ammunitions, industrial chemicals, fuels and oils, **hazardous waste** or **liquid industrial waste** unless specifically permitted under the [Environmental Protection Act](#); and,
- j) **Noxious uses.**

4.8 SPECIAL STANDARDS

4.8.1 ACCESSORY BUILDINGS OR STRUCTURES

Unless otherwise identified in this By-law, **accessory buildings** are subject to the following provisions:

- a) No **accessory building or structure** shall:
 - (i) Be erected on a **lot** prior to the erection of the **main building** on the **lot**;
 - (ii) Be used for human habitation unless expressly permitted in this By-law;
 - (iii) Be located within a **public easement**; and,
 - (iv) Be located within a **front yard**, or a **front yard** and an **exterior side yard** within a mixed use **zone**.

- b) The maximum permitted **gross floor area** per **accessory building** is:
- (i) 12 m² if the **lot area** is less than or equal to 500 m²;
 - (ii) 20 m² if the **lot area** is greater than 500 m² and less than 4,000 m²;
 - (iii) 60 m² if the **lot area** is 4,000 m² or greater.
- c) The maximum number of **accessory buildings** permitted on a **lot** is:
- (i) 2 if the **lot area** is less than or equal to 4,000 m²;
 - (ii) 4 if the **lot area** is greater than 4,000 m².
- d) The maximum **height** per **accessory building** is:
- (i) 3.0 metres if the **lot area** is less than or equal to 4,000 m²;
 - (ii) 5.5 metres if the **lot area** is greater than 4,000 m².
- e) The minimum **setback** for an **accessory building** from the **interior side lot line** and **rear lot line** is:
- (i) 1.2 metres;
 - (ii) Notwithstanding (i) above, the **setback** may be reduced to 0.5 metres if the **lot area** is less than 4,000m² and the wall of the **building** has no doors or windows on the wall facing the **lot line**;
 - (iii) Where an **accessory building** is located between the **main building** and an **interior side lot line**, the minimum **setback** for an **accessory building** from the **interior side lot line** shall be equal to the required **interior side yard** for the **main building**.
- f) The minimum **setback** for an **accessory building** from the **exterior side lot line** shall be no less than the **setback** between the **main building** and the **exterior side lot line** on any sized **lot**.
- g) The minimum **setback** for an **accessory building** from any other **building** or **structure** on the **lot** is 1.8 metres.
- h) Notwithstanding (e) above, within a mixed use **zone**, no **accessory building** or **structure** shall be located within 3.0 metres of a residential **zone** boundary.

4.8.2 DETACHED PRIVATE GARAGES ON LOTS NOT ACCESSED BY A LANE

One detached **private garage** is permitted accessory to a **dwelling unit** on a **lot** not accessed by a **lane** provided:

- a) The **height** of a detached **private garage** is no greater than 4.5 metres;
- b) The maximum **lot coverage** of a detached **private garage** is the greater of:
 - (i) 25%; or,
 - (ii) 36 m².
- c) The detached **private garage** is located a minimum of:
 - (i) 1.2 metres from the **rear lot line**;
 - (ii) 1.2 metres from the **interior side lot line**;
 - (iii) The required **exterior side yard** for the **main building** from the **exterior side lot line**; and,
 - (iv) Notwithstanding iii) above, the **garage door** opening for a **motor vehicle** shall be set back a minimum of 5.8 metres from a **lot line** abutting a **street** that provides access to the **lot**.

4.8.3 DECKS

Decks are permitted associated with low-rise residential uses including those residential uses permitted in the Greenway, Countryside, Hamlet, and Future Development **zones**, in accordance with the following regulations:

- a) **Decks** that have a **height** of between 0.61 metres and 1.0 metre above the lowest ground surface at all points around the perimeter of the platform are permitted provided that:
 - (i) The **deck** is located no closer than 3.0 metres to the **rear lot line**;
 - (ii) The **deck** is located no closer to the **interior side lot line** than the **interior side yard** requirement for the **main building**;
 - (iii) The **deck** is located no closer to the **exterior side lot line** than the required **exterior side yard** for the **main building**; and,

- (iv) The **deck** is not located in the **front yard**.
- b) **Decks** that have a **height** greater than 1.0 metre above the lowest ground surface at any point around the perimeter of the platform are permitted to extend from the wall closest to the **rear lot line** a maximum of 3.7 metres, (except if the **lot** is the site of a detached **private garage**), provided:
 - (i) The **deck** is located no closer than 3.0 metres to the **rear lot line**;
 - (ii) The **deck** is located no closer to the **interior side lot line** than the **interior side yard** requirement for the **main building**;
 - (iii) The **deck** is located no closer to the **exterior side lot line** than the required **exterior side yard** for the **main building**;
 - (iv) The floor of the **deck** is not higher than the floor level of the **first storey** of the **main building**; and,
 - (v) The **deck** does not extend more than 1.5 metres into the **setback** area required by Section 4.8.3 a).
- c) Notwithstanding the above provisions, stair landings less than 1.0 m², and stairs used to access a **deck** shall not be subject to the **setback** requirements of this Section, provided they are no closer than 0.6 metres from any **lot line**.
- d) **Decks** with a **height** less than 1.0 metres are permitted to encroach into the **setback** area required by Section 4.8.3 a)

4.8.4 EXCEPTIONS TO HEIGHT REQUIREMENTS ALL ZONES

4.8.4.1 The **height** requirements of this By-law shall not apply to:

- a) Communication towers and antennas;
- b) Ornamental roof construction features such as unoccupied towers, steeples, or cupolas.
- c) Water storage tanks;
- d) Aggregate processing facilities;
- e) **Buildings** or **structures** associated with a public or municipal works depot;
- f) Agricultural **buildings** and **structures**, including silos and grain elevators;
- g) Silos used for industrial purposes;
- h) Cooling towers;
- i) flagpoles;
- j) Chimneys and other stacks; and,

- k) All heating, ventilation and air conditioning equipment (HVAC) that is not enclosed in a **mechanical penthouse**.

4.8.5 SHIPPING CONTAINERS

The temporary placement of one **shipping container** is permitted per **lot** associated with low-rise residential uses including those residential uses permitted in the Greenway, Countryside, Hamlet, and Future Development **zones**, provided the **shipping container**:

- a) Is located on the **driveway** or **parking pad**;
- b) Is not located within a GWY1 **zone**;
- c) Is set back a minimum of 1.0 metre from any **lot line**;
- d) Has a maximum **height** of 2.5 metres, a maximum width of 2.5 metres and a maximum length of 6.0 metres; and
- e) Is not located on the **lot** for more than 30 days in a calendar year.

4.8.6 OUTDOOR PATIOS

Where an **outdoor patio** is permitted accessory to a permitted **use** in this By-law, the following regulations apply:

- a) An **outdoor patio** shall not be used to provide entertainment such as performances, music and dancing;
- b) An **outdoor patio** must be set back at least 30.0 metres from a residential **zone**; and,
- c) **Outdoor patios** with a maximum **gross floor area** of 40% of the restaurant's **gross floor area** shall be permitted and shall be exempt from parking requirements.

4.8.7 OUTDOOR DISPLAY AND SALES AREAS

Where an **outdoor display and sales area** is permitted, the following provisions apply:

- a) The **outdoor display and sales area** must be accessory to a permitted **use** on the **lot**;

- b) The **outdoor display and sales area** must be set back a minimum of 12.0 metres from a Residential **Zone** boundary;
- c) The **outdoor display and sales area** must be located outside of any required **parking spaces, drive aisles, parking aisles, loading spaces,** or required **landscaping strips**;
- d) Notwithstanding subsection (c), where a temporary **outdoor display and sales area** exists for not more than 12 weeks in a calendar year, it may occupy up to 10% of the required **parking spaces** for the **uses**;
- e) Subsection (d) above shall not apply to **outdoor display and sales area** accessory to a **motor vehicle sales establishment, a motor vehicle fueling station, or a motor vehicle rental establishment;** and,
- f) Where an outdoor display area is associated with a **motor vehicle fueling station,** the maximum area of **outdoor display and sales** shall be 200 m².

4.8.8 ENCROACHMENTS INTO REQUIRED YARDS (EXCLUDING DECKS AND PORCHES)

Encroachments of the following **structures** or features attached to a **main building** are permitted in accordance with the following Table 4.8.8. There is no restriction of the location of gutters into required **yards**.

Table 4.8.8: Permitted Encroachments into Required Yards

	Structure or Feature	Yards in which Structure or Feature is Permitted	Permitted Encroachment into Required Yard
(A)	Architectural features such as sills, belt courses, cornices, chimney breasts and pilasters	Any required yard	0.6 m
(B)	Eaves and roof overhangs	Any required yard	0.9 metres provided they are no closer than 0.1 metres from any lot line
(C)	Balconies	Any required yard	1.8 metres provided they have a maximum depth of 1.8 metres are no closer than 1.0 metre from any lot line
(D)	Bay Windows	Any required yard	1.0 metre provided the Bay window: i) is cantilevered a minimum of 0.15 metres above grade or above the porch ii) is not wider than 4.0 metres, and iii) is located no closer than 1.2 metres from any lot line
(E)	Projection of main walls	Front or exterior side yard	1.0 metre provided the projection: i) contains windows;

			ii) is no wider than 3.0 metres; iii) is located no closer than 1.2 metres from any lot line ; and, iv) occupies no more than 50% of a building facade
(F)	Stairs and landings that access any part of the main building at or above grade and which are not associated with a deck or porch	Required rear yard	2.0 m
		Required front and exterior side yards	Permitted provided no part of the stairs or landing are located no closer than 0.6 metres from any lot line

4.8.9 HARD AND SOFT LANDSCAPING

Hard and Soft Landscaping associated with low-rise residential uses including those residential uses permitted in the Greenway, Countryside, Hamlet, and Future Development **zones**, are subject to the following provisions.

4.8.9.1 HARD LANDSCAPING

- a) The maximum area of **hard landscaping** in the **front yard** shall not exceed 15%. For the purposes of this section, **driveways** and **porches** with associated stairs are not included in the calculation of **hard landscaping**;
- b) **Hard landscaping** may project into the required **rear yard** a maximum of 50% of the minimum **rear yard setback** for the **main building**;
- c) Notwithstanding b) above, **hard landscaping** may project a maximum of 50% of the required setback of 6.3.2 d) i);
- d) Notwithstanding any other provision in Section 4.8.9:
 - (i) a 1.2 metre **hard landscaping** strip is permitted around **swimming pool**; and,
 - (ii) a landing consisting of **hard landscaping** is permitted to project 1.2 metres from the base of the stairs exiting a **dwelling unit** or **deck**.

4.8.9.2 SOFT LANDSCAPING

The provisions in this section are modified to the extent necessary to permit **accessory buildings**, detached **private garages** accessed by a **lane**, **coach house dwelling units**, **garden homes** and **garden suites** as permitted by other Sections of this By-law.

- a) The minimum width of a **landscaping strip** made up of **soft landscaping** abutting **interior side lot lines** and **rear lot lines** on a **lot** that is not accessed by a **lane** is:
- (i) 1.5 metres in the RES-ES (RESIDENTIAL - ESTATE), RES-ENLR (RESIDENTIAL - ESTABLISHED NEIGHBOURHOOD LOW RISE), GWY2 (GREENWAY TWO), GWY3 (GREENWAY THREE), CTS, (COUNTRYSIDE), and HAM-RES (HAMLET - RESIDENTIAL) **zones**;
 - (ii) 1.2 metres in the RES-LR1 (RESIDENTIAL - LOW RISE ONE) **zone**; and,
 - (iii) 0.6 metres in all other residential low rise **zones** not accessed by a **lane**.
- b) The minimum width of a **landscaping strip** made up of **soft landscaping** abutting the **interior side lot line** on a **lot** that has a detached **private garage** that is accessed by a **lane** is 0.6 metres abutting the **interior side lot line** between the **front lot line** and the wall of the detached **private garage** closest to the **main building**.
- c) Notwithstanding subsections a) and b), where a required **interior side yard** is less than 0.6 metres, the required **landscaping strip** made up of **soft landscaping** shall be equal to the required **interior side yard** for the **main building**.

4.8.10 PORCHES

Porches associated with low-rise residential uses including those residential **uses** permitted in the Greenway, Countryside, Hamlet, and Future Development **zones**, are subject to the following provisions.

4.8.10.1 SIZE OF PORCHES

Porches in the **front** and **exterior side yards** are permitted provided:

- a) The floor of any **porch** that is located between a wall of the **main building** and any **lot line** that serves as the boundary of a **street** shall have a depth of at least 1.8 metres;
- b) Notwithstanding subsection a), columns, piers, and, or railings associated with the **porch** are permitted to encroach within this area;
- c) Notwithstanding subsection a), stairs can encroach a maximum of 0.2 metres into the minimum required **porch** depth; and,

- d) The maximum **height** of a **porch** floor above the **average grade level** of the **porch** is 1.2 metres.

4.8.10.2 ENCROACHMENT OF PORCHES INTO REQUIRED YARDS

- a) **Porches**, and underground cold cellars located entirely beneath the **porch**, may encroach:
 - (i) Into the required **front yard** and **exterior side yard** provided that no part of the **porch** is located closer than 1.0 metre from the **front lot line** or **exterior side lot line**;
 - (ii) Into the required **rear yard** a distance of 3.0 metres, provided it does not extend more than 1.5 metres into the **setback** area required by Section 4.8.3 a);
 - (iii) Into the required **interior side yard** a distance of 0.2 metres if the required **interior side yard** is 0.6 metres or less; and,
 - (iv) Into the required **interior side yard** a distance equal to one-half of the required **interior side yard** where the required **interior side yard** is greater than 0.6 metres.
- b) Stairs that are used to provide access to a **porch** from the ground shall not be located closer than 0.6 metres from the **front lot line** or **exterior side lot line**.
- c) Eaves associated with a **porch** are permitted to encroach an additional 0.45 metres beyond what is permitted by subsection (a). There is no restriction on the location of gutters.
- d) Notwithstanding subsection a) (i), (ii), (iv) and b) above, in the RES-ENLR **Zone** only, **porches** that comply with Section 6.3.9.1 and underground cold cellars located entirely beneath the **porch**, may encroach into the required **front yard** and **exterior side yard** only by no more than 1.8 metres (plus 0.45 metres for stairs). The encroachment of **porches** into the required **interior side yard** in the RES-ENLR **Zone** is not permitted.

4.8.11 MECHANICAL PENTHOUSES

Notwithstanding the application of **height** or **storey** within this By-law, a **mechanical penthouse** may be exempt from the **height** or **storey** requirements provided:

- a) The **mechanical penthouse** does not project more than 3.5 metres above the highest point of the roof surface, regardless of the **height**

of the **building**, and does not cover more than 50% of the roof upon which it is located.

- b) Notwithstanding a) above this exemption does not apply to a **mechanical penthouse** located in the RES-ES (RESIDENTIAL - ESTATE) and the RES-ENLR (RESIDENTIAL - ESTABLISHED NEIGHBOURHOOD LOW RISE) **zone**.
- c) In all other **zones**, the **height** requirements of this By-law shall not apply to a **mechanical penthouse** that does not project more than 6.0 m metres above the highest point of the roof surface, regardless of the **height** of the **building**, and does not cover more than 50% of the roof upon which it is located.
- d) The **mechanical penthouse** shall not contain any habitable **floor area**, or any indoor **amenity space**.

4.9 SPECIAL USE PROVISIONS

4.9.1 HOME OCCUPATIONS

- a) Where a **home occupation** is permitted, the **home occupation**:
 - (i) Shall clearly be a secondary **use** of the **lot**, and **accessory** to a **dwelling unit**;
 - (ii) Shall be conducted entirely within any permitted **building** on a **lot**;
 - (iii) Shall be conducted by at least one of the residents of a **dwelling unit** located on the same **lot**;
 - (iv) Shall not employ more than one employee, in addition to members of the household;
 - (v) Shall not occupy more than 25% of the **gross floor area** of the **dwelling unit** and any associated **accessory buildings** on the same **lot**;
 - (vi) Shall not create noise, vibration, fumes, odour, dust, glare or radiation which is evident outside the **dwelling unit**;
 - (vii) Shall not involve the **accessory outdoor storage** or outdoor display of materials or finished products;
 - (viii) Shall not consist of an occupation that involves the sale of a commodity not produced on the **premises**. Notwithstanding the above, telephone, mail order, or internet sales of goods is permitted provided products are not picked up on the premises.
 - (ix) If involving instructional activity, shall not be occupied by

- more than four students at any one time;
 - (x) If involving a **personal service establishment use**, shall not be occupied by more than four patrons at any one time; and,
 - (xi) Shall not require receipt or delivery of merchandise, goods or equipment by other than a passenger **motor vehicle** or by parcel or letter carrier mail service using **motor vehicles** typically employed in residential deliveries.

- b) Notwithstanding the above, the following **uses** are not **home occupations** for the purposes of this By-law:
 - (i) Any **use** involving the storage, repair, maintenance and, or, towing of **motor vehicles** or other machinery or equipment;
 - (ii) **Medical offices**, except as set out in sub-section c) below;
 - (iii) **Pet services establishment;**
 - (iv) **Kennel;**
 - (v) Any **use** involving the sale of prepared food for human consumption;
 - (vi) Dating bureaus and, or, escort services;
 - (vii) **Outdoor storage use** or **accessory outdoor storage;**
 - (viii) Taxi service depot and, or, dispatch;
 - (ix) **Home industry;**
 - (x) Paint Shop or furniture stripping;
 - (xi) **Retail stores;** and,
 - (xii) Any **use** offering temporary overnight accommodation.

- c) A **medical office** may be located within the **dwelling unit** of a physician provided the **dwelling unit** is located on a **lot** that has a **front lot line** or an **exterior side lot line** that abuts a **provincial highway**, an **arterial road** or a **major collector road** as shown on Map 10 and 11 to the Official Plan.

4.9.2 PLACE OF WORSHIP

Where a **place of worship** is permitted in this By-law, the following shall apply:

- a) **Accessory uses** shall not exceed the **gross floor area** of the **sanctuary;**

- b) **Accessory uses** may include classrooms for the instruction of religious rites, assembly areas with kitchen facilities, a residence for the faith group leader, and offices subordinate and incidental to the principal **place of worship;**

- c) The **gross floor area** of a **place of worship** in a multi-unit **building** in any Mixed Use or Employment **zone** shall not exceed 500 square metres.

4.9.3 TEMPORARY TENTS

- a) Notwithstanding any other provision in this By-law, temporary tents, marquees and similar **structures** are permitted to be erected for a temporary period not exceeding 12 weeks in any calendar year.
- b) In addition to a), within any residential **zone**, temporary tents shall comply with the **setbacks** for **accessory buildings** and shall not exceed 60 m².

4.9.4 ACCESSORY WASTE DISPOSAL AREAS

- a) All waste generated from a non-residential **use** or from a **lot** containing seven or more **dwelling units**, shall be stored inside a **building** or **structure** or waste receptacle provided the **building, structure** or waste receptacle:
 - (i) Is located within the **interior side** or **rear yard**;
 - (ii) Is located no closer to any **lot line** than required for an **accessory building or structure** in this By-law;
 - (iii) Does not occupy any required **parking spaces** and the access to these **parking spaces**; and,
 - (iv) Is not located within any required **landscaping strip**.
- b) Where a waste storage **building** or **structure** is provided in accordance with subsection a) above, the **building** or **structure** shall be constructed using masonry, concrete, or wood on all sides in order to provide screening. This provision does not apply to a purpose built deep well receptacle.

4.9.5 TEMPORARY CONSTRUCTION AND MODEL HOMES

- a) Nothing in this By-law shall prevent **uses** incidental to construction, such as a construction camp or other such temporary work camp, tool shed, scaffold, waste disposal receptacle, or other **building** or **structure** incidental to the construction, only for so long as the same are necessary for work in progress that has neither been finished nor abandoned;

- b) Nothing in this By-law shall prevent the **use** of land for a **model home**, provided that the units to be sold are to be located on lands within the **City**;
- c) Notwithstanding subsection b) above, the number of **model homes** within a draft or approved plan of subdivision shall be limited to 25% of the number of units within the subdivision, to a maximum of ten (10) units; and,
- d) Notwithstanding c) above, the maximum number of units may be exceeded where the units are contained within a single **building**.

4.9.6 **MOTOR VEHICLE SALES AND MOTOR VEHICLE RENTAL ESTABLISHMENTS**

Where a **motor vehicle sales establishment**, or a **motor vehicle rental establishment** is located on a **lot**, the following provisions apply:

- a) The minimum required width of a **landscaping strip** shall be:
 - (i) 3.0 metres adjacent to any **lot line** that serves as the boundary of a **street**; and,
 - (ii) 6.0 metres adjacent to any other **lot line**.

4.9.7 **MOTOR VEHICLE FUELING STATIONS**

Where a **motor vehicle fueling station** is located on a **lot**, the following provisions apply:

- a) The minimum required width of a **landscaping strip** shall be:
 - (i) 3.0 metres adjacent to any **lot line** that serves as the boundary of a **street**; and,
 - (ii) 6.0 metres adjacent to any other **lot line**.
- b) Fuel islands and canopies shall maintain the **setback** requirements for the **main building** on a **lot**.
- c) Notwithstanding any other provisions, **buildings** or **structures** associated with a **motor vehicle fueling station** shall be set back a minimum of 15 metres from a residential **zone**.
- d) Notwithstanding any other provision in this by-law, no minimum **height** requirements shall apply to **motor vehicle fueling stations**.

4.9.8 MOTOR VEHICLE MAINTENANCE SHOP AND MOTOR VEHICLE REPAIR AND BODY SHOP

Where a **motor vehicle maintenance shop** or **motor vehicle repair and body shop** is located on a **lot**, the following provisions apply:

- a) Where **accessory outdoor storage** is associated with a **motor vehicle maintenance shop** or **motor vehicle repair and body shop**, the **accessory outdoor storage** is subject to the following:
 - (i) **Accessory outdoor storage** is permitted only in a **rear yard** or **interior side yard** and not closer than 9.0 metres to any **lot line** that abuts a **street**;
 - (ii) The **height** of stored materials shall not exceed the lesser of the **height** of the **main building** on the **lot**, or 12.0 metres;
 - (iii) Opaque fencing with a minimum **height** of 2.75 metres or a berm with a minimum **height** of 3.0 metres shall screen the **accessory outdoor storage**; and,
 - (iv) **Accessory outdoor storage** is not permitted within any **yard** abutting a Residential or Mixed Use **Zone** boundary.
- b) Overhead doors providing vehicular access to a **building** shall not be located within 15 metres of a residential **zone**.
- c) Notwithstanding any other provisions, **buildings** or **structures** associated with a **motor vehicle maintenance shop** or **motor vehicle repair and body shop** shall be set back a minimum of 15 metres from a residential **zone**.

4.9.9 ACCESSORY DWELLING UNITS

One accessory **dwelling unit** is permitted in a **detached, semi-detached** or **townhouse dwelling unit** provided:

- a) The accessory **dwelling unit** is located entirely within the same **building** as the **detached, semi-detached** or **townhouse dwelling unit**;
- b) Only one **dwelling unit** entrance is contained in any **main wall** facing a **street** unless the second entrance is located below grade; and,

- c) Where direct access to the accessory **dwelling unit** is provided from the **interior side yard**, the entrance to the accessory **dwelling unit** is required to be a minimum of 1.2 metres from the **interior side lot line** and no stairs accessing the accessory **dwelling unit** are permitted within 1.2 metres from the **interior side lot line**.

4.9.10 GARDEN HOMES

Where permitted through this By-law, one **garden home** is permitted accessory to a **detached dwelling, semi-detached dwelling or, townhouse building**, on a lot provided:

- a) There is no **coach house dwelling or garden suite** on the lot;
- b) The **garden home** is located in the **rear yard**;
- c) The **garden home** has a minimum **gross floor area** of 35 m²;
- d) The **garden home** has a maximum **gross floor area** of 60 m² provided it does not exceed the **gross floor area** of the principal **dwelling unit** on the same lot;
- e) The **garden home** is set back a minimum of 6 metres from the **main building** on the lot;
- f) The **garden home** has a **height** of no greater than 4.5 metres;
- g) The **garden home** is located no further than 30 metres from the a **lot line** abutting a **street**;
- h) The **garden home** is accessed from the **street** by an unobstructed path of travel that has a minimum width of 1.2 metres;
- i) The **garden home** is located a minimum of:
 - (i) 1.2 metres from the **rear lot line**;
 - (ii) The required **exterior side yard** for the **main building** from the **exterior side lot line**; and,
 - (iii) 1.2 metres from the **interior side lot line**.

4.9.11 GARDEN SUITES

Where permitted through the passage of a Temporary Use By-law in accordance with the [Planning Act](#), one **garden suite** is permitted in a detached **accessory building** in the **rear yard** of a **lot**, provided:

- a) There is no **coach house dwelling** or **garden home** on the **lot**;
- b) The **garden suite** is in the **rear yard**;
- c) The **garden suite** has a minimum **gross floor area** of 35 m²;
- d) The **garden suite** has a maximum **gross floor area** of 60 m² provided it does not exceed the **gross floor area** of the principal **dwelling unit** on the same **lot**;
- e) The **garden suite** is designed to be portable;
- f) The **garden suite** is set back a minimum of 6.0 metres from the **main building** on the **lot**;
- g) The **garden suite** has a **height** of no greater than 4.5 metres;
- h) The **garden suite** is located no further than 30.0 metres from the **lot line** over which access from a **street** is obtained;
- i) The **garden suite** is accessed from the **street** by a clear path of travel that has a minimum width of 1.2 metres; and,
- j) The **garden suite** is located a minimum of:
 - (i) 1.2 metres from the **rear lot line**;
 - (ii) The required **exterior side yard** for the **main building** from the **exterior side lot line**; and,
 - (iii) 1.2 metres from the **interior side lot line**.

PART 5.0 PARKING AND LOADING STANDARDS

5.1 APPLICABILITY OF THIS SECTION

- a) The **parking** and **loading space** requirements of this part of the By-law do not apply to any **use** in existence on the effective date of this By-law so long as the **net floor area** that existed on that date is not increased.
- b) Where an existing **building** is enlarged or altered, additional **parking spaces** shall be provided for the additional **net floor area** as required in this By-law.
- c) If the **use** of a **building** changes, additional **parking spaces** equal to the difference between what exists before the change of **use** and what is required in this By-law shall be provided.

5.2 GENERAL PARKING PROVISIONS

5.2.1 RESTRICTION ON USE OF LAND, BUILDINGS AND STRUCTURES

- a) Unless otherwise specified in this By-law, no person shall use or permit the use of any land, **building** or **structure** in any **zone** for any purpose permitted in this By-law, unless the minimum number of **parking spaces** required are provided on the same **lot** in accordance with the provisions of this By-law.
- b) Notwithstanding the above, the required parking for **public uses** can be located on an abutting or nearby **lot** that is also the site of a **public use**.

5.2.2 CALCULATION OF PARKING REQUIREMENTS

- a) Where the minimum number of **parking spaces** are calculated on the basis of a rate or ratio, the required number of **parking spaces** shall be increased to the next highest whole number if the fraction is 0.5 or greater.
- b) In calculating **net floor area** and **gross leasable floor area** for the purposes of applying the minimum number of **parking spaces**

required, the **net floor area** and **gross leasable floor area** shall not be less than 75% of the **gross floor area** of a **building** or **structure**.

5.2.3 MORE THAN ONE USE ON A LOT

Unless otherwise specified in this By-law, the **parking space** requirements for two or more **uses** on a **lot** shall be the sum of the requirements for each individual **use**.

5.2.4 EXCLUSIVE USE OF A PARKING SPACE

Unless otherwise specified in this By-law, all required **parking spaces** shall be unobstructed and available for parking purposes and used exclusively for that purpose at all times. **Parking spaces** required by this section of the By-law shall not be used for the storage of inoperable **motor vehicles**, waste receptacles or snow storage, or for the keeping or storage of **motor vehicles** for sale, rent, or repair.

5.2.5 SIZE OF PARKING SPACES

- a) Each required **parking space** shall have a width of not less than 2.75 metres and a length of not less than 5.8 metres.
- b) Notwithstanding the above, **parking spaces** dedicated as accessible spaces in accordance with Section 5.6 shall have a 1.5 metre wide access aisle adjacent to the accessible **parking space**. The 1.5 metre wide access aisle adjacent to the **parking space** may be shared between two adjacent accessible **parking spaces**.
- c) Notwithstanding the above, **parking areas** and **parking garages** that legally existed on the effective date of this By-law, are exempt from the **parking space** minimum size requirements as set out in subsection a) and b) above.
- d) **Electric vehicle supply equipment** is permitted to encroach 0.3 metres into a required **parking space** provided the encroachment is not located further than 1.0 metre from either end of the **parking space**.

5.2.6 ACCESS TO PARKING SPACES

- a) Direct access shall be provided to each of the **parking spaces** required in this By-law, unless otherwise specified in this By-law.

- b) Notwithstanding the above, **tandem parking spaces** are permitted on **lots** with **buildings** containing no more than four **dwelling units** and for condominium **townhouse dwellings** with parking provided at grade and accessed via a **private street**.

5.2.7 WIDTH OF PARKING AISLES

The width of **parking aisles** within a **parking area** or **parking garage**, shall be in accordance with the following:

- a) For two-way **parking aisles**, the minimum **parking aisle** width shall be 6.0 metres.
- b) For one-way **parking aisles**, the minimum **parking aisle** width shall be 3.0 metres.
- c) Where the **parking aisle** width in a **parking area** or **parking garage** is less than 6.0 metres, the aisle shall be one-way.
- d) Notwithstanding the above, **parking areas** and **parking garages** that legally existed on the effective date of this By-law are exempt from the minimum aisle width requirements set out in subsections a), b) and c).

5.2.8 WIDTH OF DRIVE AISLES

- a) **Drive Aisles** accessing a **parking area** or **parking garage**, shall be a minimum of 3.0 metres in width for one-way traffic and a minimum of 6.0 metres in width for two-way traffic.
- b) Notwithstanding the above, a two-way **drive aisle** located on the same **lot** as a **Heritage Building**, may be reduced to 4.0 metres in width when accessing a **parking area** or **parking garage** with ten **parking spaces** or less and provided the **drive aisle** is not a designated fire route.

5.2.9 PARKING GARAGES

- a) Where any portion of a **parking garage** is located more than 1 metre above **average grade level**, the portion of the **parking garage** that is 1 metres above **average grade level** shall be:
 - (i) Set back a minimum of 10.0 metres from any **lot line**;
 - (ii) Set back a minimum of 10.0 metres from the **main wall** of a **building** nearest to a **lot line** abutting a **street**; and,

- (ii) Comply with all other requirements of the **main building** for the **zone** in which it is located.
- b) Where no portion of a **parking garage** is located more than 1 metre above **average grade level**, the **parking garage** shall be:
 - (i) Set back a minimum of 0.6 metres from any **lot line**; and,
 - (ii) Set back a minimum of 3.0 metres from a **lot line** abutting a residential low rise **zone** within the first 0.9 metres below **average grade level**.

5.2.10 SPECIAL PARKING REGULATIONS WITHIN A PARKING GARAGE

Notwithstanding the provisions of section 5.2.5 and 5.2.7, where **parking spaces** are located within a structured **parking garage**, the following provisions apply.

- a) **Parking space** lengths may be reduced to 5.4 metres where the **parking aisle** is a minimum 6.5 metres in width.
- b) Columns and pipes can encroach into a required **parking space** by up to 0.3 metres provided the encroachment is no more than 0.5 metres in length, and is not located further than 1.0 metre from either end of the **parking space**.

5.2.11 SURFACE TREATMENT

- a) All **parking spaces** and **parking areas** and all **driveways, drive aisles, or parking aisles** to any **parking area** must be surface treated with asphalt, concrete, concrete pavers or similar materials.
- b) Notwithstanding a) above, **parking spaces** and **parking areas** and all **driveways, drive aisles, or parking aisles** to any **parking area** in the Greenway, Countryside and Hamlet **Zones** may be treated with an aggregate, to provide a stable surface.
- c) The use of sod or other soft landscape areas for the parking of **motor vehicles** is not permitted.

5.2.12 CHARGING OF A FEE FOR REQUIRED PARKING

- a) Unless otherwise prescribed within the by-law, No charge, fee or payment shall be required for the temporary **use** of any **parking space** required in this by-law, except for the following:
- (i) **Commercial Parking Lot or Garage;**
 - (ii) A parking lot owned or operated by a **public authority;**
 - (iii) **Public Hospital;** and,
 - (iv) Connecting to an **Electric Vehicle Charging Station**

5.2.13 SPECIFIC EXEMPTIONS

Where this section is specifically referenced in this By-law, any additional parking and loading standards shall not apply to the **uses** outlined below:

- i) **Multiplex Dwellings;**
- ii) **Detached Dwellings;**
- iii) **Semi-detached Dwellings;**
- iv) **Townhouse Dwellings;**
- v) **Bed and Breakfast Establishment;**
- vi) **Farm Vacation Home;**
- vii) **Agricultural, and Agricultural Related Uses;**
- viii) **Shared Housing - Small Scale;**
- ix) **Shared Housing - Supervised Care Home;**
- x) **Group Home;**
- xi) **Coach House Dwelling;**
- xii) **Garden Home;**
- xiii) **Garden Suite;** and,
- xiv) Accessory **dwelling unit** located within a **Detached, Semi-detached or Townhouse Dwelling.**

5.3 ADDITIONAL RESIDENTIAL PARKING REQUIREMENTS

5.3.1 LOCATION OF MOTOR VEHICLE PARKING

- a) The parking of **motor vehicles** associated with a residential **use** in a residential **zone** is only permitted:
- i) In a **parking garage;**
 - ii) In a **parking area;**
 - iii) In an attached or detached **private garage;**
 - iv) In a **carport;**
 - v) On a **parking pad;** and,

- vi) On a **driveway**.
- b) For all dwelling types in low rise residential **zones** requiring two **parking spaces** per unit, no more than one required **parking space** may be provided within the required **front yard** or the required **exterior side yard** on the **lot**.

5.3.2 DRIVEWAYS

- a) Unless otherwise permitted in this By-law, no more than one **driveway** is permitted to access a **lot** from a **street** in a residential **zone**.
- b) A **driveway** located in a **front yard** shall be located:
 - i) no closer to an **interior side lot line** than the required **interior side yard** for the **main building** from the **interior side lot line**;
 - ii) no closer to an **exterior side lot line** than the required **exterior side yard** for the **main building** from the **exterior side lot line**; and,
 - iii) where a **private garage** is detached from the **main building**, no closer to the **exterior** or **interior side lot line** than the required **setback** for the detached **private garage** from the **exterior** or **interior side lot line**.
- c) A **driveway** located in an **exterior side yard** shall be located:
 - (i) no closer to a **rear lot line** than the required **rear yard** for the **main building** from the **rear lot line**;
 - (ii) no closer to a **front lot line** than the required **front yard** for the **main building** from the **front lot line**; and,
 - (iii) where a **private garage** is detached from the **main building**, no closer to the **rear lot line** than the required **setback** for the detached **private garage** from the **rear lot line**.
- d) Notwithstanding subsection b) and c) above, the **setback** for the **driveway** may be reduced to match the **setback** of a detached **private garage** that legally existed on the effective date of this By-law.
- e) The minimum **driveway** width shall be equal to the **garage door** width.
- f) The maximum **driveway** width shall not exceed the **garage door** width plus 2.0 metres.

- g) Notwithstanding subsection f) above, the maximum **driveway** width shall not exceed 50% of the **lot frontage**.
- h) Where a detached **private garage** is located wholly or partially within the **rear yard** and is accessed by a **driveway** crossing the **front lot line**, the minimum **driveway** width is 2.5 metres.
- i) Notwithstanding subsections b) and c) above, **driveways** that legally existed on the effective date of this By-law are exempt from this section.

5.3.3 CIRCULAR, HORSESHOE AND HAMMERHEAD PROVISIONS

- a) On **lots** with a **lot frontage** equal or greater than 16.8 metres, a horseshoe **driveway** is permitted, subject to the following provisions:
 - (i) The **main building** is set back at least 8.0 metres from the **front lot line** or **exterior side lot line**;
 - (ii) A minimum 7.0 metre separation is provided between the two access points measured at the street line;
 - (iii) The arc portion of the horseshoe **driveway** has a minimum width of 3.0 metres and a maximum width of 3.7 metres;
 - (iv) The arc portion of the horseshoe **driveway** connects the **street** to the other **driveway** that provides direct access from the **street**; and,
 - (v) The minimum **setback** requirements of 5.3.2 shall be maintained.
- b) On **lots** with a **lot frontage** equal or greater than 19.2 metres, or on lots with direct access onto a regional road or **provincial highway**, a hammerhead **driveway** is permitted in the **front yard** or **exterior side yard**, subject to the following provisions:
 - (i) The **main building** is set back a minimum of 15.0 metres from the **front lot line** or **exterior side lot line**;
 - (ii) The hammerhead portion of the **driveway** shall be:
 - 1) A maximum width of 3.7 metres;
 - 2) Shall not extend more than 4.5 metres from one edge of the **driveway**;
 - 3) The parking of **motor vehicles** is not permitted on the hammerhead portion of the **driveway**; and,
 - 4) Shall have a minimum **setback** from the **front lot line** and **exterior side lot line** of 3.0 metres.

- (iii) The minimum **setback** requirements of 5.3.2 shall be maintained.
- c) On **lots** with a **lot frontage** equal or greater than 19.2 metres, a circular **driveway** is permitted in the **front yard** or **exterior side yard**, subject to the following provisions:
 - (i) The **main building** is set back a minimum of 15.0 metres from the **front lot line** or **exterior side lot line**;
 - (ii) The arc portion of the circular **driveway** shall be:
 - 1) A minimum width of 3.0 metres and a maximum width of 3.7 metres;
 - 2) Shall have a minimum **setback** from the **front lot line** and **exterior side lot line** of 3.0 metres.
 - (iii) The minimum **setback** requirements of 5.3.2 shall be maintained.

5.3.4 PROVISIONS FOR PARKING PADS IN LOW RISE RESIDENTIAL ZONES

5.3.4.1 PARKING PADS ON A LOT ACCESSED BY A STREET

- a) Where there is no **private garage** associated with a low rise residential **dwelling unit**, a **parking pad** is permitted in the **front** or **exterior side yard**, provided:
 - (i) the maximum **parking pad** width facing the **street** shall be the greater of:
 - 1) 3.7 metres; or,
 - 2) 6.1 metres, provided a minimum 40% **soft landscaping** is provided in the **front yard** or **exterior side yard** in which the **parking pad** is located.
 - (ii) Notwithstanding a) i), in no case shall the width of a **parking pad** exceed 50% of the **lot frontage**.

5.3.4.2 PARKING PADS ON A LOT ACCESSED BY A LANE

- a) The parking of **motor vehicles** on a **parking pad** between a **main building** and the **rear lot line** on a **lot** accessed by a **lane** is permitted provided:
 - (i) that at least one **parking space** is located within a detached **private garage** that is also accessed by the **lane** and provided the **parking pad** is located:

- 1) no closer than the minimum distance equal to the **exterior side yard** requirement for the **main building** from the **exterior side lot line**; and,
 - 2) no further than 7.2 metres from the **rear lot line**.
- b) Notwithstanding the above, a **parking pad** located on a **lot** accessed by a **lane** is permitted in conjunction with a **private garage** attached to a **main building**, where such a **private garage** is expressly permitted in this By-law, provided the **parking pad** is located:
- (i) no closer than the required **exterior side yard** for the **main building** from the **exterior side lot line**; and,
 - (ii) no further than 7.2 metres from the **rear lot line**.

5.3.5 ACCESS TO PARKING SPACES IN A PRIVATE GARAGE

- a) Where a **driveway** leads to an attached **private garage**, the finished floor elevation of the **private garage** shall be higher than the elevation of the **street** or **lane** from which access to the **private garage** is provided, measured at the midpoint of the **driveway** where it meets the edge of the right-of-way of the **street** or **lane**;
- b) Notwithstanding subsection a) above, where the finished floor elevation of the **first storey** of a **dwelling unit** is lower in elevation than the midpoint of the **driveway** where it meets the **street** or **lane** from which access to the **private garage** is provided, then the finished floor elevation of an attached **private garage** shall be a maximum of 1.0 metre below the finished floor elevation of the **first storey** of the **dwelling unit**; and,
- c) Notwithstanding subsections a) and b) above, **private garages** that legally existed on the effective date of this By-law are exempt from this section.

5.3.6 PARKING SPACES IN PRIVATE GARAGES

Where **parking spaces** are located in a **private garage**, the following provisions apply:

- a) A **private garage** intended to occupy a single **motor vehicle** shall be a minimum of 3.0 metres in width and 6.0 metres in length. For each additional required **parking space**, the **private garage** width shall increase by 2.75 metres;

- b) For **lots** with a **lot frontage** of less than 18 metres, the maximum width of a **private garage** shall not exceed the maximum **garage door** width plus 1.0 metre;
- c) Within the **private garage**, stair encroachments into the **parking spaces** required in subsection a), are permitted provided that the size of each **parking space** is no less than 5.4 metres in length and 2.6 metres in width and has a **height** of at least 2.1 metres;
- d) Notwithstanding subsections a) and b), **private garages** that legally existed on the effective date of this By-law are exempt from this section.

5.3.7 MINIMUM NUMBER OF PARKING SPACES REQUIRED

The number of **parking spaces** required for residential **uses** shall be calculated in accordance with the standards set out in Tables 5.3.7 below.

Table 5.3.7: Parking Requirements for Residential Uses

Use	Minimum Parking Space Requirement
Coach House Dwelling Garden Home Garden Suite Accessory dwelling unit located within a Detached, Semi-detached or Townhouse Dwelling	No required parking for the second dwelling unit. 1 parking space for each accessory dwelling unit over two units
Apartment Dwelling Multiple Dwelling	1.25 parking spaces for each dwelling unit plus 0.25 visitor parking spaces for each dwelling unit
All other Dwelling Units	2 parking spaces for each dwelling unit Also see Special Provisions (1) (2) (3) (4)
Shared Housing - Small Scale Shared Housing - Supervised Care Home Group Home	2 parking spaces for each dwelling unit
Bed and Breakfast Establishment Farm Vacation Home	1 parking space for each guest room in addition to the requirement for the dwelling unit
Home Industry Home Child Care Home Occupation	No additional requirement
Dormitory Long Term Care Home	0.5 parking spaces for each bed

Shared Housing - Large Scale Respite Care Home Student Residence	
Retirement Home	0.50 parking spaces for each unit plus 0.25 visitor parking spaces for each unit
Rooming House - Small Scale Rooming House - Large Scale Short Term Accommodation	As required by site specific by-law amendment

Special Provisions: Table 5.3.7

(1)	Where accessed by a private street an additional 0.25 spaces per unit is to be provided for visitor parking.
(2)	Visitor parking shall not be located on any lands intended solely for the exclusive use of an individual residential unit in a development.
(3)	Visitor parking shall not be located in tandem.
(4)	Accessible parking in accordance with Section 5.2.5b) and 5.6 of this By-law shall be provided as a percentage of the required visitor parking only.

5.4 NON-RESIDENTIAL PARKING REQUIREMENTS

5.4.1 MINIMUM NUMBER OF PARKING SPACES REQUIRED

The number of **parking spaces** required for non-residential **uses** shall be calculated in accordance with the standards set out in Table 5.4.1.

Table 5.4.1: Non-Residential Parking Requirements

Use	Minimum Parking Space Requirement (net floor area unless noted otherwise)
Adult Entertainment Establishment Body Rub Establishment Nightclub	1 parking space for every 7.5 m ²
Agricultural Use	No requirement
Agriculture-Related Use	2 parking spaces , plus 1 parking space for every 30 m ² accessible to the public (1)
Fitness Centre, Recreational Fitness Centre, Studio Massage Establishment Motor Vehicle Rental Establishment Motor Vehicle Rental Office Motor Vehicle Sales Establishment	1 parking space for every 30 m ²

Personal Service Establishment Pet Services Establishment School, Commercial School Service and Repair Establishment Veterinary Clinic	
Art Gallery	1 parking space for every 100 m ²
Asphalt Plant	1 parking space for every 35 m ²
Banquet Hall Restaurant Minor Local Entertainment Centre	1 parking space for every 9 m ²
Brewery, Craft Brewery, Retail	2 parking spaces per premises, plus 1 parking space per 100m ²
Business Office	1 parking space for every 35 m ²
Motor Vehicle Washing Establishment if not associated with a Motor Vehicle Maintenance Shop or Motor Vehicle Fueling Station	2 parking spaces, plus 1 parking space for each service bay
Cannabis Establishment	2 parking spaces per premises, plus 1 parking space per 100m ²
Cemetery	1 parking space for every 30 m ²
Child Care Centre	1.5 parking spaces per classroom; plus 1 parking space per every 5 children capacity
School, College School, University	5 parking spaces per classroom; plus 1 parking space per 6 seats in an auditorium or theatre (2)
Commercial Storage Facility	2 parking spaces per premises, plus 1 parking space for every 200m ²
Community Centre Library Museum	1 parking space for every 40 m ²
Community Garden	No requirement
Crematorium	1 parking space 35 m ²
Financial Institution	1 parking space for every 20 m ² or 1 parking space for every 30 m ² if the financial institution also has a drive-through service establishment
Funeral Establishment	1 parking space for every 13 m ²
Motor Vehicle Fueling Station	1 parking space for every 35 m ²
Golf Course	11 parking spaces per hole
Golf Driving Range	1.5 parking spaces per tee
Hotel	0.85 parking spaces for each guest room plus 1 parking space for every 10 m ² devoted to accessory restaurants, banquet halls, trade and convention centres, or meeting rooms.
Concrete Batching Plant Industrial Use Film Studio	2 parking spaces per premises, plus 1 parking space for every 125 m ² of gross floor area
Medical Office	1 parking space for every 20 m ²

Motor Vehicle Repair and Body Shop Motor Vehicle Maintenance Shop	2 parking spaces per premises, plus 1 parking space for every 100 m² of gross floor area
Major Regional Entertainment Centre Place of Worship	The greater of 1 parking space for every 30 m ² of gross floor area or 1 space per 4 persons of the designed occupant load of the unit under the Building Code
Private School	4 parking spaces per classroom
Public Hospital	0.5 parking spaces per patient bed, or 1 parking space for every 37m ² whichever is greater
Public School	1.5 parking spaces per elementary school classroom 3 parking spaces per secondary school classroom
Retail Store	1 parking space for every 30 m ² for a premise with a net floor area of 6000 m ² or less 1 parking space for every 20m ² for a premise with a net floor area greater than 6000 m ²
Shopping Centre with a gross floor area equal to or less than 1200 m²	<p>1 parking space per 25 m²</p> <p>- Restaurants and Minor Local Entertainment Centres within such shopping centres including associated food courts or eating areas are subject to the following requirements:</p> <ul style="list-style-type: none"> · 1 parking space per 25 m² for that portion which occupies 50% or less of the shopping centre · 1 parking space per 9 m² for that portion which occupies more than 50% of the shopping centre.
Shopping Centre with a gross floor area from 1201 m² to 2499 m²	<p>1 parking space per 23 m²</p> <p>- Restaurants and Minor Local Entertainment Centres within such shopping centres including associated food courts or eating areas are subject to the following requirements:</p> <ul style="list-style-type: none"> · 1 parking space per 23 m² for that portion which occupies 20% or less of the shopping centre · 1 parking space per 9 m² for that portion which occupies more than 20% of the shopping centre.
Shopping Centre with a gross floor area greater than 2500 m²	<p>1 parking space per 18.5 m²</p> <p>- Restaurants and Minor Local Entertainment Centres within such shopping centres including associated food courts or eating areas are subject to the following requirements:</p>

	<ul style="list-style-type: none"> · 1 parking space per 18.5 m² for that portion which occupies 20% or less of the shopping centre · 1 parking space per 9 m² for that portion which occupies more than 20% of the shopping centre.
Trade and Convention Centre	1 parking space for every 20 m ² ; associated restaurants and, or, banquet halls shall be separately assessed at 1 parking space for every 9 m ²
Any other use not listed above	1 parking space for every 30 m ²
Any place of assembly not listed above	The greater of 1 parking space for every 30 m ² of gross floor area or 1 space per 4 persons of the designed occupant load of the unit under the Building Code

Special Provisions: Table 5.4.1

(1)	Required parking may be provided on a gravel surface
(2)	Where seating is provided in the form of open benches, each 0.6 linear metre of bench width shall be considered as one seat for the purposes of this By-law

5.4.2 SHARED PARKING PROVISIONS

Notwithstanding the minimum non-residential **parking space** requirements set out in Table 5.4.1A and 5.4.1B, the parking requirements may be reduced if the **lot** is used for two or more separate **uses** in accordance with Table 5.4.2 below.

To determine the parking requirement for such a **building** or **lot**, the total parking required for each **use** type is multiplied by the occupancy rates below, and the individual sums determined for each of the morning, noon, afternoon and evening periods. The largest of these sums shall be the minimum parking requirement for the **uses** on the **lot**. If a **use** is listed in Section 5.4.1 of this By-law but is not listed in this Section, the parking requirement for the **use** is as required in Section 5.4.1.

Table 5.4.2: Shared Parking Requirements

Occupancy Rate	Morning	Noon	Afternoon	Evening
Business Office	100%	90%	95%	10%

Medical Office	100%	90%	95%	15%
Retail Store/Personal Service Establishment	50%	90%	100%	100%
Restaurant	30%	100%	50%	100%
Hotel	80%	70%	75%	100%
Visitor parking spaces as per table 5.3.7	50%	40%	70%	100%
Major Regional Entertainment Centre	0%	40%	50%	100%
Banquet Hall	20%	70%	50%	100%
Fitness Centre, Recreational Fitness Centre, Studio	25%	25%	80%	100%
Industrial Use	100%	100%	95%	10%
Major Regional Entertainment Centre Minor Local Entertainment Centre	25%	25%	80%	100%
Financial Institution	55%	95%	95%	50%
Public School	100%	100%	100%	30%

5.5 ALTERNATE PARKING STANDARDS

Alternate parking standards are designed to apply to Key Development Areas (KDAs) and, Major Transit Station Areas (MTSAs) as shown on Map 1 – Markham Structure and Map 2 – Centres and Corridors and Transit Network in the 2014 Official Plan, or other areas deemed appropriate through a Zoning By-law Amendment.

The provisions of section 5.5 only apply through site specific amendment, or where specified within this By-law.

5.5.1 MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR RESIDENTIAL USES

The number of **parking spaces** required for residential **uses** shall be calculated in accordance with the standards set out in Table 5.5.1 below.

Table 5.5.1: Parking Requirements for Dwelling Units

Use	Minimum Parking Space Requirement
Coach house dwelling Garden home Garden suite Accessory dwelling unit located within a single detached, semi-detached or townhouse dwelling	No additional requirement
Apartment dwelling Multiple dwelling	1 parking space per dwelling unit plus 0.2 parking spaces per dwelling unit for visitors
All other dwelling units	2 parking spaces per dwelling unit Also see Special Provisions (1) (2) (3) (4)

Special Provisions: Table 5.5.1

(1)	Where accessed by a private street an additional 0.25 parking spaces per unit is to be provided for visitor parking.
(2)	Visitor parking shall not be located on any lands intended solely for the exclusive use of an individual residential unit in a development.
(3)	Tandem parking spaces for visitor parking is not permitted.
(4)	Accessible parking in accordance with Section 5.2.5 and 5.6 of this By-law shall be provided as a percentage of the required visitor parking only.

5.5.2 MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR NON-RESIDENTIAL USES

The number of **parking spaces** required for non-residential **uses** shall be calculated in accordance with the standards set out in Table 5.5.2 below.

5.5.2 Non-Residential Parking Requirements

Use	Minimum Parking Space Requirement (net floor area unless noted otherwise)
Art Gallery Community Centre Non-Profit Organization Child Care Centre Home Occupation Library Museum Parks Home Child Care Transit Stations	No requirement
Banquet Hall Business Office Financial Institution Fitness Centre, Recreational Fitness Centre, Studio Medical Office Minor Local Entertainment Centre Nightclub Personal Service Establishment Non-Profit Private Club Service and Repair Establishment Restaurant Retail Store Commercial School Trade and Convention Centre	$1/37 \text{ m}^2$ (2)
Hotels	0.8 parking spaces for each guest room plus 1 parking space for every 30 m ² devoted to accessory restaurants, banquet halls, trade and convention centres , or meeting rooms. (2)
Place of Worship	The greater of 1 parking space for every 30 m ² of gross floor area or 1 space per 4 persons of the designed occupant load of the unit under the Building Code
Private School	4 parking spaces per classroom

Public School	1.5 parking spaces per elementary school classroom 3 parking spaces per secondary school classroom
Major Regional Entertainment Centre	The greater of 1 parking space for every 30 m ² of gross floor area or 1 space per 4 persons of the designed occupant load of the unit under the Building Code (2)
Any other use not listed above	1 parking space for every 37 m ²
Any place of assembly not listed above	The greater of 1 parking space for every 30 m ² of gross floor area or 1 space per 4 persons of the designed occupant load of the unit under the Building Code

Special Provisions: Table 5.5.2

(1)	The provision of section 5.2.13 shall not apply
(2)	A maximum of 10% of the parking spaces required shall be located in a surface parking area .

5.5.3 MAXIMUM NUMBER OF PARKING SPACES

- a) That the maximum number of **parking spaces** shall be equal to the minimum number of **parking spaces**, plus 10%.
- b) Notwithstanding a) above, the maximum number of **parking spaces** shall not apply to:
 - i) Any **use** operated by a **public authority**; and,
 - ii) **Uses** listed in Section 5.2.14.

5.6 ACCESSIBLE PARKING SPACE REQUIREMENTS

5% of the **parking spaces** required in Tables 5.3.1A, 5.3.1B and Table 5.4.1 shall be dedicated and used as accessible **parking spaces**. Where the application of this requirement results in a numeric fraction, a fraction less

than 0.5 shall be rounded down to the nearest whole number. Fractions equal to or greater than 0.5 shall be rounded up to the nearest whole number.

5.7 ELECTRIC VEHICLE PARKING REQUIREMENTS

5.7.1 MINIMUM NUMBER OF REQUIRED ELECTRIC VEHICLE PARKING SPACES

The minimum number of required **electric vehicle parking spaces** is required as follows:

Table 5.7.1 - Electric Vehicle Parking Requirements

COLUMN A	COLUMN B	COLUMN C
Number of parking spaces required for all apartment dwellings, multiple dwellings and all non-residential buildings , in accordance with sections 5.3.7, 5.4.1, 5.4.2 and 5.5.1 of this By-law	Percentage of parking spaces required in column A that shall be available for use as Level 2 electric vehicle charging station parking spaces	Percentage of parking spaces required in column A that shall be available for use as electric vehicle level 2 charging ready parking spaces
Less than 10	0	0
10 and over	10%	10%

5.7.2 PERCENTAGE OF ACCESSIBLE PARKING SPACES AS ELECTRIC VEHICLE PARKING SPACES

Where more than one accessible **parking space** is required by this bylaw, at least 50% of the accessible **parking spaces** shall contain a Level 2 **electric vehicle charging station** or higher and, 50% shall be **electric vehicle level 2 charging ready**, or higher.

5.7.3 EXCEPTIONS TO ELECTRIC VEHICLE PARKING

Notwithstanding Table 5.7.1., the requirement for **electric vehicle parking spaces** shall not apply to the **uses** identified in Section 5.2.14.

5.8 REGULATIONS FOR LOADING SPACES

5.8.1 MINIMUM NUMBER OF REQUIRED LOADING SPACES FOR NON-RESIDENTIAL USES

Loading Spaces shall be required for all non-residential **uses** in accordance with the following standards:

Table 5.8.1: Non-Residential Loading Spaces Requirements

Gross Floor Area of use, or combination of uses	Number of Loading Spaces	Minimum Size of Loading Space
Less than 300 m ²	0	Not Applicable
Between 300 and 999 m ²	1	3.5 metres wide 5.8 metres in length 4.5 metre vertical clearance (1)(2)
Between 1,000 and 1,860 m ²	1	3.5 metres wide 10 metres in length 4.5 metre vertical clearance (1)
Greater than 1,860 m ²	2	3.5 metres wide 10 metres in length 4.5 metre vertical clearance (1)

Special Provisions: Table 5.8.1

(1)	Where a loading space is located partially or wholly within a building , the minimum vertical clearance shall be increased to 6.1 metres
(2)	Where an industrial use, or an automobile sales establishment is located within a building between 300 and 999 m ² the minimum length of a loading space shall be 10 m.

5.8.2 MINIMUM NUMBER OF REQUIRED LOADING SPACES FOR RESIDENTIAL USES

Loading Spaces shall be required for all **uses** not identified in Section 5.2.14 in accordance with the following standards:

Table 5.8.2: Residential Loading Spaces Requirements

Gross Floor Area of use, or combination of uses	Number of Loading Spaces	Minimum Size of Loading Space
16 or fewer units	0	Not Applicable
Between 17 and 30 units	1	3.5 metres wide 5.8 metres in length 4.5 metre vertical clearance (1)
Over 30 units	2	3.5 metres wide One at 10 metres in length, and one 5.8 metres in length 4.5 metre vertical clearance (1)

Special Provisions: Table 5.8.2

(1)	Where a loading space is located partially or wholly within a building , the minimum vertical clearance shall be increased to 6.1 metres
-----	--

Notwithstanding Table 5.8.1 or 5.8.2, **child care centres, golf courses, places of worship, and public and private schools** are not required to provide **loading spaces**.

5.8.3 REQUIREMENTS FOR LOADING SPACES

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

- a) A **loading space** is not permitted:
 - (i) In any **front yard**; and,
 - (ii) Between the **main wall** closest to the **exterior lot line** and the

exterior lot line.

- b) Minimum **setback** of a **loading space** from a residential or mixed use **zone**:
 - i) 15 metres when located within an employment or commercial **zone**; and,
 - ii) 7.5 metres when located within any other **zone**
- c) Access to **loading spaces** must be by means of a **drive aisle** or **parking aisle** that is at least 6.0 metres wide within the **lot** on which the **loading spaces** are located.
- d) All vehicular movements required to access the **loading space** must be on private property.

5.9 BICYCLE PARKING SPACE REQUIREMENTS

5.9.1 GENERAL PROVISIONS FOR BICYCLE PARKING

Where **bicycle parking spaces** are required by this By-law, the following provisions apply:

- a) **Bicycle parking spaces** apply only to buildings where the total **gross floor area** of all non-residential **uses** on a single **lot** is greater than 2,000.0 m².
- b) Where a required **bicycle parking space** is located wholly within a **building** or **structure**, it shall be subject to the following requirements:
 - i) A required **bicycle parking space** shall have direct access from an interior communal area of a **building** or **structure**; and,
- c) The minimum width of an aisle providing unobstructed access to a **bicycle parking space** shall be 1.5 m.
- d) The minimum dimensions of a **bicycle parking space** are as follows:
 - i) Length 1.8 m;
 - ii) Width 0.6 m; and,
 - iii) Height 1.2 m.

- e) Notwithstanding the minimum dimensions noted in d), where a **long term bicycle parking space** is located on a wall, the dimensions above may be oriented vertically.

5.9.2 MINIMUM NUMBER OF REQUIRED BICYCLE PARKING SPACES

- a) The minimum number of **bicycle parking spaces** required shall be calculated in accordance with the standards set out in Table 5.9.2 below.

Table 5.9.2: Bicycle Parking Requirements

Use	Bicycle Parking Standards		Alternative Bicycle Parking Standards (applies where lands are subject to Section 5.5 of this By-law)	
	Long-term	Short-term	Long-term	Short-term
Any building on a lot containing more than 7 dwelling units, except for detached, semi-detached or townhouse dwellings	1 space for every 4 dwelling units	The greater of 1 space for every 12 dwelling units or 6 spaces	1 space for every 2 dwelling units	The greater of 1 space for every 10 dwelling units or 6 spaces
Business Office	1 space per 1000m ² of gross floor area	The greater of 1 space per 1000m ² of gross floor area or 6 spaces	1 space per 670m ² of gross floor area	The greater of 1 space per 670m ² of gross floor area or 6 spaces

Retail Stores and Restaurants, and Shopping centres with a gross floor area equal to or less than 1200 m²	Not Required	The greater of 1 space per 1250m ² of gross floor area or 3 spaces	Not Required	The greater of 1 space per 1000m ² of gross floor area or 3 spaces
Shopping Centres with a gross floor area greater than 1200 m²	1 space per 2000m ² of gross floor area	The greater of 1 space per 1000m ² of gross floor area or 6 spaces	1 space per 1000m ² of gross floor area	The greater of 1 space per 670m ² of gross floor area or 6 spaces
Retail Stores and Restaurant uses in the MU-HR zone	1 space per 1000m ² of gross floor area	The greater of 1 space per 670m ² of gross floor area or 6 spaces	1 space per 770m ² of gross floor area	The greater of 1 space per 500m ² of gross floor area or 6 spaces
Hospital	1 space per 2000m ² of gross floor area	1 space per 2000m ² of gross floor area	1 space per 2000m ² of gross floor area	1 space per 2000m ² of gross floor area
Place of Worship	1 space per 400m ² of gross floor area	1 space per 130m ² of gross floor area	1 space per 370m ² of gross floor area	1 space per 130m ² of gross floor area

College or University	2.5 spaces per classroom	2.5 spaces per classroom	2.5 spaces per classroom	2.5 spaces per classroom
Industrial uses	1 space per 2000m ² of gross floor area	1 space per 1000m ² of gross floor area	1 space per 2000m ² of gross floor area	1 space per 670m ² of gross floor area
School	1 space per 2000m ² of gross floor area	1 space per 250m ² of gross floor area	1 space per 2000m ² of gross floor area	1 space per 250m ² of gross floor area

5.9.3 SPECIAL PROVISIONS FOR LONG TERM BICYCLE PARKING

- a) A **long-term bicycle parking space** shall be located wholly within the **building** where the principal **use** is located and for which the **bicycle parking space** is required.
- b) A **long-term bicycle parking space** required for a **dwelling unit** shall be located within the following areas of a building:
 - i) Within the first or second **storey**; or,
 - ii) Any **storey** located below grade.

5.9.4 SPECIAL PROVISIONS FOR SHORT TERM BICYCLE PARKING

- a) A **short-term bicycle parking space** shall be located in the following areas:
 - i) Wholly within a **building** in which the **principal use** is located and for which the **short-term bicycle parking space** is required; or,
 - ii) In any **yard**, provided the **short-term bicycle parking space** is wholly open and unenclosed.
- b) Where a **short-term bicycle parking space** is located in a **yard**, it shall be permitted to be located in a required **yard**, subject to the following:

- i) A **short-term bicycle parking space** shall have a minimum setback of 0.6 m from the nearest **lot line**.
 - ii) A **short-term bicycle parking space** shall have a minimum setback of 3.0 m from a **parking area**.
- c) Where a **short-term bicycle parking space** is located wholly within a **building**, the following additional requirements shall apply:
- i) A **short-term bicycle parking space** located wholly within a **building** shall be located within the first **storey**; and,
 - ii) A **short-term bicycle parking space** shall have direct access from the exterior of a **building**.

5.10 DRIVE-THROUGH SERVICE ESTABLISHMENTS

5.10.1 MINIMUM LOT AREA

The minimum **lot area** for a **drive-through service establishment** is 0.3 hectares.

5.10.2 STACKING SPACE REQUIREMENTS

Stacking spaces are required for all **drive-through service facilities** and shall be exclusive of any other **parking space, loading space, drive aisle** and **parking aisle** requirements contained within this By-law.

5.10.3 STACKING SPACE DIMENSIONS

Stacking spaces shall have:

- a) A minimum unobstructed width of 3.0 metres; and,
- b) A minimum unobstructed length of 6.5 metres.

5.10.4 MINIMUM NUMBER OF STACKING SPACES

The minimum number of required **stacking spaces** per **drive-through service establishment** shall be provided in accordance with Table 5.10.4.

Table 5.10.4: Minimum Number of Stacking Spaces Required

Use	Minimum Number of Stacking Spaces Required	Measured From:
Restaurant	10	Closest pick-up window from the entrance of the drive-through service establishment
Financial Institution, Pharmacy, Retail Store, and Personal Service Establishment	4	Closest pick-up window from the entrance of the drive-through service establishment
Motor Vehicle Washing Establishment (shall not apply to manual or hand operated washing bays)	8	Washing bay entrance door

5.10.5 SETBACKS FROM RESIDENTIAL ZONE BOUNDARY

Stacking spaces shall be set back a minimum of 15.0 metres to any Residential **Zone** boundary.

5.10.6 LOCATION OF DRIVE-THROUGH SERVICE ESTABLISHMENT COMPONENTS

No **stacking spaces** associated with a **drive-through service establishment** shall be located in any minimum required **yard**.

5.11 SPECIAL MOTOR VEHICLES

5.11.1 PARKING OF COMMERCIAL MOTOR VEHICLES

The following provisions apply to the parking or storage of **commercial**

motor vehicles:

- a) Within any low-rise residential **zone**, the owner or occupant of a **dwelling unit** may use a **parking space** for the purposes of parking or storage of one **commercial motor vehicle** that does not exceed any of the following:
 - i) A length of 5.8 metres;
 - ii) A width of 2.75 metres;
 - iii) A height of 3.0 metres; or,
 - iv) A manufacturers identified gross vehicle weight rating of 4600 kg.

- b) Within a countryside **zone**, the owner or occupant of a permitted **use** within the **zone** may use a **parking space** for the purposes of parking or storage of one **commercial motor vehicle** that exceeds the restrictions identified in section 5.11.1 a), provided:
 - i) It is located in the **interior side yard** or **rear yard**;
 - ii) It is set back no closer than 6.0 metres from the **interior side lot line** or **rear lot line**; and
 - iii) Is located on a stable surface as per section 5.2.11.

- c) Within any non-residential **zone**, the owner or occupant of a permitted **use** within the **zone** may park a **commercial motor vehicle** that exceeds the restrictions identified in section 5.11.1 a), provided:
 - i) It is located in the **interior side yard** or **rear yard**;
 - ii) It does not occupy a required **parking space**; **landscaping area**, **drive isle** or **parking isle**; and
 - iii) Is located on a stable surface as per section 5.2.11.

- d) Unless otherwise identified in this By-law, the parking or storage of **commercial motor vehicles** are not permitted in any Greenway **Zone**, Open Space **Zone**, Future Development **Zone**, Transportation and Utilities **Zone**, Parkway Belt West **Zone** or Overlay **Zone**.

5.11.2 **PARKING OF RECREATIONAL MOTOR VEHICLES**

The following provisions apply to the parking or storage of **recreational motor vehicles**:

- a) Within any low-rise residential **zone**, the owner of a **recreational motor vehicle** who resides in or, owns a dwelling on the same **lot** may use a **parking space** for the purposes of parking or storage of

one **recreational motor vehicle** subject to the following:

- i) If located in the **interior side yard** or **rear yard**, the **recreational motor vehicle** shall not exceed 2.0 metres in height;
 - ii) Shall be set back a minimum of 0.6 metres from a sidewalk;
 - iii) Shall be set back a minimum of 9.0 metres from the curb of a **street** or **lane**;
 - iv) Shall be set back a minimum of 1.2 metres from the **interior side lot line**;
 - v) Shall be located on a **driveway** in the **front yard** or **exterior side yard** of such **lot** between the **main building** and the **street**, for a maximum of 14 days in a calendar year; or,
 - vi) Shall be located in a **private garage** on the **lot**.
- b) Within a countryside **zone**, the owner of such **recreational motor vehicle** who resides in or owns a dwelling on the same **lot** may use a **parking space** for the purposes of parking or storage of one **recreational motor vehicle** subject to the following:
- i) Shall be set back a minimum of 9.0 metres from the curb of a **street**;
 - ii) Shall be set back a minimum of 6.0 metres from the **interior side lot line**, **exterior side lot line** and **rear lot line**;
 - iii) Shall be located on a **driveway** in the **front yard** or **exterior side yard** of such **lot** between the **main building** and the **street**, for a maximum of 14 days in a calendar year; or
 - iv) Shall be located in a **private garage** on the **lot**.
- c) Unless otherwise identified in this By-law, the parking or storage of **recreational motor vehicles** are not permitted in any Commercial **Zone**, Employment **Zone**, Greenway **Zone**, Open Space **Zone**, Future Development **Zone**, Transportation and Utilities **Zone**, Parkway Belt West **Zone** or Overlay **Zone**.

PART 6.0 RESIDENTIAL ZONES

6.1 ZONES

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

The following residential **zones** have been established in this By-law:

Zone Symbol	Zone Name
RES-ES	Residential - Estate
RES-ENLR	Residential - Established Neighbourhood Low Rise
RES-LR1	Residential - Low Rise One
RES-LR2	Residential - Low Rise Two
RES-LR3	Residential - Low Rise Three
RES-LR4	Residential - Low Rise Four
RES-LR5	Residential - Low Rise Five
RES-LR6	Residential - Low Rise Six
RES-LR7	Residential - Low Rise Seven
RES-PE	Residential - Public Education
RES-MR1	Residential - Mid Rise One
RES-MR2	Residential - Mid Rise Two
RES-MR3	Residential - Mid Rise Three
RES-HR	Residential - High Rise

6.2 SPECIFIC USE PROVISIONS

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

6.2.1 COACH HOUSE DWELLINGS

Where permitted in this by-law, one **coach house dwelling** is permitted on a **lot** provided:

- a) There is no **garden home** or **garden suite** on the **lot**;
- b) The **coach house dwelling** has a minimum **gross floor area** of 35 m²;

- c) The **coach house dwelling** has a maximum **gross floor area** of 60 m² provided it does not exceed the **gross floor area** of the principal **dwelling unit** on the same **lot**;
- d) The **coach house dwelling** is on a **lot** that has a **lot frontage** of no less than 9.75 metres;
- e) The **coach house dwelling** is set back a minimum of 6.0 metres from the **main building** on the **lot**;
- f) The **coach house dwelling** is located in a **building** that has a **height** of no greater than 8.0 metres; and,
- g) The **coach house dwelling** is located a minimum of:
 - (i) 0.6 metres from the **rear lot line**;
 - (ii) The required **exterior side yard** for the **main building** from the **exterior side lot line**; and,
 - (iii) 1.2 metres from the **interior side lot line** which can be reduced to 0.5 metres if there are no doors or windows on the wall facing the **interior side lot line** and, reduced to 0 metres if the **accessory building** shares a common wall with an **accessory building** on an abutting **lot**.

6.3 ADDITIONAL GENERAL PROVISIONS

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

6.3.1 MAXIMUM OUTSIDE WALL HEIGHT

Where this By-law specifies a maximum **outside wall height**, the following provisions apply:

- a) Pitched roofs with a slope of not less than 25% may project a maximum of 3.0 metres above the maximum permitted **outside wall height**;
- b) Any other architectural feature or roof **structure** with a pitch of less than 25%, can project a maximum of 1.0 metre above the maximum **outside wall height**;
- c) Notwithstanding subsection a) and b) above, the maximum projection for a hip or gable roof with a slope greater than 25% may

be increased to the average of the highest points of the two **neighbouring lots**;

- d) Dormers are permitted provided that the sum total of the dormers widths from outside wall to outside wall of the dormer shall not occupy more than 35% of the width of the roof length on which they are located;
- e) Dormers are not permitted within a roofline or wall facing or abutting an **interior side lot line**;
- f) Ornamental roof construction features such as unoccupied towers, steeples, or cupolas; and,
- g) Chimneys and other stacks.

6.3.2 DETACHED PRIVATE GARAGES ON LOTS ACCESSED BY A LANE

One detached **private garage** is permitted on a **lot** accessed by a **lane** provided:

- a) The detached **private garage** is located in the **rear yard**;
- b) The parking or storing of **motor vehicles** or **special motor vehicles** is not permitted in the **setback** area set out in sub-section (a);
- c) The **height** of a detached **private garage** is no greater than 8.0 metres; and,
- d) The detached **private garage** is located a minimum of:
 - (i) 6.0 metres from the **main building** on the **lot**;
 - (ii) 0.6 metres from the **rear lot line**;
 - (iii) The required **exterior side yard setback** for the **main building** from the **exterior side lot line**; and,
 - (iv) 1.2 metres from the **interior side lot line** which can be reduced to 0.5 metres if there are no doors or windows on the wall facing the **interior side lot line** and reduced to 0 metres if the detached **private garage** shares a common wall with a detached **private garage** on an abutting **lot**.


6.3.3 BREEZEWAYS

A **breezeway** is permitted on a **lot** with a detached **private garage** that is accessed by a **lane** provided:

- a) The **breezeway** is no wider than 2.75 metres with the width being measured from the exterior faces of the exterior walls;
- b) The **height** of a **breezeway** does not exceed 3.3 metres;
- c) If the **breezeway** is located on a **corner lot**, no portion of the **breezeway** is located further than 3.6 metres from the **exterior side lot line**, and is not located any closer to the **exterior side lot line** than a minimum distance equal to the required **exterior side yard** for the **main building** from the **exterior side lot line**;
- d) If the **breezeway** is located on an **interior lot**, it is set back a minimum of 0.5 metres from the **interior side lot line**. Notwithstanding this provision, a **breezeway** may share a common wall with another **breezeway** on an abutting **lot** and no **setback** from the **interior side lot line** is required on that side of the **lot**; and,
- e) Notwithstanding any other provision in this By-law, no part of a **breezeway** is part of the **main building** or the **accessory building** on the **lot**.

6.4 PERMITTED USES AND ZONE STANDARDS

Permitted **uses** and **zone** standards are contained within the following tables:

RES-ES (RESIDENTIAL ESTATE ZONE)			
Permitted Uses		<p>The Residential - Estate (RES-ES) Zone applies to lands within the 'Residential Estate' designation shown on Map 3 of the Official Plan. The lands in the RES-ES Zone are the site of existing subdivisions with detached dwellings on large lots. The intent of the RES-ES Zone is to retain the landscape character established by the pattern of lot sizes and to ensure that any proposed changes to buildings reflect the pattern of development already established in the area.</p> 	
<ul style="list-style-type: none"> a) Detached dwelling b) Accessory dwelling unit c) Home child care d) Home occupation e) Shared Housing - Small Scale 			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	36.5 m (i)	Barrier-free access	Section 4.1
Minimum lot area	0.4 ha	Frontage on a street	Section 4.2
Minimum front yard	7.5 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5
Minimum exterior side yard	6.0 m [3.0 m provided minimum combined side yards on both sides are no less than 9.0 m]	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	3.0 m provided minimum combined interior side yards on both sides are no less than 9.0 m	Uses prohibited in all zones	Section 4.7
Maximum height	10.7 m	Accessory buildings or structures	Section 4.8.1
Special Standards		Detached private garages on lots not accessed by a lane	Section 4.8.2
i) Where a lot is separated from a street by a reserve , block, or park block, the lot shall be deemed not to have frontage on that street .		Decks	Section 4.8.3
		Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8

	Hard and soft landscaping	Section 4.8.9
	Porches	Section 4.8.10
	Home Occupations	Section 4.9.1
	Temporary Tents	Section 4.9.3
	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11

RES-ENLR (RESIDENTIAL ESTABLISHED NEIGHBOURHOOD LOW RISE)

<p>Permitted Uses</p> <p>a) Detached dwelling b) Accessory dwelling unit c) Home child care d) Home occupation e) Shared Housing - Small Scale</p>	<p>The Residential - Established Neighbourhood Low Rise (RES-ENLR) zone applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan that were generally developed before 1996.</p> <p>This zone seeks to establish a predictable set of standards that focuses on the building envelope, while also allowing variation in architectural form. The zone also seeks to ensure that while new residential infill developments are sympathetic to the established character of these neighbourhoods, the reinvestment and evolution of these areas of the City is also facilitated.</p> <p>The Official Plan anticipates infill development and redevelopment and therefore, the intent of the RES-ENLR Zone is to ensure that such infill development generally respects and reflects the existing pattern and character of adjacent development.</p>
--	---



Standards	Other Requirements	Refer to Section No.
Minimum lot frontage	The greater of 23.0 m or the average lot frontage of the two neighbouring lots (i) (viii)	Barrier-free access Section 4.1
Minimum lot depth	The greater of 30.0 m or the average lot depth of the two neighbouring lots (ii)	Frontage on a street Section 4.2
Maximum lot coverage	35% for the first storey , and 25% for any storey above the first (iii) (vi)	Measurement of setbacks and yards Section 4.4
Maximum distance of the building envelope from front lot line	27.0 m for the first storey , and 22.0 m for any storey above the first storey (iii) (iv)	Sight Triangles Section 4.5
Minimum front yard (main building)	7.5 m (v) (xi)	Public Uses, Activities, or Infrastructure permitted in all zones Section 4.6
Minimum front yard (private garage)	7.5 m (v)	Uses prohibited in all zones Section 4.7
Minimum rear yard	7.5 m	Accessory buildings or structures Section 4.8.1

Minimum exterior side yard	2.4 m (xi)	Detached private garages on lots not accessed by a lane	Section 4.8.2
Minimum interior side yard	1.8 m provided minimum combined interior side yards on both sides are the greater of 4.0 m, or 25% of the lot width (ix) (xii)	Decks	Section 4.8.3
Maximum outside wall height	6.8 m	Exceptions to height requirements all zones	Section 4.8.4
Maximum garage door width (x)	50% of building facade	Shipping containers	Section 4.8.5
Maximum garage projection beyond front wall of main building	1.8 m (vii)	Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
Special Standards		Home Occupation	Section 4.9.1
(i) Where a lot does not have a neighbouring lot , the minimum lot frontage is 23.0 metres.		Temporary Tents	Section 4.9.3
(ii) Where a lot does not have a neighbouring lot , the minimum lot depth is 30.0 metres.		Accessory dwelling units	Section 4.9.9
(iii) Any portion of a storey with an outside wall height greater than 4.5 metres is considered a second storey .		General parking provisions	Section 5.2
(iv) Maximum distance of the building envelope from the front lot line can be increased by 5.0 metres where the building does not exceed one storey , and where the maximum outside wall height does not exceed 4.5 metres.		Additional residential parking requirements	Section 5.3
(v) Where the established building line is less than 7.5 metres, the minimum front yard shall be equal to the established building line .		Special Motor Vehicles	Section 5.11
(vi) Where a building is a single storey , with an outside wall height of less than 4.5 metres, the maximum lot coverage for a one storey building is 45%.		Maximum Outside Wall Height	Section 6.3.1
(vii) A garage shall not project beyond the front wall of a heritage building .		Detached private garages on lots accessed by a lane	Section 6.3.2
(viii) Where a lot is separated from a street by a reserve , block , or park block , the lot shall be deemed not to have frontage on that street .		Breezeways	Section 6.3.3
(ix) Where a lot has a frontage of less than 18 metres, a one storey portion of the building containing only a garage may encroach 0.5 into the required combined side yard , provided a 1.8 metre setback is maintained.			
(x) For lots with a frontage of less than 18 metres, the maximum width of a private garage shall not exceed the maximum garage door width plus 1.0 metre.			
(xi) Notwithstanding section 4.8.8 (e), projections of main walls are not permitted.			
(xii) Where, on the date of the passing of this By-law, a dwelling was linked to a dwelling on a neighbouring lot , the interior side yard setback may be:			
(1) where linked below grade, reduced to 1.2 metres, or 0.3 metres to any linked side. (2) where linked above grade, reduced to 1.2 metres, or 0.0 metres to any attached side.			

RES-LR1 (RESIDENTIAL LOW RISE ONE)

Permitted Uses		Other Requirements		Refer to Section No.
a) Detached dwelling b) Accessory dwelling unit c) Shared Housing - Small Scale d) Home child care e) Home occupation		The Residential - Low Rise One (RES-LR1) Zone applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan that were generally developed after 1996. Detached dwellings on larger lots that are not accessed by a lane , are permitted in this zone .		
				
Standards		Other Requirements		Refer to Section No.
Minimum lot frontage	18.0 m	Barrier-free access	Section 4.1	
Minimum lot depth	30.0 m	Frontage on a street	Section 4.2	
Minimum front yard (main building)	3.0 m (i)	Measurement of setbacks and yards	Section 4.4	
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5	
Minimum exterior side yard	2.4 m (i)	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6	
Minimum interior side yard	1.5 m	Uses prohibited in all zones	Section 4.7	
Height	The lesser of 3 storeys or 11.0 metres (ii)	Accessory buildings or structures	Section 4.8.1	
Maximum garage door width	50% of building facade	Detached private garages on lots not accessed by a lane	Section 4.8.2	
Maximum garage projection beyond front wall of main building	1.8 m	Decks	Section 4.8.3	
Special Standards		Exceptions to height requirements all zones	Section 4.8.4	
(i) The minimum setback of a garage door from a lot line is 5.8 metres		Shipping containers	Section 4.8.5	
(ii) Any portion of a building with a floor to ceiling height greater than 4.5 metres shall be considered an additional storey		Encroachments into required yards	Section 4.8.8	
		Hard and soft landscaping	Section 4.8.9	
		Porches	Section 4.8.10	
		Home Occupations	Section 4.9.1	
		Temporary Tents	Section 4.9.3	
		Accessory dwelling units	Section 4.9.9	
		General parking provisions	Section 5.2	
		Additional residential parking requirements	Section 5.3	
		Special Motor Vehicles	Section 5.11	

RES-LR2 (RESIDENTIAL LOW RISE TWO)

Permitted Uses

- a) **Semi-detached dwelling**
- b) **Detached dwelling**
- c) **Accessory dwelling unit**
- d) **Home child care**
- e) **Home occupation**
- f) **Shared Housing - Small Scale**

The Residential - Low Rise Two (RES-LR2) **Zone** applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan that were generally developed after 1996. **Detached** and **semi detached dwellings** that are not accessed by a **lane**, are permitted in this **zone**.



Standards		Other Requirements	Refer to Section No.
Minimum lot frontage (detached dwelling - interior lot)	9.3 m	Barrier-free access	Section 4.1
Minimum lot frontage (detached dwelling - corner lot)	10.5 m	Frontage on a street	Section 4.2
Minimum lot frontage (semi-detached dwelling - interior lot)	18.4 m	Measurement of setbacks and yards	Section 4.4
Minimum lot frontage (semi-detached dwelling - corner lot)	18.6 m	Sight Triangles	Section 4.5
Minimum front yard	3.0 m (iii)	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum rear yard	7.0 m	Uses prohibited in all zones	Section 4.7
Minimum exterior side yard	2.4 m (iii)	Accessory buildings or structures	Section 4.8.1
Minimum interior side yard	1.2 m and 0.6 m (i) (ii)	Detached private garages on lots not accessed by a lane	Section 4.8.2
Height	The lesser of 3 storeys or 11.0 metres	Decks	Section 4.8.3
Maximum garage door width	50% of building facade (iv)	Exceptions to height requirements all zones	Section 4.8.4
Maximum garage projection beyond front wall of main building	1.8 m	Shipping containers	Section 4.8.5
Minimum outdoor amenity area	36.0 m ²	Encroachments into required yards	Section 4.8.8
Special Standards		Hard and soft landscaping	Section 4.8.9
(i) Increased to 1.2 metres on both sides for semi-detached dwellings		Porches	Section 4.8.10
(ii) An opening for a door that provides access to the interior of the main building is not permitted in any		Home Occupation	Section 4.9.1

portion of a wall facing the interior side lot line that is located less than 1.2 metres from the interior side lot line .		
(iii) The minimum setback of a garage door from a lot line is 5.8 metres	Temporary Tents	Section 4.9.3
(iv) For lots with a frontage of less than 18 metres, the maximum width of a private garage shall not exceed the maximum garage door width plus 1.0 metre	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11

RES-LR3 (RESIDENTIAL LOW RISE THREE)

Permitted Uses

- a) **Townhouse dwelling**
- b) **Accessory dwelling unit**
- c) **Home child care**
- d) **Home occupation**
- e) **Shared Housing - Small Scale**


The Residential - Low Rise Three (RES-LR3) **Zone** applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan that were generally developed after 1996. **Townhouse dwellings** that are not accessed by a **lane**, are permitted in this **zone**.



Standards		Other Requirements	Refer to Section No.
Minimum lot frontage (exterior end unit)	9.9 m	Barrier-free access	Section 4.1
Minimum lot frontage (interior end unit)	8.7 m	Frontage on a street	Section 4.2
Minimum lot frontage (interior unit)	7.5 m	Measurement of setbacks and yards	Section 4.4
		Sight Triangles	Section 4.5
Minimum front yard (main building)	3.0 m (ii)	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum rear yard	7.0 m	Uses prohibited in all zones	Section 4.7
Minimum exterior side yard	2.4 m	Accessory buildings or structures	Section 4.8.1
Minimum interior side yard	0 m for interior unit and 1.2 m for interior end unit	Detached private garages on lots not accessed by a lane	Section 4.8.2
Height	The lesser of 3 storeys or 11.0 metres	Decks	Section 4.8.3
Maximum garage door width	50% of building facade (i)	Exceptions to height requirements all zones	Section 4.8.4
Maximum garage projection beyond front wall of main building	1.8 m	Shipping containers	Section 4.8.5
Minimum outdoor amenity area	36.0 m ² (iii)	Encroachments into required yards	Section 4.8.8
Special Standards			
(i) The maximum width of a private garage shall not exceed the maximum garage door width plus 1.0 metre		Hard and soft landscaping	Section 4.8.9
(ii) The minimum setback of a garage door from a lot line is 5.8 metres		Porches	Section 4.8.10
(iii) Required outdoor amenity area shall not be located within 10 metres of the front lot line		Home Occupation	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2

	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11

RES-LR4 (RESIDENTIAL LOW RISE FOUR)

<p style="text-align: center;">Permitted Uses</p> <p>a) Semi-detached dwelling b) Detached dwelling c) Accessory dwelling unit d) Coach house dwelling e) Home child care f) Home occupation g) Shared Housing - Small Scale</p>	<p>The Residential - Low Rise Four (RES-LR4) Zone applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan that were generally developed after 1996. Detached and semi-detached dwellings which have attached or detached private garages that are accessed by a lane, are permitted in this zone.</p> 
--	---

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage (single detached dwellings)	8.0 m	Barrier-free access	Section 4.1
Minimum lot frontage (semi-detached dwellings)	7.3 m	Frontage on a street	Section 4.2
Minimum front yard	3.0 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard (if private garage is detached)	12.0 m	Sight Triangles	Section 4.5
Minimum rear yard (if private garage is attached)	5.8 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum exterior side yard	2.4 m	Uses prohibited in all zones	Section 4.7
Minimum interior side yard	1.2 m and 0.6 m (i)	Accessory buildings or structures	Section 4.8.1
Maximum height	The lesser of 3 storeys or 11.0 metres	Decks	Section 4.8.3
Minimum outdoor amenity area	36.0 m ² (ii)	Exceptions to height requirements all zones	Section 4.8.4
Special Standards		Shipping containers	Section 4.8.5
(i) Increased to 1.2 metres on both sides for semi-detached dwellings (ii) Required outdoor amenity area shall not be located within 10 metres of the front lot line		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Home Occupation	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Special Motor Vehicles	Section 5.11
		Coach house dwelling	Section 6.2.1
Detached private garages on lots accessed by a lane	Section 6.3.2		
Breezeways	Section 6.3.3		

RES-LR5 (RESIDENTIAL LOW RISE FIVE)

Permitted Uses

- a) **Townhouse Dwelling**
- b) **Accessory Dwelling Unit**
- c) **Coach House Dwelling**
- d) **Home Child Care**
- e) **Home Occupation**
- f) **Shared Housing - Small Scale**

The Residential - Low Rise Five (RES-LR5) Zone applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan that were generally developed after 1996. **Townhouse dwellings** that are accessed by a **lane** and have attached or detached **private garages** that are accessed by a **lane**, are permitted in this zone.



Standards		Other Requirements	Refer to Section No.
Minimum lot frontage if garage is attached	exterior end unit - 6.5 m interior end unit - 6.0 m interior unit - 4.5 m	Barrier-free access	Section 4.1
Minimum lot frontage if garage is detached	exterior end unit - 8.4 m interior end unit - 7.2 m interior unit - 6.0 m	Frontage on a street	Section 4.2
Minimum front yard	1.2m	Sight Triangles	Section 4.5
Minimum rear yard if private garage is detached	12.0 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum rear yard if private garage is attached	0.6 m for the first storey , and 6 metres for every storey above the first storey	Uses prohibited in all zones	Section 4.7
Minimum exterior side yard	2.4 m	Accessory buildings or structures	Section 4.8.1
Maximum garage door width (if private garage is attached)	50% of building facade	Decks	Section 4.8.3
Minimum interior side yard	0 m for interior unit and 1.2 m for interior end unit	Exceptions to height requirements all zones	Section 4.8.4
Height	The lesser of 3 storeys or 11.0 metres	Shipping containers	Section 4.8.5
Minimum outdoor amenity area (if private garage is attached)	20.0 m ² (i)	Encroachments into required yards	Section 4.8.8
Minimum outdoor amenity area (if private garage is detached)	36.0 m ² (i)	Hard and soft landscaping	Section 4.8.9

(i) Required outdoor amenity area shall not be located within 10 metres of the front lot line	Porches	Section 4.8.10
	Home Occupation	Section 4.9.1
	Temporary Tents	Section 4.9.3
	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11
	Coach house dwelling	Section 6.2.1
	Detached private garages on lots accessed by a lane	Section 6.3.2
	Breezeways	Section 6.3.3

RES-LR6 (RESIDENTIAL LOW RISE SIX)

Permitted Uses


- a) **Townhouse Dwelling**
- b) **Accessory Dwelling unit**
- c) **Home Child Care**
- d) **Home Occupation**
- e) **Shared Housing - Small Scale**

The Residential - Low Rise Six (RES-LR6) **Zone** applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan where a common element condominium containing **townhouse dwellings**, are permitted.



Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	30.0 m (i)	Barrier-free access	Section 4.1
Minimum unit width	6.0 m	Frontage on a street	Section 4.2
Maximum garage door width	50% of building facade	Phased Condominium Development	Section 4.3
Minimum front yard	6.0 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	6.0 m	Sight Triangles	Section 4.5
Minimum exterior side yard	2.4 m	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	2.4 m	Uses prohibited in all zones	Section 4.7
Height	The lesser of 3 storeys or 11.0 metres	Accessory buildings or structures	Section 4.8.1
Minimum outdoor amenity area per townhouse dwelling unit	the greater of 36 m ² per dwelling unit or 25% of the lot area	Decks	Section 4.8.3
Special Standards		Exceptions to height requirements all zones	Section 4.8.4
(i) Notwithstanding the further subdivision of land, parcels zoned RES-LR6, and within the same condominium plan, shall be deemed to be one lot .		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Home Occupations	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Special Motor Vehicles	Section 5.11

RES-LR7 (RESIDENTIAL LOW RISE SEVEN)

RES-LR7 (RESIDENTIAL LOW RISE SEVEN)			
Permitted Uses		<p>The Residential - Low Rise Seven (RES-LR7) Zone applies to those lands within the 'Residential Low Rise' designation shown on Map 3 of the Official Plan where multiplex dwellings containing 3 to 6 units are permitted in the zone. In this zone, all multiplex dwellings shall have direct frontage on a street.</p>	
<ul style="list-style-type: none"> a) Multiplex Dwelling b) Home Child Care c) Home Occupation d) Shared Housing - Small Scale 			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	30.0 m	Barrier-free access	Section 4.1
Minimum front yard	6.0 m	Frontage on a street	Section 4.2
Minimum rear yard	6.0 m	Measurement of setbacks and yards	Section 4.4
Minimum exterior side yard	2.4 m	Sight Triangles	Section 4.5
Minimum interior side yard	2.4 m	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Height	The lesser of 3 storeys or 11.0 metres	Uses prohibited in all zones	Section 4.7
Minimum outdoor amenity area per dwelling unit	the greater of 36 m ² per dwelling unit or 25% of the lot area	Accessory buildings or structures	Section 4.8.1
Maximum garage door width	50% of building facade	Decks	Section 4.8.3
		Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Home Occupations	Section 4.9.1
		Temporary Tents	Section 4.9.3
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Special Motor Vehicles	Section 5.11

RES-PE (RESIDENTIAL - PUBLIC EDUCATION)

Permitted Uses

- a) **Public school**
- b) **Child care centre** (1)
- c) **Detached dwelling** (2)
- d) Accessory **dwelling unit** (3)
- e) **Home child care** (3)
- f) **Home occupation** (3)
- g) **Shared Housing - Small Scale** (3)

The Residential - Public Education (RES-PE) **Zone** applies to publicly operated **school** sites under the jurisdiction of the York Region District School Board, the York Catholic District School Board, the Conseil Scolaire de district du Centre Sud-Ouest, the Conseil Scolaire de district Catholique Centre-Sud, or other similar provincially approved educational institution or parochial **school** operated on a non-profit basis.




Special Use Provisions

- (1) This **use** is only permitted accessory to a **public school**
- (2) Refer to the RES-ENLR (RESIDENTIAL - ESTABLISHED NEIGHBOURHOOD LOW RISE) for **zone** standards
- (3) This **use** is only permitted accessory to a **detached dwelling**

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	No requirement	Barrier-free access	Section 4.1
Minimum lot area	No requirement	Frontage on a street	Section 4.2
Minimum front yard	3.0 m (i)	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m (i)	Sight Triangles	Section 4.5
Minimum exterior side yard	3.0 m (i)	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	7.5 m (i)	Uses prohibited in all zones	Section 4.7
Height	The lesser of 3 storeys or 15.0 m (i)	Accessory Buildings or Structures	Section 4.8.1
Special Standards		Detached private garages on lots not accessed by a lane	Section 4.8.2
(i) A school portable is considered to be a main building		Decks	Section 4.8.3
		Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Home Occupation	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory Waste Disposal Areas	Section 4.9.4
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Non-residential parking requirements	Section 5.4

	Accessible parking space requirements	Section 5.6
	Electric Vehicle Parking Requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Special Motor Vehicles	Section 5.11
	Maximum Outside Wall Height	Section 6.3.1
	Detached private garages on lots accessed by a lane	Section 6.3.2
	Breezeways	Section 6.3.3

RES-MR1 (RESIDENTIAL MID RISE ONE)

<p>Permitted Uses</p> <p>a) Multiple dwelling (1) b) Home child care c) Home occupation d) Shared housing - large scale (2) e) Shared housing - small scale f) Shared housing - supervised care home (2)</p>	<p>The Residential - Mid Rise One (RES-MR1) Zone applies to those lands within the 'Residential Mid Rise' designation shown on Map 3 of the Official Plan where multiple dwellings are permitted.</p> <p>In accordance with the Official Plan, the minimum height of buildings in the RES-MR1 Zone is three storeys and the maximum permitted height is six storeys.</p>
<p>Special Use Provisions</p> <p>(1) For units with direct access to a street, refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for zone standards</p> <p>(2) This use is only permitted on lands abutting an arterial or collector road</p>	

Standards	Other Requirements	Refer to Section No.
Lot frontage (i) 1) Minimum 30.0 m 2) Maximum 55.0 m	Barrier-free access	Section 4.1
Minimum front yard	3.0 m (iii)	Frontage on a street Section 4.2
Minimum rear yard	6.0 m (ii)	Phased Condominium Development Section 4.3
Minimum exterior side yard	2.4 m (iii)	Measurement of setbacks and yards Section 4.4
Minimum interior side yard	2.4 m	Sight Triangles Section 4.5
Height	minimum 9.0 metres or 3 storeys , maximum the lesser of 15.0 metres or 4 storeys	Public Uses, Activities, or Infrastructure permitted in all zones Section 4.6
Minimum outdoor amenity area per dwelling unit	the greater of 20 m ² per dwelling unit or 25% of the lot area	Uses prohibited in all zones Section 4.7
Special Standards		Accessory buildings or structures Section 4.8.1
(i) Notwithstanding the further subdivision of land, parcels zoned RES-MR1, and, or, within the same condominium plan, shall be deemed to be one lot	Decks	Section 4.8.3
(ii) Setback increased to 7.5m where lands abut a residential estate (RES-ES) and all residential low rise zones	Exceptions to height requirements all zones	Section 4.8.4
(iii) A wall containing a garage door that faces a front or exterior lot line shall be setback a minimum of 6.0 metres	Shipping containers	Section 4.8.5
	Encroachments into required yards	Section 4.8.8
	Hard and soft landscaping	Section 4.8.9
	Porches	Section 4.8.10

	Home occupations	Section 4.9.1
	Accessory Waste Disposal Areas	Section 4.9.4
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Accessible parking space requirements	Section 5.6
	Electric Vehicle Parking Requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8
	Bicycle Parking Space Requirements	Section 5.9

RES-MR2 (RESIDENTIAL MID RISE TWO)

Permitted Uses

- a) **Apartment dwelling**
- b) **Multiple dwelling (2)**
- c) **Multiplex dwelling (2) (5)**
- d) **Townhouse dwelling (3) (5)**
- e) **Accessory dwelling unit (1)**
- f) **Home child care**
- g) **Home occupation**
- h) **Shared housing - supervised care home (4)**
- i) **Shared housing - small scale**
- j) **Shared housing - large scale (4)**

Special Use Provisions

- (1) This **use** is only permitted accessory to a **townhouse dwelling**
- (2) For units with direct access to a **street**, refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for **zone** standards
- (3) For units with direct access to **street**, refer to RES-LR3 (RESIDENTIAL LOW RISE THREE) for **zone** standards
- (4) This **use** is only permitted on lands abutting an **arterial** or **collector road**
- (5) For units that are in whole or, a part of a common element condominium, refer to RES-LR6 (RESIDENTIAL LOW RISE SIX) for **zone** standards

The Residential - Mid Rise (RES-MR2) **Zone** applies to those lands within the 'Residential Mid Rise' designation shown on Map 3 of the Official Plan where **apartment dwellings, multiple dwellings, multiplex dwellings, and townhouse dwellings**, are permitted.

In accordance with the Official Plan, the minimum **height** of **buildings** in the RES-MR2 **Zone** is three **storeys**. The maximum permitted **height** is six **storeys**.




Standards		Other Requirements	Refer to Section No.
Height	minimum 9.0 metres or 3 storeys , maximum the lesser of 21.0 metres or 6 storeys	Barrier-free access	Section 4.1
Podium Height (iv)	minimum 9.0 metres or 3 storeys , maximum the lesser of 21.0 metres or 6 storeys	Frontage on a street	Section 4.2
Front yard and exterior side yard setbacks to the podium (i)	minimum 3.0 metres, maximum 4.5.0 metres	Phased Condominium Development	Section 4.3
Minimum interior side yard and rear yard setbacks (i)	6.0 m	Measurement of setbacks and yards	Section 4.4

Minimum rear yard setbacks for lands abutting all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR 1-7) zones	7.5 m	Sight Triangles	Section 4.5
Minimum landscaping strip abutting an interior side yard and rear yard	3.0 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum common amenity area (ii)(iii)	the greater of 5.0 m ² per dwelling unit or 10% of the lot area	Uses prohibited in all zones	Section 4.7
Maximum angular plane from all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR 1-7) zones	measured from grade at the lot line at a 45° angle	Accessory buildings or structures	Section 4.8.1
Maximum floor space index (FSI)	2.0	Decks	Section 4.8.3
Special Standards		Exceptions to height requirements all zones	Section 4.8.4
(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Shipping containers	Section 4.8.5
(ii) Minimum amenity area required as common outdoor amenity area	50%, with a minimum 40 square metre area providing direct access to the common indoor amenity area	Encroachments into required yards	Section 4.8.8
(iii) Minimum amenity area required as common indoor amenity area	25%, with a minimum 40 square metre area providing direct access to the outdoor amenity area	Hard and soft landscaping	Section 4.8.9
(iv) Notwithstanding the minimum podium height , a maximum of 10% of the ground floor area of the podium may have a minimum height of 4.5 metres		Porches	Section 4.8.10
		Home occupations	Section 4.9.1
		Accessory Waste Disposal Areas	Section 4.9.4
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Accessible parking space requirements	Section 5.6
		Electric Vehicle Parking Requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8	

	Bicycle parking space requirements	Section 5.9
--	---	-------------

RES-MR3 (RESIDENTIAL MID RISE THREE)

Permitted Uses	The Residential - Mid Rise Three (RES-MR3) Zone applies to those lands within the 'Residential Mid Rise' designation shown on Map 3 of the Official Plan that were generally developed after 1996. Back to back townhouse dwellings are permitted in this zone .
<ul style="list-style-type: none"> a) Back to Back Townhouse Dwelling b) Home Child Care c) Home Occupation d) Shared housing - large scale (1) e) Shared housing - small scale f) Shared housing - supervised care home (1) 	
Special Use Provisions	
(1) This use is only permitted on lands abutting an arterial or collector road	

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage (exterior end unit)	8.4 m	Barrier-free access	Section 4.1
Minimum lot frontage (interior end unit)	7.2 m	Frontage on a street	Section 4.2
Minimum lot frontage (interior unit)	6.0 m	Sight Triangles	Section 4.5
Minimum front yard (main building)	3.0 m (ii)	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum rear yard	0.0 m	Uses prohibited in all zones	Section 4.7
Minimum exterior side yard	2.4 m	Accessory buildings or structures	Section 4.8.1
Minimum interior side yard	0 m for interior unit and 1.2 m for interior end unit	Decks	Section 4.8.3
Height	minimum 9.0 metres or 3 storeys , maximum the lesser of 15.0 metres or 4 storeys	Exceptions to height requirements all zones	Section 4.8.4
Maximum garage door width	50% of building facade (i)	Shipping containers	Section 4.8.5
Maximum garage projection beyond front wall of main building	1.8 m	Encroachments into required yards	Section 4.8.8
Minimum outdoor amenity area	20.0m ²	Hard and soft landscaping	Section 4.8.9
Special Standards		Porches	Section 4.8.10
(i) The maximum width of a private garage shall not exceed the maximum garage door width plus 1.0 metre		Home Occupation	Section 4.9.1
(ii) The minimum setback of a garage door from a lot line is 5.8 metres		Temporary Tents	Section 4.9.3

	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11
	Coach house dwelling	Section 6.2.1
	Detached private garages on lots accessed by a lane	Section 6.3.2
	Breezeways	Section 6.3.3

RES-HR (RESIDENTIAL HIGH RISE)

Permitted Uses

- a) **Apartment dwelling**
- b) **Multiple dwelling (2)(4)**
- c) **Townhouse dwelling (3)(6)**
- d) **Home occupation**
- e) **Shared housing - supervised care home (5)**
- f) **Accessory dwelling unit (1)**
- g) **Shared housing - small scale**
- h) **Shared housing - large scale (5)**

The Residential - High Rise (RES-HR) **Zone** applies to those lands within the 'Residential High Rise' designation shown on Map 3 of the Official Plan where **townhouse, multiple** and **apartment dwellings** are permitted.

In accordance with the Official Plan, the minimum **height of buildings** in the RES-HR **Zone** is three **storeys**. The maximum permitted **height** is fifteen **storeys**.

Special Use Provisions

- (1) This **use** is only permitted accessory to a **townhouse dwelling**
- (2) For units with direct access to a **street**, refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for **zone** standards
- (3) For units with direct access to a **street**, refer to RES-LR3 (RESIDENTIAL LOW RISE THREE) for **zone** standards
- (4) **Multiple dwellings** in the form of **back to back townhouse dwellings** are not permitted
- (5) This **use** is only permitted on lands abutting an **arterial** or **collector road**
- (6) For units that are in whole or, a part of a common element condominium, refer to RES-LR6 (RESIDENTIAL LOW RISE SIX) for **zone** standards



Standards		Other Requirements	Refer to Section No.
Height	minimum 9.0 metres or 3 storeys , maximum the lesser of 46.5 metres or 15 storeys	Barrier-free access	Section 4.1
Podium height (iv)	minimum 10.5 metres or 3 storeys , maximum the lesser of 21.0 metres or 6 storeys	Frontage on a street	Section 4.2
Front yard and exterior side yard setbacks to the podium (i) (iii)	minimum 3.0 metres, maximum 4.5 metres	Phased Condominium Development	Section 4.3
Minimum interior side yard and rear yard setbacks (i) (iii)	6.0 m	Measurement of setbacks and yards	Section 4.4
Minimum interior side yard and rear yard setbacks for lands abutting all residential low rise (RES-LR) and residential estate (RES-ES) zones	6.0 m	Sight Triangles	Section 4.5

Minimum landscaping strip abutting an interior side yard and rear yard	3.0 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum common amenity area (ii) (v)	the greater of 5.0 square metres per dwelling unit or 10% of the lot area	Uses prohibited in all zones	Section 4.7
Maximum angular plane from all lands abutting all residential low rise (RES-LR) and residential estate (RES-ES) zones	measured from grade at the lot line at a 45° angle	Accessory buildings or structures	Section 4.8.1
Minimum stepback of a point tower from a podium	1.8 m	Decks	Section 4.8.3
Maximum gross floor area of each floor plate of a point tower containing residential uses	750 m ²	Exceptions to height requirements all zones	Section 4.8.4
Minimum separation between point towers	30.0 m	Shipping containers	Section 4.8.5
Maximum floor space index (FSI)	2.5	Encroachments into required yards	Section 4.8.8
Special Standards		Hard and soft landscaping	Section 4.8.9
(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Porches	Section 4.8.10
(ii) Minimum amenity area required as common outdoor amenity area	50%, with a minimum 100 square metre area providing direct access to the common indoor amenity area	Home occupations	Section 4.9.1
(iii) Minimum stepback of a parking garage attached to a building	3.0 m	Accessory Waste Disposal Areas	Section 4.9.4
(iv) Notwithstanding the minimum podium height , a maximum of 10% of the ground floor area of the podium may have a minimum height of 4.5 metres		Accessory dwelling units	Section 4.9.9
(v) Minimum amenity area required as common indoor amenity area	25%, with a minimum 100 square metre area providing direct access to the outdoor amenity area	General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Accessible parking space requirements	Section 5.6
		Electric Vehicle Parking Requirements	Section 5.7
		Regulations for Loading Spaces	Section 5.8
		Bicycle parking space requirements	Section 5.9

PART 7.0 - MIXED USE ZONES


7.1 ZONES

The following mixed use **zones** have been established in this By-law:

Zone Symbol	Zone Name
MU-FD	Mixed Use - Future Development
MU-LR	Mixed Use - Low Rise
MU-MR	Mixed Use - Mid Rise
MU-HR	Mixed Use - High Rise
MU-HMS (T)	Mixed Use - Heritage Main Street (Thornhill)
MU-HMS (U)	Mixed Use - Heritage Main Street (Unionville)
MU-HMS (M)	Mixed Use - Heritage Main Street (Markham)

7.2 PERMITTED USES AND ZONE STANDARDS


Permitted **uses** and **zone** standards are contained within the following tables:

MU-FD (MIXED USE FUTURE DEVELOPMENT)	
<p>Permitted Uses</p> <p>a) Those uses that legally existed on the date this By-law was enacted by Council (1) (2)</p> <p>b) Additional uses as follows (1):</p> <ul style="list-style-type: none"> (i) Art gallery (ii) Artist studio (iii) Business office (iv) Commercial school (v) Medical office (vi) Restaurant (vii) Retail store (2) (viii) Fitness centre, studio (3) <p>Special Use Provisions</p> <p>(1) The expansion of an existing building or structure by no more than 10% of the total gross floor area may be permitted subject to complying with Parts 4.0 and 5.0 of this By-law and the standards below</p> <p>(2) Outdoor display and sales area is permitted</p> <p>(3) This use shall not exceed a net floor area of 250 square metres</p>	<p>The Mixed Use – Future Development (MU-FD) Zone applies to existing developed lands. Over time, these areas are expected to transform into multi-use, multi- purpose areas that offer a diverse range of residential, retail, service, restaurant, and office type uses serving nearby residents and businesses.</p> <p>In order to implement the Official Plan, the MU-FD Zone only recognizes existing uses and buildings as well as compatible uses customarily found in traditional shopping plazas. A zoning by-law amendment would be required to properly assess the merits of the redevelopment of these sites, with urban design, land use compatibility and off-site impacts being the primary considerations.</p> 

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	As existing on the date Council passed this By-law	Barrier-free access	Section 4.1
Minimum lot area	As existing on the date Council passed this By-law	Frontage on a street	Section 4.2
Minimum front yard	As existing on the date Council passed this By-law	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	As existing on the date Council passed this By-law	Sight Triangles	Section 4.5
Minimum exterior side yard	As existing on the date Council passed this By-law	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	As existing on the date Council passed this By-law	Uses prohibited in all zones	Section 4.7
Maximum height	As existing on the date Council passed this By-law	Accessory Buildings or Structures	Section 4.8.1

	Exceptions to height requirements all zones	Section 4.8.4
	Outdoor Patios	Section 4.8.6
	Outdoor Display and Sales Areas	Section 4.8.7
	Encroachments into required yards	Section 4.8.8
	Hard and soft landscaping	Section 4.8.9
	Temporary Tents	Section 4.9.3
	Accessory Waste Disposal Areas	Section 4.9.4
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric Vehicle Parking requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
Drive-Through Service Establishments	Section 5.10	

MU-LR (MIXED USE LOW RISE)

Permitted Uses	<p>The Mixed Use - Low Rise (MU-LR) zone applies to lands within the 'Mixed Use Low Rise' designation shown on Map 3 of the Official Plan.</p> <p>Buildings within this zone are permitted up to three storeys in height containing a mix of non-residential uses at grade and may include residential uses above the first storey. Sites developed exclusively for residential uses are not permitted.</p>		
<p>Residential</p> <p>a) Apartment dwelling (1) b) Home occupation (1) c) Shared housing - small scale</p> <p>Non-Residential</p> <p>d) Art gallery e) Artist studio f) Business office g) Child care centre h) Commercial school i) Entertainment centre, Minor local j) Financial institution k) Fitness centre, Studio (2) l) Medical office m) Personal service establishment n) Private school o) Public school p) Restaurant q) Retail store (3) r) Service and repair establishment</p>			
Special Use Provisions	<p>(1) Only permitted above the first storey of a building containing non-residential uses</p> <p>(2) This use shall not exceed a net floor area of 250 square metres</p> <p>(3) Outdoor display and sales area is permitted</p>		
Standards	Other Requirements	Refer to Section No.	
Height	<p>minimum 4.5 metres, maximum is the lessor of 11.5 metres or 3 storeys</p>	<p>Barrier-free access</p> <p style="text-align: right;">Section 4.1</p>	
Front yard and exterior side yard setbacks (i)	<p>minimum 2.0 metres, maximum 18.0 metres</p>	<p>Frontage on a street</p> <p style="text-align: right;">Section 4.2</p>	
Minimum interior side yard and rear yard setbacks (i)	<p>1.5 metres</p>	<p>Phased Condominium Development</p> <p style="text-align: right;">Section 4.3</p>	

Minimum interior side yard and rear yard setbacks for lands abutting all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR1-7) zones	6.0 metres	Measurement of setbacks and yards	Section 4.4
Minimum landscaping strip abutting an interior side yard and rear yard	3.0 metres	Sight Triangles	Section 4.5
Minimum amenity area (ii)	the greater of 5.0 metres ² per dwelling unit or 10% of the lot area	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Maximum gross floor area of any individual non-residential premise	500m ² 1000m ² abutting an arterial road	Uses prohibited in all zones	Section 4.7
Special Standards		Accessory Buildings or Structures	Section 4.8.1
(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Exceptions to height requirements all zones	Section 4.8.4
(ii) Minimum amenity area required as common outdoor amenity area	50%	Outdoor Patios	Section 4.8.6
(iii) Minimum landscaping strip abutting an interior side yard and rear yard on all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR1-7) zones	3.0 metres	Outdoor display and sales area	Section 4.8.7
		Encroachments into required yards	Section 4.8.8
		Temporary Tents	Section 4.9.3
		Accessory Waste Disposal Areas	Section 4.9.4
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Non-residential parking requirements	Section 5.4
		Accessible parking space requirements	Section 5.6
Electric Vehicle Parking requirements	Section 5.7		
Regulations for Loading Spaces	Section 5.8		

		Bicycle parking space requirements	Section 5.9
		Drive-Through Service Establishments	Section 5.10

MU-MR (MIXED USE MID RISE)

Permitted Uses

Residential

- a) **Apartment dwelling**
- b) **Townhouse dwelling (4)**
- c) **Home occupation**
- d) **Multiple dwelling (3)**
- e) **Accessory dwelling unit (2)**
- f) **Shared housing - small scale**
- g) **Shared housing - large scale (6)**
- h) **Shared housing - supervised care home (6)**

Non-Residential

- i) **Art gallery**
- j) **Artist studio**
- k) **Business office**
- l) **Child care centre**
- m) **College**
- n) **Commercial parking lot or garage (1)**
- o) **Commercial school**
- p) **Entertainment centre, Minor local**
- q) **Financial institution**
- r) **Fitness centre, Studio (5)**
- s) **Fitness centre, Recreational**
- t) **Medical office**
- u) **Motor vehicle sales establishment (7)**
- v) **Motor vehicle fueling station (7)**
- w) **Motor vehicle maintenance shop (7)**
- x) **Motor vehicle rental establishment (7)**
- y) **Motor vehicle rental office**
- z) **Motor vehicle washing establishment**
- aa) **Personal service establishment**
- bb) **Private school**
- cc) **Restaurant**
- dd) **Retail store (7)**
- ee) **Service and repair establishment**
- ff) **University**

The Mixed Use - Mid Rise (MU-MR) **zone** applies to lands within the 'Mixed Use Mid Rise' designation shown on Map 3 of the Official Plan. **Buildings** within this **zone** shall be multi-storey containing a mix of residential and non-residential **uses** at grade and residential **uses** above the **first storey**. Sites developed exclusively for residential or non-residential **uses** are not permitted.



Special Use Provisions

- (1) **Stepback** of this **use** to any other portion of a **building** - 3.0 metres
- (2) This **use** is only permitted accessory to a **townhouse dwelling**
- (3) For units with direct access to a **street**, refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for **zone** standards
- (4) For units with direct access to a **street**, refer to RES-LR3 (RESIDENTIAL LOW RISE THREE) for **zone** standards
- (5) This **use** shall not exceed a **net floor area** of 250 square metres

<p>(6) This use is only permitted on lands abutting an arterial or collector road</p> <p>(7) Outdoor display and sales area is not permitted</p>			
Standards		Other Requirements	Refer to Section No.
Height (v)	minimum 10.5 metres or 3 storeys , maximum the lesser of 36.5 metres or 8 storeys	Barrier-free access	Section 4.1
Podium height (iv)	minimum 10.5 metres or 3 storeys , maximum the lesser of 24.0 metres or 6 storeys	Frontage on a street	Section 4.2
Front yard and exterior side yard setbacks to the podium (i)	minimum 2.0 metres, maximum 18.0 metres	Phased Condominium Development	Section 4.3
Minimum interior side yard and rear yard setbacks (i)	6.0 metres	Measurement of setbacks and yards	Section 4.4
Minimum rear yard setbacks for lands abutting all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR1-7) zones	7.5 metres	Sight Triangles	Section 4.5
Minimum landscaping strip abutting an interior side yard and rear yard	3.0 metres	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum common amenity area (ii) (iii)	the greater of 5.0 metres ² per dwelling unit or 10% of the lot area	Uses prohibited in all zones	Section 4.7
Maximum angular plane from all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR 1-7) zones	measured from grade at the lot line at a 45° angle	Accessory Buildings or Structures	Section 4.8.1

Minimum stepback of a point tower from a podium	1.8 metres	Exceptions to height requirements all zones	Section 4.8.4
Maximum gross floor area of each floor plate of a residential point tower	750 metres ²	Outdoor Patios	Section 4.8.6
Maximum gross floor area of any individual retail store	6000m ²	Outdoor display and sales area	Section 4.8.7
Minimum separation between point towers	30.0 metres	Encroachments into required yards	Section 4.8.8
Maximum floor space index (FSI)	2.0	Temporary Tents	Section 4.9.3
Minimum gross floor area devoted to non-residential uses	750m ²	Accessory Waste Disposal Areas	Section 4.9.4
Special Standards		Motor Vehicle Sales and Motor Vehicle Rental Establishment	Section 4.9.6
(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Motor Vehicle Fueling Stations	Section 4.9.7
(ii) Minimum amenity area required as common outdoor amenity area	50%, with a minimum 40 square metre area providing direct access to the common indoor amenity area	Motor Vehicle Maintenance Shop	Section 4.9.8
(iii) Minimum amenity area required as common indoor amenity area	25%, with a minimum 40 square metre area providing direct access to the common indoor amenity area	Accessory dwelling units	Section 4.9.9
(iv) Notwithstanding the minimum podium height , a maximum of 10% of the ground floor area of the podium may have a minimum height of 4.5 metres		General parking provisions	Section 5.2
(v) The minimum height of a motor vehicle fueling station , a motor vehicle maintenance shop , and a motor vehicle washing establishment is 4.5 metres		Additional residential parking requirements	Section 5.3
		Non-residential parking requirements	Section 5.4

	Accessible parking space requirements	Section 5.6
	Electric Vehicle Parking requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Drive-Through Service Establishments	Section 5.10

MU-HR (MIXED USE HIGH RISE)

Permitted Uses

Residential

- a) **Apartment dwelling**
- b) **Multiple dwelling (3) (5)**
- c) **Townhouse dwelling (4)**
- d) **Home occupation**
- e) **Accessory dwelling unit (2)**
- f) **Shared housing - small scale**
- g) **Shared housing - large scale (7)**
- h) **Shared housing - supervised care home (7)**

Non-Residential

- i) **Art gallery**
- j) **Artist studio**
- k) **Business office**
- l) **Child care centre**
- m) **College**
- n) **Commercial parking lot or garage (1)**
- o) **Commercial school**
- p) **Entertainment centre, major regional**
- q) **Entertainment centre, minor local**
- r) **Financial institution**
- s) **Fitness centre, studio (6)**
- t) **Fitness centre, recreational**
- u) **Hotel**
- v) **Medical office**
- w) **Motor vehicle sales establishment (8)**
- x) **Motor vehicle fueling station (8)**
- y) **Motor vehicle maintenance shop (8)**
- z) **Motor vehicle rental establishment (8)**
- aa) **Motor vehicle rental office**
- bb) **Motor vehicle washing establishment**
- cc) **Personal service establishment**
- dd) **Private club**
- ee) **Private school**
- ff) **Restaurant**
- gg) **Retail store (8)**
- hh) **Service and repair establishment**
- ii) **Trade and convention centre**
- jj) **University**

Special Use Provisions

- (1) **Stepback** of this use to any other portion of a **building** - 3.0 metres
- (2) This use is only permitted accessory to a **townhouse dwelling**
- (3) For units with direct access to a **street**, refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for **zone** standards
- (4) For units with direct access to a **street**, refer to RES-LR3 (RESIDENTIAL LOW RISE THREE) for **zone** standards
- (5) **Multiple dwellings** in the form of **back to back townhouse dwellings** are not permitted
- (6) This use shall not exceed a **net floor area** of 250 square metres

The Mixed Use - High Rise (MU-HR) **zone** applies to lands within the 'Mixed Use High Rise' designation shown on Map 3 of the Official Plan.

Lands zoned Mixed Use - High Rise are priority locations for development where the greatest levels of intensification are intended to take place in Markham. These lands will permit, amongst other **uses**, office, retail, entertainment, educational and service **uses** serving a regional population mixed with high density residential **uses**. In addition to accommodating residential intensification, these areas have the potential for significant **office** development due to their high levels of existing or planned transit access.

Buildings within this **zone** shall be a minimum of three **storeys** in **height** with the potential of containing a mix of residential and non-residential **uses**. Sites developed exclusively for residential **uses** are not permitted.



<p>(7) This use is only permitted on lands abutting an arterial or minor collector road</p> <p>(8) Outdoor display and sales area is not permitted</p>			
Standards		Other Requirements	Refer to Section No.
Height (v)	minimum 10.5 metres or 3 storeys , maximum the lesser of 68.0 metres or 15 storeys	Barrier-free access	Section 4.1
Podium height (iv)	minimum 10.5 metres or 3 storeys , maximum the lesser of 27.0 metres or 6 storeys	Frontage on a street	Section 4.2
Front yard and exterior side yard setbacks (i)	minimum 2.0 metres, maximum 18.0 metres	Phased Condominium Development	Section 4.3
Minimum interior side yard and rear yard setbacks (i)	6.0 metres	Measurement of setbacks and yards	Section 4.4
Minimum rear yard setbacks for lands abutting all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR1-7) zones	7.5 metres	Sight Triangles	Section 4.5
Minimum landscaping strip abutting an interior side yard and rear yard	3.0 metres	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum common amenity area (ii) (iii)	the greater of 5.0 metres ² per dwelling unit or 10% of the lot area	Uses prohibited in all zones	Section 4.7
Maximum angular plane from all Residential Estate (RES-ES), Residential Established Neighbourhood Low Rise (RES-ENLR) and Residential Low Rise One through Seven (RES-LR1-7) zones	measured from grade at the lot line at a 45° angle	Accessory Buildings or Structures	Section 4.8.1
Minimum stepback of a point tower from a podium	1.8 metres	Exceptions to height requirements all zones	Section 4.8.4

Maximum gross floor area of each floor plate of a residential point tower	750 metres ²	Outdoor Patios	Section 4.8.6
Maximum gross floor area of any individual retail store	6000m ² for the first storey	Outdoor display and sales area	Section 4.8.7
Minimum separation between point towers	30.0 metres	Encroachments into required yards	Section 4.8.8
Maximum floor space index (FSI)	3.0	Home Occupations	Section 4.9.1
Minimum gross floor area devoted to non-residential uses	750m ²	Temporary Tents	Section 4.9.3
Special Standards		Accessory Waste Disposal Areas	Section 4.9.4
(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Motor Vehicle Sales and Motor Vehicle Rental Establishment	Section 4.9.6
(ii) Minimum amenity area required as common outdoor amenity area	50%, with a minimum 100 square metre area providing direct access to the common indoor amenity area	Motor Vehicle Fueling Stations	Section 4.9.7
(iii) Minimum amenity area required as common indoor amenity area	25%, with a minimum 100 square metre area providing direct access to the common indoor amenity area		
(iv) Notwithstanding the minimum podium height , a maximum of 10% of the ground floor of the podium may have a minimum height of 4.5 metres		Motor Vehicle Maintenance Shop and Motor Vehicle Repair and Body Shop	Section 4.9.8
(v) The minimum height of a motor vehicle fueling station , a motor vehicle maintenance shop , and a motor vehicle washing establishment is 4.5 metres		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3

	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric Vehicle Parking requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Drive-Through Service Establishments	Section 5.10

MU-HMS(T) (MIXED USE HERITAGE MAIN STREET – THORNHILL VILLAGE)

Permitted Uses

Residential

- a) **Apartment dwelling** (7)
- b) **Multiple dwelling** (3)(7)
- c) **Semi-detached dwelling** (5)(6)
- d) **Detached dwelling** (2)(6)
- e) **Townhouse dwelling** (4)(6)
- f) **Home occupation**
- g) **Accessory dwelling unit** (1)
- h) **Shared housing - small scale**
- i) **Shared housing - supervised care home** (9)

Non-Residential

- j) **Art gallery**
- k) **Artist studio**
- l) **Bed and breakfast establishment**
- m) **Business office**
- n) **Child care centre** (9)
- o) **Fitness centre, studio** (10)
- p) **Fitness centre, recreational**
- q) **Financial institution** (8)
- r) **Hotel**
- s) **Commercial school**
- t) **Personal service establishment**
- u) **Medical office**
- v) **Restaurant** (8) (12)
- w) **Retail store** (8) (11)
- x) **Service and repair establishment**

Special Use Provisions

- (1) This **use** is only permitted accessory to a **semi-detached, detached** or **townhouse dwelling**
- (2) Refer to RES-ENLR (RESIDENTIAL ESTABLISHED NEIGHBOURHOOD LOW RISE) for **zone** standards
- (3) Refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for **zone** standards
- (4) Refer to RES-LR3 (RESIDENTIAL LOW RISE THREE) for **zone** standards
- (5) Refer to RES-LR2 (RESIDENTIAL LOW RISE TWO) for **zone** standards
- (6) This **use** is not permitted on lands abutting an **arterial** or **minor collector road**
- (7) This **use** is only permitted above the **first storey** of a **building** containing non-residential **uses**
- (8) **Drive-Through Service Establishments** are not permitted

The Mixed Use - Heritage Main Street - Thornhill (MU-HMS (T)) **Zone** applies to lands within the 'Mixed Use Heritage Main Street' designation shown on Map 3 of the Official Plan. The lands within this **zone** are located along the eastern side of Yonge Street in the historic Village of Thornhill.

This Mixed Use Heritage Main Street area offers a traditional shopping experience for residents and visitors in an historic main **street** setting where at-grade **uses** are predominantly retail. Opportunities for residential **uses** exist above the **first storey** of **buildings**. Exclusively residential **buildings** are not permitted on lands abutting Yonge or John Streets. The area represents opportunities for residents and visitors to engage in a unique experience that is not typically experienced in newer shopping and dining areas. The **zone** permits a wide array of pedestrian-oriented non-residential **uses** at-grade that contributes to the animation of this historic area.



<p>(9) This use is only permitted on lands abutting an arterial or collector road</p> <p>(10) This use shall not exceed a net floor area of 250 m²</p> <p>(11) Outdoor display and sales area is permitted</p> <p>(12) Restaurants in the form of take-out restaurants are not permitted</p>			
Standards		Other Requirements	Refer to Section No.
<p>Height</p> <p>Minimum first storey height</p>	<p>The greater of 12.0 metres or 2 storeys</p> <p>4.0 metres</p>	<p>Barrier-free access</p>	<p>Section 4.1</p>
<p>Front yard and exterior side yard setbacks (i)</p>	<p>minimum 1.8 metres, maximum 5.2 metres</p>	<p>Frontage on a street</p>	<p>Section 4.2</p>
<p>Minimum interior side yard and rear yard setbacks (i)</p>	<p>1.5 metres</p>	<p>Phased Condominium Development</p>	<p>Section 4.3</p>
<p>Minimum interior side yard and rear yard setbacks for lands abutting all low rise residential (RLR) zones</p>	<p>7.5 metres</p>	<p>Measurement of setbacks and yards</p>	<p>Section 4.4</p>
<p>Minimum landscaping strip abutting an interior side yard and rear yard</p>	<p>1.5 metres</p>	<p>Sight Triangles</p>	<p>Section 4.5</p>
<p>Minimum amenity area (ii)</p>	<p>the greater of 5.0 metres² per dwelling unit or 10% of the lot area</p>	<p>Public Uses, Activities, or Infrastructure permitted in all zones</p>	<p>Section 4.6</p>
<p>Maximum angular plane from all low rise residential (RLR) and residential estate zones</p>	<p>measured at a lot line at a 45° angle</p>	<p>Uses prohibited in all zones</p>	<p>Section 4.7</p>
<p>Maximum gross floor area of any individual non-residential premise</p>	<p>1000 metres²</p>	<p>Accessory Buildings or Structures</p>	<p>Section 4.8.1</p>
<p>Special Standards</p>		<p>Outdoor Patios</p>	<p>Section 4.8.6</p>

(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Outdoor display and sales area	Section 4.8.7
(ii) Minimum amenity area required as common outdoor amenity area	50%	Encroachments into required yards	Section 4.8.8
		Home Occupations	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory Waste Disposal Areas	Section 4.9.4
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Non-residential parking requirements	Section 5.4
		Accessible parking space requirements	Section 5.6
		Electric Vehicle Parking requirements	Section 5.7
		Regulations for Loading Spaces	Section 5.8
		Bicycle parking space requirements	Section 5.9

MU-HMS(U) (MIXED USE HERITAGE MAIN STREET – UNIONVILLE VILLAGE)

Permitted Uses

Residential

- a) **Apartment dwelling** (6)
- b) **Multiple dwelling** (3)(6)
- c) **Semi-detached dwelling** (5)
- d) **Detached dwelling** (2)
- e) **Townhouse dwelling** (4)
- f) **Home occupation**
- g) **Accessory dwelling unit** (1)
- h) **Shared housing - small scale**

Non-Residential

- i) **Art gallery**
- j) **Artist studio**
- k) **Bed and breakfast establishment**
- l) **Business office**
- m) **Financial institution** (7)
- n) **Fitness centre, studio** (8)
- o) **Fitness centre, recreational**
- p) **Hotel**
- q) **Commercial school**
- r) **Personal service establishment**
- s) **Medical office**
- t) **Restaurant** (7) (10)
- u) **Retail store** (7) (9)
- v) **Service and repair establishment**

Special Use Provisions

- (1) This **use** is only permitted accessory to a **semi-detached, single detached** or **townhouse dwelling**
- (2) Refer to RES-ENLR (RESIDENTIAL ESTABLISHED NEIGHBOURHOOD LOW RISE) for **zone** standards
- (3) Refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for **zone** standards
- (4) Refer to RES-LR3 (RESIDENTIAL LOW RISE THREE) for **zone** standards
- (5) Refer to RES-LR2 (RESIDENTIAL LOW RISE TWO) for **zone** standards
- (6) This **use** is only permitted above the **first storey** of a **building** containing non-residential **uses**
- (7) **Drive-Through Service Establishments** are not permitted
- (8) This **use** shall not exceed a **net floor area** of 250 m²
- (9) **Outdoor display and sales area** is permitted
- (10) **Restaurants** in the form of **take-out restaurants** are not permitted

The Mixed Use - Heritage Main Street – Unionville (MU-HMS (U)) **Zone** applies to lands within the 'Mixed Use Heritage Main Street' designation shown on Map 3 of the Official Plan. The lands within this **zone** are located along the historic Main Street area of the Village of Unionville.


This Mixed Use Heritage Main Street area offers a broad shopping, dining and cultural experience which is intended to appeal to both local residents and the wider Markham community as well as a certain segment of the tourist market. The historic mixed use village dates back to the early 1840s and attracts thousands of visitors each year for its shopping and dining experiences offered in a unique setting and enhanced due to the intact, well preserved and protected historic village. The **zone** permits a variety of pedestrian oriented retail, office, service and **restaurant uses** at-grade that contributes to the unique quality of this well-known historic area.



Standards		Other Requirements	Refer to Section No.
Height Minimum first storey height	The greater of 12.0 metres or 2 storeys 4.0 metres	Barrier-free access	Section 4.1
Front yard and exterior side yard setbacks (i) (iii)	minimum 2.0 metres, maximum 6.0 metres	Frontage on a street	Section 4.2
Minimum interior side yard and rear yard setbacks (i)	1.5 metres	Phased Condominium Development	Section 4.3
Minimum interior side yard and rear yard setbacks for lands abutting all low rise residential (RLR) zones	6.0 metres	Measurement of setbacks and yards	Section 4.4
Minimum landscaping strip abutting an interior side yard and rear yard	1.5 metres	Sight Triangles	Section 4.5
Minimum amenity area (ii)	the greater of 5.0 metres ² per dwelling unit or 10% of the lot area	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Maximum angular plane from all low rise residential (RLR) and residential estate zones	measured at a lot line at a 45° angle	Uses prohibited in all zones	Section 4.7
Special Standards		Accessory Buildings or Structures	Section 4.8.1
(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Outdoor Patios	Section 4.8.6
(ii) Minimum amenity area required as common outdoor amenity area	50%	Outdoor display and sales area	Section 4.8.7
(iii) Buildings containing a business office, commercial school or a personal service establishment shall be located a minimum of 10 metres from the main front wall of a building .		Encroachments into required yards	Section 4.8.8
		Home Occupations	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory Waste Disposal Areas	Section 4.9.4

	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric Vehicle Parking requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9

MU-HMS(M) (MIXED USE HERITAGE MAIN STREET – MARKHAM VILLAGE)

Permitted Uses	
<p>Residential</p> <ul style="list-style-type: none"> a) Apartment dwelling (6) b) Multiple dwelling (3)(6) c) Semi-detached dwelling (5) d) Detached dwelling (2) e) Townhouse dwelling (4) f) Accessory dwelling unit (1) g) Home occupation h) Shared housing - small scale <p>Non-Residential</p> <ul style="list-style-type: none"> i) Art gallery j) Artist studio k) Bed and breakfast establishment l) Business office m) Financial institution (7) n) Fitness centre, studio (8) o) Fitness centre, recreational p) Hotel q) Commercial school r) Personal service establishment s) Medical office t) Restaurant (7) (10) u) Retail store (7) (9) v) Service and repair establishment 	<p>The Mixed Use - Heritage Main Street – Markham (MU-HMS (M)) Zone applies to lands within the 'Mixed Use Heritage Main Street' designation shown on Map 3 of the Official Plan. The lands within this zone are located along the historic Main Street North area of Markham Village.</p> <p>This Mixed Use Heritage Main Street area represents a symbolic, historic focal point of the City that celebrates one of Markham's original town settlements. A unique shopping, dining and cultural experience appealing to both local residents and the wider Markham community has, and will continue to be, the vision for this area of the City. A large variety of pedestrian oriented non-residential uses at grade that contribute to the animation of the historic mixed use area are permitted. Opportunities for residential uses above the ground floor of mixed use buildings are also encouraged.</p>
<p style="text-align: center;">Special Use Provisions</p> <ul style="list-style-type: none"> (1) This use is only permitted accessory to a semi-detached, single detached or townhouse dwelling (2) Refer to RES-ENLR (RESIDENTIAL ESTABLISHED NEIGHBOURHOOD LOW RISE) for zone standards (3) Refer to RES-LR7 (RESIDENTIAL LOW RISE SEVEN) for zone standards (4) Refer to RES-LR3 (RESIDENTIAL LOW RISE THREE) for zone standards (5) Refer to RES-LR2 (RESIDENTIAL LOW RISE TWO) for zone standards (6) This use is only permitted above the first storey of a building containing non-residential uses (7) Drive-Through Service Establishments are not permitted (8) This use shall not exceed a net floor area of 250 m² (9) Outdoor display and sales area is permitted 	

(10) Restaurants in the form of take-out restaurants are not permitted			
Standards		Other Requirements	Refer to Section No.
Height	The greater of 12.0 metres or 2 storeys	Barrier-free access	Section 4.1
Minimum first storey height	4.0 metres		
Front yard and exterior side yard setbacks (i) (iii)	minimum 2.0 metres, maximum 6.0 metres	Frontage on a street	Section 4.2
Minimum interior side yard and rear yard setbacks (i)	1.5 metres	Phased Condominium Development	Section 4.3
Minimum interior side yard and rear yard setbacks for lands abutting all low rise residential (RLR) zones	6.0 metres	Measurement of setbacks and yards	Section 4.4
Minimum landscaping strip abutting an interior side yard and rear yard	1.5 metres	Sight Triangles	Section 4.5
Minimum amenity area (ii)	the greater of 5.0 metres ² per dwelling unit or 10% of the lot area	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Maximum angular plane from all low rise residential (RLR) and residential estate zones	measured at a lot line at a 45° angle	Uses prohibited in all zones	Section 4.7
Special Standards		Accessory Buildings or Structures	Section 4.8.1
(i) Underground parking garages located at a depth of 1.0 metres or greater below grade are permitted to be located to 0.6 metres from any lot line		Outdoor Patios	Section 4.8.6
(ii) Minimum amenity area required as common outdoor amenity area - 50%	50%	Outdoor display and sales area	Section 4.8.7
(iii) Buildings containing a business office , commercial trade school or a personal service facility shall be located a minimum of 10 metres from the main front wall of a building .		Encroachments into required yards	Section 4.8.8
		Home Occupations	Section 4.9.1

	Temporary Tents	Section 4.9.3
	Accessory Waste Disposal Areas	Section 4.9.4
	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric Vehicle Parking requirements	Section 5.7
	Regulations for Loading Spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9

PART 8.0 - COMMERCIAL ZONE

8.1 ZONE

The following Commercial **Zone** has been established in this By-law:

Zone Symbol	Zone Name
COM	Commercial

8.2 ADDITIONAL GENERAL PROVISIONS

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

8.2.1 ACCESSORY BUILDINGS OR STRUCTURES IN COMMERCIAL ZONES

Notwithstanding Section 4.8.1, **Accessory buildings or structures** are permitted in the Commercial **Zones** subject to the following provisions:

- a) **Accessory buildings or structures** shall not be erected on a **lot** prior to the erection of the **main building** on the **lot**;
- b) **Accessory buildings or structures** shall not be erected within a **public easement**;
- c) **Accessory buildings or structures** shall not be erected within a **front** or **exterior side yard**;
- d) **Accessory buildings or structures** shall not be erected within 15.0 metres of a Residential or Mixed Use **Zone** boundary;
- e) **Accessory buildings or structures** shall not have a **height** greater than 7.5 metres;
- f) **Accessory buildings or structures** shall be set back a minimum of 1.2 metres from an **interior side** or **rear lot line**; and,
- g) **Accessory buildings or structures** shall not be erected within 1.8 metres of a **main building**.

8.2.2 ACCESSORY INDUSTRIAL EQUIPMENT IN COMMERCIAL ZONES

Accessory industrial equipment shall not be located within or on:


- a) A **public easement**;
- b) A **lot** prior to the erection of the **main building** on the **lot**;
- c) A **front yard**;
- d) A minimum **exterior side yard** required in this By-law; and
- e) 15.0 metres of a Residential or Mixed Use **Zone** boundary.

8.2.3 LANDSCAPING STRIP REQUIREMENT IN COMMERCIAL ZONES

- a) **Landscaping strips** in the Commercial **zone** are required to be:
 - (i) A minimum of 3.0 metres wide adjacent to any **lot line** that serves as the boundary of a **street**; and,
 - (ii) A minimum of 6.0 metres wide adjacent to any **lot line** that serves as the boundary of a Residential or Mixed Use **zone**.
- b) Notwithstanding the above, if a **building** is permitted in this By-law to extend closer to the **lot line** that serves as the boundary of a **street** than 3.0 metres, only that area that is not the site of a **building** is required to be the site of a **landscaping strip**.

8.3 PERMITTED USES AND ZONE STANDARDS

Permitted **uses** and **zone** standards are contained within the following table:

COMMERCIAL (COM)			
Permitted Uses		<p>The Commercial (COM) Zone applies to lands within the 'Commercial' designation shown on Map 3 of the Official Plan.</p> <p>The Commercial designation primarily applies to certain lands that accommodate existing large-format retail development serving a wide area. It is the intent of the Official Plan to provide for the evolution of lands within the Commercial designation to more intensive building forms for office, retail and service uses, while remaining compatible with adjacent land uses.</p> <p>In order to implement the Official Plan, the COM Zone permits a wide range of commercial uses that are subject to standards that are intended to establish a more urban form.</p>	
<ul style="list-style-type: none"> a) Banquet hall b) Business office c) Commercial parking lot or garage (4) d) Commercial school e) Entertainment centre, minor local f) Entertainment centre, major regional g) Fitness centre, recreational h) Fitness centre, studio (3) i) Hotel j) Industrial use (1) k) Medical office l) Motor vehicle fueling station (2) m) Motor vehicle maintenance shop (2) n) Motor vehicle rental establishment (2) o) Motor vehicle rental office p) Motor vehicle sales establishment (2) q) Personal service establishment r) Pet services establishment s) Private club t) Restaurant u) Retail store (2) v) Trade and convention centre w) Service and repair establishment x) Veterinary clinic 			
Special Use Provisions			
<ul style="list-style-type: none"> (1) Accessory outdoor storage and outdoor processing is not permitted (2) Outdoor display and sales area is permitted (3) This use shall not exceed a net floor area of 250 m² (4) Stepback of this use to any other portion of a building - 3.0 metres 			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	60.0 m	Barrier-free access	Section 4.1
Minimum lot area	0.4 ha	Frontage on a street	Section 4.2
Minimum front yard	3.0 m	Phased Condominium Development	Section 4.3
Maximum front yard	18.0 m (2)	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m (1)	Sight triangles	Section 4.5
Minimum exterior side yard	3.0 m	Public uses , Activities, or infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	6.0 m (1)	Uses prohibited in all zones	Section 4.7
Minimum height within 12.0 metres of any lot line	6.0 m	Exceptions to height requirements all zones	Section 4.8.4
Special Standards		Outdoor Patios	Section 4.8.6

(i) Increased to 15.0 metres if yard abuts a residential or mixed use zone boundary	Outdoor display and sales area	Section 4.8.7
(ii) Applies to 75% of the building facade facing any lot line that serves as the boundary of a street	Encroachments into required yards	Section 4.8.8
	Temporary Tents	Section 4.9.3
	Accessory waste disposal areas	Section 4.9.4
	Motor Vehicle Sales and Motor Vehicle Rental Establishment	Section 4.9.6
	Motor Vehicle Fueling Station	Section 4.9.7
	Motor Vehicle Maintenance Shop	Section 4.9.8
	General parking provisions	Section 5.2
	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric vehicle parking requirements	Section 5.7
	Regulations for loading spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Drive-through service establishments	Section 5.10
	Accessory buildings or structures in Commercial Zones	Section 8.2.1
	Accessory industrial equipment in Commercial Zones	Section 8.2.2
	Landscaping strip requirements in Commercial Zones	Section 8.2.3

PART 9.0 - EMPLOYMENT ZONES

9.1 ZONES

The following Employment **Zones** have been established in this By-law:

Zone Symbol	Zone Name
EMP-GE	Employment - General Employment
EMP-SE	Employment - Service Employment
EMP-BP	Employment - Business Park
EMP-BP (O)	Employment - Business Park (Office)

9.2 SPECIFIC USE PROVISIONS

9.2.1 RESTRICTIONS ON THE LOCATION OF CANNABIS RELATED USES

Cannabis related **uses** are only permitted in a single **use building** and no outdoor cultivation, storage or processing is permitted. In addition, the **lot** on which the **use** is located is required to be set back a minimum of 150.0 metres from a **lot** that is the site of a:

- a) **College;**
- b) **Community centre;**
- c) **Child care centre;**
- d) **Dwelling unit;**
- e) **Long term care home;**
- f) **Place of worship;**
- g) **Public park;**
- h) **Public school;**
- i) **Private park;**
- j) **Private school;**
- k) **Retirement home;**
- l) **Trade and convention centre; and,**
- m) **University.**

9.3 ADDITIONAL GENERAL PROVISIONS

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

9.3.1 ACCESSORY OUTDOOR STORAGE

Where **accessory outdoor storage** is permitted in an Employment **Zone**, the following provisions apply:

- a) **Accessory outdoor storage** shall be permitted only in a **rear yard** or **interior side yard** and shall be located no closer than 9.0 metres to any **lot line** that abuts a **street**.
- b) The height of stored materials shall not exceed the lesser of the **height** of the **main building** on the **lot**, or 12.0 metres.
- c) Opaque fencing with a minimum height of 2.75 metres or a berm with a minimum height of 3.0 metres shall screen the **accessory outdoor storage**.
- d) **Accessory outdoor storage** is not permitted within any **yard** abutting a Residential or Mixed Use **Zone** boundary.

9.3.2 ACCESSORY BUILDINGS OR STRUCTURES

Notwithstanding Section 4.8.1, **accessory buildings or structures** located in all Employment **Zones** are subject to the following provisions:

- a) **Accessory buildings or structures** shall not be erected on a **lot** prior to the erection of the **main building** on the **lot**;
- b) **Accessory buildings or structures** shall not be erected within a **public easement**;
- c) **Accessory buildings or structures** shall not be erected within a **front** or **exterior side yard**;
- d) **Accessory buildings or structures** shall not be erected within 15.0 metres of a Residential or Mixed Use **zone** boundary;
- e) **Accessory buildings or structures** shall not have a **height** greater than 7.5 metres;

- f) **Accessory buildings or structures** shall be set back a minimum of 1.2 metres from an **interior side** or **rear lot line**;
- g) **Accessory buildings or structures** shall not be erected within 1.8 metres of a **main building**;
- h) The maximum permitted **gross floor area** of all **accessory building** is 20 m²;
- i) **Accessory buildings** shall be used for storage, and shall not be occupied for the carrying out of the primary **use** of the property.

9.3.3 **ACCESSORY INDUSTRIAL EQUIPMENT**

Accessory industrial equipment related to any permitted **use** shall not be:


- a) located within a **public easement**;
- b) located on a **lot** prior to the erection of the **main building** on the **lot**;
- c) located within a **front yard**;
- d) located within a minimum **exterior side yard** required in this By-law;
- e) located on required **parking spaces**; and
- f) located within 15.0 metres of a Residential or Mixed Use **Zone** boundary.

9.3.4 **LANDSCAPING STRIP REQUIREMENTS**

- a) **Landscaping strips** in any Employment **Zone** are required to be:
 - (i) A minimum of 3.0 metres wide adjacent to any **lot line** that abuts a **street**;
 - (ii) A minimum of 6.0 metres wide adjacent to any **lot line** that abuts a Residential or Mixed Use **Zone** boundary; and,

9.4 PERMITTED USES AND ZONE STANDARDS

Permitted **uses** and **zone** standards are contained within the following tables:

EMP-GE (EMPLOYMENT - GENERAL EMPLOYMENT)			
Permitted Uses		<p>The Employment - General Employment (EMP-GE) Zone applies to lands within the 'General Employment' designation shown on Map 3 of the Official Plan.</p> <p>The General Employment designation is characterized by large properties to accommodate single and multiple unit manufacturing, processing and warehousing uses and accessory office, retail or service uses. Consistent with the Official Plan, the preservation of this designation from incompatible and, or sensitive land uses and other non-industrial uses is of importance.</p>	
a) Industrial use (1) b) Business office (2) (4) c) Commercial school d) Film studio e) Retail store (3) (5) f) Service and repair establishment (3)			
Special Use Provisions			
(1) Accessory outdoor storage is permitted (2) This use is only permitted accessory to an industrial use provided that it is located within the same premises as the industrial use (3) This use is only permitted accessory to an industrial use and provided that it is located in the same premises as industrial use . This use shall not exceed the lesser of 500 m ² of net floor area or a maximum of 15% of the net floor area of the principal use (4) Medical offices and financial institutions are not permitted (5) Outdoor display and sales area is permitted			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	60.0 metres	Barrier-free access	Section 4.1
Minimum lot area	0.4 hectares	Frontage on street	Section 4.2
Minimum front yard	6.0 metres	Phased Condominium Development	Section 4.3
Minimum rear yard	9.0 metres (i)	Measurement of setbacks and yards	Section 4.4
Minimum exterior side yard	3.0 metres	Sight triangles	Section 4.5
Minimum interior side yard	3.0 metres (i) (ii)	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Maximum height	21.0 metres	Uses prohibited in all zones	Section 4.7
Special Standards		Exceptions to height requirements all zones	Section 4.8.4
(i) Increased to 15.0 metres if yard abuts a Residential or Mixed Use zone boundary		Outdoor display and sales area	Section 4.8.7
(ii) Can be reduced to 0.0 metres if the building shares a dividing wall(s) with a building on an abutting lot , or if access is shared between neighbouring lots by a drive aisle or parking aisle		Encroachments into required yards	Section 4.8.8

	Temporary Tents	Section 4.9.3
	Accessory waste disposal areas	Section 4.9.4
	Motor Vehicle Maintenance Shop and Motor Vehicle Repair and Body Shop	Section 4.9.8
	General parking provisions	Section 5.2
	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric vehicle parking requirements	Section 5.7
	Regulations for loading spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Accessory outdoor storage	Section 9.3.1
	Accessory buildings or structures	Section 9.3.2
	Accessory industrial equipment	Section 9.3.3
	Landscaping strip requirements	Section 9.3.4

EMP-SE (EMPLOYMENT - SERVICE EMPLOYMENT)

Permitted Uses

- a) **Business office**
- b) **Cannabis establishment**
- c) **Service and repair establishment**
- d) **Commercial parking lot or garage (7)**
- e) **Commercial school**
- f) **Film studio**
- g) **Financial institution (8)**
- h) **Hotel**
- i) **Industrial use (5)**
- j) **Craft brewery (2) (6)**
- k) **Motor vehicle repair and body shop (5)**
- l) **Motor vehicle maintenance shop (5)**
- m) **Personal service establishment (2) (6)**
- n) **Retail store (2) (3) (4) (6) (8)**
- o) **Retail Brewery (2) (6)**

The Employment - Service Employment (EMP-SE) **Zone** applies to lands within the 'Service Employment' designation shown on Map 3 of the Official Plan.

Lands zoned Service Employment (EMP-SE) are intended to accommodate **uses** that serve and support other business **uses** and also applies to lands in older employment areas that have been transitioning from industrial and warehousing **uses** to small-scale office and service employment **uses**. Service employment **uses** are typically suited to locations in shared multiple unit **buildings**. These **uses** provide goods and services to the businesses in Markham's employment areas, but may also serve residents' needs.

In order to implement the Official Plan, the EMP-SE **Zone** permits a wide range of business **uses** in multiple **building** types.




Special Use Provisions

- (1) Shall be in the same **building** as **industrial use** and not exceed 1,000 m² of **net floor area**
- (2) Shall not exceed 1,000 m² of **net floor area** per establishment, except if **use** is an **office supply or computer retail store**, in which case the maximum **net floor area** is 3,000 m².
- (3) No more than 50% of a **building** with two or more **uses**, or 3,000 m² of **net floor area**, whichever is less, can be used for **retail stores**
- (4) The maximum **net floor area** permitted on a **lot** is 3,000 m²
- (5) **Accessory outdoor storage** is not permitted
- (6) **Outdoor display and sales area** is not permitted
- (7) **Stepback** of this **use** to any other portion of a **building** - 3.0 metres
- (8) **Drive-Through Service Establishments** are not permitted


Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	60.0 m	Barrier-free access	Section 4.1
Minimum lot area	0.4 ha	Frontage on street	Section 4.2
Minimum front yard	3.0 m	Phased Condominium Development	Section 4.3
Minimum rear yard	7.5 m (i)	Measurement of setbacks and yards	Section 4.4
Minimum exterior side yard	3.0 m	Sight triangles	Section 4.5
Minimum interior side yard	3.0 metres (i) (ii)	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum height within 12 metres of any lot line that serves as the boundary of a street	6.0 m	Uses prohibited in all zones	Section 4.7
Maximum height	46.0 m	Exceptions to height requirements all zones	Section 4.8.4

Special Standards	Outdoor display and sales area	Section 4.8.7
(i) Increased to 15.0 metres if yard abuts Residential or Mixed Use Zone boundary	Encroachments into required yards	Section 4.8.8
(ii) Can be reduced to 0.0 metres if the building shares a dividing wall(s) with a building on an abutting lot , or if access is shared between neighbouring lots by a drive aisle or parking aisle .	Temporary Tents	Section 4.9.3
	Accessory waste disposal areas	Section 4.9.4
	Motor Vehicle Maintenance Shop and Motor Vehicle Repair and Body Shop	Section 4.9.8
	General parking provisions	Section 5.2
	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric vehicle parking requirements	Section 5.7
	Regulations for loading spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Accessory buildings or structures	Section 9.3.2
	Accessory industrial equipment	Section 9.3.3
	Landscaping strip requirements	Section 9.3.4

EMP-BP (EMPLOYMENT - BUSINESS PARK)

Permitted Uses			
<ul style="list-style-type: none"> a) Business office b) Cannabis establishment c) Commercial parking lot or garage (5) d) Craft Brewery (2) (3) e) Financial institution (2) (3) (7) f) Fitness Centre, Recreational (2) (3) g) Hotel h) Industrial use (1) (4) i) Massage establishment (2) (3) j) Personal service establishment (2) (3) k) Restaurant (2) (3) (7) l) Retail store (1) (2) (3) (6) (7) m) Service and repair establishment (1) (2) (3) n) Trade and convention centre 			
Special Use Provisions			
(1) Retail Stores and service and repair establishments are permitted accessory to a permitted industrial use provided it does not exceed the lesser of 500 m ² of net floor area or a maximum of 15% of net floor area of principal use .			
(2) Only permitted in the first storey of a multi unit industrial building provided the uses subject to this provision do not collectively occupy more than 15% of the net floor area of the multi unit industrial building .			
(3) Only permitted in the first storey of an office building where access to the use is integrated within the office building .			
(4) Accessory outdoor storage is not permitted			
(5) Stepback of this use to any other portion of a building - 3.0 metres			
(6) Outdoor display and sales area is permitted			
(7) Drive-Through Service Establishments are not permitted			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	60.0 m	Barrier-free access	Section 4.1
Minimum lot area	0.4 ha	Frontage on street	Section 4.2
Minimum front yard	3.0 m	Phased Condominium Development	Section 4.3
Maximum front yard	19.0 m (iii)	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m (i)	Sight triangles	Section 4.5
Minimum exterior side yard	3.0 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	0 metres on one side and 6.0 metres on other side (ii)	Uses prohibited in all zones	Section 4.7
Minimum height within 12 metres of any lot line that serves as the boundary of a street	6.0 m	Exceptions to height requirements all zones	Section 4.8.4
Maximum height	46.0 m	Outdoor Patios	Section 4.8.6
Special Standards		Outdoor display and sales area	Section 4.8.7

(i) Increased to 15.0 metres if yard abuts a Residential or Mixed Use Zone boundary	Encroachments into required yards	Section 4.8.8
	Temporary Tents	Section 4.9.3
	Accessory waste disposal areas	Section 4.9.4
(ii) Can be reduced to 0 metres if the building shares a dividing wall with a building on an abutting lot	General parking provisions	Section 5.2
(iii) Applies to 75% of the building facade facing any lot line that serves as the boundary of a street	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric vehicle parking requirements	Section 5.7
	Regulations for loading spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Accessory buildings or structures	Section 9.3.2
	Accessory industrial equipment	Section 9.3.3
Landscaping strip requirements	Section 9.3.4	

EMP-BP (O) (EMPLOYMENT - BUSINESS PARK (OFFICE PRIORITY))			
Permitted Uses		<p>The Employment - Business Park (Office Priority)(EMP-BP (O)) Zone applies to lands within the 'Business Park Employment' designation shown on Map 3 of the Official Plan.</p> <p>As Markham continues to grow, much of the new major office development will be established on lands zoned 'Business Park Office Priority Employment'. Multi-storey office buildings and the redevelopment of existing industrial sites to office uses is encouraged in this zone. Permitting structured parking areas and commercial parking garages will assist in supporting higher employment densities in this zone.</p>	
a) Business office b) College c) Commercial parking lot or garage (3) d) Financial institutions (1) (5) e) Fitness Centre, Recreational (1) (2) f) Massage establishment (1) g) Personal service establishment (1) h) Restaurant (1) (5) i) Retail store (1) (4) (5) j) Service and repair establishment (1) k) University			
Special Use Provisions		<p>In order to implement the Official Plan, the EMP-BP (O) zone permits a more limited range of employment uses than the EMP-BP zone focusing more on office uses.</p> 	
(1) Only permitted in the first storey of an office building . (2) Only permitted accessory to a College , or University where the combined uses do not exceed 15% of the gross floor area of a building . (3) Stepback of this use to any other portion of a building - 3.0 metres. (4) Outdoor display and sales area is permitted (5) Drive-Through Service Establishments are not permitted			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	60.0 m	Barrier-free access	Section 4.1
Minimum lot area	0.4 ha	Frontage on street	Section 4.2
Minimum front yard Maximum front yard	2.0 m 12.0 m	Phased Condominium Development	Section 4.3
Minimum rear yard	7.5 m (i)	Measurement of setbacks and yards	Section 4.4
Minimum exterior side yard	0 m	Sight triangles	Section 4.5
Minimum interior side yard	0 metres on one side and 6.0 metres on other side (i)	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum height	The greater of 9.0 m or 3 storeys	Uses prohibited in all zones	Section 4.7
Maximum height	46.0 m	Exceptions to height requirements all zones	Section 4.8.4
Special Standards		Outdoor Patios	Section 4.8.6
(i) Increased to 15.0 metres if yard abuts a Residential or Mixed Use Zone boundary		Outdoor display and sales area	Section 4.8.7
		Encroachments into required yards	Section 4.8.8
		Temporary Tents	Section 4.9.3
		Accessory waste disposal areas	Section 4.9.4
		General parking provisions	Section 5.2

	Non-residential parking requirements	Section 5.4
	Accessible parking space requirements	Section 5.6
	Electric vehicle parking requirements	Section 5.7
	Regulations for loading spaces	Section 5.8
	Bicycle parking space requirements	Section 5.9
	Accessory outdoor storage	Section 9.3.1
	Accessory buildings or structures	Section 9.3.2
	Accessory industrial equipment	Section 9.3.3
	Landscaping strip requirements	Section 9.3.4

PART 10.0 - GREENWAY, COUNTRYSIDE AND HAMLET ZONES

10.1 ZONES

The following Greenway, Countryside and Hamlet **Zones** have been established in this By-law:

Zone Symbol	Zone Name
GWY1	Greenway One
GWY2	Greenway Two
GWY3	Greenway Three
CTS	Countryside
HAM-RES	Hamlet Residential

10.2 SPECIFIC USE PROVISIONS

10.2.1 LANDS SUBJECT TO THE GREENBELT PLAN

10.2.1.1 EXISTING USES

- a) All **uses** legally established prior to the date that the Greenbelt Plan came into force on December 16, 2004 are permitted on the lands subject to the Greenbelt Plan as shown on Schedule 'A'.
- b) In a circumstance where lands are added to the Greenbelt Plan after December 16, 2004, all **uses** legally established prior to the date that additional lands were added to the Greenbelt Plan are permitted on the lands subject to the Greenbelt Plan as shown on Schedule 'A'.

10.2.1.2 EXISTING LOTS

Notwithstanding any other provision in this By-law, a **single detached dwelling** is permitted on a **lot** that existed on the date that the Greenbelt Plan came into force on December 16, 2004, provided the **lot** was zoned to permit the **use** on December 16, 2004.


10.2.2 HOME INDUSTRY

No more than 2% to a maximum of 2,000 m² (0.2 ha) of the **lot area** shall be used for a **home industry** including but not limited to, **buildings** or **structures, parking areas** and all components used exclusively for the **home industry**.

A **home industry** may be carried on in whole or in a part of an **accessory building**.

10.3 PERMITTED USES AND ZONE STANDARDS

Permitted **uses** and **zone** standards are contained within the following tables:

GWY1 (GREENWAY ONE)			
Permitted Uses		<p>The Greenway One (GWY1) Zone applies to lands within the 'Natural Heritage Network' shown on Map 4 of the Official Plan. The 'Natural Heritage Network' is a core element of the Greenway System and includes remaining examples of Markham's natural ecosystem that are essential for preserving biodiversity and providing representation of the natural environment in which Markham was established. The GWY1 Zone includes lands in the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan.</p> <p>Within and adjacent to the Future Urban Area shown on Map 1 of the Official Plan, the GWY1 Zone applies to all lands within the Greenway System until such time as the boundaries of natural heritage and hydrologic features are confirmed through future studies.</p> <p>In order to implement the Official Plan, the GWY1 Zone only permits conservation uses and public uses. Buildings or structures are not permitted.</p>	
<p>a) Conservation use (1) b) Forest management (1) c) Detached Dwelling that legally existed on the date this By-law was enacted by Council d) Home Occupation e) Accessory Dwelling Unit</p>			
Special Use Provisions			
<p>(1) Buildings and structures are not permitted.</p>			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	No requirement	Frontage on a street	Section 4.2
Minimum lot area	No requirement	Measurement of setbacks and yards	Section 4.4
Minimum front yard	Not Applicable	Sight Triangles	Section 4.5
Minimum rear yard	Not Applicable	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum exterior side yard	Not Applicable	Uses prohibited in all zones	Section 4.7
Minimum interior side yard	Not Applicable		
Maximum height	Not Applicable		

GWY2 (GREENWAY TWO)

Permitted Uses	<p>The Greenway Two (GWY2) Zone applies to certain lands within the Greenway System that are identified as 'Other Greenway System Lands' and 'Natural Heritage Restoration Areas' shown on Map 4 of the Official Plan. The lands within the GWY2 Zone are intended to maintain and, or, enhance the interconnected system of natural open space, certain agricultural lands and enhancement areas and increase the resilience of the Natural Heritage Network by facilitating movement of wildlife and dispersal of plants among features.</p> <p>In order to implement the Official Plan, the GWY2 Zone permits an array of agricultural, conservation and public uses, as well as single detached dwellings, and home occupations. Stormwater management ponds are prohibited in this zone.</p>
<ul style="list-style-type: none"> a) Agricultural use b) Detached dwelling c) Bed and Breakfast Establishment d) Conservation use e) Forest management f) Home child care g) Home occupation h) Accessory dwelling unit (1) 	
Special Use Provisions	
(1) Only permitted accessory to a detached dwelling	<p>Lands that are within 30 metres of the boundary of the GWY1 Zone are the subject of a Holding provision (H1) in Part 16 of this By-law that prohibits buildings or structures unless the Holding provision is lifted in accordance with Section 10.2.3 of the Official Plan.</p>



Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	100 m	Barrier-free access	Section 4.1
Minimum lot area	40 Ha	Frontage on a street	Section 4.2
		Measurement of setbacks and yards	Section 4.4
Minimum front yard	7.5 m	Sight Triangles	Section 4.5
Minimum rear yard	7.5 m	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum exterior side yard	4.5 m	Uses prohibited in all zones	Section 4.7
Minimum interior side yard	4.5 m	Accessory buildings or structures	Section 4.8.1
Maximum height	11.0 m	Detached private garages on lots not accessed by a lane	Section 4.8.2
		Decks	Section 4.8.3
		Exceptions to height requirements all zones	Section 4.8.4
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Temporary Tents	Section 4.9.3
		Accessory dwelling units	Section 4.9.9

	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11
	Lands subject to the Greenbelt Plan	Section 10.2.1
	Oak Ridge Moraine Conservation Area	Part 17.0

GWY3 (GREENWAY THREE)			
Permitted Uses (3)		<p>The GWY3 Zone permits a broader array of agricultural and agricultural-related uses than the GWY1, GWY2, and (CTS) zones, including detached dwellings, farm vacation homes, pet services establishments, veterinary clinics, kennels, home occupations, and home industries.</p> <p>A site specific zoning by-law amendment application to apply the GWY3 Zone is required. Specific studies will be necessary to determine the appropriateness of an application against the policies of the Official Plan.</p>	
<ul style="list-style-type: none"> a) Agricultural use b) Agriculture-related use (1) c) Bed and breakfast establishment d) Conservation use e) Farm vacation home f) Forest management g) Home child care h) Home occupation i) Home industry j) Kennel k) Pet services establishment l) Accessory dwelling unit (2) m) Detached dwelling n) Veterinary clinic 			
Special Use Provisions			
<ul style="list-style-type: none"> (1) Use only permitted on lots with a lot area of 4.0 hectares or greater (2) Only permitted accessory to a detached dwelling (3) Accessory outdoor storage is not permitted unless associated with an agricultural use, or an agriculture-related use 			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	100 m	Barrier-free access	Section 4.1
Minimum lot area	40 Ha	Frontage on street	Section 4.2
Minimum front yard	7.5 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5
Minimum exterior side yard	4.5 m	Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	4.5 m	Uses prohibited in all zones	Section 4.7
Maximum height	11.0 m	Accessory buildings or structures	Section 4.8.1
		Detached private garages on lots not accessed by a lane	Section 4.8.2
		Decks	Section 4.8.3
		Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Home occupations	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3

	Non-residential parking requirements	Section 5.4
	Special Motor Vehicles	Section 5.11
	Lands subject to the Greenbelt Plan	Section 10.2.1
	Home industry	Section 10.2.2
	Oak Ridges Moraine Conservation Area	Part 17.0

CTS (COUNTRYSIDE)

Permitted Uses

- a) **Agricultural use**
- b) **Agriculture-related use (1)**
- c) **Bed and breakfast establishment**
- d) **Conservation use**
- e) **Forest management**
- f) **Home child care**
- g) **Home industry**
- h) **Home occupation**
- i) **Kennel**
- j) **Pet services establishment**
- k) **Accessory dwelling unit (2)**
- l) **Detached dwelling**
- m) **Veterinary clinic**

The Countryside (CTS) **Zone** applies to lands that are within the Countryside designation in the Official Plan as shown on Map 3 of the Official Plan. These lands are not subject to the Oak Ridges Moraine Conservation Plan or the Greenbelt Plan. It is the intent of the Official Plan that these lands be protected for **agricultural uses** and to support farming activities.

In order to implement the Official Plan, the CTS **Zone** permits an array of **agricultural** and non-agricultural **uses**.



Special Use Provisions

- (1) **Use** only permitted on **lots** with a **lot area** of 4.0 hectares or greater
- (2) Only permitted accessory to a **detached dwelling**

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	100 m	Barrier-free access	Section 4.1
Minimum lot area	40 ha	Frontage on street	Section 4.2
Minimum front yard	7.5 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5
Minimum exterior side yard	4.5 m	Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	4.5 m	Uses prohibited in all zones	Section 4.7
Maximum height	11.0 m	Accessory buildings or structures	Section 4.8.1
		Detached private garages on lots not accessed by a lane	Section 4.8.2
		Decks	Section 4.8.3
		Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Home occupations	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3
		Non-residential parking requirements	Section 5.4

	Special Motor Vehicles	Section 5.11
	Home industry	Section 10.2.2

HAM-RES (HAMLET RESIDENTIAL)

Permitted Uses

- a) **Cemetery** that legally existed on the date this By-law was enacted by **Council**
- b) **Place of Worship** that legally existed on the date this By-law was enacted by **Council**
- c) **Public School** (2)
- d) **Detached dwelling**
- e) **Home occupation**
- f) **Home child care**
- g) **Accessory dwelling unit** (1)

The Hamlet Residential (HAM-RES) **Zone** applies to lands that are zoned for residential **uses** in the Hamlets of Almira, Dickson Hill, Locust Hill and Cedar Grove.

These existing historic communities are intended to remain predominantly as low-density residential communities within a settlement area established by the boundary of the 'Hamlets' designation shown on Map 3 of the Official Plan.

It is the intent of Council that the historic and rural residential character of the hamlets be protected and maintained.



Special Use Provisions

- (1) Only permitted accessory to a **detached dwelling**
- (2) This **use** is only permitted on lands abutting an **arterial** or **collector road**

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	30.0 m	Barrier-free access	Section 4.1
Minimum lot area	0.2 ha	Frontage on street	Section 4.2
Minimum front yard	7.6 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.6 m	Sight Triangles	Section 4.5
Minimum exterior side yard	3.0 m	Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	3.0 m	Uses prohibited in all zones	Section 4.7
Maximum height	11.0 m	Accessory buildings or structures	Section 4.8.1
		Detached private garages on lots not accessed by a lane	Section 4.8.2
		Decks	Section 4.8.3
		Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10
		Home occupations	Section 4.9.1
		Temporary Tents	Section 4.9.3
		Accessory dwelling units	Section 4.9.9
		General parking provisions	Section 5.2

	Additional residential parking requirements	Section 5.3
	Non-residential parking requirements	Section 5.4
	Special Motor Vehicles	Section 5.11
	Lands subject to the Greenbelt Plan	Section 10.2.1
	Oak Ridges Moraine Conservation Area	Part 17.0

PART 11.0 - OPEN SPACE AND COMMUNITY FACILITY ZONES

11.1 ZONES

The following Open Space and Community Facility **Zones** have been established in this By-law:

Zone Symbol	Zone Name
OS-PU	Open Space - Public
OS-PR	Open Space - Private
OS-CEM	Open Space - Cemetery
CF-PW	Community Facility - Place of Worship

11.2 ADDITIONAL GENERAL PROVISIONS

The provisions of this section apply in addition to all relevant general provisions in Part 4.0 of this By-law.

11.2.1 ACCESSORY BUILDINGS OR STRUCTURES


Accessory buildings or structures are permitted in all Open Space and Community Facility **Zones** and no **accessory building or structure** can:

- a) Be erected on a **lot** prior to the erection of the **main building** on the **lot**;
- b) Be used for human habitation;
- c) Be located within a **public easement**;
- d) Be located within 7.5 metres of any **lot line**;
- e) Be located within 15.0 metres of a Residential or Mixed Use **Zone** boundary; and
- f) Have a **height** that is greater than 7.5 metres.


11.3 PERMITTED USES AND ZONE STANDARDS

Permitted **uses** and **zone** standards are contained within the following tables:

OS-PU (OPEN SPACE - PUBLIC)			
Permitted Uses		The Open Space - Public (OS-P) Zone applies to publicly owned lands that are used for public park purposes.	
(a) Child care centre (1) (2) (b) Community centre (2) (c) Conservation use (d) Public park			
Special Use Provisions			
(1) Only permitted accessory to a community centre (2) Accessory outdoor storage is not permitted			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	No requirement	Barrier-free access	Section 4.1
Minimum lot area	No requirement	Frontage on street	Section 4.2
Minimum front yard	3.0 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5
Minimum exterior side yard	3.0 m	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	7.5 m	Uses prohibited in all zones	Section 4.7
Maximum height	11.0 m	Accessory buildings or structures	Section 4.8.1
		Exceptions to height requirements all zones	Section 4.8.4
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Temporary Tents	Section 4.9.3
		General parking provisions	Section 5.2
		Non-residential parking requirements	Section 5.4
		Accessible parking space requirements	Section 5.6
		Electric vehicle parking requirements	Section 5.7
		Regulations for loading spaces	Section 5.8
		Bicycle parking space requirements	Section 5.9


OS-PR (OPEN SPACE - PRIVATE)			
Permitted Uses		<p>The Open Space - Private (OS-PR) Zone applies to privately owned lands that are used primarily for golf courses, private parks and accessory uses.</p> 	
a) Conservation use b) Golf course c) Non-Profit Private Club d) Private outdoor amenity area e) Private Park f) Restaurant (1)			
Special Use Provisions			
(1) Only permitted as an accessory use to a golf course			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	60.0 m	Barrier-free access	Section 4.1
Minimum lot area	4.0 ha	Frontage on street	Section 4.2
Minimum front yard	7.5 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5
Minimum exterior side yard	7.5 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	7.5 m	Uses prohibited in all zones	Section 4.7
Maximum height	11.0 m	Accessory buildings or structures	Section 4.8.1
		Exceptions to height requirements all zones	Section 4.8.4
		Outdoor Patios	Section 4.8.6
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Temporary Tents	Section 4.9.3
		General parking provisions	Section 5.2
		Non-residential parking requirements	Section 5.4
		Accessible parking space requirements	Section 5.6
		Electric vehicle parking requirements	Section 5.7
		Regulations for loading spaces	Section 5.8
		Bicycle parking space requirements	Section 5.9

OS-CEM (OPEN SPACE - CEMETERY)

Permitted Uses	The Open Space - Cemetery (OS-CEM) Zone applies to lands that are used for cemeteries and accessory uses .
a) Funeral establishment (1) b) Cemetery	
Special Use Provisions	
(1) This use is only permitted on lands abutting and, having direct access to, an arterial or major collector road	

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	No requirement	Barrier-free access	Section 4.1
Minimum lot area	No requirement	Frontage on street	Section 4.2
Minimum front yard	3.0 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5
Minimum exterior side yard	3.0 m	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	7.5 m	Uses prohibited in all zones	Section 4.7
Maximum height	11.0 m	Exceptions to height requirements all zones	Section 4.8.4
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Non-residential parking requirements	Section 5.4
		Accessible parking space requirements	Section 5.6
		Electric vehicle parking requirements	Section 5.7
		Regulations for loading spaces	Section 5.8
		Bicycle parking space requirements	Section 5.9

CF-PW (COMMUNITY FACILITY - PLACE OF WORSHIP)

Permitted Uses	<p>The Community Facility - Place of Worship (CF-PW) Zone applies to lands that are the site of places of worship. In accordance with Section 8.13.7 of the Official Plan, the CF-PW Zone only recognizes existing places of worship and vacant place of worship sites. No additions to existing places of worship are permitted unless Council passes an amendment to this By-law to permit an addition.</p>
<p>a) Place of worship (1) b) Child care centre (2)</p>	
Special Use Provisions	
<p>(1) For all places of worship that exist in the CF-PW Zone on the effective date of this By-law, accessory uses are limited to the confines of the building that legally existed on the effective date of this By-law. The erection of new buildings and structures on a lot is not permitted</p> <p>(2) Only permitted as an accessory use to a place of worship</p>	

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	19.2 metres	Barrier-free access	Section 4.1
Minimum lot area	2.5 ha	Frontage on street	Section 4.2
Minimum front yard	3 metres	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 metres (i)	Sight Triangles	Section 4.5
Minimum exterior side yard	2.4 metres	Public Uses , Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	3.0 metres (i)	Uses prohibited in all zones	Section 4.7
Minimum Landscaped Open Space	25%	Encroachments into required yards	Section 4.8.8
Minimum Width of Landscaped Open Space	6.0 metres adjacent to front and exterior lot lines ; 3.0 metres adjacent to interior and rear lot lines	Hard and soft landscaping	Section 4.8.9
Maximum height	20.0 metres	General parking provisions	Section 5.2

Special Standards	Non-residential parking requirements	Section 5.4
(i) Increased to 15.0 metres if yard abuts a Residential or Mixed Use Zone boundary	Accessible parking space requirements	Section 5.6
	Electric vehicle parking requirements	Section 5.7
	Bicycle parking space requirements	Section 5.9

PART 12.0 - OTHER ZONES

12.1 ZONES

The following other **zones** have been established in this By-law:

Zone Symbol	Zone Name
FD	Future Development
T-UT	Transportation and Utilities
PBW	Parkway Belt West

12.2 SPECIFIC USE PROVISIONS

12.2.1 FUTURE DEVELOPMENT

Lands zoned Future Development (FD) are predominantly identified as Future Urban Area in the 2014 Official Plan. The Future Development **zone** only recognizes existing legal **uses** and **buildings** within the zoning designation. A zoning by-law amendment would be required to properly assess the merits of any redevelopment of these lands into the appropriate land use designations.

12.2.2 TRANSPORTATION AND UTILITIES

Lands zoned Transportation and Utilities are intended for the provision of corridors for transportation facilities, particularly highways and railways, and utility lines including hydroelectric transmission, gas and oil pipelines, telephone and any other cable services. In the case of transmission corridors, additional secondary **uses** are to be permitted including stormwater management facilities, district cooling and heating facilities, trails and linear parks, **community gardens** and **agricultural uses**, appropriate naturalized low-maintenance **landscaping** and transportation. In the case of other utility corridors additional secondary **uses** are to be permitted including open space, natural heritage areas, trails, **community gardens** and **agricultural uses**. These **uses** shall be compatible with surrounding land **uses**.

12.2.3 PARKWAY BELT WEST


Lands identified within the Parkway Belt West shall be governed by the provincial land use regulation made under the [Parkway Belt Planning and Development Act](#), as amended, or zoning by-laws passed by **Council** and acceptable to the Ministry of Municipal Affairs and Housing.

12.3 PERMITTED USES AND ZONE STANDARDS


Permitted **uses** and **zone** standards are contained within the following tables:

FD (FUTURE DEVELOPMENT)			
Permitted Uses		<p>The Future Development (FD) zone is intended to apply to those lands in the future urban area that are designated within the Official Plan as Urban Area, but are currently being used for Agricultural or other rural purposes. The limits of the FD zone in relation to the GWY1 (GREENWAY ONE) zone will be established through future zoning By-law amendment applications.</p>	
a) Agricultural use b) Conservation use c) Forest management d) Detached dwelling e) Home child care f) Home occupation g) Accessory dwelling unit (1)			
Special Use Provisions			
(1) Only permitted accessory to a detached dwelling			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	100 m	Barrier-free access	Section 4.1
Minimum lot area	40 Ha	Frontage on a street	Section 4.2
Minimum front yard	7.5 m	Phased Condominium Development	Section 4.3
Minimum rear yard	7.5 m	Measurement of setbacks and yards	Section 4.4
Minimum exterior side yard	4.5 m	Sight Triangles	Section 4.5
Minimum interior side yard	4.5 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Maximum height	11.0 m	Uses prohibited in all zones	Section 4.7
Minimum setback from a GWY1 Zone	30 m	Accessory Buildings or Structures	Section 4.8.1
		Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Hard and soft landscaping	Section 4.8.9
		General parking provisions	Section 5.2
		Additional residential parking requirements	Section 5.3

	Bicycle parking space requirements	Section 5.9
	Special Motor Vehicles	Section 5.11

T-UT (TRANSPORTATION AND UTILITIES)			
Permitted Uses		The Transportation and Utilities (T-UT) Zone applies to lands used for transportation and utility corridors that include highways, rail lines, hydroelectric transmission lines, gas and oil pipelines, telephone and any other cable services.	
a) Agricultural Use b) Community Garden c) Infrastructure d) Private Park e) Public Park			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage (i)	Not applicable	Barrier-free access	Section 4.1
Minimum lot area	Not applicable	Frontage on street	Section 4.2
Minimum front yard	15.0 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	15.0 m	Sight Triangles	Section 4.5
Minimum exterior side yard	15.0 m	Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	15.0 m	Uses prohibited in all zones	Section 4.7
Maximum height	11.0 m	Accessory buildings or structures	Section 4.8.1
Special Standards		Exceptions to height requirements all zones	Section 4.8.4
(i) Minimum required lot frontage for lots containing buildings - 20 m		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9

PBW (PARKWAY BELT WEST)

Permitted Uses	<p>The Parkway Belt West Plan was implemented in 1978 to create a multi-purpose utility corridor, urban separator and linked open space system. The primary effect of the plan is to designate and protect land needed for linear regional infrastructure such as transit, utility and electric power facility corridors.</p> <p>The City is the approval authority for all Site Plan applications in the zone and the Province is the approval authority for all permitted uses.</p>
a) Uses permitted in the Parkway Belt West Plan per Ontario Regulation 473/73	

Standards		Other Requirements	Refer to Section No.
Minimum lot frontage (i)	Not applicable	Barrier-free access	Section 4.1
Minimum lot area	Not applicable	Frontage on street	Section 4.2
Minimum front yard	15.0 m	Measurement of setbacks and yards	Section 4.4
		Sight Triangles	Section 4.5
Minimum rear yard	15.0 m	Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum exterior side yard	15.0 m	Uses prohibited in all zones	Section 4.7
Minimum interior side yard	15.0 m	Accessory buildings or structures	Section 4.8.1
Maximum height	11.0 m	Exceptions to height requirements all zones	Section 4.8.4
Special Standards		Encroachments into required yards	Section 4.8.8
(i) Minimum required lot frontage for lots containing buildings - 20 m		Hard and soft landscaping	Section 4.8.9
		General parking provisions	Section 5.2
		Non-residential parking requirements	Section 5.4
		Accessible parking space requirements	Section 5.6
		Electric vehicle parking requirements	Section 5.7

	Bicycle parking space requirements	Section 5.9
--	---	-------------

PART 13.0 - OVERLAY ZONES

13.1 ZONES

The following overlay **zones** have been established in this By-law:

Zone Symbol	Zone Name
FP-SP	Flood Plain - Special Policy Area
ORM - HAV	Oak Ridges Moraine - High Aquifer Vulnerability
ORM - LC	Oak Ridges Moraine - Landform Conservation

13.2 SPECIFIC USE PROVISIONS (FLOOD PLAIN SPECIAL POLICY AREA)

NOTE: This is a placeholder. The City is undertaking a review of the Special Policy Area through a separate project. The outcome of the SPA project will be incorporated into this document.

Notwithstanding any other provision in this By-law, the following **uses** are prohibited on lands within a **Special Policy Area** (Flood Plain) as shown on Schedule "X" to this By-law:

- a) **Cemeteries;**
- b) **Colleges;**
- c) **Commercial schools;**
- d) **Child care centres;**
- e) **Essential emergency services** such as police and fire stations and ambulance dispatch;
- f) **Home child care;**
- g) **Long term care homes;**
- h) **Motor vehicle body shops;**
- i) **Motor vehicle repair garages;**
- j) **Non-profit fitness centres;**
- k) **Private schools;**

- l) **Public schools;**
- m) **Shared Housing;**
- n) **Short term accommodation;**
- o) **Student residences;**
- p) The manufacturing, refining, rendering or distillation of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, glue, petroleum or tar; and,
- q) The bulk storage of industrial chemicals, fuels and oils, **hazardous waste** or **liquid industrial waste** unless specifically permitted by the [Environmental Protection Act](#).

13.3 **SPECIFIC USE PROVISIONS (OAK RIDGES MORaine - HIGH AQUIFER VULNERABILITY AND, OAK RIDGES MORaine - LANDFORM CONSERVATION)**

- a) Notwithstanding any other provision in this By-law, the following **uses** are prohibited on lands within the Oak Ridges Moraine - High Aquifer Vulnerability (ORM-HAV) Zone as shown on Schedule "X" to this By-law:
 - i) generation and storage of **hazardous waste** or **liquid industrial waste (ORM)**;
 - ii) waste disposal sites and facilities, organic soil conditioning sites and snow storage and disposal facilities;
 - iii) underground and above-ground storage tanks that not equipped with an approved secondary containment device; and,
 - iv) storage of contaminants listed in [Schedule 3 \(Severely Toxic Contaminants\) to Regulation 347 of the Revised Regulations of Ontario](#).
- b) Within the Oak Ridges Moraine - Landform Conservation (ORM-LC) **zone** as shown on Schedule "X" to this By-law:
 - (i) the net developable area of the site that is disturbed shall not exceed 50 per cent of the total area of the site; and,
 - (ii) the net developable area of the site that has impervious surfaces shall not exceed more than 20 per cent of the total area of the site.

PART 14.0 - EXCEPTIONS

14.1 EXCEPTIONS

The provisions of this By-law are modified as set out in Table 14.1, below. In Table 14.1:

- a) Column 1 identifies the exception number;
- b) Column 2 identifies the municipal address the exception applies to;
- c) Column 3 identifies the previous zoning by-law amendment(s) that applied and the previous parent By-law in brackets;
- d) Column 4 identifies the **zone** subject to the exception;
- e) Column 5 sets out the **uses** permitted in the **zone** exception, if applicable; and,
- f) Column 6 sets out the special provisions that apply, if applicable.

Table 14.1: Exceptions

1	2	3	4	5	6
Exception Number	Municipal Address	Previous By-law #	Parent Zone(s)	Permitted Uses	Special Provisions
1					
2					
3					

PART 15.0 - TEMPORARY USES

15.1 TEMPORARY USES

Where the letters (TMP) follow a **zone** symbol on the attached Schedules to this By-law, the lands affected are subject to a temporary use by-law in accordance with Section 39 of the [Planning Act](#). Temporary use by-laws and the date that they expire are listed in Table 15.1 below.

Table 15.1: List of Temporary Use Zones

Zone	Property/ Legal Description	Temporary Uses	Zone Standards	Date Enacted	Date Expires
T1					
T2					
T3					

PART 16.0 - HOLDING PROVISIONS

16.1 HOLDING PROVISIONS

Holding provisions are shown in Table 16.1

Table 16.1: List of Holding Provisions.

Holding Symbol	Property Legal Description	Uses Permitted with Holding Provision in Effect	Conditions for Removal
H1	Lands within 30.0 metres of the boundary of the GWY1 Zone	As per Section 2.8 of this By-law	Holding provision can be lifted in accordance with Section 10.2.3 of the Official Plan
H2			
H3			
H4			

PART 17.0 - OAK RIDGES MORaine CONSERVATION AREA ZONES

17.1 ZONES

The following **zones** have been established in this By-law:

Zone Symbol	Zone Name
ORM - L	Oak Ridges Moraine - Linkage
ORM - CS	Oak Ridges Moraine - Countryside

17.2 DEFINITIONS

The definitions below only apply to the **zones** that have been established in Part 17 of this By-law and each definition is followed by (ORM) for convenience purposes. Where a term is defined in Part 17, but not listed in this section, reference shall be made to Part 3 of this By-law for the definition.

Home Business (ORM) means a business that is not located on a farm that:

- (a) Involves providing personal or professional services or producing custom or artisanal products,
- (b) Is carried on as a small-scale secondary **use** within a single dwelling, or a **building** that is accessory to the dwelling, by one or more residents of the dwelling, and,
- (c) Does not include **uses** such as an auto repair or paint shop or furniture stripping.

Home Industry (ORM) means an industry:

- (a) That is carried out in a **dwelling unit** or, in a **building** that is accessory to a **dwelling unit** or, if the **dwelling unit** is located on a farm, accessory to the agricultural operation;
- (b) If the **dwelling unit** is not located on a farm:
 - (i) Is carried on as a small-scale **use** that is secondary to the **principal use** of the **dwelling unit** as a **detached dwelling**;
 - (ii) Provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily to the farming community; and,
 - (iii) Does not include **uses** such as **motor vehicle** repair or paint shop or furniture stripping; and,
- (c) If the **dwelling unit** is located on a farm:

- (i) Is carried on as a small-scale **use** that is secondary to the **principal use** of the farm as an agricultural operation; and,
- (ii) May include, but is not limited to, a sawmill, welding or woodworking shop, manufacturing or fabrication shop, equipment repair and seasonal storage of **recreational motor vehicles**;

Home Occupation (ORM) means an occupation that is carried out on a farm that:

- (a) Involves providing personal or professional services such as those offered at or by a; **business office**, bookkeeper, land surveyor, art studio, hairdresser, **massage establishment**, **home child care**, **veterinary clinic**, or **kennel**; and,
- (b) Is carried on as a small-scale secondary **use** within a **detached dwelling** on the farm.

Liquid Industrial Waste (ORM) means waste that is both liquid waste and industrial waste but does not include:

- (a) hauled sewage;
- (b) waste from the operation of sewage works subject to the [Ontario Water Resources Act](#), where the works:
 - (i) are owned by a municipality;
 - (ii) are owned by the Crown subject to an agreement with a municipality under the [Ontario Water Resources Act](#); or,
 - (iii) receives only waste similar in character to the domestic sewage from a household;
- (c) waste from the operation of a water works subject to the [Ontario Water Resources Act](#);
- (d) waste that is produced in any month in an amount less than twenty-five litres or otherwise accumulated in an amount less than twenty-five litres;
- (e) waste directly discharged by a generator from a waste generation facility into a sewage works subject to the [Ontario Water Resources Act](#) or established before April 3, 1957 or into a sewage system regulated under Part 8 of the building code made under the [Building Code Act](#), 1992;
- (f) waste that results directly from food processing and preparation operations, including food packing, food preserving, wine making, cheese making and **restaurants**;
- (g) drilling fluids and produced waters associated with the exploration, development or production of crude oil or natural gas;

- (h) processed organic waste; or,
- (i) asbestos waste.

Low Intensity Recreational Use (ORM) means recreational **uses** that have minimal impact on the natural environment, and requires little terrain or vegetation modification and few, if any, **buildings** or **structures**. **Low intensity recreational uses (ORM)** include, but are not limited to, the following:

- a) Non-motorized trail **uses**;
- b) Natural Heritage appreciation;
- c) Unserviced camping on public land; and,
- d) **Accessory uses**.

Low intensity recreational uses (ORM) shall not include a **golf course**.

Single Detached Dwelling (ORM) means a **building** containing only one **dwelling unit** and, in any area other than an area within a Natural Linkage Area, includes a **building** containing one primary **dwelling unit** and no more than one accessory **dwelling unit**.

17.3 GENERAL PROVISIONS

- a) Nothing in this By-law applies to prevent the **use** of any land, **building** or **structure** for a purpose prohibited in this By-law, if the land, **building** or **structure** was lawfully used for that purpose on November 15, 2001 and continues to be used for that purpose.
- b) Nothing in this By-law applies to prevent the **use**, erection or location of a **detached dwelling (ORM)** if the **use**, erection and location would have been permitted by the applicable zoning by-law on November 15, 2001.
- c) Nothing in this By-law applies to prevent the reconstruction, within the same location and dimensions, of a **building** or **structure** that was lawfully in existence on November 15, 2001 that is damaged or destroyed by causes beyond the owner's control.
- d) Notwithstanding any other provision in this By-law, the erection of a **building** that has a ground **floor area** of 500 square metres or more is not permitted.

17.4 SPECIFIC USE PROVISIONS

17.4.1 HOME OCCUPATION (ORM)

Where a **home occupation (ORM)** is permitted, the **home occupation (ORM)**:

- a) Shall clearly be a secondary **use** of the **lot**;
- b) Shall be conducted entirely within a **dwelling unit** in the **main building** on the **lot**;
- c) Shall be conducted by at least one of the residents of a **dwelling unit** located on the same **lot**;
- d) Shall not employ more than one person who does not reside in the **dwelling unit**;
- e) Shall not occupy more than 25% of the **gross floor area** (not including the **private garage** or the **basement**) of the **dwelling unit**, if the **home occupation (ORM)** provides a service that the general public can access;
- f) Shall, if involving tutoring, not be occupied by more than four students at any one time;
- g) Shall not involve the **accessory outdoor storage** or outdoor display of materials or finished products;
- h) Shall not consist of an occupation that involves the sale of a commodity not produced on the **premises**, unless the items being sold are related to the primary business of the **home occupation (ORM)**; and,
- i) Shall not include the following **uses**:
 - (i) Any other **use** defined in this By-law;
 - (ii) Any **use** requiring ventilation, other than ventilation typically found in any residence;
 - (iii) Any **use** involving the sale of prepared food for human consumption;
 - (iv) **Medical offices**, unless the **lot** has a **front lot line** or an **exterior side lot line** that abuts a **provincial highway**, an **arterial road** or a **major collector road** as shown on Maps 10 or 11 of the Official Plan;

- (v) Any **use** involving the storage, repair, maintenance, painting and, or, towing of **motor vehicles** or **commercial motor vehicles**;
- (vi) Any **use** involving furniture stripping;
- (vii) Dating/escort services; and,
- (viii) Taxi and limousine service depot/dispatch establishments.

17.4.2 HOME BUSINESS (ORM)

Where a **home business (ORM)** is permitted, the **home business (ORM)**:

- a) Shall clearly be a secondary **use** of the **lot**;
- b) Shall be conducted entirely within a **dwelling unit** in the **main building** on the **lot** or within an **accessory building**;
- c) Shall be conducted by at least one of the residents of a **dwelling unit** located on the same **lot**;
- d) Shall not employ more than one person who does not reside in the **dwelling unit**;
- f) Shall, if involving tutoring, not be occupied by more than four students at any one time;
- g) Shall not involve the outdoor storage or outdoor display of materials or finished products;
- h) Shall not consist of an business that involves the sale of a commodity not produced on the **premises**, unless the items being sold are related to the primary business of the **home business (ORM)**; and,
- i) Shall not include the following **uses**:
 - (i) Any other **use** defined in this By-law;
 - (ii) Any **use** requiring ventilation, other than ventilation typically found in any residence;
 - (iii) Any **use** involving the sale of prepared food for human consumption;
 - (iv) **Medical offices**, unless the **lot** has a **front lot line** or an **exterior side lot line** that abuts a **provincial highway**, an **arterial road** or a **major collector road** as shown on Maps 10 or 11 of the Official Plan;
 - (v) Any **use** involving the treatment, care and, or, grooming of any animal;
 - (vi) Any **use** involving the storage, repair, maintenance, painting and, or, towing of **motor vehicles** or special vehicles;

- (vii) Any **use** involving furniture stripping;
- (viii) Dating/escort services; and
- (ix) Taxi and limousine service depot/dispatch establishments.

17.5 SPECIFIC GENERAL PROVISIONS

The provisions of this section apply in addition to all relevant general provisions in part 4.0 of this by-law.

17.5.1 GENERAL PROVISIONS FOR ACCESSORY BUILDINGS OR STRUCTURES

No **accessory building or structure** shall:

- a) Be erected on a **lot** prior to the erection of the **main building** on the **lot**;
- b) Be used for human habitation unless expressly permitted by this By-law;
- c) Be located within a **public easement**; and,
- d) Be located within a **front yard**, unless expressly permitted by this By-law.

17.5.2 SPECIAL PROVISIONS FOR SMALL ACCESSORY BUILDINGS

Small **accessory buildings**, which do not include detached **private garages**, are subject to the following provisions:

- a) The maximum permitted **gross floor area** per **accessory building** is:
 - (i) 20.0 m² if the **lot area** is greater than 1,000 m² and less than 4,000 m²; or,
 - (ii) 50.0 m² if the **lot area** is 4,000 m² or greater.
- b) The maximum **height** per **accessory building** is:
 - (i) 4.5 metres if the **lot area** is greater than 1,000 m² and less than 4,000 m²; or,
 - (ii) 5.5 metres if the **lot area** is 4,000 m² or greater.
- c) The maximum number of permitted **accessory buildings** on a **lot** is:
 - (i) 2 including a detached **private garage** if the **lot area** is greater than 1,000 m² and less than 4,000 m²; or,

- (ii) 4 if the **lot area** is 4,000 m² or greater.
- d) The minimum **setback** for an **accessory building** from the **interior side** and **rear lot lines** is:
 - (i) 1.2 metres from the **lot line**, which can be reduced to 0.5 metres if there are no doors or windows on the wall facing the **lot line** if the **lot area** is greater than 1,000 m² and less than 4,000 m²; or,
 - (ii) 1.2 metres if the **lot area** is 4,000 m² or greater.
- e) The minimum **setback** for an **accessory building** from the **exterior side lot line** shall be no less than the **setback** between the **main building** and the **exterior side lot line** on any sized **lot**.

17.5.3 DETACHED PRIVATE GARAGES

One detached **private garage** is permitted in accordance with the following provisions:

- a) The **height** of a detached **private garage** shall be no greater than 4.5 metres.
- b) The detached **private garage** shall be set back a minimum of:
 - (i) 1.2 metres from the **rear lot line**;
 - (ii) The **setback** required for the **main building** from the **exterior side lot line**; and,
 - (iii) 1.2 metres from the **interior side lot line** which can be reduced to 0.5 metres if there are no doors or windows on the wall facing the **interior side lot line**.

17.6 PERMITTED USES AND ZONE STANDARDS IN ORM-L AND ORM-CS ZONES

Permitted **uses** and **zone** standards in the ORM-L and ORM-CS Zones are listed within the following tables:

ORM-L (OAK RIDGES MORaine - LINKAGE)			
Permitted Uses		The Oak Ridges Moraine - Linkage (ORM-L) applies to lands that are within the Natural Linkage Area designation as identified within the Oak Ridges Moraine Conservation Plan, which are areas forming part of a central corridor system that support or have the potential to support movement of plants and animals among the Natural Core Areas, Natural Linkage Areas, river valleys and stream corridors.	
a) Agricultural use b) Conservation use c) Forest management d) Low intensity recreational use (ORM)			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	As existing on effective date of this By-law	Barrier-free access	Section 4.1
Minimum lot area	As existing on effective date of this By-law	Frontage on a street	Section 4.2
Minimum front yard	No requirement	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	No requirement	Sight Triangles	Section 4.5
Minimum exterior side yard	No requirement	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	No requirement	Uses prohibited in all zones	Section 4.7
Maximum height	No requirement	Exceptions to height requirements all zones	Section 4.8.4
		Shipping containers	Section 4.8.5
		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9

	Porches	Section 4.8.10
	Temporary Tents	Section 4.9.3
	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11
	General Provisions for all accessory buildings or structures	Section 17.6.1
	Special Provisions for Small accessory buildings or structures	Section 17.6.2
	Detached private garages	Section 17.6.3

ORM - CS (OAK RIDGES MORAINÉ - COUNTRYSIDE)			
Permitted Uses		The Oak Ridges Moraine - Countryside (ORM-CS) Zone applies to lands that are within the Countryside designation in the Oak Ridges Moraine Conservation Plan. It is the intent of the Oak Ridges Moraine Conservation Plan and the Official Plan that these lands be protected for agricultural uses and to support farming activities.	
a) Agricultural use b) Agriculture-related use (1) c) Single detached dwelling (ORM) d) Bed and breakfast establishment e) Conservation use f) Forest management g) Home child care h) Home business (ORM) i) Home occupation (ORM) j) Low intensity recreational use (ORM) k) Accessory dwelling unit (2)			
Special Use Provisions			
(1) Provided lot area is 4.0 hectares or greater (2) Only permitted accessory to a single detached dwelling (ORM)			
Standards		Other Requirements	Refer to Section No.
Minimum lot frontage	As existing on effective date of this By-law	Barrier-free access	Section 4.1
Minimum lot area	As existing on effective date of this By-law	Frontage on a street	Section 4.2
Minimum front yard	7.5 m	Measurement of setbacks and yards	Section 4.4
Minimum rear yard	7.5 m	Sight Triangles	Section 4.5
Minimum exterior side yard	4.5 m	Public Uses, Activities, or Infrastructure permitted in all zones	Section 4.6
Minimum interior side yard	4.5 m	Uses prohibited in all zones	Section 4.7
Maximum height (i)	11.0 m	Exceptions to height requirements all zones	Section 4.8.4
Special Standards		Shipping containers	Section 4.8.5
(i) Agricultural buildings or structures, including silos and grain elevators shall not be included in the calculation of height		Encroachments into required yards	Section 4.8.8
		Hard and soft landscaping	Section 4.8.9
		Porches	Section 4.8.10

	Temporary Tents	Section 4.9.3
	Accessory dwelling units	Section 4.9.9
	General parking provisions	Section 5.2
	Additional residential parking requirements	Section 5.3
	Special Motor Vehicles	Section 5.11
	Home occupation (ORM)	Section 17.5.1
	Home business (ORM)	Section 17.5.2
	General Provisions for all accessory buildings or structures	Section 17.6.1
	Special Provisions for Small accessory buildings or structures	Section 17.6.2
	Detached private garages	Section 17.6.3

PART 18.0 - ENACTMENT

Enacted and passed this ____ day of _____, 202_

Mayor

Clerk