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Note: This version shows changes that are being suggested for discussion purposes and identifies other discussion items. This document is intended to be an internal document only and is not to be construed as a document that has been endorsed by Town staff or Council.

This Office Consolidation is provided for convenience and ease of reference only. It comprises By-law No. 177-96 and all amendments and modifications up to _____. The official version of By-law No.177-96 and all amending by-laws thereto are contained in the Clerk's Department. The Corporation of the Town of Markham does not verify the accuracy or completeness of the Office Consolidation and bears no responsibility or liability to any person or entity for any deficiencies, inaccuracies, errors or omissions contained in the Office Consolidation.

SECTION 1 ADMINISTRATION

1.1 TITLE

This By-law shall be known as the "New Urban Area By-law".

1.2 ZONING SCHEDULE

The Zones for all lands covered by this By-law are shown on Schedules [attached to the by-law](#) A7, B6, [C2, C3](#), C4, D3, D5, D6, E4, F4, F6, [F7](#), G4, G7, H4, H6, [H7](#) J4, J5, J6, ~~and J7~~.

1.3 CONFORMITY AND COMPLIANCE WITH ZONING BY-LAW

No land, *building* or *structure* shall be used and no *building* or *structure* shall be erected or altered after the passage of this By-law except in conformity and compliance with the provisions of this By-law.

1.4 BUILDING PERMITS, CERTIFICATES OF OCCUPANCY AND MUNICIPAL LICENSES

No permit for the use of land or for the erection or use of any *building* or *structure* and no Certificate of Occupancy or approval of any application for a municipal license shall be issued, where the proposed *building*, *structure* or use is in violation of any provision contained in this By-law.

1.5 ENFORCEMENT

Any person convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$25,000.00 and on a subsequent conviction to a fine of not more than \$10,000.00 for each day or part thereof upon which the contravention has continued after the day on which the person was first convicted.

Any corporation convicted of a violation of this By-law is liable, on first conviction to a fine of not more than \$50,000.00 and on a subsequent conviction to a fine of not more than \$25,000.00 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted.

1.6 SEVERABILITY

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

1.7 EFFECTIVE DATE

This By-law shall come into force the day that it was passed if no appeals are received. If an appeal(s) is received, this By-law, or portions thereof, shall come into force upon the approval of the Ontario Municipal Board and in accordance with the provisions of the Planning Act, as amended.

1.8 INTERPRETATION

Nothing in this By-law shall serve to relieve any person from any obligation to comply with the requirements of any other By-law of the Town of Markham or any other requirement of the Region of York, the Province of Ontario or the Government of Canada that may affect the use of lands, *buildings* or *structures* in the municipality.

1.9 REPEAL OF FORMER BY-LAWS

The provisions of all By-laws of the Town of Markham, and amendments thereto, passed under the Planning Act are hereby repealed insofar as they affect the lands covered by this By-law, with the exception of By-law 28-97 (the Parking Standards By-law) and any Amendment to By-law 177-96.

SECTION 2 ESTABLISHMENT OF ZONES

2.1 ZONES

For the purposes of this By-law, the following Zones are established:

RESIDENTIAL ZONES

~~Single-detached~~ Residential (R1) Zone
Residential Two (R2) Zone
Residential Two - Special (R2-S) Zone
Residential Two - Lane Access (R2-LA) Zone
Residential Three (R3) Zone
Residential Four (R4) Zone

RETAIL AND MIXED-USE ZONES

Neighbourhood Commercial One (NC) Zone
Neighbourhood Commercial Two (NC2) Zone
Neighbourhood Commercial Three (NC3) Zone
Community Amenity One (CA1) Zone
Community Amenity Two (CA2) Zone
Community Amenity Three (CA3) Zone
Community Amenity Four (CA4) Zone
Automotive Commercial One (AC1) Zone
Automotive Commercial Two (AC2) Zone
Major Commercial (MJC) Zone

EMPLOYMENT ZONES

Business Park (BP) Zone
Business Corridor (BC) Zone
General Industrial (GI) Zone

OPEN SPACE ZONES

Greenway (G) Zone
Open Space One (OS1) Zone
Open Space Two (OS2) Zone

2.2 LOCATION OF ZONES

The *Zones* and *Zone* boundaries are shown on the schedules that are attached to and form part of this By-law.

2.3 DETERMINING ZONE BOUNDARIES

Where the boundary of any *Zone* is shown on the schedules forming part of this By-law, the following provisions shall apply:

- a) Where a *Zone* boundary is indicated as approximately following *lot lines* shown on a registered Plan of Subdivision or *lots* registered in a registry office or land titles office, the boundary shall follow such *lot lines*.
- b) Where a *public street*, *private street*, *lane*, railway right-of-way, electrical transmission line right-of-way, or watercourse is shown on the schedules to this By-law and serves as a boundary between two or more different *Zones*, a line in the middle of such street, *lane*, right-of-way or watercourse shall be the boundary between *Zones* unless specifically indicated otherwise.
- c) Where a *Zone* boundary is indicated as following the limits of the Town of Markham, the limits of the Town of Markham shall be the boundary.
- d) Where none of the above provisions apply, the *Zone* boundary shall be scaled from the attached schedule(s).

2.4 EXCEPTION ZONES

Where a *Zone* symbol on the attached schedule(s) is followed by one or more numbers following the asterisk (*) symbol, such as R2*1 or NC3*7*9, the numbers following the asterisk (*) symbol refer to subsections in Section 7 (Exceptions) of this By-law that apply to the lands noted.

2.5 HOLDING PROVISIONS

Notwithstanding any other provision in this By-law, where a *Zone* symbol is followed by the letter (H), no person shall use the land to which the letter (H) applies for any use other than the use which existed on the date this By-law was passed, until the (H) is removed in accordance with the policies of the Official Plan, the provisions of this Zoning By-law and any amendment to this By-law, as amended, and the Planning Act as amended.

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2.5.1 Holding Provision in the Cornell Community (By-laws 177-96, 135-1999, 273-1999, 74-2000 and 2001-183)

- a) The Holding provision (H) applying to all lands shown on Schedules "G1" and "G2" to this By-law, with the exception of Block 73, shall not be lifted until Subdivision Agreement has been executed.
- b) The Holding provision (H) applying to Block 73 shall not be lifted until the Town of Markham is satisfied that development on that block will not have an impact on the operations of the heliport on the Markham-Stouffville Hospital property to the south and a Subdivision Agreement applying to the lands is executed.
- c) The Holding provision (H) applying to the lands at the south-east corner of Bur Oak Avenue and White's Hill Avenue shall not be lifted until the Town of Markham is satisfied that sufficient sanitary sewage capacity is available to allow development of the lands.
- d) The Holding provision (H) applying to lands municipally known as 8961 9th Line shall not be lifted until a Site Plan Agreement has been executed.
- e) The Holding provision (H) applying to lands on the west side of Bur Oak Avenue between Riverlands Avenue and White's Hill Avenue shall not be lifted until a Site Plan Agreement has been executed.
- f) The Holding provision (H) applying to lands fronting on Bur Oak Avenue between Riverlands Avenue and Donald Sim Avenue shall not be lifted until a Subdivision Agreement has been executed.

2.5.2 Holding Provisions in the South Unionville, OPA 22 Area (Bylaws 2001-106 and 2001-268)

- a) The Holding provision (H) applying to lands outlined on Schedules 'J1', 'J2', and 'J3' to this By-law shall not be lifted until:
 - i) Subdivision Agreement(s) applying to the lands have been executed; and,
 - ii) the Town is satisfied with respect to arrangements for funding by the landowner(s) of the capital costs of hard and soft services in accordance with Town specifications.
- b) The Holding provision (H) applying to lands outlined on Schedule 'J4' to this By-law shall not be lifted until:
 - i) Site Plan Agreement(s) applying to the lands, including site plan and elevation plans consistent with the urban design

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- policies of the Town of Markham Official Plan has been executed; and,
- ii) the Town is satisfied with respect to arrangements for the provision of a stormwater management facility and related *infrastructure* which serves the drainage area of the lands.
- c) The Owners of the lands shown shaded on Schedule 'J1' to this By-law shall, in addition to conditions a) and b) above, ensure the preparation of final municipal servicing and storm water management plans for the plan of subdivision, to the satisfaction of the Town.

2.5.3 Holding Provision in the Leitchcroft Planning District (OPA 41) (By-laws 306-96, 2001-289 and 2003-69)

The Holding provision (H) applying to those lands within the Leitchcroft Planning District, as outlined on Schedule N1, N2 and N3 to this By-law, shall not be lifted until the following conditions have been met:

- a)
 - i) a plan of subdivision has been draft approved and a related subdivision agreement between the landowner(s) and the Town has been executed; or,
 - ii) a consent has been granted by the Committee of Adjustment and a Development Agreement between the landowner(s) and the town has been executed; and,
- b) a Site Plan Agreement has been executed; and,
- c) the Town is satisfied that adequate water and sanitary sewer facilities and stormwater management facilities are available to service the subject lands, pursuant to the Development Staging Strategy for lands in the Future Urban Area and to Town approval of a Development Phasing Plan for the planning district; and,
- d) the Town in consultation with other approval agencies is satisfied that the lands proposed to be released for development can be adequately served by the existing and committed transportation network without adverse impact on the road system or to other committed development; and,
- e) a Development Charges By-law applicable to the lands in the Planning District has been adopted, or the Town Solicitor has confirmed a satisfactory arrangement for the payment to the Town by the landowner(s), without recourse, of an amount equal to the applicable development charges has been made; and,

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- f) in addition to the provisions set out above, for lands located within Blocks 41, 42, 43, 44 of Registered Plan 65M-3226, an amendment to remove the (H) holding *zone* provisions shall not be passed prior to:
 - i) submission of a Development Phasing Plan, to the satisfaction of the Commissioner of Development Services;
 - ii) execution of a Development Phasing Agreement with the Town;
 - iii) submission of a Community Urban Design Plan to the satisfaction of the Commissioner of Development Services;
 - iv) execution of a cash-in-lieu of parkland agreement with the Town;
 - v) completion of a noise study to the satisfaction of the Director of Engineering.
- g) In addition to the provisions set out above, for lands located within Blocks 41, 42 and 43 of Registered Plan 65M-3226, lifting of the (H) provision to permit *residential* development shall not occur until a site plan agreement has been executed to permit development of an *office building* on Block 44 Registered Plan 65M-3226, in accordance with the approved Development Phasing Plan and agreement.

2.5.4 Holding Provisions in the Berczy Village Planning District (By-laws 80-97, 119-97, 191-97, 193-97, 195-97, 8-1999, 79-1999 and 127-1999)

The Holding provision (H) applying to those lands within the Berczy Village Planning District as outlined on Schedules "D1", "D2", "D3", "D4" and "D5" to this By-law shall not be lifted until:

- a) the Subdivision Agreement applying to the lands has been executed; and,
- b) the Town is satisfied with respect to arrangements for funding by the landowner(s) of the capital costs of hard and soft services in accordance with Town specifications; and,
- c) In addition to the provisions of Section (a) and (b) of this Section, the removal of the Holding provision on those lands comprising part of the east half of *Lot 20*, Concession 6 within Draft Plan 19T-98014 (Everyvale Holdings Inc.) shall be only occur in accordance with the Town approved Development Phasing Plan for the Berczy Village community and associated legal agreements between the

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owner and the Town. Confirmation will also be required that an adequate water supply is available to service the proposed development; and,

- d) In addition to the provisions of Section (a) and (b) of this Section, the removal of the Holding provision on those lands comprising part of the west half of *Lot 19*, Concession 6 within Draft Plan 19T-95073 (Markham Trails Inc.) and part of the east half of *Lot 18*, Concession 6 within Draft Plan 19T-99002 (Emery Investments - Williamstown) shall be only occur in accordance with the Town approved Development Phasing Plan for the Berczy Village community and associated legal agreements between the owner and the Town. Confirmation will also be required that an adequate water supply is available to service the proposed development.

2.5.5 Holding Provisions in Woodbine North Planning District (By-law 167-97)

The Holding provision (H) applying to those lands within the Woodbine North Planning District as outlined on Schedule "A1" to this By-law shall not be lifted until a Subdivision Agreement applying to the lands has been executed.

2.5.6 Holding Provisions in Planning District 1-13 (South of Rouge Street) (By-law 73-97)

The Holding provision (H) applying to those lands within Planning District 1-13 as outlined on Schedule "H4" to this By-law shall not be lifted until:

- a) a Development Agreement applying to the lands has been executed; and
- b) the Town is satisfied with respect to arrangements for funding by the landowner(s) of the capital costs of hard and soft services in accordance with Town specifications.

2.5.7 Holding Provisions in the Swan Lake Planning District (By-law 24-1999)

The Holding provision (H) applying to those lands within the Swan Lake Planning District as outlined on Schedule "F1" to this By-law shall not be lifted, in whole or in part, until the owner has satisfied the Town that water and sanitary sewer services are available for the land, and any development agreements required by the Town have been executed.

2.5.8 Holding Provisions in Planning District 26-1 (Wismer Commons) (By-law 36-1999)

The Holding provision (H) applying to those lands within Planning District 26-1 shall not be lifted until:

- a) a Subdivision Agreement applying to the lands has been executed;
- b) the Town is satisfied with respect to arrangements for funding by the landowner(s) of the capital costs of hard and soft services in accordance with Town specifications;
- c) the Town is satisfied with respect to arrangements for implementing the findings and recommendations of the Markham Transportation Planning Study update on a phased basis; and
- d) sufficient sanitary sewer capacity and an associated allocation by the Town on a phased basis has occurred.

2.5.9 Holding Provisions in Planning District PD3-1 (Thornhill Planning District) (By-laws 84-1999 and 98-2000)

The Holding provision (H) applying to those lands within Planning District PD3-1 as outlined on Schedule "O1" to this By-law shall not be lifted until any/all necessary agreements applying to the lands have been executed.

2.5.10 Holding Provision for Tenstone Condominium Townhouse Development - Town Centre Boulevard at Cox Boulevard (By-law 167-1999)

The Holding provision (H) on the lands outlined on Schedule "B1" to this By-law shall not be lifted until a subdivision agreement or a site plan agreement between the landowner and the Town has been executed.

2.5.11 Holding Provisions in Planning District 26-1 (Wismer Commons) (By-laws 169-1999 and 98-2000)

The Holding provision (H) applying to those lands within Planning District 26-1 as outlined on Schedule "E1" to this By-law, and known municipally as 9982 Highway 48 shall not be lifted until:

- a) a site plan agreement between the landowner(s) and the Town has been executed; and,
- b) confirmation that sufficient sanitary sewer capacity water supply has been allocated by the Town has been obtained.

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2.5.12 Holding Provisions in Berczy Village Planning District (OPA 36) (By-laws 2002-54 and 2002-78)

The Holding provision (H) applying to those lands zoned CA1*152, CA1*154 and R3*154 as outlined on Schedule "A" shall not be lifted until:

- a) confirmation that adequate water supply has been allocated by the Town and the Trustee of the Berczy Village Developers Group has been obtained; and
- b) a site plan agreement between the landowner and the Town has been executed.

2.5.13 Holding Provisions in Markham Centre – Highway 7 @ South Town Centre Boulevard (By-law 2001-5)

The Holding provision (H) applying to those lands located at the southwest corner of Highway 7 and South Town Centre Boulevard as shown on Schedule L1 shall not be lifted until the Region of York's Highway 404 Trunk sanitary Sewer has been constructed across these lands to provide sanitary servicing capacity.

2.5.14 Holding Provisions in the Cathedral Community (By-law 2002-93)

The Holding provision (H) applying to those lands within the Cathedral Community shown on Schedule A2 shall not be lifted until the following conditions have been met:

- a) a subdivision agreement or a site plan agreement between the landowner and the Town has been executed
- b) the Town has been satisfied that adequate water and sanitary sewer facilities and stormwater management facilities are available to service the subject lands, pursuant to a *Council* approved Development Phasing Plan;
- c) a Development Phasing Agreement between the Cathedral Landowners Group and the Town has been executed; and,
- d) a Development Charges By-law has been adopted for the Cathedral Community.

2.6 DEFINITIONS

For the convenience of the reader, all terms that are *italicized* in this By-law are defined in Section 3.0 of this By-law.

SECTION 3 DEFINITIONS

"Accessory Use" means a use, customarily and normally subordinate to, incidental to and exclusively devoted to a *main* use of land or *building*, and located on the same *lot*.

"Adult Entertainment Parlour" means any *premises* or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations; which services include activities, facilities, performances, exhibitions, viewings and encounters, a principal feature or characteristic of which is the nudity or partial nudity of any person, or in respect of which the word 'nude', 'naked', 'topless', 'bottomless', 'sexy' or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

"Adult Goods" means slides, films, videotape, pre-recorded magnetic tape and computerised or electronically generated images, the container or contents of which are designed or held out as designed to appeal to erotic or sexual appetites or inclinations through the pictorial, photographic or other graphic depiction of subject matter distinguished or characterised by the portrayal of one or more persons involved or engaging in actual or simulated sexual intercourse, ejaculation, sodomy, including anal intercourse, oral sexual intercourse or direct physical stimulation of unclothed genital organs or through depiction of the anus or the genitals.

"Adult Video Outlet" means any *premises* in which the principal business is the sale or rental of *adult* goods or in respect of which the advertisements refer to "adult", "X-rated", "XXX" or similar description in reference to the goods offered or provided in the *premise*, but shall not include any screening or viewing facilities, incidental or otherwise, for the [adult goods](#) within the *premises*. Without limiting the generality of the foregoing, the provision of *adult goods* shall not be *accessory* to any other business except in circumstances where *adult goods* are provided or the total area occupied by *adult goods* does not exceed 17.0 square metres.

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

"Art Gallery" means a *premises* used for the preservation, exhibition and/or sale of paintings or other works of art.

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"Assembly Hall" means a ~~building or structure~~*premises* used for the gathering together of a number of persons for charitable, civic, cultural, educational, fraternal, political, recreational, social or like purposes, and may include facilities for the consumption of food or drink, but not for any commercial purpose.

"Balcony" means a partially enclosed platform attached to or extended horizontally from one or more *main walls* of a *building* and which is not accessed by stairs from the outside.

"Banquet Hall" means a ~~building or part of a building~~*premises* used for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served.

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

"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, Accessory" means a separate *building* or *structure*, the use of which is customarily incidental, subordinate and exclusively devoted to a *main* use or *main building* located on the same *lot*.

~~**"Building, Apartment"** means a *building* containing three or more *dwelling units* that share a common external access to the outside through a common vestibule and a common corridor system.~~

"Building, Main" means a *building* in which is carried on the principal purpose for which the *lot* is used.

~~**"Building, Multiple-Unit"** means a *building* containing three or more *dwelling units*, with some of the *dwelling units* accessed by a common corridor system and/or entrance and some of the *dwelling units* accessed directly from the outside, but not including a triplex, a fourplex, a townhouse building or an apartment building.~~

~~**"Building, Townhouse"** means a *building* that is vertically divided into a minimum of three and a maximum of eight *dwelling units*, each of which has independent entrances at grade to the front and rear of the *building*, and each of which shares a common wall adjoining *dwelling units* above grade.~~

"Business Office" means a *premises* 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.

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"Carport" means a ~~building or structure which is not wholly enclosed, and is used for the parking or storage of one or more motor vehicles.~~

"Car Wash" means a *premises* in which the mechanical or hand washing of *motor vehicles* is carried out.

"Cemetery" means land set aside to be used for the interment of human remains and includes a mausoleum, columbarium or other structure intended for the interment of human remains.

"Centre-Line" means with reference to a *public street*, a line drawn parallel to and equidistant from the limits of the *public street* and with reference to a *private street*, a line drawn parallel to and equidistant from the edges of the paved surface of the *private street*.

"Club, Private" means a building or part of a building premises used as a meeting place by members and guests of members of non-profit and non-commercial organizations for community, social or cultural purposes. This definition does not include uses that are normally carried out as a commercial enterprise.

"Commercial Fitness Centre" means a *premises* in which facilities are provided for recreational or athletic activities such as body-building and exercise classes and may include associated facilities such as a sauna, a swimming pool, a solarium, a cafeteria and accessory retail uses.

"Commercial Self-Storage Facility" means a *premises* used for the temporary storage of household items and secured storage areas or lockers which are generally accessible by means of individual loading doors.

"Community Centre" means a building or part of a building which is owned and/or operated by a public authority and premises used for community activities.

"Corporation" means the Corporation of the CityTown of Markham.

"Council" means the Council of the Corporation.

"Day Nursery" means a ~~building or part of a building premises~~ where more than five children are provided with temporary care and/or guidance for a continuous period not exceeding twenty-four hours and are licensed in accordance with the Day Nurseries Act.

"Deck" means an uncovered and unenclosed structure that is accessory to a residential use and used as an outdoor living area, with a foundation holding it erect and a floor which is above finished grade, ~~and shall not include a landing or a stair.~~

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"Drive-Through Service Facility" means a *building* or *structure* or part thereof where goods and/or services are offered to the public within a parked or stationery vehicle by way of a service window or kiosk, where goods, money or materials are exchanged. Kiosks within a *parking garage* or associated with a surface *parking area* are not considered to be drive-through service facilities uses.

"Driveway" means a defined area providing access for *motor vehicles* from a public or *private street* or a *lane* to ~~facilities such as~~ a *parking area*, *parking garage*, *parking lot*, *loading space*, *private garage* or carport, ~~building or structure~~.

"Dwelling, Apartment" means a *dwelling unit* in a *building* containing three or more *dwelling units* that share a common external access to the outside through a common vestibule and a common corridor system. A *dwelling* in any other type of *building* is not an apartment dwelling. an apartment building.

"Dwelling, Duplex" means a *dwelling unit* in a *building* that is divided horizontally into two *dwelling units*, each of which has an independent entrance either directly to the outside or through a common vestibule or a combination of both. A *dwelling* in any other type of *building* is not a duplex dwelling.

"Dwelling, Fourplex" means a *dwelling unit* in a *building* that is divided horizontally or a combination of vertically and horizontally into four *dwelling units*, each of which has an independent entrance either directly to the outside or through a common vestibule or a combination of both. A *dwelling* in any other type of *building* is not a fourplex dwelling.

"Dwelling, Multiple" means a *dwelling unit* in a ~~multiple-unit building~~ containing three or more *dwelling units* that would not be considered any other type of dwelling unit as defined by this By-law.

"Dwelling, Semi-Detached" means a *dwelling unit* in a *building* that is divided vertically into two *dwelling units* that share a common wall above grade ~~that is divided vertically into two *dwelling units* that shares a common wall above grade.~~ A *dwelling* in any other type of *building* is not a semi-detached dwelling.

"Dwelling, Single Detached" means a *dwelling unit in a building* containing only one *dwelling unit*.

"Dwelling, Townhouse" means a *dwelling unit* in a *building that is vertically divided into a minimum of three *dwelling units*, each of which has an independent entrance at grade to the front and rear of the building.* ~~townhouse building.~~

"Dwelling, Triplex" means a *dwelling unit* in a *building* that is divided horizontally or is divided horizontally and vertically into three *dwelling units*, each of which has an independent entrance to the outside or through a common vestibule or a combination of both. A *dwelling* in any other type of *building* is not a triplex dwelling.

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"Dwelling Unit" means a residential use that suite which functions as a housekeeping unit used or intended to be used as a domicile by one or more persons; containing cooking, ~~eating, living,~~ sleeping and sanitary facilities; and having a private entrance from outside the *building* or from a common hallway or stairway inside or outside the *building*.

"Easement, Public" means an instrument that is registered on title which provides for the use of land subject to the *easement* for sewer, water, drainage or utility purposes and which may include a right-of-way in favour of a *public authority*.

"Enclosed, Unenclosed And Roofed Walkway" means a *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.

"Erect" means any act or action involving a building or structure that requires the approval of a building permit in accordance with the Town's Building Permit By-law. to build, construct, reconstruct, alter, relocate or, without limiting the generality of the foregoing, shall include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

"Financial Institution" means a *premises* 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 *established grade* and having its ceiling more than 1.8 metres above *grade*.

~~**"Floor Area"** means the total area of all floors in a building, measured between the exterior faces of the exterior walls of the building at each floor level.~~

"Floor Area, Gross" means the aggregate of the areas of each floor of a *building* or *structure* above or below *established 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, and the building or structure excluding the sum of the areas of each floor used, or designed or intended ~~for use~~ for the parking of *motor vehicles*, unless the parking of *motor vehicles* is the principle use of the *building* or *structure*.

"Floor Area, Gross Leasable" means the aggregate of the *floor areas* of a building containing a number of retail and similar uses ~~shopping centre~~ that are leased to the tenants ~~of the shopping centre~~ for their exclusive use, above or below *established*

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grade. For the purposes of this definition, common areas that are not designed nor leased for the exclusive use of a tenant are not included in the calculation of gross leasable floor area.

"Floor Area, Net" means the aggregate of the *floor areas* of a *building* above or below *established grade*, but excluding:

- i) motor vehicle~~car~~ parking areas within the *building*;
- ii) stairways;
- iii) elevator shafts and other service and mechanical shafts;
- iv) service/mechanical rooms and penthouses;
- v) washrooms;
- vi) waste~~garbage~~/recycling rooms;
- vii) staff locker and lunch rooms;
- viii) loading areas;
- ix) any space with a floor to ceiling height of less than 1.8 metres; and
- x) 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 *gross floor area* of all *buildings* on a *lot* divided by the *lot area*.

~~**"Funeral Home"** means a premises used for furnishing funeral supplies and services to the public and includes facilities intended for the preparation of the human body for interment.~~

"Funeral Home" means a funeral home, funeral parlour, undertaking establishment, funeral establishment, or similar use used for furnishing funeral supplies and services to the public and including 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, Private" means an *enclosed building*, or part thereof, designed and used for the storage of one or more *motor vehicles*.

"Garage Width" means the width of a *private garage* measured between the interior faces of the walls of the *private garage*.

~~**"Gas Bar"** means a premises used only for the sale of motor vehicle fuels and motor vehicle accessories, and not for the performance of repairs to motor vehicles, and may include a car wash.~~

"Gas Bar" means a premises used only for the sale of motor vehicle fuels and motor vehicle accessories, and may also include accessory retail sales of convenience foods and beverages and car washes, but shall not include the performance of repairs to a motor vehicle.

"Golf Course" means an outdoor public or private area operated for the purpose of playing golf and includes a par three *golf course*, a miniature *golf course* and putting greens.

"Golf Driving Range" means an indoor or outdoor public or private facility dedicated to the driving of golf balls from fixed golf tees.

~~**"Grade"** means the level of the ground adjacent to the outside wall of a *building* or *structure*.~~

"Grade, Established" means the average surface elevation at the outside walls of any *building* or *structure*, which is determined by taking the arithmetic mean of the levels of the finished ground surface at every location of change of *grade* at the outside walls of the *building* or *structure*.

"Height" means with reference to a *building* or *structure*, the vertical distance measured from the *established grade* of such *building* or *structure* to:

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

Notwithstanding the above, any ornamental roof construction features including towers, steeples or cupolas, shall not be included in the calculation of *height*. Mechanical features, such as *structures* containing the equipment necessary to control an elevator, are permitted to project a maximum of 5.0 metres above the highest point of the roof surface, regardless of the *height* of the *building*.

~~**"Heritage Building"** means a *building* that has been deemed by the *Council* of the *Corporation* of the *CityTown* of Markham to be of architectural and/or historic interest, and located on its original foundation or relocated from another area. Said *buildings* may be renovated, enlarged or modified subject to compliance with all requirements of this and any other relevant By-law.~~

~~**"Home Occupation"** means a *businessn-occupation* conducted for gain in a *dwelling unit* or a detached *accessory building*.~~

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"Hospital, Public" means any institution, *building* or other *premises* or place established for the purpose of the treatment of persons, and that is approved under The Public Hospitals Act, R.S.O. 1990, Chapter P40, as amended, as a *public hospital*.

"Hotel" means a *premises* that contains rooms with or without private cooking facilities that are rented on a temporary basis to the public or *dwelling units*, or a combination of both, equipped to be occupied as temporary accommodation for the public, and which contains a public dining area and which also may contain meeting rooms and accessory banquet facilities.

"Industrial Use" means a *premises* 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, but does not include a *motor vehicle repair garage*, a *motor vehicle body shop* or a *motor vehicle service station*. For the purposes of this definition, research laboratories and printing establishments are considered to be *industrial uses*.

"Infrastructure" means a physical *structure* (facilities and corridors) that form the foundation for development. *Infrastructure* includes sewage and water systems, septage treatment systems, waste management systems, electric power transmission facilities, communication/telecommunications facilities, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

"Institutional UseBuilding" means a *building* or part of a *building* containing institutional uses such as *places of worship*, *community centres*, ~~and libraries~~ or *government offices*. ~~and where such uses in total, occupy more than 50% of the gross floor area of the building, and driveways and ramps that provide access onto the lot from the street.~~

"Kennel" means a *premises* where dogs and other domestic pets are boarded for more than 24 hours and or are kept for the purposes of breeding.

"Kennel - Day" means a *premises* where dogs are boarded for a continuous period not exceeding twenty-four hours.

~~**"Landscaping"** means trees, shrubs, flowers, grass or other horticultural elements, decorative stonework, screening or other architectural elements, and may include lands that are used as walkways and driveways and ramps that provide access on to the lot from the street, all of which are designed to enhance the visual amenity of a property and shall not include parking areas.~~

"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 include *parking areas*, *driveways* or ramps and shall not be used for the parking of *motor vehicles*.

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"Landscaped Open Space" means that space on a *lot* which is not covered by *buildings* or *structures* and is used exclusively for *landscaping*.

"Lane" means a right of way owned by the Corporation that ~~subsidary thoroughfare~~ which is not intended for general traffic circulation and which provides motor vehicle access ~~a public or private means of vehicular access~~ to an abutting property.

"Library" means an institutional use in a building or part of a building ~~premises~~ containing printed, electronic and pictorial material for public use for purposes of study, reference and recreation.

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

"Long Term Care Facility" means a use in a building or part of a building that is licensed pursuant to Provincial legislation, where a broad range of personal care, support and health services are provided for the elderly, disabled or chronically ill occupants in a supervised setting, and may include one or more accessory uses, such as common dining, lounging, kitchen, recreational or medical offices, but shall not include a retirement home.

"Lot" means a parcel of land ~~that abuts a public street~~ that is registered as a legally conveyable parcel of land in the Registry Office.

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

"Lot, Corner" means a *lot* at the intersection of two or more *public streets* or upon two parts of the same *public street* with such street or streets containing an angle of not more than 135 degrees or a *lot* upon which the tangents at the street extremities of the *interior side lot lines* contain an angle of not more than 135 degrees. The corner of a *lot* on a curved corner shall be that point on the *streetline* nearest the point of intersection of the said tangents.

"Lot Coverage" means that percentage of the *lot* covered by all *buildings* and shall not include that portion of such *lot area* which is occupied by a *building* or portion thereof which is completely below *grade*. *Lot coverage* in each zZone shall be deemed to apply only to that portion of such *lot* which is located within said zZone.

"Lot Depth" means the horizontal distance between the mid-point of the *front lot line* and the mid-point of the *rear lot 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 line

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joining the mid-point of the *front lot line* with the mid-point of the *rear lot line* at a point on that line that is 8.0 metres from the *front lot line*.

In the case of a *lot* with no *rear lot line*, the point where two side *lot lines* intersect shall be the point from which a line is drawn to the mid-point of the *front lot line*. In the case of a *corner lot* with a daylighting triangle, the *exterior side lot line* shall be deemed to extend to its hypothetical point of intersection with the extension of the *front lot line* for the purposes of calculating *lot frontage*.

"Lot, Interior" means a *lot* situated between adjacent *lots* and having access to one *public street*.

"Lot Line, Interior Side" means a *lot line*, other than a *rear lot line* that does not abut a *public street*.

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

"Lot Line, Exterior Side" means the *lot line* of a *corner lot*, other than the *front lot line*, which divides the *lot* from a *public street*.

"Lot Line, Front" means the lot line which divides the *lot* from the *public street*, but, in the case of:

- a) a *corner lot*, the shortest of the *lot lines* that divides the *lot* from the *public street* shall be deemed to be the *front lot line*;
- b) 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;
- c) a *corner lot* where such *lot lines* are of equal length and where both *lot lines* abut a *public street* under the same jurisdiction, the *Corporation* may designate either *streetline* as the *front lot line*;
- d) a lot that is separated from a public 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, a lot that does not abut a public street but which is separated from a public street by a public park and which is accessed by a lane, the shortest lot line that abuts the public park shall be deemed to be the front lot line; and,
- e) a *through lot*, the longest of the *lot lines*, which divides the *lot* from the *public streets*, shall be deemed to be the *front lot line*. If both such *lot lines* are of equal length, the *Corporation* may designate either *streetline* as the *front lot line*.

"Lot Line, Rear" means the *lot line* opposite to, and most distant from, the *front lot line*.

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"Lot, Through" means a *lot* bounded on opposite sides by a *public street*. However, if the *lot* qualifies as being both a *corner lot* and a *through lot*, such *lot* is deemed to be a *corner lot* for the purposes of this By-law.

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

"Medical Office" means a *premises* used for the medical, dental, surgical and/or therapeutic treatment of human beings including clinics operated by a number and/or variety of medical professionals, but does not include a public or private hospital ~~or office located in the medical professional's residence.~~

"Motel" means a *premises* that contains rooms with no private cooking facilities that are rented on a temporary basis to the public with each room being accessed from the outside.

"Motor Vehicle" means an automobile, motorcycle, motor-assisted bicycle unless otherwise indicated in the Highway Traffic Act, as amended, and any other vehicle propelled or driven otherwise than by muscular power.

"Motor Vehicle, Commercial" means a *motor vehicle* which is designed for the transport of goods and which is used for business, employment or commercial purposes.

"Motor Vehicle Service Station" means a *premises* used for the sale of *motor vehicle* fuels and which may include one or more of the following accessory uses: the sale of *motor vehicle* parts and accessories, ~~retail and personal service uses~~, *motor vehicle* rental, the servicing and repairing of *motor vehicles* and *car washes*.

"Motor Vehicle Body Shop" means a *premises* used for the painting and/or repairing of the exterior and/or the undercarriage of *motor vehicle* bodies.

"Motor Vehicle Sales Establishment" means a *premises* used for the sale or rental of *motor vehicles*.

~~"Motor vehicle repair garage" means a premises used for the repairing of motor vehicles, but shall not include the sale of motor vehicle fuels.~~

"Motor Vehicle Repair Garage" means a premises where the services performed or executed on motor vehicles for compensation shall include the installation of exhaust system, repair of the electrical system, transmission repair, brake repair, radiator repair, tire repair and installation, rustproofing, motor vehicle diagnostic centre, major and minor mechanical repairs or similar use.

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"Museum" means a *premises* used for the preservation of a collection of paintings and/or other works of art and/or objects of natural history and/or mechanical scientific and/or philosophical inventions, instruments, models and/or designs and which may also include *libraries*, reading rooms, laboratories and aAccessory offices.

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

"Non Complying" means a *building*, *structure* or *lot* that does not comply with the regulation(s) of this By-Law.

"Non Conforming Use" means a *use* which is not a permitted use in the zZone in which the said use is situated.

"Non-profit Fitness Centre" means a *premises* operated by a *non-profit organization* in which facilities are provided for recreational or athletic activities, such as body-building and exercise classes, and may include, but not be limited to, associated facilities such as a *day nursery*, a *sauna*, a *swimming pool*, a *solarium*, a *cafeteria* and accessory retail uses.

"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.

"Nursing Home" means a building or part of a building premises used as a *nursing home* within the meaning of the Nursing Home Act of Ontario, as amended.

"Obnoxious 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 matter, waste or other material generated by the use, and without limiting the generality of the foregoing, shall include any uses which may be declared to be a noxious or offensive trade or business.

"Office Building" means a *building* primarily containing business offices, such as business offices and medical offices.

"Outdoor Amenity Space" means an outdoor space, unobstructed by *buildings* or *structures* and which cannot be travelled upon by *motor vehicles*.

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"**Outdoor Display and Sales Aarea**" means outdoor open space area where produce or merchandise is displayed and/or sold and/or where services are provided in conjunction with a business located within a *building* or *structure* on the same *lot*.

"**Outdoor Storage**" means an area of land used in conjunction with a business located within a *building* or *structure* on the same *lot*, for the storage of goods and materials.

"**Outdoor Storage Use**" means an *outdoor storage* area forming the *main* use of a *lot*, such as an *motor vehicle* wrecking yard, a *motor vehicle* storage compound or a construction equipment and/or materials yard.

"**Park, Public**" means any area of land under the jurisdiction of a *public authority* that is designed and/or maintained for recreational purposes. Without limiting the generality of the foregoing, a park may include municipal parks and playgrounds, *golf courses*, *swimming pools*, tennis courts, bowling greens, arenas, boating facilities and sports fields and ancillary retail uses.

"**Park, Private**" means an open space or recreational area other than a *public park*, operated on a commercial and/or private member basis, and which includes one or more of the following facilities or activities:

- a) Areas for walking, horse-riding and cross-country skiing;
- b) Recreational or playground areas such as picnic areas, tennis courts, lawn bowling greens, outdoor skating rinks, athletic fields and *accessory buildings* which may include changerooms, meeting rooms and washrooms.

For the purposes of this definition, a commercial fitness centre is not permitted in conjunction with a private park.

"**Parking Aarea**" means an open area of land not located ~~within~~ a *public street*, *private street* or *lane* which is used for the parking of four or more *motor vehicles*, but shall not include any area where *motor vehicles* for sale, rent or repair are kept or stored.

"**Parking Garage**" means a *building*, or part thereof, used for the storage or parking of *motor vehicles*.

"**Parking Lot, Commercial**" means an area of land used for the parking of *motor vehicles* for a fee, ~~with such use forming the principal use of a lot.~~

"**Parking Lot, Municipal**" means an area of land used for the parking of *motor vehicles* that is owned and/or controlled by a *public authority*.

~~"Parking pad" means an open area of land that is paved and/or treated with a stable surface that is used for the parking and/or storage of no more than three motor vehicles on a lot within a Residential Zone. For the purposes of this definition, a parking pad is not a driveway.~~

"Parking Pad" means an open area of land, other than a driveway, that provides access to motor vehicles from a public street and that is paved or treated with a stable surface that is used for the parking of motor vehicles.

"Parking Sspace" means an unobstructed space for the parking of a *motor vehicle*.

"Personal Sservice Sshop" means a *premises* in which services involving the care of persons or their apparel are offered and includes a barber shop, a hair dressing shop, a beauty shop, a shoe repair establishment, a dry cleaning depot, a dry cleaning establishment or similar service establishments.

"Place of Aamusement" means a *premises* that contains facilities that offer games of skill and competition for the amusement of the public, such as motion simulation rides, virtual reality games, video games, computer games, laser games and similar types of uses, but does not include casinos or any other establishment accommodating gambling or gaming activities, wagering or betting, video lottery and gaming machines or any other similar type of gambling use.

"Place of Eentertainment" means a motion picture or live *theatre*, arena, auditorium, planetarium, concert hall and other similar uses but shall not include an *adult entertainment parlour*, any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling use.

"Place of Wworship" means a building or part of a building premises used by a charitable religious group(s) for the practice of religious rites.

"Porch" means a *structure* with a roof and at least one-two sides that ~~is~~are open and unenclosed, ~~that~~ is accessed by stairs from *grade* and which provides access to the *first storey* of a *dwelling unit*. In the case of townhouse dwelling unit, at least one side is open and unenclosed.

~~"Premises" means an area of a building occupied or used by a business or enterprise. In a multiple tenancy building occupied by more that one (1) business, each business area shall be considered a separate premises. Each individual unit proposed and/or registered in a draft Plan of Condominium shall also be considered an individual premises.~~

"Premises" means the area of *building(s)* or part thereof occupied or used by a individual business or enterprise. ~~In a multiple tenancy building, occupied by more than one (1) business, each business area shall be considered a separate premises. Each individual unit proposed and/or registered in a draft plan of condominium shall also be considered a separate premises with the exception of those units designated for storage purposes.~~

"Private Home Daycare" means the use of a *dwelling unit* for the temporary care and/or guidance of three children or less for a continuous period not exceeding 24 hours.

"Public Authority" means any ~~Provincial, Regional or Municipal~~ commission, board, or authority or any quasi-public body that is controlled by the Federal, Provincial, Regional and City government. ~~a public authority such as a public transit commission.~~

"Public Transit System" ~~means a system operated and/or financed (in whole or in part) by a public authority that is designed to carry passengers from one destination to another using either of or a combination of buses and other motor vehicles and trains.~~

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

"Queuing Lane" ~~means an area of land that is used exclusively for motor vehicles whose occupants are waiting to be provided with goods, materials or services~~

"Recreational Establishment" means a use of land, *building* or *structure* that has been designed and equipped for the conduct of sports and leisure time activities such as a public hall, billiard or pool room, bowling alley, ice/curling or roller skating rink, miniature golf or driving range, an establishment offering three or more electronic video games for public use and other similar uses, but shall not include a *commercial fitness centre, adult entertainment parlour*, any use entailing the outdoor operation or racing of animals or motorized vehicles, a casino or any other establishment accommodating or providing gambling or gaming activities, wagering or betting, video lottery or gaming machines, or any other similar type of gambling use, or any other sports or leisure time use otherwise defined in this By-law.

"Recreational Trailer or Vehicle" ~~means any vehicle that is suitable for being attached to a motor vehicle for the purpose of being drawn or is self-propelled, and is capable of being used on a short term recreational basis for living, sleeping or eating accommodation of human beings and includes a travel trailer, pick-up camper, motorized camper or tent trailer.~~

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"Repair Sshop" means a *premises* used primarily for the repair of household articles but shall not include shops for the repair of internal combustion engines, *motor vehicles* or other similar uses.

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

~~**"Residential Uuse"** means the use of land and *buildings* for human habitation.~~

"Restaurant" means a *premises* in which the principal business is the preparation and serving of food and refreshments to the public for consumption at tables within or outside the *building* and which may include the preparation of food in a ready-to-consume state for consumption off the *premises*.

"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 Sstore" means a *premises* in which goods, wares, merchandise, substances, articles or things are displayed, rented or sold directly to the general public.

"Retirement Hhome" means a ~~*building or part of a building premises that is designed and used to that*~~ provides accommodation primarily to retired persons or couples where each private bedroom or living unit has a separate private bathroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.

"School, Commercial" means a *premises* used as a school conducted for gain, including a studio of a dancing teacher or a music teacher, an art school, a golf school, school of callisthenics, business or trade school and any other such specialized school.

~~**"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*.~~

"School, Private" means a ~~*building or part of a building premises*~~ used as an academic school ~~*that follows the Ministry of Education's curriculum for elementary and/or secondary schools, and which*~~ *which* secures the major part of its funding from *private* sources. ~~*other than government agencies.*~~

~~**"School, Public"** means a *premises* used as an academic school under the jurisdiction of the York Region District School Board, a school under the jurisdiction of the York Catholic District School Board, a school under the jurisdiction of the Conseil Scolaire de~~

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~~district du Centre Sud-Ouest, a school under the jurisdiction of the Conseil Scolaire de district Catholique Centre Sud, or other similar Provincially approved educational institution or parochial school operated on a non-profit basis.~~

"School, Public" means a *building* or part of a *building* used as an academic school under the jurisdiction of the York Region Board of Education, a school under the jurisdiction of the York Region Roman Catholic Separate School Board, or other similar Provincially approved educational institution or parochial school operated on a non-profit basis.

~~**"Sidewalk"** means a paved area within the municipal right-of-way that is designed for use by pedestrians.~~

"Sidewalk" means a hard-surfaced area within the municipal right-of-way that is designed for use by pedestrians.

~~**"Solarium"** means a predominantly glazed structure attached to a main building that has walls and a roof which permit sunlight to enter.~~

"Special Policy Area" means an area within a community that has historically existed in the flood plain and where site specific policies are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to Provincial policies concerning development.

"Storey" means that portion of a *building* between the surface of a floor and the floor, ceiling or roof immediately above. Any portion of a *building* partly below *grade* level shall be deemed a *storey* where its ceiling is at least 1.8 metres above *established grade*. Any portion of a *storey* exceeding 4.2 metres in *height* shall be deemed to be an additional *storey*.

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

"Street, Public" means a roadway owned and maintained by a *public authority* and for the purposes of this By-law does not include a *lane* or any *private street*.

"Streetline" means the boundary between a *public street* and a *lot*.

"Structure" means anything that is *erected*, built or constructed of parts joined together and attached or fixed permanently to the ground or any other *structure*. ~~For the purpose of this By-law, a fence that has a height of 1.8 metres or less, a retaining wall that has a height of 1.0 metre or less, a light standard and a sign shall be deemed not to be structures. For the purpose of this By-law, a fence that has a height of 1.8 metres or less, a retaining wall that has a height of 1.0 metre or less, a light standard,~~

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transformers, an antenna and a sign shall be deemed not to be structures. For the purpose of setback calculations, natural gas or electricity meters and air conditioning units, dog houses, freestanding mail boxes, driveway entrance pillars, statues, storage lockers under 1m high, freestanding arbours or pergolas, pool pumps and filters not inside accessory buildings, flag poles, free standing trellises, shopping cart enclosures, waste receptacles, school bus shelters, composters, planters, and portable barbeques are not considered structures for the determination of setbacks.

~~"Suite" means a single room or series of rooms of complementary use, operated under a single tenancy and includes dwelling units, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.~~

~~"Supermarket" means a premises that specializes in the sale of primarily food products. building, or part thereof, containing a departmentalized food store.~~

"Swimming Pool" means any body of water contained by artificial means located outdoors on privately owned property in which the depth of the water at any point can exceed 0.6 metres and shall include any Accessory deck or support structure.

"Theatre" means a premises that is used for the showing of motion pictures or for dramatic, musical or live performances. For the purposes of this definition, an adult entertainment parlour is not considered to be a theatre.

"Trade and Convention Centre" means a building or part of a building premises 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.

~~"Transit Station" means a building or structure or a portion of a building or structure or an area of land that is used for the temporary parking of transit vehicles and the picking up and dropping off of passengers using a public transit system.~~

"Transport Terminal" means the use of land 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, warehoused, or processed on the same lot.

"Veterinary Clinic" means a premises where a veterinary surgeon treats domestic animals, birds or other livestock and in which such animals may be boarded as required as part of their treatment, but does not include a kennel.

"Waste Storage Area" means a space allocated either within a main building or in an accessory building or structure where garbage, refuse or recycling materials are temporarily stored while awaiting disposal, but does not include any storage for hazardous waste or materials.

"Wide Shallow Lot" means a residential *lot* with a *lot depth* of 26 metres or greater and less than 30 metres. There is no minimum *lot depth* required for a *wide shallow lot* on lands that were zoned in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.

"Yard" means an open, uncovered space on a *lot* appurtenant to a *building* and unoccupied by *buildings* or *structures* except as specifically permitted in this By-law.

"Yard, Exterior Side" 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 walls* of the *main building* or *structure* on the *lot*.

"Yard, Front" means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest *main walls* of the *main building* or *structure* on the *lot*.

"Yard, Interior Side" means a *yard* other than an *exterior side yard* which extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest *main walls* of the *main building* or *structure* on the *lot*.

"Yard, Maximum" means the maximum distance of a *yard* from a *lot line*. In calculating the *maximum yard*, the minimum horizontal distance from the respective *lot line* shall be used.

"Yard, Minimum Required" means the minimum distance of a *yard* required from a *lot line*. No part of a required minimum *yard* for a *building* or *structure* shall be included as part of a required minimum *yard* for another *building* or *structure*. In calculating *minimum required yards*, the minimum horizontal distance from the respective *lot lines* shall be used.

"Yard, Rear" means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest *main walls* of the *main building* or *structure* on the *lot*.

"Zone" means a designated area of land use shown on the Zoning Schedules of this By-law.

SECTION 4 PERMITTED USES

4.1 ZONES

Uses which are permitted in the following *Zones* are identified on the following Permitted Use Tables:

ZONE	TABLE
Residential <i>Zones</i>	Table A1
Retail and Mixed-Use <i>Zones</i>	Table A2
Open Space <i>Zones</i>	Table A3
Employment <i>Zones</i>	Table A4

Permitted uses in a *Zone* are noted by the letter 'X' in the column for that *Zone* corresponding with the row for a specific permitted use. A number or numbers following the symbol 'X', or following the *Zone* heading, or following the name of a permitted use, indicates that one or more special provisions apply to the noted use or *Zone*. Special provisions are listed at the end of each table. General Provisions contained within Section 6.0 of this By-law may also apply to any of the uses permitted within the Tables contained within this Section of the By-law.

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**TABLE A1 - RESIDENTIAL ZONES
PERMITTED USES**

ZONE		R1	R2	R2-S	R2-LA	R3	R4
USE							
A	Single Detached Dwellings	X	X	X	X(2)		
B	Semi-Detached Dwellings		X	X	X(2)	X	
C	Duplex Dwellings		X	X	X(2)	X	
D	Triplex Dwellings		X	X	X(2)	X	
E	Fourplex Dwellings		X	X	X(2)	X	
F	Townhouse Dwellings		X	X	X(2)	X(2)	
G	Multiple Dwellings					X	X
H	Apartment Dwellings					X	X
I	Home Occupations	X	X	X	X	X	X
J	Retail Stores						X(1)
K	Personal Service Shops						X(1)
<u>L</u>	<u>Public Transit System</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>M</u>	<u>Transit Stations</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>NL</u>	Private Home Daycare	X	X	X	X	X	X

SPECIAL PROVISIONS ()

1	Permitted only in the <i>first storey</i> of a an <u>building containing</u> apartment dwellings <u>building</u> .
2	<i>Driveways</i> that cross either the <i>front lot line</i> or the <i>exterior side lot line</i> to access the <i>dwelling unit</i> are not permitted.

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TABLE A2 – RETAIL AND MIXED USE ZONES
PERMITTED USES

ZONE		NC1	NC2	NC3	CA1	CA2	CA3	CA4	AC1	AC2	MJC
USE											
A	Apartment Dwellings		X	X	X	X	X				
B	Art Galleries	X	X	X(6)	X(3)	X(3)	X	X			X
C	Business Offices	X	X	X(6)	X(3)	X(3)	X	X			X
D	Community Centres	X	X		X(1)	X(1)		X			X
E	Commercial Fitness Centres				X(3)	X(3)		X			X
F	Commercial Parking Lots	X	X		X	X	X	X			X
G	Day Nurseries	X	X		X(4)(8)	X(4)(8)		X(8)			X(8)
H	Duplex Dwellings			X							
I	Financial Institutions	X(9)	X(9)		X(3)	X(3)		X			X
J	Fourplex Dwellings			X							
K	Gas Bars								X(4)	X(4)	X
L	Home Occupations				X	X	X				
M	Hotels							X			X
N	Libraries	X	X		X(1)	X(1)	X	X			X
O	Medical Offices	X	X		X(3)	X(3)		X			X
P	Motels										X
Q	Motor Vehicle Service Stations									X	
R	Multiple Dwellings	X	X	X	X	X	X				
S	Municipal Parking Lots	X	X		X	X	X	X			X
T	Museums										X
U	Nightclubs										X
W	Non-Profit Fitness Centres	X	X		X (1)	X (1)		X			X
X	Parking Garages	X	X		X (1)	X (1)	X	X			X
Y	Personal Service Shops	X(9)	X(9)	X(6)(9)	X(2)	X(2)	X	X			X
Z	Places of Amusement										X
Aa	Places of Entertainment										X
Bb	Places of Worship				X(1)(8)	X(1)(8)		X(8)			X(8)
Cc	Private Clubs				X(3)	X(3)		X			X
Dd	Private Home Daycare	X	X	X	X	X	X				
Ee	Public Transit System	X	X	X	X	X	X	X	X	X	X
FfEe	Recreational Establishments										X
GgFf	Repair Shops	X	X	X(6)	X (6)	X(2)		X			X
HhGg	Restaurants, Take-Out			X(6)(9)	X(2)	X(2)		X			X
IiHh	Restaurants			X(6)(9)	X(2)	X(2)		X			X
JjIi	Retail Stores	X(9)	X(9)	X(6)(9)	X(2)	X(2)		X(7)			X(5)
KkJj	Schools, Commercial				X(3)	X(3)		X			X

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ZONE		NC1	NC2	NC3	CA1	CA2	CA3	CA4	AC1	AC2	MJC
USE											
HKk	Schools, Private				X(1)	X(1)		X			X
MmL	Schools, Public	X	X		X	X		X			X
NmM	Supermarkets							X(7)			X(5)
OeN	Theatres										X
PpO	Townhouse Dwellings				X		X				
QeP	Trade and Convention Centres										X
Rr	Transit Stations	X	X	X	X	X	X	X	X	X	X
SsQ	Triplex Dwellings			X							
TtRr	Veterinary Clinics							X			X

SPECIAL PROVISIONS ()	
1	Buildings containing only this use are permitted.
2	Permitted only in the first storey of a a <u>building containing apartment or multiple dwellings apartment building</u> or in the first storey of an office building.
3	Permitted only in the first storey of a a <u>building containing apartment dwellings building</u> and on any floor of an office building.
4	An accessory retail store and restaurant with a drive-through service facility is permitted provided the combined net floor area for both uses does not exceed 200 square metres. If only an accessory retail store is located in the building, the maximum net floor area permitted for the retail store is 120 square metres.
5	The maximum net floor area permitted for any one premises is 10,000 square metres. The maximum net floor area permitted on a lot is 30,000 square metres.
6	The maximum net floor area for all uses subject to this Special Provision combined shall not exceed 100 square metres. In addition, such a use is permitted only in the first storey of a a <u>building containing apartment or multiple dwellings or apartment or multiple unit building, or in the first storey of a building containing duplex, triplex or fourplex dwelling units</u> . No parking spaces are required for any non-residential use.
7	The maximum net floor area permitted for one premises is 66 ,000 square metres.
8	<u>Day nurseries and places of worship are permitted in the same building.</u>
9	The establishment of a drive-through service facility is not permitted.

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**TABLE A3 - OPEN SPACE ZONES
PERMITTED USES**

ZONE		G	OS1	OS2
USE				
A	Art Galleries			X
B	Day Nurseries			X
C	Libraries			X
D	Museums			X
E	Community Centres			X
F	Parks, Public	X(1)	X(1)	X
G	Schools, Public			X

SPECIAL PROVISIONS ()

1	The only uses permitted are facilities for the control of flooding and erosion, playgrounds, pedestrian walkways, pedestrian bridges, boardwalks, docks, bicycle paths and related <i>accessory buildings and structures</i> .
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**TABLE A4 - EMPLOYMENT ZONES
PERMITTED USES**

ZONE USE		BP	BC	GI
A	Art Galleries		X	
B	Banquet Halls	X(3)	X(3)	
C	Business and Medical Offices	X	X	X
D	Commercial Fitness Centres		X	X
E	Commercial Parking Lots	X	X	X
F	Data Processing and Related Facilities	X	X	X
GE	Day Nurseries	X	X	
HG	Financial Institutions	X(1)	X	
IH	Hotels	X	X	
J	Industrial Uses	X(2)(4)	X(2)(4)	X(2)(4)(8)
KJ	Libraries		X	
K	Medical Offices	XX	X	X
L	Motels		X	
M	Municipal Parking Lots	X	X	X
N	Non-Profit Fitness Centres		X	
O	Parking Garages	X(7)	X(7)	X(7)
P	Parks, Public	X	X	
Q	Personal Service Shops	X(1)(4)	X	
R	Places of Worship		X	
S	Private Clubs		X	X
T	Public Transit System	X	X	X
TU	Recreational Establishments		X	
UV	Restaurants	X(1)	X(6)	
VW	Restaurants, Take-Out		X(6)	
WX	Retail Stores	X(1)(4)	X(5)	
XY	Schools, Commercial		X	
YZ	Trade and Convention Centres	X	X	
Aa	Transit Stations	X	X	X
BbZ	Veterinary Clinics		X	

SPECIAL PROVISIONS (L)

1	Permitted only in the <i>first storey</i> of an <i>office building</i> or at any location within a <i>building</i> containing a <i>hotel</i> and/or a trade and convention facility provided the use is <i>Accessory</i> to the <i>hotel</i> or the <i>trade and convention centre</i> use.
2	An <i>accessory retail store</i> in which goods produced and/or stored in a <i>building</i> containing an <i>industrial use</i> is permitted provided the <i>retail store</i> has a <i>net floor area</i> that does not exceed the lesser of 300 square metres or 10 percent of the <i>net floor area</i> of the <i>building</i> containing the <i>industrial use</i> .
3	Permitted only within a <i>hotel</i> or a <i>building</i> containing a trade and convention facility.
4	<i>Outdoor storage</i> and outdoor display and sales are not permitted.
5	The minimum <i>net floor area</i> required is 300 square metres and the maximum <i>net floor area</i> permitted is 6000 square metres.
6	Permitted as an <i>accessory use</i> only in an <i>office building</i> , a <i>hotel</i> , a <i>trade and convention centre</i> or a <i>building</i> containing <i>recreational establishments</i> .

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7	Any portion of a <i>parking garage</i> that is unenclosed is not permitted within 50 metres of the Highway 7, and Highway 407 and Highway 404 streetlines .
8	<i>Outdoor storage</i> shall be permitted in the General Industrial (GI) Zone subject to the following provisions: a) <i>outdoor storage</i> shall be permitted only in a <i>rear yard</i> and not closer than 9.0 metres to any <i>streetline</i> ; b) the <i>height</i> of stored materials shall not exceed 4.5 metres; c) <i>outdoor storage</i> shall be screened by opaque fencing with a minimum <i>height</i> of 2.75 metres; and, d) <i>outdoor storage</i> is not permitted within any <i>yard</i> adjoining a residential <i>zone</i> boundary.

SECTION 5 USE STANDARDS

5.1 ZONES

Standards for the following *Zones* are shown on the following *Zone* Standards tables:

ZONE	TABLE
Single detached Residential (R1) <i>Zone</i>	Table B1
Residential Two (R2) <i>Zone</i>	Table B2
Residential Two - Special (R2-S) <i>Zone</i>	Table B3
Residential Two - <i>Lane</i> Access (R2-LA) <i>Zone</i>	Table B4
Residential Three (R3) <i>Zone</i>	Table B5
Residential Four (R4) <i>Zone</i>	Table B6
Retail and Mixed-Use <i>Zones</i>	Table B7
Employment <i>Zones</i>	Table B8
Open Space <i>Zones</i>	Table B9

A number or numbers following the *Zone* standard, the *Zone* heading or the description of the standard, indicate that a special provision applies to the noted *Zone* or requirement. Special provisions are listed at the end of the table. General Provisions contained within Section 6.0 of this By-law may also apply in any of the *Zones* that are subject to the provisions of this Section of the By-law.

TABLE B1
STANDARDS FOR THE SINGLE DETACHED RESIDENTIAL (R1) ZONE

ZONE PROVISIONS		Single Detached Dwellings (6) (5)
A	Minimum <i>lot frontage</i>	(1)
B	<u>Minimum <i>lot area</i></u>	<u>Is the product of the minimum <i>lot frontage</i> multiplied by 30</u>
CB	<i>Minimum required front yard</i> <ul style="list-style-type: none"> on a <i>lot</i> accessed by a <i>lane</i> on a <i>lot</i> not accessed by a <i>lane</i> 	3.0 m (2) 4.5 m (3)
C	Maximum <i>driveway width</i> on a <i>lot</i> that is not accessed by a <i>lane</i>	50% of the <i>lot frontage</i>
DDC	Maximum <i>garage width</i> on a <i>lot</i> that is not accessed by a <i>lane</i>	50% of <i>lot frontage</i>
EED	Minimum required exterior side yard	2.4 m (3)
FEF	Minimum required interior side yard <ul style="list-style-type: none"> on a <i>lot</i> with a <i>lot frontage</i> of less than 12.0 metres on a <i>lot</i> with a <i>lot frontage</i> of 12.0 metres or greater 	1.2 m and 0.3m (3) (4) (5) 1.2 m and 0.6m (3) (4) (5)
GGE	Minimum required rear yard <ul style="list-style-type: none"> on a <i>lot</i> accessed by a <i>lane</i> on a <i>lot</i> not accessed by a <i>lane</i> 	14.8 m 7.5 m
HHG	Maximum <i>height</i>	11.0 m

SPECIAL PROVISIONS FOR THE R1 ZONE

1	The minimum <i>lot frontage</i> required in the R1 Zone is denoted by a number in metres following the letter 'F' on the schedules to the By-law.
2	No less than 25% of the wall of the first storey shall be located any further than 4.5 metres from the front lot line.
32	The wall of an attached <i>private garage</i> that contains the opening for <i>motor vehicle</i> access shall be set back a minimum of 5.8 metres from the <i>lot line</i> that the <i>driveway</i> crosses to access the <i>private garage</i> . If the <i>driveway</i> does not cross a <i>sidewalk</i> , the minimum setback for the wall of the attached <i>private garage</i> that contains the opening for <i>motor vehicle</i> access is 4.5 metres is reduced to 4.5 metres.
43	The required <i>interior side yard</i> on one side is 3.5 metres if a detached <i>private garage</i> is located in the <i>rear yard</i> and is accessed by a <i>driveway</i> that crosses the <i>front lot line</i> .
554	An opening for a door that provides access to the interior of the <i>main building</i> is not permitted in any portion of a wall facing the <i>interior side lot line</i> that is located less than 1.2 metres from the <i>interior side lot line</i> .
65	A <i>private garage</i> is not permitted to be within or attached to the <i>main building</i> , if the <i>lot</i> is accessed by a <i>lane</i> .

TABLE B2 - PART ONE
STANDARDS FOR THE RESIDENTIAL TWO (R2) ZONE - Conventional Lots

ZONE PROVISIONS		<i>Single Detached Dwellings⁽¹¹⁾</i>	<i>Semi-Detached Dwellings⁽¹¹⁾</i>	<i>Townhouse Dwellings/Buildings⁽¹¹⁾</i>	<i>Duplex Dwellings⁽¹¹⁾</i>	<i>Triplex Dwellings⁽¹¹⁾</i>	<i>Fourplex Dwellings⁽¹¹⁾</i>
A	Minimum <i>lot frontage</i> • on a <i>lot</i> accessed by a <i>lane</i>	8.0 m	6.6 m per unit on an <i>interior lot</i> and 7.8 m per unit on a <i>corner lot</i> , and if two <i>semi-detached dwellings</i> are located on a <i>corner lot</i> , the minimum <i>lot frontage</i> is 14.4 metres	5.5 m per unit on an <i>interior lot</i> , 6.7 m per end unit on an <i>interior lot</i> and 7.9 m per end unit on a <i>corner lot</i>	11.0 m	16.5 m	19.2 m
	• on a <i>lot</i> not accessed by a <i>lane</i>	9.0 m	7.5 m per unit on an <i>interior lot</i> and 8.7 m per unit on a <i>corner lot</i> and if two <i>semi-detached dwellings</i> are located on a <i>corner lot</i> , the minimum <i>lot frontage</i> is 16.2 metres	7.0 m per unit	11.0 m	16.5 m	19.2 m
B	Minimum required <i>front yard</i> • on a <i>lot</i> accessed by a <i>lane</i>	3.0 m ⁽⁴⁾	3.0 m ⁽⁴⁾	0.6 m ⁽⁶⁾	3.0 m ⁽⁴⁾	3.0 m ⁽⁴⁾	3.0 m ⁽⁴⁾
	• on a <i>lot</i> not accessed by a <i>lane</i>	4.5 m (2)(3)	4.5 m (2)(3)	4.5 m (2)(3)	4.5 m (2)(3)	4.5 m (2)(3)	4.5 m (2)(3)
C	Maximum <i>driveway width</i> on a <i>lot</i> that is not accessed by a <i>lane</i> • with a <i>lot frontage</i> of less than 11.6 metres	3.5 m	(9)	(9)	35% of <i>lot frontage</i>	35% of <i>lot frontage</i>	35% of <i>lot frontage</i>
	• with a <i>lot frontage</i> of 11.6 metres or greater	6.1 m	(9)	(9)	35% of <i>lot frontage</i>	35% of <i>lot frontage</i>	35% of <i>lot frontage</i>
D	Maximum <i>garage width</i> on a <i>lot</i> that is not accessed by a <i>lane</i> • with a <i>lot frontage</i> of less than 11.6 metres	3.5 metres for <i>lots</i> that have a <i>lot frontage</i> of 11.6 or less and 6.1 metres for all other <i>lots</i> 3.5 m	3.5 metres for <i>lots</i> that have a <i>lot frontage</i> of 9.0 metres or less and 6.1 metres for all other <i>lots</i> (7)	3.5 metres for <i>lots</i> that have a <i>lot frontage</i> of 9.0 metres or less and 6.1 metres for all other <i>lots</i> (7)	35% of <i>lot frontage</i> 35% of <i>lot frontage</i>	n/a not applicable	n/a not applicable
	• with a <i>lot frontage</i> of 11.6 metres or greater	6.1 m	(7)	(7)	35% of <i>lot frontage</i>	not applicable	not applicable
E	Minimum required exterior side yard	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)
F	Minimum required interior side yard • on a <i>lot</i> that has a <i>lot frontage</i> of less	1.2 m and 0.3 m (4)(10)	1.2 m and 0.0 m (4)(10)	0.0 m for interior unit and	1.2 m	1.2 m	1.2 m

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	than 11.6 metres • on a <i>lot</i> with a <i>lot frontage</i> of 11.6 metres or greater	1.2 m and 0.6 m (4)(10)	1.2 m and 0.0 m (4)(10)	1.2 m for end unit 0.0 m for interior unit 1.2 m for end unit	1.2 m	1.2 m	1.2 m
SE	<i>Minimum required rear yard</i> • on a <i>lot</i> accessed by a <i>lane</i>	14.8 m (8)	14.8 m (8)	14.8 m (8)	14.8 m (8)	14.8 m (8)	14.8 m(8)
	• on a <i>lot</i> not accessed by a <i>lane</i>	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m
HG	<i>Maximum height</i>	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m

TABLE B2 - PART TWO
STANDARDS FOR THE RESIDENTIAL TWO (R2) ZONE - Wide shallow lots

ZONE PROVISIONS		Single detached dwellings on wide shallow lots	Semi-detached dwellings on wide-shallow lots	Townhouse dwellings buildings on wide-shallow lots
A	Minimum lot frontage <ul style="list-style-type: none"> on a lot accessed by a lane on a lot not accessed by a lane 	not applicable 10.7 m	not applicable 8.7 m per unit on an interior lot and 9.9 m per unit on a corner lot and if two semi-detached dwellings are located on a corner lot, the minimum lot frontage is 18.6 metres	not applicable 7.5 m per unit on an interior lot, 8.7 m per end unit on an interior lot and 9.9 m per end unit on a corner lot
B	Minimum required front yard <ul style="list-style-type: none"> on a lot accessed by a lane on a lot not accessed by a lane 	not applicable 3.0 m (3)(5)	not applicable 3.0 m (3)(5)	not applicable 3.0 m (3)(5)
G	Maximum driveway width on a lot that is not accessed by a lane: <ul style="list-style-type: none"> with a lot frontage of 10.7 to 12.19 metres with a lot frontage of greater than 12.19 metres to 13.29 metres with a lot frontage of greater than 13.29 metres 	3.5 m 4.5 m 6.1 m	3.0 m 3.0 m 3.0 m	3.0 m 3.0 m 3.0 m
D	Maximum garage width on a lot that is not accessed by a lane <ul style="list-style-type: none"> with a lot frontage of 10.7 to 12.19 metres with a lot frontage of greater than 12.19 to 13.29 metres with a lot frontage of greater than 13.29 metres or more 	3.5 m 4.5 m 6.1 m	3.0 m 3.0 m 3.0 m	3.0 m 3.0 m 3.0 m
E	Minimum required exterior side yard	2.4 m (3)	2.4 m (3)	2.4 m (3)
FE	Minimum required interior side yard	1.2 m and 0.6 m (10)	1.2 m and 0.0 m (10)	0.0 m for interior unit 1.2 m for end unit
GE	Minimum required rear yard <ul style="list-style-type: none"> on a lot accessed by a lane on a lot not accessed by a lane 	not applicable 7.0 m	not applicable 7.0 m	not applicable 7.0 m
HG	Maximum height	11.0 m	11.0 m	11.0 m

SPECIAL PROVISION FOR THE R2 ZONE

1	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 4.5 metres from the front lot line. On a corner lot, the wall and/or foundation of a porch above established grade and facing the front lot line and which encroaches into the required front yard in accordance with this By-law may be included within the 25% calculation.
2	The wall of the first storey of the main building or porch facing the front lot line shall not be located more than 1.5 metres farther from the front lot line than the wall of the attached garage facing the front lot line. Notwithstanding this provision, the wall of the first storey of the main building or porch facing the front lot line shall not be located more than 3.0 metres farther from the front lot line than the wall of the attached garage facing the front lot line on lands that were zoned in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.
3	The wall of an attached private garage that contains the opening for motor vehicle access shall be set back a minimum of 5.8 metres from the lot line the driveway crosses to access the attached private garage. If the driveway does not cross a sidewalk, the minimum setback for the wall of the attached private garage that contains the opening for motor vehicle access is 4.5 metres is reduced to 4.5 metres.
4	The required interior side yard on one side is 3.5 metres, if a detached private garage is located in the rear yard and is accessed by a driveway that crosses the front lot line.
5	No part of the main wall of the first storey facing the front lot line shall be located farther than 6.95 metres from the front lot line. For the purposes of this Special Provision, the wall and/or foundation of a covered porch above established grade and facing the front lot line may be considered part of the main wall of the building <u>and no part of the one storey attached private garage shall be considered in determining the location of the main wall for the purposes of this special provision.</u> In the case of a lot where any part of the front lot line is curved, any portion of the main wall facing the front lot line may be located farther than <u>6.5</u> 6.0 metres from the front lot line, provided the portion or point of the main wall closest to the front lot line is no more than 6.59 metres from the front lot line.
6	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 5.1 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the front yard in accordance with this By-law may be included within the 25% calculation.
7	The maximum garage width on a lot that has a lot frontage of 9.0 metres or less is 3.5 metres. The maximum garage width on a lot that has a lot frontage of greater than 9.0 metres is 6.1 metres.
8	Where the rear lot line intersects the side lot lines at a geometric angle greater or less than 90 degrees, the required rear yard can be reduced to 10.0 metres provided a 14.8 metre rear yard is maintained between the mid-point of the lot and a side lot line. <u>In addition, a private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.</u>
9	The maximum driveway width on a lot that has a lot frontage of 9.0 metres or less is 3.5 metres. The maximum driveway width on a lot that has a lot frontage of greater than 9.0 metres is 6.1 metres.
10	An opening for a door that provides access to the interior of the main building is not permitted in any portion of a wall facing the interior side lot line that is located less than 1.2 metres from the interior side lot line.
11 11	A private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.

TABLE B3 - PART ONE
STANDARDS FOR THE RESIDENTIAL TWO - SPECIAL (R2-S) ZONE ~~Conventional Lots~~

ZONE PROVISIONS		Single detached Dwellings (9)	Semi-detached Dwellings (9)	Townhouse Dwellings Buildings(9)	Duplex Dwellings ses(9)	Triplex Dwellings xes(9)	Fourplex Dwellings xes(9)
A	Minimum lot frontage						
	• on a lot accessed by a lane	8.0 m	6.6 m per unit on an interior lot and 7.8 m per unit on a corner lot and if two semi-detached dwelling units are located on a corner lot, the minimum lot frontage is 14.4 metres	5.5 m per unit on an interior lot, 6.7 m per end unit on an interior lot and 7.9 m per end unit on a corner lot	11.0 m	16.5 m	19.2 m
	• on a lot not accessed by a lane	9.75 m	9.0 m per unit on an interior lot and 10.2 m per unit on a corner lot and if two semi-detached dwelling units are located on a corner lot, the minimum lot frontage is 19.2 metres	not permitted	11.0 m	16.5 m	19.2 m
B	Minimum required front yard						
	• on a lot accessed by a lane	3.0 m (4)	3.0 m (4)	0.6 m (6)	3.0 m (4)	3.0 m (4)	3.0 m (4)
	• on a lot not accessed by a lane	4.5 m (2)(3)	4.5 m (2)(3)	not permitted	4.5 m (3)	4.5 m (3)	4.5 m (3)
C	Maximum driveway width on a lot that is not accessed by a lane						
	• with a lot frontage of less than 11.6 metres	3.5 m	3.5 m	not permitted	35% of the lot frontage	35% of the lot frontage	35% of the lot frontage
	• with a lot frontage of 11.6 metres or greater	6.1 m	6.1 m	not permitted	35% of the lot frontage	35% of the lot frontage	35% of the lot frontage
D	Maximum garage width on a lot that is not accessed by a lane	3.5 metres for lots that have a lot frontage of 11.6 or less and 6.1 metres for all other lots	3.5 metres for lots that have a lot frontage of 11.6 or less and 6.1 metres for all other lots	not permitted	35% of lot frontage	n/a	n/a
	• with a lot frontage of less than 11.6 metres	3.5 m	3.5 m	not permitted	35% of lot frontage	not applicable	not applicable
	• with a lot frontage of 11.6 metres or greater	6.1 m	6.1 m	not permitted	35% of lot frontage	not applicable	not applicable
ED	Minimum required exterior side yard	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)
FE	Minimum required interior side yard						
	• on a lot that has a lot frontage of less than 11.6 metres	1.2 m and 0.3 m (4)(8)	1.2 m and 0.0 m (4)(8)	0.0 m for interior unit and 1.2 m for end unit	1.2 m	1.2 m	1.2 m

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	• on a <i>lot</i> with a <i>lot frontage</i> of 11.6 metres or greater	1.2 m and 0.6 m (4)(8)	1.2 m and 0.0 m (4)(8)	0.0 m for interior unit 1.2 m for end unit	1.2 m	1.2 m	1.2 m
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GE	Minimum required rear yard						
	<ul style="list-style-type: none"> on a <i>lot</i> accessed by a <i>lane</i> on a <i>lot</i> not accessed by a <i>lane</i> 	14.8 m (7) 7.5 m	14.8 m (7) 7.5 m	14.8 m (7) not permitted	14.8 m (7) 7.5 m	14.8 m (7) 7.5 m	14.8 m (7) 7.5 m
HC	Maximum <i>height</i>	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m

**TABLE B3 - PART TWO
STANDARDS FOR THE RESIDENTIAL TWO SPECIAL (R2-S) ZONE: Wide-Shallow Lots**

ZONE PROVISIONS		Single detached dwellings on wide shallow lots	Semi-detached Dwellings on wide-shallow lots	Townhouse <u>dwellings</u> buildings on wide-shallow lots
A	Minimum <i>lot frontage</i> <ul style="list-style-type: none"> on a <i>lot</i> accessed by a <i>lane</i> on a <i>lot</i> not accessed by a <i>lane</i> 	not applicable 10.7 m	not applicable 8.7 m per unit on an <i>interior lot</i> and 9.9 m per unit on a <i>corner lot</i> and if two <i>semi-detached dwelling units</i> are located on a <i>corner lot</i> , the minimum <i>lot frontage</i> is 18.6 metres	not applicable 7.5 m per unit on an <i>interior lot</i> , 8.7 m per end unit on an <i>interior lot</i> and 9.9 m per end unit on a <i>corner lot</i>
B	Minimum required front yard <ul style="list-style-type: none"> on a <i>lot</i> accessed by a <i>lane</i> on a <i>lot</i> not accessed by a <i>lane</i> 	not applicable 3.0 m (3)(5)	not applicable 3.0 m (3)(5)	not applicable 3.0 m (3)(5)
C	Maximum driveway width on a lot that is not accessed by a lane <ul style="list-style-type: none"> with a lot frontage of 10.7 to 12.19 metres with a lot frontage of greater than 12.19 metres to 13.29 metres with a lot frontage of greater than 13.29 metres 	3.5 m 4.5 m 6.1 m	3.0 m 3.0 m 3.0 m	3.0 m 3.0 m 3.0 m
D	Maximum <i>garage width</i> on a <i>lot</i> that is not accessed by a <i>lane</i> <ul style="list-style-type: none"> with a <i>lot frontage</i> of 10.7 to 12.19 metres with a <i>lot frontage</i> of greater than 12.19 metres to 13.29 metres with a <i>lot frontage</i> of greater than 13.29 metres 	3.5 m 4.5 m 6.1 m	3.0 m 3.0 m 3.0 m	3.0 m 3.0 m 3.0 m
ED	Minimum required exterior side yard	2.4 m (3)	2.4 m (3)	2.4 m (3)
FE	Minimum required interior side yard	1.2 m and 0.6 m (4)(8)	1.2 m and 0.0 m (4)(8)	0.0 m for interior unit and 1.2 m for an end unit
GF	Minimum required rear yard <ul style="list-style-type: none"> on a lot accessed by a lane on a lot not accessed by a lane 	not applicable 7.0 m	not applicable 7.0 m	not applicable 7.0 m
H	Maximum <i>height</i>	11.0 m	11.0 m	11.0 m

SPECIAL PROVISIONS FOR THE R2-S ZONE

1	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 4.5 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the required front yard in accordance with this By-law may be included within the 25% calculation.
2	<p>Maximum setback for the wall of the <i>main building</i> facing the <i>front lot line</i> or porch from the <i>front lot line</i>:</p> <ul style="list-style-type: none"> - On lots with a <i>lot frontage</i> of 11.6 metres or greater – 8.3 metres: - On lots with a <i>lot frontage</i> of less than 11.6 metres – 6.5 metres. <p>In the case of a lot where any part of the <i>front lot line</i> is curved, any portion of the <i>main wall</i> facing the <i>front lot line</i> may be located farther than 6.5 metres or 8.3 metres (depending on the maximum permission) from the <i>front lot line</i>, provided the portion or point of the <i>main wall</i> closest to the <i>front lot line</i> is no more than 6.5 metres or 8.3 metres (depending on the maximum permission) from the <i>front lot line</i>.</p> <p>In addition, the wall of an attached <i>private garage</i> that contains the opening for <i>motor vehicle</i> access and which faces the <i>front lot line</i> shall be located a minimum of 1.3 metres further from the <i>front lot line</i> than the wall of the <i>first storey</i> or front of the <i>porch</i> on those lots that have a <i>lot frontage</i> of less than 11.6 metres.</p>
3	The wall of an attached <i>private garage</i> that contains the opening for <i>motor vehicle</i> access shall be set back a minimum of 5.8 metres from the <i>lot line</i> that the <i>driveway</i> crosses to access the <i>private garage</i> . If the <i>driveway</i> does not cross a <i>sidewalk</i> , the minimum setback <u>is reduced to 4.5 metres.</u> for the wall of the attached private garage that contains the opening for motor vehicle access is 4.5 metres.
4	The required <i>interior side yard</i> on one side is 3.5 metres if a detached <i>private garage</i> is located in the <i>rear yard</i> and is accessed by a <i>driveway</i> that crosses the <i>front lot line</i> .
5	<p>No part of the wall of the <i>first storey</i> facing the <i>front lot line</i> shall be located farther than <u>6.0-5</u> metres from the <i>front lot line</i>. For the purposes of this special provision, the wall and/or foundation of a covered porch above established grade shall be considered part of the <i>main wall</i> of the building <u>and no part of the one storey attached private garage shall be considered in determining the location of the main wall for the purposes of this special provision.</u></p> <p>—In the case of a lot where any part of the <i>front lot line</i> is curved, any portion of the <i>main wall</i> facing the <i>front lot line</i> may be located farther than <u>6.5-6-0</u> metres from the <i>front lot line</i>, provided the portion or point of the <i>main wall</i> closest to the <i>front lot line</i> is no more than <u>6.50</u> metres from the <i>front lot line</i>.</p>
6	No less than 25% of the wall of the first storey shall be located any further than 5.1 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the required front yard in accordance with this By-law may be included within the 25% calculation.
7	Where the <i>rear lot line</i> intersects the side <i>lot lines</i> at a geometric angle greater or less than 90 degrees, the required <i>rear yard</i> can be reduced to 10.0 metres provided a 14.8 metre <i>rear yard</i> is maintained between the mid-point of the <i>lot</i> and a side <i>lot line</i> . <u>In addition, a private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.</u>
8	An opening for a door that provides access to the interior of the <i>main building</i> is not permitted in any portion of a wall facing the <i>interior side lot line</i> that is located less than 1.2 metres from the <i>interior side lot line</i> .
9	A private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.

TABLE B4
STANDARDS FOR THE RESIDENTIAL TWO - LANE ACCESS (R2-LA) ZONE

ZONE PROVISIONS		<i>Single detached Dwellings</i> (1)(6)	<i>Semi-Detached Dwellings</i> (1)(6)	<i>Duplex Dwellings</i> (1)(6)	<i>Triplex Dwellings</i> (1)(6)	<i>Fourplex Dwellings</i> (1)(6)	<i>Townhouse Dwellings/Buildings</i> (1)(6)
A	Minimum <i>lot frontage</i>	7.0 m	6.6 m per unit on an <i>interior lot</i> and 7.8 m per unit on a <i>corner lot</i> and if two <i>semi-detached dwelling units</i> are located on a <i>corner lot</i> , the minimum <i>lot frontage</i> is 14.4 metres	11.0 m	16.5 m	19.2 m	5.5 m per unit on an <i>interior lot</i> , 6.7 m for an end unit on an <i>interior lot</i> and 7.9 m for an end unit on a <i>corner lot</i>
B	Minimum required front yard	3.0 m(2)	3.0 m(2)	3.0 m(2)	3.0 m(2)	3.0 m(2)	0.6 m(3)
C	Minimum required exterior side yard	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m	2.4 m
D	Minimum required interior side yard						
	<ul style="list-style-type: none"> on a <i>lot</i> that has a <i>lot frontage</i> of less than 11.6 metres on a <i>lot</i> with a <i>lot frontage</i> of 11.6 metres or greater 	1.2 m and 0.3 m (5) 1.2 m and 0.6 m (5)	1.2 m and 0.0 m(5) 1.2 m and 0.0 m(5)	1.2 m 1.2 m	1.2 m 1.2 m	1.2 m 1.2 m	0.0 m for interior unit and 1.2 m for end unit 0.0 m for interior unit 1.2 m for end unit
E	Minimum required rear yard	14.8 m (4)	14.8 m (4)	14.8 m (4)	14.8 m (4)	14.8 m (4)	14.8 m (4)
F	Maximum height	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m	11.0 m
SPECIAL PROVISIONS FOR THE R2-LA ZONE							
1	Driveways that cross either the <i>front lot line</i> or the <i>exterior side lot line</i> to access the <i>dwelling unit</i> are not permitted.						
2	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 4.5 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the front yard in accordance with this By-law may be included within the 25% calculation.						
3	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 5.1 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the required front yard in accordance with this By-law may be included within the 25% calculation.						
4	Where the <i>rear lot line</i> intersects the <i>side lot lines</i> at a geometric angle greater or less than 90 degrees, the required <i>rear yard</i> can be reduced to 10.0 metres provided a 14.8 metre <i>rear yard</i> is maintained between the mid-point of the <i>lot</i> and a <i>side lot line</i> . In addition, a private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.						
5	An opening for a door that provides access to the interior of the <i>main building</i> is not permitted in any portion of a wall facing the <i>interior side lot line</i> that is located less than 1.2 metres from the <i>interior side lot line</i> .						
6	A private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.						

**TABLE B5
STANDARDS FOR THE RESIDENTIAL THREE (R3) ZONE**

ZONE PROVISIONS		<i>Semi-detached dwellings</i> (11)	<i>Duplex Dwellings</i> (11) 41	<i>Triplex Dwellings</i> (11) 41	<i>Fourplex Dwellings</i> (4) 41	<i>Townhouse Dwellings</i> Buildings (4) 41	<i>Multiple Dwellings-unit Buildings</i> (6)	<i>Apartment DwellingsBuildings</i> (6)
A	Minimum <i>lot frontage</i>							
	<ul style="list-style-type: none"> on a <i>lot</i> accessed by a <i>lane</i> on a <i>lot</i> not accessed by a <i>lane</i> 	6.6 m per unit on an <i>interior lot</i> and 7.8 m on a <i>corner lot</i> and if two <i>semi-detached dwellings</i> are located on a <i>corner lot</i> , the minimum <i>lot frontage</i> is 14.4 metres 9.0 m per unit on an <i>interior lot</i> and 10.2 m on a <i>corner lot</i> and if two <i>semi-detached dwellings</i> are located on a <i>corner lot</i> , the minimum <i>lot frontage</i> is 19.2 metres	11.0 m 11.0 m	16.5 m 16.5 m	19.2 m 19.2 m	5.5 m per unit on an <i>interior lot</i> , 6.7 m per end unit on an <i>interior lot</i> and 7.9 m per end unit on a <i>corner lot</i> not permitted	19.2 m 19.2 m	19.2 m 19.2 m
B	Minimum required <i>front yard</i>							
	<ul style="list-style-type: none"> on a <i>lot</i> accessed by a <i>lane</i> on a <i>lot</i> not accessed by a <i>lane</i> 	3.0 m (4) 4.5 m (2)(3)(4)	3.0 m (4) 4.5 m (3)(40)	3.0 m (4) 4.5 m (3)(40)	3.0 m (4) 4.5 m (3)(40)	0.6 m (8) not permitted	1.8 m (9) 1.8 m (3)(9)	1.8 m (9) 1.8 m (3)(9)
C	Maximum <i>driveway width</i> on a <i>lot</i> that is not accessed by a <i>lane</i>							
	<ul style="list-style-type: none"> with a <i>lot frontage</i> of less than 11.6 metres with a <i>lot frontage</i> of 11.6 metres or greater 	3.5 m 6.1 m	35% of <i>lot frontage</i> 35% of <i>lot frontage</i>	35% of <i>lot frontage</i> 35% of <i>lot frontage</i>	35% of <i>lot frontage</i> 35% of <i>lot frontage</i>	not permitted not permitted	not applicable not applicable	not applicable not applicable
DC	Maximum <i>garage width</i> on a <i>lot</i> that is not accessed by a <i>lane</i>							
	<ul style="list-style-type: none"> with a <i>lot frontage</i> of less than 11.6 metres with a <i>lot frontage</i> of 11.6 metres or greater 	3.5 metres for <i>lots</i> that have a <i>lot frontage</i> of 11.6 or less and 6.1 metres for all other <i>lots</i> 3.5 m 6.1 m	35% of <i>lot frontage</i> 35% of <i>lot frontage</i> 35% of <i>lot frontage</i>	n/a not applicable not applicable	n/a not applicable not applicable	not permitted not permitted not permitted	n/a not applicable not applicable	n/a not applicable not applicable
E	Minimum required exterior <i>side yard</i>	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)	2.4 m (3)

FE	Minimum required interior side yard							
	<ul style="list-style-type: none"> on a lot that has a lot frontage of less than 11.6 metres on a lot with a lot frontage of 11.6 metres or greater 	1.2 m and 0.0 m (5)	1.2 m	1.2 m	1.2 m	0.0 m for interior unit and 1.2 m for end unit	1.2 m	1.2 m
GE	Minimum required rear yard							
	<ul style="list-style-type: none"> on a lot accessed by a lane on a lot not accessed by a lane 	14.8 m (7)	14.8 m	14.8 m	14.8 m	14.8 m (7)	14.8 m	14.8 m
		7.5 m	7.5 m	7.5 m	7.5 m	not applicable	7.5 m	7.5 m
HG	Maximum height	12.0 m	12.0 m	12.0 m	12.0 m	12.0 m	12.0 m	12.0 m

SPECIAL PROVISIONS FOR THE R3 ZONE	
1	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 7.5 metres from the front lot line.
2	The wall of an attached private garage facing a public street shall not be located more than 2.5 metres closer to the streetline than the main wall of the first storey, or the front of the porch facing the same streetline. <u>In addition, no part of the main wall of the first storey or porch facing the front lot line shall be located farther than 8.3 metres from the front lot line.</u>
3	The wall of an attached private garage that contains the opening for a motor vehicle shall be set back a minimum of 5.8 metres from the lot line that the driveway crosses to access the attached private garage. If the driveway does not cross a sidewalk the minimum setback for the wall of the attached private garage that contains the opening for a motor vehicle is 4.5 metres.
4	No part of the main wall of the first storey or porch facing the front lot line shall be located farther than 8.3 metres from the front lot line.
5	The required interior side yard on one side is 3.5 metres if a detached private garage is located in the rear yard and is accessed by a driveway that cross the front lot line.
6	The maximum number of dwelling units per hectare shall not exceed 100.
7	Where the rear lot line intersects the side lot lines at a geometric angle greater or less than 90 degrees, the required rear yard can be reduced to 10.0 metres provided a 14.8 metre rear yard is maintained between the mid-point of the lot and a side lot line. <u>In addition, a private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.</u>
8	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 5.1 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the required front yard in accordance with this By-law may be included within the 25% calculation.
9	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 6.3 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the required front yard in accordance with this By-law may be included within the 25% calculation.

10	No less than 25% of the wall of the first storey facing the front lot line shall be located any further than 9.0 metres from the front lot line. On a corner lot, the wall and/or foundation of a covered porch above established grade and facing the front lot line and which encroaches into the required front yard in accordance with this By-law may be included within the 25% calculation.
11	A private garage is not permitted to be within or attached to the main building, if the lot is accessed by a lane.

TABLE B6
STANDARDS FOR THE RESIDENTIAL FOUR (R4) ZONE

ZONE PROVISIONS		
A	Minimum <i>lot frontage</i>	50.0 m
B	Minimum required front yard	3.0 m (+)
C	Minimum required exterior side yard	3.0 m
D	Minimum required interior side yard	6.0 m
E	Minimum required rear yard	20.0 m
F	Minimum required <i>landscaped open space</i>	25 percent
G	Maximum number of <i>dwelling units</i> per hectare	150
H	Minimum <i>height</i> of <i>main wall</i> within 6.0 metres of the <i>front lot line</i> .	11.0 m
I	Maximum <i>height</i> of <i>main wall</i> within 6.0 metres of the <i>front lot line</i> .	12.0 m
J	Maximum <i>height</i>	26.0 m

SPECIAL PROVISION FOR THE R4 ZONE

1	At least 75 percent of the portion of the wall of the main building facing the front lot line that has a height of 12.0 metres or less shall be located within 6.0 metres of the front lot line. Any portion of the wall facing the front lot line that is greater than 12.0 metres in height shall be set back a minimum of 1.0 metre from the exterior of the wall that is located within 6.0 metres of the front lot line.
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TABLE B7
STANDARDS FOR RETAIL AND MIXED-USE ZONES

ZONE														
ZONE PROVISIONS		NC1 All Building Forms (1)	NC2 All Building Forms (1)	NC3 All Building Forms	CA1 <i>Multiple Dwellings-Unit Buildings</i> <i>Townhouse Dwellings (17)</i> <i>Apartment Dwellings and Institutional and Office buildings,</i>			CA2 <i>Apartment, Multiple Dwellings and Institutional and Office buildings</i>	CA3 <i>Townhouse Dwellings (10)(17)</i> <i>Apartment and Multiple Dwellings-Unit Buildings</i>		CA4 All Building Forms	AC1 All Building Forms	AC2 All Building Forms	MJC All Building Forms
A	Minimum lot area	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	0.4 ha	not applicable	not applicable	0.385-0 ha
B	Maximum lot area	0.6 ha.	0.6 ha.	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	0.8 ha	0.8 ha	not applicable
C	Minimum lot frontage	20 m	20 m	19.2 m (16)	19.2 m	5.5 m per unit, 6.7 metres per end unit on an interior lot and 7.9 metres per unit on a corner lot	19.2 m	19.2 m	4.5 m per unit on an interior lot and 6.3 metres per unit on a corner lot	19.2 m	30.0 m	30.0 m	30.0 m	150-85.0 m
D	Minimum required front yard	1.8 m	1.8 m	1.8 m	4.5 m(2)	4.5 m(3)	1.8 m(3)	1.8 m(3)	0.6 m(12)	0.6 m	6.0 m (13)	10.0 m (8)	10.0 m (8)	6.0 m(13)
E	Maximum front yard	2.4 m	2.4 m	6.0 m	not applicable	not applicable	not applicable	not applicable	4.5 m	4.5 m	6.0 m (14)	13.0 m (9)	13.0 m (9)	10.0m (14)
F	Minimum required exterior side yard	1.8 m	1.8 m	1.8 m	2.4 m	2.4 m	1.8 m	1.8 m(4)	2.4 m	2.4 m	6.0 m (13)	3.0 m (8)	3.0 m (8)	6.0m (13)
G	Maximum exterior side yard	not applicable	not applicable	6.0 m	not applicable	not applicable	not applicable	not applicable	4.5 m	4.5 m	6.0 m (14)	10.0 m (9)	10.0 m (9)	10.0m (13)

ZONE														
ZONE PROVISIONS		NC1	NC2	NC3	CA1			CA2	CA3		CA4	AC1	AC2	MJC
		All Building Forms (1)	All Building Forms (1)	All Building Forms	Multiple <u>Dwellings-Unit Buildings</u>	Townhouse <u>Dwellings</u> and <u>Buildings</u> (17)	Apartment <u>Dwellings</u> and <u>Institutional and Office buildings</u>	Apartment, Multiple <u>Dwellings</u> and <u>Institutional and Office buildings</u>	Townhouse <u>Dwellings</u> and <u>Buildings</u> (10)(17)	Apartment and Multiple <u>Dwellings</u> and <u>Buildings</u>	All Building Forms	All Building Forms	All Building Forms	All Building Forms
H	Minimum required interior side yard	0.0 m except where the yard abuts a Residential or Open Space Zone in which case the minimum required yard is 3.0 metres	0.0 m except where the yard abuts a Residential or Open Space Zone in which case the minimum required yard is 3.0 metres	0.0 m except where the yard abuts a Residential or Open Space Zone in which case the minimum required yard is 3.0 metres	1.2 m	0.0 m for an interior unit and 1.2 m for an end unit	0.0 m(15)	0.0 m(15)	0.0 m for an interior unit and 0.6 m for an end unit	0.0 m(15)	3.0 m	12.0 m (8)	12.0 m (8)	3.0 m (15)
I	Minimum required rear yard	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	14.8 m	7.5 m	7.5 m	12.0 m (8)	12.0 m (8)	3.0 m(15)
J	Minimum width of landscaping adjacent to the front and exterior side lot lines	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	6.0 m (13)	3.0 m	3.0 m	6.0 m(13)
K	Minimum width of landscaping adjacent to the interior and rear lot lines	3.0 metres, if the interior side or rear lot line abuts a Residential or Open Space Zone	3.0 metres, if the interior side or rear lot line abuts a Residential or Open Space Zone	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	3.0 metres, if the interior side or rear lot line abuts a Residential or Open Space Zone	6.0 m (11)	6.0 m (11)	3.0m
L	Maximum lot coverage	40%	40%	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable
M	Minimum landscaped open space	20%	20%	not applicable	25%	not applicable	25%	25%	not applicable	25%	not applicable	30%	30%	20%
N	Maximum Floor space index (FSI)	not applicable	not applicable	not applicable	1.0	1.0	1.0 (5)(6)	1.0 (6)(7)	not applicable	not applicable	not applicable	not applicable	not applicable	not applicable
O	Minimum	not	not	not	10.5 m	not applicable	10.5 m	10.5 m	7.6 m	7.6 m	not applicable	not applicable	not	6.0m

ZONE														
ZONE PROVISIONS		NC1	NC2	NC3	CA1			CA2	CA3		CA4	AC1	AC2	MJC
		All Building Forms (1)	All Building Forms (1)	All Building Forms	Multiple <u>Dwellings-Unit Buildings</u>	Townhouse <u>Dwellings</u> (17)	Apartment <u>Dwellings and Institutional and Office buildings,</u>	Apartment, Multiple <u>Dwellings and Institutional and Office buildings</u>	Townhouse <u>Dwellings</u> (10)(17)	Apartment and Multiple <u>Dwellings-Unit Buildings</u>	All Building Forms	All Building Forms	All Building Forms	All Building Forms
	height	applicable	applicable	applicable									applicable	
P	Maximum height	12.0m	12.0m	12.0 m	20.0m	12.0m	20.0 m	26.0 m	12.0 m	12.0 m	12.0 m	5.7 m	5.7 m	14.0m

SPECIAL PROVISIONS FOR RETAIL AND MIXED-USE ZONES	
1	The maximum <i>net floor area</i> for any non-residential use shall be 300 square metres.
2	No less than 70% of the wall of the <i>first storey</i> facing the <i>front lot line</i> shall be located any further than 6.0 metres from the <i>front lot line</i> .
3	No less than 80% of the wall of the <i>first storey</i> facing the <i>front lot line</i> shall be located any further than 6.0 metres from the <i>front lot line</i> .
4	No less than 80% of the wall of the <i>first storey</i> facing the <i>exterior side lot line</i> shall be located any further than 3.0 metres from the <i>exterior side lot line</i> .
5	If at least 15 percent of the <i>gross floor area</i> above <i>established grade</i> of a <u>building containing apartment dwellings</u> a apartment building is used for permitted non-residential uses and these non-residential uses are located in the <i>first storey</i> , the maximum FSI is 1.75, provided the maximum number of <i>dwelling units</i> per hectare on the <i>lot</i> does not exceed 75.
6	If at least 15 percent of the <i>gross floor area</i> above <i>established grade</i> of an <i>office building</i> is used for non-residential uses other than <i>business offices</i> and these other uses are located in the <i>first storey</i> , the maximum FSI is 1.75.
7	If at least 15 percent of the <i>gross floor area</i> above <i>established grade</i> of a <u>building containing apartment dwellings</u> a apartment building is used for permitted non-residential uses and these non-residential uses are located in the <i>first storey</i> , the maximum FSI is 1.75, provided the maximum number of <i>dwelling units</i> per hectare on the <i>lot</i> does not exceed 150.
8	This <i>yard</i> provision applies to the <i>main walls</i> of <i>buildings</i> enclosing interior <i>floor area</i> as well as related <i>structures</i> , including overhead canopies, excepting that no <i>building</i> or part of any <i>building</i> used for the purposes of a <i>car wash</i> shall be located any closer than 20 metres from the <i>front lot line</i> or the <i>exterior side lot line</i> and 20 metres from the <i>Zone</i> boundary of a Residential <i>Zone</i> .
9	This <i>yard</i> provision applies to the <i>main walls</i> of <i>buildings</i> enclosing interior <i>floor area</i> excepting any <i>building</i> or part of a <i>building</i> used for the purposes of a <i>car wash</i> or a <i>motor vehicle service station</i> .
10	<i>Driveways</i> accessing a <i>townhouse dwelling unit</i> are not permitted to cross the <i>front lot line</i> or the <i>exterior side lot line</i> .
11	The minimum required width of <i>landscaping</i> adjoining a <i>rear</i> or <i>interior side lot line</i> may be reduced to 3.0 metres where the <i>rear</i> or <i>interior side lot line</i> adjoins a public walkway owned and maintained by the <i>Corporation</i> .
12	No less than 25% of the wall of the <i>first storey</i> facing the <i>front lot line</i> shall be located any further than 5.1 metres from the <i>front lot line</i> .
13	Notwithstanding this provision, any part of the <i>main wall</i> may encroach to the <i>lot line</i> a distance of no more than 3.0 metres.
14	This provision shall only apply to <i>buildings</i> which have a <i>gross floor area</i> of 464 square metres or less.
15	The <i>required yard</i> shall be increased to 6.0 metres if it abuts a Residential <i>zone</i> boundary.
16	The minimum <i>lot frontage</i> for <i>duplexes</i> is 11.0 m and 16.5 m for <i>triplexes</i> .
17	A <i>private garage</i> is not permitted to be within or attached to the <i>main building</i> , if the <i>lot</i> is accessed by a <i>lane</i> .

**TABLE B8
STANDARDS FOR EMPLOYMENT ZONES**

ZONES				
ZONE PROVISIONS		BP	BC	GI
A	Minimum <i>lot area</i>	0.8 ha.	0.4 ha.	0.4 ha.
B	Minimum <i>lot frontage</i>	60.0 m	60.0 m	60.0 m
C	Minimum required <i>front yard</i>	6.0 m (1)	6.0 m (1)	6.0 m (1)
D	Maximum <i>front yard</i>	not applicable	19.0 m (4)	not applicable
E	Maximum depth of <i>parking area</i> in <i>front yard</i>	12.0 m (2)(3)	12.0 m (2)(3)	not applicable
F	Minimum required <i>exterior side yard</i>	3.0 m	3.0 m	6.0 m
G	Maximum depth of <i>parking area</i> in <i>exterior side yard</i>	12.0 m (2)(3)(4)	12.0 m (2)(3)	not applicable
H	Minimum required <i>interior side yard</i>	3.0 m	3.0 m	6.0 m
I	Minimum required <i>rear yard</i>	3.0 m	7.5 m (5)	9.0 m
J	Minimum required width of <i>landscaping</i> adjacent to <i>front lot line</i>	6.0 m (1)	6.0 m (1)	6.0 m (5)
K	Minimum required width of <i>landscaping</i> adjacent to any <i>lot line</i> other than the <i>front lot line</i>	3.0 m	3.0 m	3.0 m
L	Maximum <i>floor space index (FSI)</i>	1.75 (6)	1.00 (6)	0.60 (6)
M	Minimum <i>height</i>	6.0 m	6.0 m	not applicable
N	Maximum <i>height</i>	46.0 m	46.0 m	14.0 m
SPECIAL PROVISIONS FOR EMPLOYMENT ZONES (↔)				
1	Notwithstanding this provision, any part of the <i>main wall</i> may encroach into the required <i>front yard</i> a distance of no more than 3.0 metres.			
2	For the purposes of this provision, the <i>parking area</i> is deemed to contain an aisle having a maximum width of 6.0 metres and <i>parking spaces</i> having a maximum length of 6.0 metres.			
3	Does not include that portion of a <i>driveway</i> that provides access to <i>parking areas</i> .			
4	This provision shall only apply to 75 percent of the <i>main wall</i> facing the <i>front lot line</i> .			
5	The required <i>yard</i> is 3.0 metres adjacent to that portion of the <i>rear lot line</i> that serves as a <i>rear lot line</i> for an abutting <i>lot</i> that is within the Business Corridor (BC) or Business Park (BP) Zones			
6	All floors of a <i>parking garage</i> are exempt from the <i>Floor Space Index (FSI)</i> calculation.			

TABLE B9
STANDARDS FOR OPEN SPACE ZONES

ZONE				
ZONE PROVISIONS		G	OS1	OS2
A	<i>Minimum required front yard</i>	not applicable	not applicable	4.5 m
B	<i>Minimum required exterior side yard</i>	not applicable	not applicable	4.5 m
C	<i>Minimum required interior side yard</i>	not applicable	not applicable	7.5 m
D	<i>Minimum required rear yard</i>	not applicable	not applicable	7.5 m
E	<i>Maximum height</i>	not applicable	not applicable	15.0 m

SECTION 6 GENERAL PROVISIONS

6.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

Where this By-law provides that land may be used for a *building* or *structure* may be *erected* or used for a purpose, that purpose may include any *accessory buildings*, *accessory structures* or *accessory uses* located on the same *lot* as the primary use to which they are related.

6.1.1 Uses permitted in accessory buildings and *structures*

No *accessory building* or *accessory structure* shall be used for human habitation or an occupation for gain or profit, except if specifically permitted by this By-law.

6.1.2 Easements

No *accessory building* or part thereof shall be located within an *easement* that is in favour of a *public authority*.

X BARRIER FREE ACCESS

Nothing in this By-law shall prevent the location of a barrier-free entrance that conforms to the requirements of Section 3.8 (Barrier Free Design) of the Ontario Building Code (Ontario Regulation 350/06) or its successor. In addition, nothing shall prevent the location of barrier free entrances in a *private garage*, provided the required number of *parking spaces* can still be provided.

6.2 DECKS AND PORCHES

6.2.1 Decks

Decks are permitted on a *lot* used for residential purposes in accordance with the following regulations:

- a) *Decks* that have a *height* of between 0.6 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* and the stairs used to access the deck from the ground areis located no closer to the *interior side lot line* than the *interior side yard* requirement for the *main building*;
 - iii) the *deck* and the stairs used to access the deck from the ground areis located no closer to the *exterior side lot line* than the *main building*; and,
 - iv) the floor of the *deck* is not higher than the floor level of the ground-floor first storey of the *main building* on the *lot*.
 - v) 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 3.0 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* and the stairs used to access the deck from the ground areis located no closer to the *exterior side* and *interior side lot line* than the *main building*; and,
 - iii) the floor of the *deck* is not higher than the floor level of the ground-floor first storey of the *main building*.

Notwithstanding the above provisions, stairs used to access a *deck* shall not be subject to the setback requirements of this Section.

6.2.2 Size of Porches

The following provisions apply to *porches* that are located in the *front* and/or *exterior side yards*:

- a) The floor of any *porch* that is located between a *main wall* of a *building* and a *streetline* shall extend at least 1.5 metres towards the *streetline* from the *main wall* that abuts the *porch*. Windows, stairs, columns, piers and/or railings associated with the *porch* are permitted to encroach within this area.
- b) Notwithstanding Section 6.2.2 a), a portion of the *porch* is not required to extend 1.5 metres towards the *streetline* provided it extends no more than 0.8 metres along the *main wall*.
- c) Sections 6.2.2 a) and b) do not apply to lands *zoned* in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.

6.3 DETACHED PRIVATE GARAGES

6.3.1 Detached Private Garages on lots accessed by lanes

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

6.3.1.1 Permitted locations and setbacks from *lot* lines

- a) Detached *private garages* are permitted in a *rear yard* and *interior side yard* only, and shall be located:
 - i) a minimum distance of 0.6 metres from the *rear lot line*;
 - ii) a minimum distance equal to the *exterior side yard* requirement for the *main building* from the *exterior side lot line*; and,
 - iii) a minimum of 1.2 metres from the *interior side lot line*. Notwithstanding this provision, the setback may be reduced to 0.5 metres if there are no doors or windows on the wall facing the *interior side lot line*.
- b) Notwithstanding Section 6.3.1.1 a) iii), a detached

private garage may share a common wall with one other detached *private garage* on an abutting *lot* and no setback from the *interior side lot line* is required on that side of the *lot*.

- c) The setbacks in this section apply to the *first storey* and any *storey* above the *first storey* of a detached *private garage*.
- d) Notwithstanding Section 6.3.1.1 a) iii), the setback from the *interior side lot line* may be reduced to 0.3 metres on lands that were *zoned* in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.

6.3.1.2 — Maximum setback from rear lot line

- ~~a) Detached *private garages* and any *storey* above the *first storey* of a detached *private garage* on *lots* that have a *rear lot line* length of 6.75 metres or greater shall be located a maximum of 1.2 metres from the *rear lot line*.~~
- ~~b) Notwithstanding Section 6.3.1.2 a), if both *side lot lines* do not intersect with the *rear lot line* at a 90 degree angle, no less than 50% of the wall facing the *rear lot line* shall be located further than 1.75 metres from the *rear lot line*.~~
- ~~c) Sections 6.3.1.2 a) and b) do not apply to lands *zoned* in accordance with By law 177-96 prior to the effective date of By-law 2005-05.~~

6.3.1.23 Setback from main building

~~DAI~~ detached *private garages* and any *storey* above the *first storey* of a detached *private garage* shall be set back a minimum of 6.0 metres from the *main building* on the *lot*.

6.3.1.34 Parking of motor vehicles in the setback area

The parking of *motor vehicles* is not permitted in the setback area required by Section 6.3.1.23 between a detached *private garage* and the *main building* on a *lot* that is accessed by a *lane*, unless the *motor vehicle* is parked on a *parking pad* in

accordance with Section 6.17.

~~6.3.1.5 Encroachment of eaves, roof overhangs and gutters in setback areas~~

~~Eaves and roof overhangs may encroach into any setback area required by Sections 6.3.1.1, 6.3.1.2 and 6.3.1.3 a distance of no more than 0.45 metres. There is no restriction on the location of gutters.~~

6.3.1.5 Encroachment of chimney breasts, eaves, gutters and roof overhangs in setback areas

Chimney breasts, eaves and roof overhangs may encroach into any setback area required by Sections 6.3.1.1, 6.3.1.2 and 6.3.1.3 a distance of no more than 0.45 metres. There are no restrictions on the location of gutters.

6.3.1.6 Encroachment of unenclosed stairs and landings in setback areas

Unenclosed stairs and landings that access the *first storey* or any *storey* above the *first storey* of a detached *private garage* may encroach:

- a) a distance of 0.6 metres into the setback area required by Section 6.3.1.3; and,
- b) to within 0.15 metres of the *rear lot line*, provided the detached *private garage* is located on a *lot* that has a *rear lot line* length of 6.75 metres or greater.

6.3.1.7 Maximum height

The maximum permitted *height* of any detached *private garage* on a *lot* having a frontage of 9.75 metres or greater is 8.0 metres. If the *lot* has a frontage of less than 9.75 metres~~9.75 metres or less~~, the maximum permitted *height* of any detached *private garage* is 4.5 metres.

6.3.1.8 Maximum permitted lot coverage

- a) The *lot coverage* of a detached *private garage* on the *lot* shall not exceed 15 percent if the *lot* has a *lot frontage* of 9.75 metres or greater.
- b) If the *lot frontage* is less than 9.75 metres, the maximum permitted *lot coverage* shall not exceed 18 percent.
- c) The *floor area* of a staircase and/or landing used to access the detached *private garage* or any *storey* above the first storey of a detached *private garage* shall be excluded from the *lot coverage* calculation.

6.3.1.9 Decks in setback area

- a) *Decks* that have a *height* of less than 1.0 metre above the lowest ground surface at all points around the perimeter of the platform are permitted in the setback area set out in Section 6.3.1.3, provided it complies with Section 6.2.1 a) of this By-law.
- b) *Decks* that have a *height* of 1.0 metre or greater 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 1.5 metres in the setback area required by Section 6.3.1.3 provided it complies with Section 6.2.1 b) ii) and iii) of this By-law.

6.3.1.10 Enclosed, unenclosed and roofed walkways

Enclosed, unenclosed and roofed walkways are permitted on a *lot* with a detached *private garage* subject to the provisions of this Section.

6.3.1.10.1 Size of enclosed, unenclosed and roofed walkways

Enclosed, unenclosed and roofed walkways shall be no wider than 2.75 metres with the width being measured from the exterior faces of the exterior walls. In addition, the *height* of *enclosed, unenclosed and roofed walkways* shall not exceed

2.5 metres.

6.3.1.10.2 Permitted locations for enclosed, unenclosed and roofed walkways

- a) *Enclosed, unenclosed and roofed walkways* are permitted in:
 - i) the required *rear yard*; and,
 - ii) in the area between a detached *private garage* and the *main building* on a *lot*.
- b) If the *enclosed, unenclosed and roofed walkway* is located on a *corner lot*, no portion of the enclosed, unenclosed or roofed walkway shall be located further than 3.5 metres from the *exterior side lot line*, and shall not be located any closer to the *exterior side lot line* than a minimum distance equal to the *exterior side yard* requirement for the *main building* from the *exterior side lot line*;
- c) If the *enclosed, unenclosed and roofed walkway* is located on an *interior lot*, it shall be set back a minimum of 0.5 metres from the *interior side lot line*. Notwithstanding this provision, an *enclosed, unenclosed and roofed walkway* may share a common wall with another *enclosed, unenclosed and roofed walkway* on an abutting *lot* and no setback from the *interior side lot line* is required on that side of the *lot*.

6.3.1.10.3 Exemption from other requirements

Notwithstanding any other provision in this By-law, no part of an *enclosed, unenclosed and roofed walkway* is:

- a) deemed to be part of the *main building*

on the *lot*; or,

- b) included in the calculation of the maximum *lot coverage* permitted for a detached *private garage* in Section 6.3.1.8.

6.3.1.11 Easements

Detached *private garages* are not permitted in an *easement* that is in favour of a *public authority*.

6.3.2 Detached private garages on lots not accessed by lanes

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

6.3.2.1 Permitted Locations and Setbacks from Lot Lines

- a) Detached *private garages* are permitted in a *rear yard* and *interior side yard* only, and shall be located:
 - i) a minimum of 1.2 metres from the *rear lot line*. Notwithstanding this provision, the setback may be reduced to 0.5 metres if there are no doors or windows on the wall facing the *rear lot line*.
 - ii) no closer to the *exterior side lot line* than the minimum distance equal to *exterior side yard* requirement for the *main building* from the *exterior side lot line*; and,
 - iii) a minimum of 1.2 metres from the *interior side lot line*. Notwithstanding this provision, the setback may be reduced to 0.5 metres if there are no doors or windows on the wall facing the *interior side lot line*.
- b) Notwithstanding Section 6.3.2.1 a) i), a detached *private garage* may share a common wall with another

detached *private garage* on an abutting *lot* and no setback from the *rear lot line* is required.

- c) Notwithstanding Section 6.3.2.1 a) iii), a detached *private garage* may share a common wall with one other detached *private garage* on an abutting *lot* and no setback from the *interior side lot line* is required on that side of the *lot*.
- d) The setbacks in this section apply to the *first storey* and any *storey* above the *first storey* of a detached *private garage*.
- e) Notwithstanding the provisions of this section, in no case shall the wall of a *private detached garage* containing the opening for *motor vehicle* access be located closer than 5.8 metres to the front or *exterior side lot line* that is crossed by the *driveway* that accesses the *private detached garage*.
- f) Notwithstanding Sections 6.3.2.1 a) i) and iii), the setback from the *interior side lot line* may be reduced to 0.3 metres on lands that were zoned in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.
- g) Notwithstanding the above, detached private garages are not permitted within an easement that is in favour of a public authority.

6.3.2.2 Encroachment of eaves, roof overhangs and gutters into setback areas

~~Eaves and roof overhangs may encroach into any setback area required by Section 6.3.2.1 a distance of no more than 0.45 metres. There is no restriction on the location of gutters.~~

6.3.2.2 Encroachment of chimney breasts, eaves, gutters and roof overhangs in setback areas.

Chimney breasts, eaves and roof overhangs may encroach into any setback area required by Section 6.3.2.1 a distance of no more than 0.45 metres. There are no restrictions on the location of gutters.

6.3.2.3 Maximum permitted lot coverage

The *lot coverage* of a detached *private garage* on the *lot* shall not exceed 15 percent. The *floor area* of a staircase and/or landing used to access the detached *private garage* or any *storey* above [the first storey of](#) a detached *private garage* shall be excluded from the *lot coverage* calculation.

6.3.2.4 Maximum height

The maximum permitted *height* of any detached *private garage* on a *lot* is 4.5 metres. Notwithstanding this provision, the maximum permitted *height* may be increased to 8.0 metres if the *rear lot line* abuts a *public street* from which no *motor vehicle* access to the *lot* exists and provided the entire rear wall of the detached *private garage* is located between 1.2 metres and 3.0 metres from the *rear lot line*.

6.4 OTHER DETACHED ACCESSORY BUILDINGS

Other detached *accessory buildings* that are not otherwise dealt with in Section 6.3 are permitted in the *rear yard*, provided they are located no closer:

- a) to the *exterior side lot line* than the minimum distance equal to the *exterior side yard* requirement for the *main building* from the *exterior side lot line*; and,
- b) than 1.2 metres from the *interior* [side](#) or *rear lot line*. Notwithstanding this provision, the setback may be reduced to 0.5 metres if there are no doors or windows in the wall facing the *interior* [side](#) or *rear lot line*.

In addition to the above, the maximum *height* of other detached *accessory buildings* is 4.5 metres and the maximum permitted *floor area* [for each](#) is 10 square metres. This Section does not apply to a detached *private garage* or to any floor above [the first storey of](#) a detached *private garage*.

6.5 DWELLING UNITS

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

6.6 ENCROACHMENTS IN REQUIRED YARDS

6.6.1 Encroachment of architectural features and balconies

- a) Architectural features such as sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs, ~~window bays~~ and balconies may encroach:
 - i) into the *required front yard* a distance of no more than 3.5 metres, but in no case shall the architectural feature or ~~b~~Balcony be located closer than 1.0 metre to the *front lot line*;
 - ii) into the *required rear yard* a distance of no more than 2.0 metres;
 - iii) into the *required exterior side yard* a distance of no more than 50 percent of the *required exterior side yard* for the *main building* on the *lot*; and,
 - iii) into the *required interior side yard* a distance of no more than 50 percent of the *required interior side yard* for the *main building* on the *lot*.
- b) There is no restriction on the location of gutters.
- c) ~~Window bays are permitted to encroach~~ If a window bay encroaches into a required *interior side* or *rear yard* in accordance with Section 6.6.1 a), provided it ~~it shall be is~~ cantilevered over *grade* and extends no more than 1.0 metre into the required *yard* and be no more than 3.0 metres wide.

Notwithstanding this provision, window bays are not required to be cantilevered on lands that were zoned in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.

- d) ~~Window bays are~~A portion of the main wall containing windows is permitted to encroach into ~~if a window bay encroaches into~~ the *required front* or *exterior side yard* a distance of 1.0 metre, provided it is no more than 3.0 metres wide. ~~The maximum permitted encroachment in accordance with Section 6.6.1 a), the window bay is not required to be cantilevered and it can encroach into such yard a distance of~~

~~1.0 metre, provided it is no more than 3.0 metres wide. The width of the window bay main wall encroachment can be increased to 4.0 metres if a porch does not abut the main wall of the dwelling unit. A window bay that encroaches into a required yard in accordance with this sub-section is not required to be cantilevered.~~

Notwithstanding this provision, there is no maximum width requirement for window bays on lands that were zoned in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.

- e) Notwithstanding any of the above provisions, any of the features identified in this Section are permitted to encroach into the required *front yard* to the *front lot line* and into the *required exterior side yard* to the *exterior side lot line* if they are associated with an *apartment*, office or *institutional building* in any Community Amenity (CA) Zone.

6.6.2 Encroachment of porches and underground cellars

6.6.2.1 Porches

- a) ~~Porches that extend a minimum of 1.5 metres from the main wall towards the streetline having a maximum height of 3.0 metres, with the height being measured from the floor of the porch to the underside of the rafters or ceiling of 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 ~~is~~ does not extend more than 1.5 metres into the ~~located within the~~ setback area required by Section 6.3.1.23;
 - 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) Notwithstanding Section 6.6.2.1 a), *porches* may have a maximum *height* of 4.5 metres, with the *height* being measured from the *established grade* to the underside of the rafters or ceiling of the *porch* on lands that were zoned in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.
- c) Notwithstanding Section 6.6.2.1 a) ii), *porches* and the stairs that are used to provide access to the *porch* from the ground are permitted to encroach into the setback area required by Section 6.3.1.3 by no more than 3.0 metres on lands that were zoned in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.
- d) Stairs that are used to provide access to a *porch* from the ground are not permitted to be located closer than 0.6 metres from the *front lot line* or *exterior side lot line*.
- e) In addition to a *porch*, an underground cold cellar may also encroach into any *required yard*, provided the underground cold cellar is located entirely underneath the *porch*.
- f) Eaves associated with a *porch* are permitted to encroach an additional 0.45 metres beyond what is permitted by this Section into any *required yard*. There is no restriction on the location of gutters.

6.6.3 Encroachment of stairs and landings used to access a main building

- a) Stairs and landings that access any part of the *main building* on the *lot*, and which are not associated with a *deck* or *porch*, may encroach:
 - ia) into the *required rear yard* a distance of no more than 2.0 metres provided it does not extend more than 1.5

metres into the setback area required by Section 6.3.1.2; and,

- ii)b) into the *required front and exterior side yards* provided that no part of the stairs or landing are located closer than 0.6 metres from the front and exterior side lot lines.
~~a distance of no more than 50 percent of the required exterior side yard for the main building on the lot; and,~~
- e) ~~into the required front yard a distance of no more than 3.0 metres, but in no case shall the stairs or landing be located closer than 1.5 metres to the front lot line.~~
- b) Stairs and landings are not permitted to encroach into the required interior side yard.
- c) Notwithstanding any of the above provisions, stairs and/or landings used to access a *main building* in the Neighbourhood Commercial (NC) Zone, and an *apartment*, office or *institutional building* in any Community Amenity (CA) Zone are permitted to encroach into the *required front yard* to the *front lot line* and into the *required exterior side yard* to the *exterior side lot line*.

6.7 FRONTAGE ON A PUBLIC STREET

Unless otherwise specified by this By-law, no person shall *erect* any *building* or *structure* and no person shall use any *building* or *structure*, *lot* or *parcel* unless the *lot* or *parcel* to be so used, or upon which the *building* is situated or *erected* or proposed to be *erected*, abuts or fronts on a street which is assumed by a *public authority* for maintenance purposes or is being constructed pursuant to a Subdivision Agreement with a *public authority*. For the purposes of this By-law, the *front lot line* of a *lot* separated from a *public street* by a *reserve* or a Block of land owned by a *public authority* and which is used for *landscaped open space* shall be deemed to abut such a *public street*.

A *lot* with a *front lot line* separated from a *public street* by lands in an Open Space One (OS1) Zone or Greenway (G) Zone is deemed to abut the *public street*, provided the *lot* is accessed by a *lane*.

6.8 HOME OCCUPATIONS

6.8.1 Conditions

Where a *home occupation* is permitted in a Zone, the *home occupation*:

- 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 occupy more than 25 percent of the *gross floor area* of the *dwelling unit* and any associated *accessory buildings* on the same *lot*;
- e) may be carried out in an *accessory building* if the *accessory building* complies with the required yards setbacks for the accessory building the main building on the *lot*;
- f) shall not create noise, vibration, fumes, odour, dust, glare or radiation which is evident outside the *dwelling unit*;
- g) shall not employ more than one employee, in addition to members of the household;
- h) shall not involve the *outdoor storage* or outdoor display of materials or finished products;
- i) shall not consist of an occupation that involves the sale of a commodity not produced on the *premises*, except that telephone or mail order sales of goods is permitted;
- j) if involving instructional activity, shall not be occupied by more than four students at any one time for such an activity; and,
- k) 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.

6.8.2 Prohibited Home Occupations

Notwithstanding the above, the following uses are not *home occupations* for the purposes of this By-law:

- a) any use involving the storage, repair, maintenance and/or towing of *motor vehicles* or other machinery or equipment;
- b) *medical offices*, except as set out in Section 6.8.3;
- c) any use involving the treatment, care and/or grooming of any animal, including a kennel or a day-kennel;
- d) any use involving the sale of prepared food for human consumption;
- e) dating bureaus/escort services;
- f) contractors' yards;
- g) taxi service depot/dispatch; and,
- h) *retail stores*.

6.8.3 Special Provision for Medical Offices

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, a major or minor arterial road or a major collector road as shown on the Schedules to the Town of Markham Official Plan.

6.8.4 Special Parking Provision

No *parking spaces* for the *home occupation* shall be located in the *front yard*.

6.9 LOADING SPACE REQUIREMENTS

6.9.1 Number of loading spaces required

Loading spaces shall be provided for all non-residential uses in accordance with the standards below:

- a) If the use, or a combination of uses, has a *net floor area* of less than 300 square metres, no *loading spaces* are required.

- b) If the use, or a combination of uses, has a *net floor area* of between 300 and 1,860 square metres, one *loading space* is required.
- c) If the use, or a combination of uses, has a *net floor area* greater than 1,860 square metres, a minimum of two *loading spaces* are required.
- d) Notwithstanding Section 6.9.1, day nurseries, places of worship and public and private schools are not required to provide loading spaces.

6.9.2 Permitted location for loading spaces

Loading spaces shall be located only in an *interior side yard* or *rear yard* and on the same *lot* as the use, or combination of uses, requiring the *loading spaces*.

6.9.3 Size of loading spaces

Each *loading space* shall be a minimum of 102.0 metres long, 3.5 metres wide and have a vertical clearance of at least 4.2 metres.

6.10 MULTIPLE USES ON ONE LOT

Where any *building, structure* or land is used for more than one purpose as provided in Section 4.0 of this By-law, the said *building, structure* or land shall comply with the provisions of this By-law relating to each *use*. In the case of a conflict, the more stringent provision shall apply.

6.11 MULTIPLE ZONES ON ONE LOT

Where a *lot* is divided into more than one *Zone*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *Zone*.

6.12 NON-COMPLYING BUILDINGS AND STRUCTURES

6.12.1 Enlargement, Repair or Renovation

A non-complying *building* or *structure* that does not comply with this By-law, but which was legally *erected*/altered in accordance with the by-laws in force at the time of construction and/or *alteration* may be enlarged, repaired or renovated provided that the enlargement, repair or renovation:

- a) does not further increase a situation of non-compliance;
- b) complies with all other applicable provisions of this By-law; and,
- c) does not increase the amount of *floor area* in a required *yard*.

6.12.2 Non-Compliance as a Result of Land Acquisition

Notwithstanding any other provision of this By-law, where, as a result of an acquisition of land by a *public authority*, such acquisition results in a contravention of this By-law relating to minimum *yards* and/or setbacks, *lot coverage*, maximum permitted *gross floor area* or maximum *gross leasable floor area* or maximum *Floor Space Index (FSI)* then the lands so acquired shall be deemed to continue to form part of the *lot* upon which the *building* or *buildings* are located in determining compliance with this By-law.

6.12.3 Non-complying Buildings in the R2 Zone

Notwithstanding any other provision of this By-law, *buildings* legally *erected* in accordance with the R2 provisions as they existed on the date By-law 2005-05 was passed are considered to be legal complying *buildings*.

6.13 NON-COMPLYING LOTS

6.13.1 Non-complying lots

A *lot* in existence prior to the effective date of this By-law that does not meet the *lot area* and/or *lot frontage* requirements of the applicable *Zone*, may be used and *buildings* thereon 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.

6.13.2 Non-compliance as a result of expropriation

Notwithstanding any other provision of this By-law, where, as a result of the acquisition of part of a *lot* by a *public authority*, the *lot*, after the acquisition, is a non-complying *lot*, such non-complying *lot* may be used for any purpose permitted by this By-law within the *Zone* in which the *lot* is located.

6.14 NON-CONFORMING USES

No lands shall be used and no *building* or *structure* shall be used except in conformity with the provisions of this By-law unless such use existed before the date of passing this By-law and provided that it has continued and continues to be used for such purpose, and that such use, when *established*, was not contrary to any By-law in force at that time.

6.15 OBNOXIOUS LAND USES

Obnoxious uses are not permitted in any *zone*.

6.16 PARKING GARAGE REGULATIONS

Parking garages are permitted as a principle use in any *Zone* where such a use is permitted and as an *accessory use* in any *Zone*, subject to the provisions below:

ZONE PROVISIONS		
A	Minimum required front yard	20.0 m
B	Minimum required exterior side yard	20.0 m
C	Minimum required interior side yard	15.0 m
D	Minimum required rear side yard - if interior side lot line also serves as a residential Zone boundary	6.0 m 12.0 m
E	Minimum required rear yard - if rear lot line also serves as a residential Zone boundary	6.0 m 12.0 m
F	Maximum height - maximum height within 20.0 metres of a residential Zone boundary	20.0 m 8.0 m

In addition, *parking garages* shall be exempt from any *FSI* controls in this By-law. The minimum required *front yard* or *exterior side yard* may be reduced to the *minimum required front yard* or *exterior side yard* for the applicable zone, provided that the portion of the first *storey* that is within 20 metres of the *streetline* is used for residential, retail or service uses in accordance with this By-law.

6.17 PARKING PADS

- a) Notwithstanding the provisions of By-law 28-97, 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 at least one *parking space* is located within a detached *private garage* and provided the *parking pad* is located:
 - i) no closer than the minimum distance equal to the *exterior side*

yard requirement for the *main building* from the *exterior side lot line*; ~~and,~~

ii) no further than 7.2 metres from the *rear lot line*; ~~and,~~

iii) does not encroach into the setback area required by Section 6.3.1.2 of this By-law.-

- b) Notwithstanding the above, *parking pads* on *lots* accessed from a *lane* are permitted, in conjunction with a *private garage*, attached to or located within a *main building*, wherever such a *private garage* is expressly permitted by this By-law, provided the *parking pad(s)* is located no further than 7.2 metres from the *rear lot line*. In addition, no setback to a *parking pad* from an *exterior side lot line* is required on lands that were *zoned* in accordance with By-law 177-96 prior to the effective date of By-law 2005-05.

6.18 PARKING STANDARDS

6.18.1 Town-wide Parking Standards

Town-wide parking standards are contained within Town of Markham Parking Standards By-law 28-97.

6.18.2 Parking spaces on Residential Lots that are Accessed by a Driveway that does not Cross a Sidewalk

Notwithstanding any other provision of this By-law or By-law 28-97, where the minimum setback for the wall of an attached *private garage* that is facing the street is less than 5.8 metres, the required *parking space(s)* on the *driveway* are deemed to fulfil the requirements of this By-law and By-law 28-97.

6.19 PUBLIC USES

The provisions of this By-law shall not apply to prevent the use of any land, *building* or *structure* for a public use by any *public authority* provided that:

- a) such *use, building* or *structure* complies with the standards of the *Zone* in which it is located; and

- b) no *outdoor storage* is permitted, unless such *outdoor storage* is specifically permitted in the *Zone*.

Notwithstanding the above, the use of any land for ~~infrastructure stormwater management facilities, flood or erosion works~~ or by a component of a *public transit system* is permitted on all lands subject to this By-law. Public uses are permitted in any ~~z~~*Zone*, notwithstanding the permission for certain public uses in a number of *zones* in Section 4.0 of this By-law.

X SCHOOL PORTABLES

School portables are considered to be main buildings by this By-law.

6.20 SPECIAL POLICY AREAS

The following uses are prohibited on lands shown on the schedules to this By-law as being within a ~~s~~*Special policy area*:

- a) any *building* that accommodates individuals who require any level of special care or medical treatment pursuant to an *Act* of the Province of Ontario;
- b) *cemeteries*;
- c) *commercial school*;
- d) *day nursery*;
- e) *group homes*;
- f) *motor vehicle body shop*;
- g) *motor vehicle repair garage*;
- h) *motor vehicle service station*;
- i) *nursery*;
- j) *nursing home*;
- k) *private home day care*;
- l) *private school*;
- m) *public school*; and

- n) the storage, handling, production, or use of chemical, flammable, explosive, toxic, corrosive or dangerous materials.

6.21 SPECIAL SETBACKS

a) Notwithstanding any other provision in this By-law, all *buildings* and *structures* shall be located no closer than:

- a) i)a) 14.0 metres from the Highway 404 and 407 *streetline*; and
- b) ii)b) 30.0 metres from a railway right-of-way.

b) An opening for a door that provides access to the interior of a main building and/or an accessory building is not permitted in any portion of a wall facing the interior side lot line that is located less than 1.2 metres from the interior side lot line.

~~6.22 RECREATIONAL TRAILERS AND VEHICLES AND BOATS~~

~~Recreational trailers and vehicles and boats parked in any Residential Zone are subject to the following provisions:~~

- ~~a) Recreational trailers and vehicles and boats may be stored in the interior side and rear yards provided that, if the recreational vehicle has a height of 1.8 metres or more, it shall be located no closer than 1.2 metres from any lot line.~~
- ~~b) recreational trailers and vehicles and boats may be parked or stored in the front or exterior side yards provided they are parked or stored on a driveway and they are located no closer than 9.0 metres from the edge of the paved surface of any public street.~~

~~Notwithstanding Section 6.22(b), the temporary parking of recreational vehicles and boats is permitted on a lot within 9.0 metres of a public street for a maximum of 14 continuous days provided that it is located no closer than 0.6 metres from the closest edge of a sidewalk, or the closest edge of the curb of the public street if there is no sidewalk, if the recreational vehicle or boat has a height of 1.0 metre or more at that location.~~

~~6.23 STORAGE OF GARBAGE~~

~~All garbage generated by uses in any Residential, Retail or Mixed Use or Employment Zone shall be stored inside a building.~~

6.23 TEMPORARY CONSTRUCTION AND SALES USES

- 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 or other *building* or *structure* incidental to the construction, only for so long as the same are necessary for work in progress which has neither been finished nor abandoned.
- b) Nothing in this By-law shall prevent the use of land for a sales office for the sale of dwelling units or industrial or commercial units~~residential, industrial or commercial suites~~ provided that the units ~~suites~~ to be sold are to be located on lands within the limits of the City~~Town~~ of Markham.

6.24 WHEELCHAIR RAMPS

~~No provision in this By-law shall apply to prevent the location of a wheelchair ramp, which conforms to the requirements of the Barrier Free Design section of the Ontario Building Code~~

6.24 WASTE STORAGE AREA

~~All waste generated by the occupants of 3 or more *dwelling units* on a *lot* or from any commercial, industrial or institutional use shall be stored inside a *building* or *structure* on the same *lot* provided the *building* or *structure* is:~~

- ~~a) located within the *interior side* or *rear yard*;~~
- ~~b) located no closer to any *lot line* than required for an accessory *building* or *structure* by the By-law; and,~~
- ~~c) not occupying any required *parking spaces*, *loading spaces* and the access to these *parking* and *loading spaces*.~~

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~~March 14, 2013~~
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SECTION 7 EXCEPTIONS

7.1 SWAN LAKE RETIREMENT COMMUNITY

(By-law 255-96, October 22/96; By-law 24-1999, February 9/99; By-law 102-1999)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *1 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.1.1 Only Permitted Uses

- a) The following *residential* uses are permitted:
 - i) *single detached dwellings*;
 - ii) *semi-detached dwellings*;
 - iii) *townhouse dwellings*;
 - iv) *multiple dwellings*; ~~and~~,
 - v) ~~apartment dwellings~~; and,
 - vi) ~~home occupations~~.
- b) The following retail and service uses are permitted:
 - i) *business offices*;
 - ii) *financial institutions*;
 - iii) *medical offices*;
 - iv) *personal service shops*;
 - v) *restaurants*;
 - vi) *take-out restaurants*; and,
 - vii) *retail stores*
- c) The following *institutional* and recreational uses are permitted:
 - i) *golf courses*;
 - ii) *greenhouse/horticultural centres*;
 - iii) *libraries*;
 - iv) *places of worship*;
 - vi) *private community centres*;

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- vii) *private parks; and,*
- viii) *theatres.*

7.1.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum number of *dwelling units* – 1,325;
- b) Standards for *single detached, semi-detached or townhouse dwelling units*:
 - i) Minimum setback from a *public street* – 6.0m;
 - ii) Minimum setback from *centre-line* of a *private street* – 6.0m;
 - iii) Maximum *height* of *main building* – 11.0m;
 - iv) Maximum *height* of *accessory buildings* – 4.5m.
- c) Standards for *multiple buildings*:
 - i) Minimum setback from a *public street* – 6.0m;
 - ii) Minimum setback from *centre-line* of a *private street* – 10.0 m;
 - iii) Maximum setback from *centre-line* of a *private street* – 13.0 m;
 - iv) Maximum *height* of *main building* – 14.0m;
 - v) Maximum number of *dwelling units* per floor other than along Street 'D' as shown on Schedule 8.1 in Section 8.1 of this By-law – eight *dwelling units*;
 - vi) Minimum number of *dwelling units* required – six.
- d) ~~Standards for apartment dwellings:~~
 - ~~i) Minimum setback from a public street – 6.0m;~~
 - ~~ii) Minimum setback from centre-line of a private street – 10.0m;~~
 - ~~iii) Maximum setback from centre-line of a private street – 14.0m;~~
 - ~~iv) Minimum height – 12.0m;~~
 - ~~v) Maximum height – 20.0m.~~
- e) Maximum permitted encroachment into setback by architectural features and balconies, *decks*, roofed *porches*, underground cellars and stairs and landings used to access a *main building* – 3.0 m, provided no part of any *main building* is located within 23 metres of the *centre-line* of 16th Avenue;

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- ~~fe)~~ Maximum *height* of any *building* or *structure* within 100 metres of the *centre-line* of 16th Avenue – 13.5 m;
- ~~gf)~~ Standards for gatehouses:
- i) Maximum *gross floor area* – 30 sq.m;
 - ii) Maximum *height* – 5.5m.
 - iii) Only permitted location of a gatehouse meeting the standards of this Subsection – Street 'F', as shown on Schedule 8.1 in Section 8.1 of this By-law.
- ~~hg)~~ Maximum *height* of an *accessory building* in a *private park* – 5.5m;

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7.1.3 Special Parking Provisions

The following parking provisions apply:

- a) Minimum number of required *parking spaces* for *single detached, semi-detached, duplex, triplex, fourplex* and *townhouse dwellings* – 1.0 per unit;
- b) Minimum number of required *parking spaces* for *multiple* and *apartment dwellings* – 1.25 per unit, of which 0.25 per unit shall be for the exclusive use of visitors;
- c) Location of required parking for *multiple* and *apartment dwellings* – below *established grade*;
- d) Minimum number of required parking or *loading spaces* for retail, service, recreational or *institutional* uses located in a *multiple* or *apartment building* – zero;
- e) Minimum number of parking or *loading spaces* for *golf courses* – zero.

7.1.4 Special Site Provisions

The following additional provisions apply:

- a) Where there is a centre boulevard creating two, one-way streets, the required setbacks set out in this Section shall be measured from the *centre-line* of the nearest one way street.
- b) ~~Location of multiple and apartment buildings~~
 - i) ~~Only apartment buildings or multiple buildings that are oriented to that portion of Street 'E' as shown on~~

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~~Schedule 8.1 in Section 8.1 of this By-law are permitted in that location provided the building has a height of no less than 12.0 metres;~~

- ~~ii) Notwithstanding the above provision, the minimum height of the permitted buildings may be reduced to 9.0 metres within 50 metres of the centre-line of Street 'F' as shown on Schedule 8.1 in Section 8.1 of this By-law;~~
- ~~iii) No other residential building form is permitted in this area and apartment buildings are not permitted on any other lands denoted by the symbol *1.~~

~~e)~~ Standards for retail, service, *institutional* and recreational uses:

- i) Only permitted locations – *first storey* of an *apartment* or *multiple building* on lands identified in Section 7.1.4(b) or in a private *community centre*;
- ii) Maximum *gross floor area* of retail and service uses in any *building* – 300 sq.m;
- iii) Maximum *gross floor area* of any one retail or service use – 930 sq.m.

~~ed)~~ Location of *single detached, semi-detached, townhouse* and *multiple dwellings*:

- i) *Single detached, semi-detached, townhouse* and *multiple dwellings* are permitted on all lands denoted by the symbol *1, ~~except those areas identified in Subsection 7.1.4(b);~~
- ii) *Multiple buildings* are the only *building* form permitted adjacent to the streets identified as being subject to the provisions of this Section on Schedule 8.1 in Section 8.1 of this By-law.

~~ed)~~ *Golf courses* and private *community centres* are permitted without the necessity of removing the Holding Provision established in Section 2.5.4 of this By-law.

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7.2 SWAN LAKE RETIREMENT COMMUNITY

(By-law 255-96, October 22/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *2 on the Schedules to this By-law. All other provisions, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.2.1 Only Permitted Uses

- a) The following *residential* uses are the only uses permitted:
 - i) *apartment dwellings*;
 - ii) *home occupations*;
 - iii) *multiple dwellings*; and,
 - iv) *townhouse dwellings*.
- b) The following service use is the only use permitted:
 - i) *medical offices*
- c) The following *institutional* uses are the only uses permitted:
 - i) *retirement home*; and,
 - ii) *nursing home*.

7.2.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum number of retirement or *nursing home* beds – 180;
- b) Maximum number of *dwelling units* permitted if a retirement or *nursing home* is not developed – 90;
- c) Combination of retirement and *nursing home* beds permitted – one *dwelling unit* in place of two retirement or *nursing home* beds, provided the sum of *units* and beds does not exceed the equivalent of 180 beds;
- d) Maximum *height* – 24.0 m;
- e) Minimum setback from a *public street* – 6.0 m;
- f) Minimum setback from *centre-line* of 16th Avenue for any part of a *building* or *structure* – 23.0 m.
- g) Maximum *height* of any *building* or *structure* within 100 metres of the *centre-line* of 16th Avenue – 13.5 m.

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7.2.3 Special Parking Provisions

The following parking provisions apply:

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- a) Number of required *parking spaces* for *townhouse dwelling units* – 1.0 *parking space* per unit;
- b) Number of required *parking spaces* for *multiple* and *apartment buildings* – 1.25 *parking spaces* per unit, of which 0.25 spaces per *dwelling unit* shall be for the exclusive use of visitors.

7.3 SWAN LAKE COMMUNITY (COMMERCIAL)

(By-law 255-96, October 22/96; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *3 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.3.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *art galleries*;
- b) *restaurants* having a maximum *gross floor area* of 500 square metres; and
- c) *take-out restaurants*.

7.3.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum *lot area* – 0.3 ha;
- b) Minimum *lot frontage* – 20.0m;
- c) *Minimum required front yard* – zero;
- d) *Maximum front yard* – 7.5m;
- e) *Minimum required rear yard* – 12.0m;
- f) *Minimum required interior side yard* – 6.0m;
- g) *Maximum lot coverage* – 40%;
- h) Minimum *landscaped open space* – 25%, which may be reduced to 10% if the *main building* on the *lot* has a *front yard* of 1.0 metre or less;

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- i) Maximum *height* – three *storeys*;
- j) Minimum width of *landscaping area* along *lot line* abutting any Residential or Open Space *Zone* – 3.0m;
- k) *Maximum yard* adjacent to a *public street* – 1.0m, provided no part of any *building* or *structure* is located closer than 23.0 metres from the *centre-line* of 16th Avenue.

7.3.3 Special Parking Provisions

The following parking provisions apply:

- a) Parking and *loading spaces* are not permitted in the front or *exterior side yards*;
- b) All lands that are the subject of this section are considered to be one *lot* for the purpose of calculating the required parking.

7.3.4 Special Site Provisions

The following additional provisions apply:

- a) The outdoor display of goods is permitted in the *front* and/or *exterior side yards*, and in any interior *courtyard*.

7.4 SWAN LAKE COMMUNITY (OPEN SPACE)

(By-law 255-96, October 22/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *4 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.4.1 Additional Uses Permitted

The following additional use is permitted:

- a) cemetery.

7.4.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum setback of any *building* or *structure* from the high water mark of Swan Lake – 0.3 m.

7.5 DETACHED PRIVATE GARAGES

(By-law 177-96, June 25/96; By-law 79-97, March 25/97; By-law 174-98, September 15/98; By-law 102-1999, June 8/99; By-law 74-2000, May 9/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *5 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.5.1 Additional Permitted Uses

The following additional permitted Uses are permitted:

- a) An accessory dwelling unit.

7.5.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum setback from the *interior side lot line* for a detached *private garage* on a *lot* having a *lot frontage* of 6.0 metres or less – zero on the side of the *lot* where the detached *private garage* shares a common wall with another detached *private garage* on an abutting *lot*;
- b) Maximum number of *private garages* on abutting *lots* permitted to share common walls – four;
- c) Maximum *lot coverage* for detached *private garages* on *lots* with a *lot frontage* of 6.0 metres or less – no maximum;

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- d) Standards for detached *private garages* on *lots* at the intersection of two *lanes* or a *public street* and a *lane*:
- i) Maximum *height* of a detached *private garage* on a *lot* having a frontage of less than 9.75 metres – 6.75 m
- e) Minimum *parking space* width on a *parking pad* where it abuts a *parking pad* that is located either on the same *lot* or an abutting *lot* – 2.55 m.

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7.5.3 Special Site Provisions

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The following additional provisions apply:

- a) The maximum number of accessory *dwelling units* – 1.
- b) An accessory *dwelling unit* shall only be associated with a *single detached, semi-detached unit* on the same lot; and,
- c) The accessory *dwelling unit* shall not be located in the *main building* on the lot.

7.6 NEIGHBOURHOOD COMMERCIAL CENTRE IN CORNELL

(By-law 177-96, June 25/96; By-law 79-97, March 25/97; By-law 102-1999, June 8/99)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *6 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.6.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *multiple dwellings*;
- b) *home occupations*; and,
- c) *commercial fitness centres*.

7.6.2 Zone Standards

The following specific *Zone Standards* apply:

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- a) Maximum *lot area* – Not applicable;
- b) Minimum setback from OS1 *Zone* – 7.0 m;
- c) *Minimum required rear yard* – 1.8 m;
- d) Minimum *height* – 7.5 m
- e) *Minimum required interior side yard* including any side of the *lot* that abuts a Residential or Open Space *Zone* – zero;
- f) *Minimum required front yard* – 2.4 m;
- g) Maximum *height* – 18.0 m or four *storeys*;
- h) Maximum permitted encroachment into the required *front yard* by roofed *porches*, balconies and canopies – 2.4 m;
- i) Maximum *lot coverage* – no maximum;
- j) Minimum *landscaped open space* – zero;
- k) Minimum setback from the *interior side lot line* – 5.8 m;
- l) Minimum setback for detached *accessory buildings* from the *rear lot line* and *exterior side lot line* – equal to required *rear yard* or *exterior side yard* for the *main building*.

7.6.3 Special Parking Provisions

The following parking provisions apply:

- a) Minimum number of required *parking spaces* for all non-*residential uses* – one *parking space* per 30 sq.m of *net floor area*;
- b) Minimum number of required *parking spaces* for *apartment dwellings* – 1.5 *parking spaces* per *dwelling unit*.

7.6.4 Special Site Provisions

The following additional provisions apply:

- a) The *front lot line* is deemed to be the *lot line* that abuts the *public street* on the south side of the lands;
- b) *Restaurants* and *take-out restaurants* having a *net floor area* of not greater than 300 square metres are permitted provided they are located in the *first storey*;

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- c) One *restaurant* having a maximum *net floor area* no greater than 700 square metres is permitted provided that no more than 200 square metres of the *net floor area* of this *restaurant* is located above the *first storey*;
- d) The *first storey net floor area* of all *restaurant(s)* and *take-out restaurant(s)* shall not exceed 40% of the *net floor area* located in the *first storey* of all *buildings* on the *lot*;
- e) *Apartment dwellings* and *multiple dwellings* are permitted in the *first storey* provided such *dwellings* do not exceed 25% of the total *gross floor area* located in the *first storey* of the *building*;
- f) *Financial institutions* may have a *net floor area* greater than 300 square metres.

7.7 OS2 ZONE IN CORNELL

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *7 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.7.1 Zone Standards

The following specific *Zone* Standard applies:

- a) *Minimum required interior side yard – zero.*

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7.8 LOTS ADJACENT TO 9TH LINE IN CORNELL

(By-law 79-97, March 25/97; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *8 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.8.1 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required rear yard* on a *lot* not accessed by a *lane* – 3.0 m;
- b) Detached *private garages* are permitted in the *front yard*.
- c) Minimum setback from the *front lot line* for detached *private garages* – 0.6 m;
- d) Maximum *height* of detached *private garages* – 8.0 m;
- e) Minimum setback for a *private garage* from the *front lot line* – zero.

7.8.2 Special Site Provisions

The following additional provision applies:

- a) *Motor vehicle access* into the *private garage* shall only be via the side of the *private garage* facing a side *lot line* and in no case shall be from the side of the *private garage* facing the *front lot line*.

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7.9 9-8961 9TH LINE

(By-law 273-1999, December 14/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *9 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.9.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *day nursery*; and,
- b) *school, private*.

7.9.2 Zone Standards

The following specific *Zone Standards* apply to *day nurseries* and *private schools*:

- a) Minimum *lot area* – 0.25 ha;
- b) Minimum *lot frontage* – 50.0 m;
- c) *Minimum required front yard* – zero;
- d) *Minimum required north side yard* – 6.0 m;
- e) *Minimum required south side yard* – 2.0 m;
- f) *Minimum required rear yard* – 2.0 m;
- g) Maximum *height* – 11.0 m;
- h) Maximum combined *floor area* of all *buildings* – 1800 sq.m;
- i) Maximum number of classrooms – 15.

7.9.3 Special Parking Standards

The following parking provisions apply:

- a) Minimum number of required *parking spaces* – 18.

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7.9.4 Special Site Provisions

The following additional provisions apply:

- a) *Driveway* access shall be from 9th Line only.

7.10 HOME OCCUPATIONS IN CORNELL

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *10 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.10.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *floor area* of a *home occupation* – 100%, provided it is located in the *first storey*.

7.11 DENSITY OF RESIDENTIAL USES IN CORNELL

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *11 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.11.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum number of *dwelling units* per hectare – 120 units/ha.

7.12 RESERVED

7.13 NURSING HOME SITE ON BUR OAK AVENUE IN CORNELL

(By-law 135-1999, July 6/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *13 on the

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Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.13.1 Additional Uses Permitted

The following additional uses are permitted:

- a) *nursing homes*;
- b) *retirement homes*;
- c) permitted *accessory* uses in the *first storey* of a *nursing home* or *retirement home*:
 - i) *business offices*;
 - ii) *commercial fitness centres*;
 - iii) *community centres*;
 - iv) *day nurseries*;
 - v) *medical offices*; and,
 - vi) *personal service shops*.

7.13.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum number of *nursing home* beds – 200;
- b) Maximum number of *retirement home* units – 150;
- c) Minimum *yard* adjacent to a *public street* – 1.0 m;
- d) Maximum Floor Space Index – 1.5.

7.13.3 Special Parking Provisions

The following parking provisions apply:

- a) Minimum number of required *parking spaces* for *nursing homes* – 0.5 *parking spaces* per bedroom;
- b) Minimum number of required *parking spaces* for *retirement homes* – 0.5 *parking spaces* per unit plus one *parking space* per four units dedicated for visitors;

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- c) Minimum number of required *parking spaces* for *accessory uses*, provided they do not occupy more than 10% of the *gross floor area* of the *building* in which they are located – zero.

7.14 NEIGHBOURHOOD COMMERCIAL CENTRE IN ROUGE NORTHEAST

(By-law 177-96, Jun 25/96; By-law 66-97, March 25/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *14 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.14.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *places of worship*;
- b) *assembly halls*;
- c) *restaurants*;
- d) *banquet halls*;
- e) *commercial fitness centres*;
- f) *art galleries*; and,
- g) *golf courses*.

7.14.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *lot area* – 1.1 ha.

7.15 8028 9th LINE (ROUGE NORTHEAST)

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *15 on the Schedules to this By-law. All other provisions, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.15.1 Only Uses Permitted

The following use is the only use permitted:

- a) one *dwelling unit*.

7.15.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot area* – 1,000 sq.m; and
- b) Minimum *lot frontage* – 30 m.

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7.16 ROUGE NORTHEAST

(By-law 66-97, March 25/97; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *16 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.16.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum setback for the *private garage* from the *front lot line* – 4.0 m, provided the *driveway* does not cross a *sidewalk*;
- b) *Minimum required rear yard* – 5.0 m.

~~7.17 NEIGHBOURHOOD COMMERCIAL SITE, 9TH LINE, ROUGE~~ROUGHE NORTHEAST

(By-law ~~177-96, June 25/96~~2005-226)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *17 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

~~7.17.1 Zone Standards~~

~~The following specific *Zone Standards* apply:~~

- ~~a) *Maximum lot area* – 0.8 ha.~~

7.17.1 Only Permitted Uses

The following uses are the only uses permitted:

- a) *Single Detached Dwelling*
- b) *Retail Store*
- c) *Private home daycare*
- d) *Personal service shop*

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e) Home Occupation

7.17.2 Site Specific Provisions

The following additional provisions apply:

- a) The *retail store, private home daycare and personal service shop* shall only be permitted in the first storey.
- b) Parking in the *exterior side yard* of a mixed use building is permitted.
- c) The maximum number of children permitted in a *private home daycare* shall be 5.

7.17.3 Zone Standard

The following specific zone standard applies:

- a) The minimum *rear yard* shall be 12.0 metres.

7.18 ROUGE NORTHEAST

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *18 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

The following specific Zone Standards apply:

- ~~a)~~ a) Minimum required rear yard on a lot accessed by a lane – 11.0 m;
- ~~b)~~ b) Minimum setback from the *main building* on a lot by any detached accessory building with a height of 4.5 metres or less – 4.5 m.

7.19 ROUGE NORTHEAST

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *19 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.19.1 Zone Standards

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The following specific *Zone* Standards apply:

- a) *Minimum required rear yard on a lot accessed by a lane* – 7.5m;
- b) *Minimum setback for any detached private garage with a height of 4.5 metres or less from the main building on a lot* – zero.

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7.20 ANGUS GLEN SPECIAL CONTROL AREA

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *20 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.20.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Maximum height of all main buildings* – 8.0 m;
- b) *Minimum lot area* – 0.12 ha.

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7.20.2 Special Site Provisions

The following additional provisions apply:

- a) *Dwelling units in an accessory building* are not permitted;
- b) *Detached private garages* are not permitted in the *rear yard*.

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7.21 CORNER STORES IN ANGUS GLEN

(By-law 177-96, June 25/96; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *21 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.21.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *business offices*; and,
- b) *retail stores* in the *first storey* with a maximum *net floor area* of 100 square metres.

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7.21.2 Special Parking Provisions

The following parking provisions apply

- a) *Retail stores* shall be exempt from providing the *parking spaces* required.

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7.22 RESERVED

(Deleted by By-law 186-97, June 24/97)

7.23 SCHOOL IN ANGUS GLEN

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *23 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.23.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Required setback from the front and *exterior side lot lines* for at least 75 percent of the *main wall* facing the *front lot line* and *exterior side lot line* – between 4.5m and 7.5m.

7.24 NORTH SIDE OF COX BOULEVARD

(By-law 177-96, June 25/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *24 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.24.1 Zone Standards

The following *Zone Standards* apply:

- a) Minimum setback from Ontario Hydro Corridor – 5.0 m;
- b) Minimum setback from northern *lot line* – 10.0 m;
- c) Maximum *height* – 13.0 m;
- d) Maximum number of *dwelling units* per hectare on a *lot* – 62.

7.25 NEIGHBOURHOOD COMMERCIAL CENTRE ON COX BOULEVARD

(By-law 177-96, June 25/96; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *25 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.25.1 Special Parking Provisions

The following parking provision applies:

- a) Required *parking spaces* for the first 600 square metres of *net floor area* occupied by non-residential uses – zero.

7.25.2 Special Site Provisions

The following additional provision applies:

- a) Non-residential uses are prohibited on any floor above the *first storey*.

7.26 PART OF LOTS 8 & 9, CONCESSION 8, MARKHAM ROAD NORTH OF HIGHWAY 407

(By-law 185-96, August 19/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *26 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.26.1 Special Site Provisions

The following additional provisions apply:

- a) A *driveway* may be located closer than 1.0 metre to the *interior lot line*.

7.27 PART OF LOTS 8 & 9, CONCESSION 8, MARKHAM ROAD NORTH OF HIGHWAY 407

(By-law 185-96, August 19/96)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *27 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.27.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for *interior lots* – 5.4 m;

7.27.2 Special Site Provisions

The following additional provisions apply:

- a) For *lots* with a *lot frontage* less than 7.0 metres:
 - i) the wall of the *private garage* facing the *public street* shall not be located closer to the *front lot line* than either the *main wall* or *porch* facing the *front lot line*;
 - ii) the wall of the *dwelling unit* above the *private garage* shall not be located further from the *front lot line* than the wall of the *private garage* facing the *front lot line*.
- b) A *driveway* may be located closer than 1.0 metre to the *interior lot line*.

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7.28 PART OF LOTS 8 & 9, CONCESSION 8 MARKHAM ROAD NORTH OF HIGHWAY 407

(By-law 185-96, August 19/96; By-law 102-1999, June 8/99)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *28 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.28.1 Zone Standards

The following *Zone Standards* apply:

- a) *Minimum required yard* on all sides – 7.5 m;
- b) Minimum setback from the *centre-line* of a *private street* – 7.5 m;
- c) Maximum number of *dwelling units* permitted – 100;
- d) Maximum permitted encroachment into any required *yard* or setback area by architectural features, balconies, roofed *porches*, underground cellars and stairs and landings used to access a *main building* – 3.0 m;
- e) Minimum *lot frontage* – zero.

7.28.2 Special Parking Provisions

The following parking provisions apply:

- a) Additional *parking spaces* required for the exclusive use of visitors – 0.25 *parking spaces* per *dwelling unit*;
- b) Tandem *parking spaces* are permitted on *lots* with *townhouse dwellings*.

7.28.3 Special Site Provisions

The following additional provisions apply:

- a) No *accessory buildings* shall be located between a *main building* and the *streetline* or a *lot line* of a *public park* owned by the Town of Markham.

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7.29 NEIGHBOURHOOD COMMERCIAL SITE IN SOUTH UNIONVILLE

(By-law 19/97, April 15/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *29 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.29.1 Additional Uses Permitted

The following additional use is permitted:

- a) *townhouse buildings*, subject to the standards of the R2-LA Zone.

7.30 PRIVATE GARAGES IN SOUTH UNIONVILLE

(By-law 19-97, April 15/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *30 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.30.1 Special Site Provisions

The following additional provisions apply:

- a) Detached *private garages* are not permitted in the *rear yard* of *lots* abutting any Open Space Zone;
- b) On any *lot* not accessed by a *lane*, in no case shall the wall of a *private garage* containing the opening for *motor vehicle* access be located closer to the *lot line* crossed by the *driveway* than any other portion of a *main wall* of the *dwelling* it serves.

7.31 SOUTH UNIONVILLE

(By-law 19-97, April 15/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *31 on the Schedules to this By-law. All other provisions, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.31.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for *semi-detached dwellings on lots not accessed by lanes*:
 - i) For an *interior lot* – 7.3 m/unit;
 - ii) For a *corner lot* – 15.8 m;
 - iii) For an *interior lot* – 7.5m/unit;
 - iv) For a *corner lot* – 8.7m.
- b) Minimum *lot frontage* for *townhouse dwellings on lots not accessed by lanes*:
 - i) For an interior unit on an *interior lot* – 6.0 m/unit;
 - ii) For an end unit on an *interior lot* – 7.2 m;
 - iii) For an end unit on a *corner lot* – 8.4 m.

7.31.2 Special Parking Provisions

The following parking provisions apply:

- a) Maximum *garage and driveway width* on any *lot* not accessed by a *lane* and with a frontage of less than 10 metres – 3.5 m;
- b) Maximum *garage and driveway width* on any *lot* not accessed by a *lane* and with a *lot* frontage of 10 metres or greater - 6.1 metres.

7.31.3 Special Site Provisions

The following additional provision applies:

- a) On a *lot* not accessed by a *lane*, in no case shall the wall of a *private garage* containing the opening for *motor vehicle* access be located closer to the *lot line* crossed by the *driveway* than any other portion of a *main wall* of the *dwelling*.

7.32 TOWNHOUSE DEVELOPMENT IN THE LEITCHCROFT COMMUNITY AMENITY AREA

(By-law 307-96, December 10/96; By-law 2001-289, November 27/01; By-law 2003-69, February 25/03)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *32 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.32.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *apartment dwellings*;
- b) *home occupations*;
- c) *multiple dwellings*; and,
- d) *townhouse dwellings*.

7.32.2 Zone Standards

The following specific *Zone Standards* apply to *main buildings*:

- a) Maximum number of dwelling ~~units – 65; unit – 121;~~
- b) Minimum ~~building~~ height ~~– two storeys; provisions do not apply;~~
- c) Maximum ~~building~~ height ~~– five storeys; provisions do not apply;~~
- d) *Minimum required front yard* – 0.6 m;
- e) *Minimum required exterior side yard* – 0.6 m;
- f) *Minimum required interior side yard* – 0.6 m;
- g) *Minimum required rear yard* – 0.6 m;
- h) Encroachment into all yards by architectural features, balconies, roofed porches, underground cellars, stairs and landings – permitted up to all lot lines;
- i) Maximum number of *townhouse dwelling units* in a *townhouse building* – not applicable;
- j) Maximum *Floor Space Index* – not applicable;
- k) Minimum *landscaped open space* on Block 6 of Plan 65M-3575 – 15%.

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7.32.3 Special Parking Provisions

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The following parking provisions apply to Blocks 41, 42 and 43 Plan 65M-3226:

- a) Tandem *parking spaces* may be counted towards fulfilling the required parking standards for *townhouse dwelling units*, where the By-law requires two *parking spaces* per *dwelling unit*;
- b) Tandem *parking spaces* shall not be shared by more than one *dwelling unit*;
- c) Visitor parking shall not be comprised of tandem *parking spaces*;
- d) Maximum percentage of required number of *parking spaces* for *apartments* that may be provided as tandem *parking spaces* – 30%;
- e) A minimum of 1.5 *parking spaces* per *townhouse dwelling unit* is required.

7.32.4 Special Site Provisions

The following additional provisions apply:

- a) For the purposes of applying development standards, Blocks 41, 42 and 43 Plan 65M-3226 shall be deemed to be one *lot*;
- b) *Lot lines* abutting Highway 7, South Park Road or the east or west *lot lines* of Block 5 Plan 65M-3575 shall be deemed the *front lot lines*;
- c) Notwithstanding any further division or partition of lands located within Plans 65M-3226 and 65M-3575, all By-law development standards shall continue to apply to each Block as they existed on the date of passing of this By-law;
- d) A detached *private garage* may be permitted in any part of the *front yard* of Block 4 of Plan 65M-3575 provided it is located no closer than 5.0 metres from any *dwelling unit*.

7.33 ENTERTAINMENT CENTRE IN LEITCHCROFT

(By-law 307-96, December 10/96; By-law 247-98, December 15/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *33 on the Schedules to this By-law. All other provisions, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.33.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *art galleries;*
- b) *commercial fitness centres;*
- c) *parking lots, commercial;*
- d) *personal service shops;*
- e) *places of amusement;*
- f) *museums;*
- g) *recreational establishments;*
- h) *retail stores;*
- i) *restaurants;*
- j) *restaurants, take-out; and,*
- k) *theatres.*

7.33.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum permitted *net floor area* devoted to *theatres, places of amusement* and *recreational establishments* – 20,000 sq.m;
- b) Maximum permitted Floor Space Index for any *building* on a *lot*, provided the combined *net floor area* of all *buildings* does not exceed 45,500 square metres – 1.0 m;
- c) Minimum width of *landscaping* required parallel to and adjoining the Highway 407 *streetline* – 5.0 m;
- d) Minimum width of *landscaping* required parallel to and adjoining any *interior side lot line* – 3.0 m;
- e) *Minimum required front yard* - zero;
- f) Encroachment into *landscaping area* adjoining the *interior side lot line* by a *building* or *structure* – permitted.

7.33.3 Retail Use Provisions

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Personal service shops and retail stores are permitted provided that:

- a) they are contained within an *office building*, a *hotel*, a *trade and convention centre* or a *building* containing *recreational establishments theatres* or *places of amusement*;
- b) no more than 50 percent of the *net floor area* of any *building(s)* on the lands shall be used for these uses at any one time; and,
- c) the total *net floor area* of all these uses combined does not exceed 6,500 square metres.

7.33.4 Elevated Pedestrian Walkway Provisions

The following provisions apply to elevated pedestrian walkways:

- a) Elevated pedestrian walkways that connect *buildings* are not required to comply with any of the *yard* or *setback* requirements of this By-law provided they:
 - i) have a minimum *height* above *grade* of 5.0 metres;
 - ii) have a minimum width of 6.0 metres; and,
 - iii) have a maximum width of 10.0 metres.
- b) Elevated pedestrian walkways connecting *buildings* are not permitted in the BP*33 and CA2*35 *Zones*; and,
- c) Elevated pedestrian walkways are deemed to not be part of the *main building(s)* on the *lot*.

7.34 HOTEL SITE IN LEITCHCROFT (By-law 308-96, December 10/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *34 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.34.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *retail stores*; and,
- b) one (1) *nightclub*.

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7.34.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *net floor area* for one (1) *nightclub* – 1000 sq.m;
- b) Permitted location for one (1) *nightclub* – only within a *hotel*;
- c) Maximum *net floor area* devoted to *retail stores* – 750 sq.m;
- d) Minimum width of *landscaping* parallel to and adjoining the Highway 407 *streetline* – 5.0 m;
- e) Minimum width of *landscaping* parallel to and adjoining any *lot line* other than the Highway 407 *streetline* – 3.0 m;
- f) Encroachment into *landscaping areas* other than the Highway 407 *streetline* – permitted.

7.34.3 Elevated Pedestrian Walkway Provisions

The following provisions apply to elevated pedestrian walkways:

- a) Elevated pedestrian walkways that connect *buildings* are not required to comply with any of the *yard* or setback requirements of this By-law provided they:
 - i) have a minimum *height* above *grade* of 5.0 metres;
 - ii) have a minimum width of 6.0 metres; and,
 - iii) have a maximum width of 10.0 metres.
- b) Elevated pedestrian walkways are deemed to not be part of the *main building(s)* on the *lot*.

7.35 OFFICE DEVELOPMENT IN THE LEITCHCROFT COMMUNITY AMENITY AREA

(By-law 141-97, June 10/97; By-law 2001-289, November 27/01, By-law 2003-69, February 25/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *35 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.35.1 Prohibited Uses

The following uses are prohibited:

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- a) *residential uses* of any type.

7.35.2 Additional Permitted Uses

The following additional uses are permitted in the *basement*:

- a) *personal service shops*;
- c) *restaurants*; and,
- d) *retail stores*.

7.35.3 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *height* – 238.0 m above sea level, geodetic datum;
- b) Minimum *height* – Not applicable;
- c) *Minimum required front yard* – 0.6 m;
- d) *Minimum required exterior side yard* – 0.6 m;
- e) *Minimum required interior side yard* – 0.6 m;
- f) *Minimum required rear yard* - 0.6 m;
- g) Encroachment into all *yards* by architectural features, balconies, roofed *porches*, underground cellars, stairs and landings – Permitted;
- h) Maximum Floor Space Index – Not Applicable.

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7.35.4 Special Site Provisions

The following additional provisions apply:

- a) The north *lot line* abutting Highway 7 shall be deemed the *front lot line*;
- b) Notwithstanding any further division or partition of the lands located within Plans 65M-3226 and 65M-3575, all of the standards of By-law 177-96 shall continue to apply as they existed on February 25, 2003.

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7.36 BUSINESS PARK AREA IN LEITCHCROFT

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(By-law 307-96, December 10/96; By-law 247-98, December 15/98; By-law 2003-128, May 13, 2003; By-law 2005-03, January 18, 2005)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *36 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

~~7.36.1~~ **Additional permitted uses**

The following additional uses are permitted:

- ~~7a)~~ art galleries
- ~~8b)~~ commercial fitness centres
- ~~9c)~~ libraries
- ~~10d)~~ museums, private
- ~~11e)~~ places of amusement
- ~~12f)~~ private clubs
- ~~13g)~~ restaurants, take-out
- ~~14h)~~ retail stores
- ~~15i)~~ schools, commercial
- ~~16j)~~ theatres

Provided that:

- ~~a)i)~~ they are wholly contained within an *office building*, a *hotel*, or a *trade and convention centre*;
- ~~b)ii)~~ they are located only in the *first storey* of an *office building* or at any location within a *building* containing a *hotel* and/or *trade and convention facility* provided the use is *accessory* to the *hotel* or the *trade and convention centre* use;
- ~~c)iii)~~ there is no *outdoor storage* and *outdoor display and sales*.

~~7.36.2~~ **Prohibited Uses**

The following uses are prohibited:

- ~~a-a)~~ Industrial

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7.36.3 Zone Standards

The following specific *zone* standards apply:

- a) **Building Height**
The maximum *building height* shall be 238 metres above sea level, geodetic datum. No portion of any *building* or *structure* shall be permitted to exceed this *height* limit.
- ~~b)~~ **Landscape strip adjacent to Highway 407 streetline**
A *landscaping* area having a minimum width of 5.0 metres is required parallel to and adjoining the Highway 407 *streetline*.
- c) **Minimum Yard Standards**
The minimum *front yard*, *rear yard*, *exterior side yard*, and *interior side yard* shall be 0.6 metres. Special Provision 1 of Table B8 shall not apply.

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~~d)~~ Minimum required landscaping

The provisions for minimum width of *landscaping* adjacent to *front lot line* and any *lot line* other than the *front lot line* of Table B8 shall not apply.

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e) Maximum floor space index

The Maximum Floor Space Index provisions of Table B8 shall not apply.

f) Minimum building height

The minimum *building height* standards of Table B8 shall not apply.'

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7.36.4 Special Site Provisions

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The following additional provisions apply

a) Further division or partition of the land.

Notwithstanding any further division or partition of lands located within Plan 65M-3226, all by-law development standards shall continue to apply to each Block as they existed on the date of the passing of this By-law.

7.37 WEST BUSINESS CORRIDOR BLOCK IN LEITCHCROFT

(By-law 308-96, December 10/96; By-law 247-98, December 15/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *37 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.37.1 Additional Permitted Uses

The following additional uses are permitted:

a) *parks, public;*

b) *museums;*

c) *one (1) nightclub;*

d) *parking lots, commercial;*

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- e) *places of amusement*;
- f) *theatres*;
- g) *Personal service shops and retail stores* are permitted provided that:
 - i) they are contained within an *office building*, a *hotel*, a *trade and convention centre* or a *building* containing *recreational establishments*, *theatres* or *places of amusement*;
 - ii) no more than 50 percent of the *net floor area* of any *building(s)* on the lands shall be used for these uses at any one time; and,
 - iii) the maximum permitted *net floor area* of all these uses combined does not exceed 930 square metres.
- h) The following non-retail uses are only permitted within *office buildings*, *hotels* or *buildings* containing a trade or convention centre, *theatres*, *places of amusement* or *recreational establishments*:
 - i) *art galleries*;
 - ii) *commercial fitness centres*;
 - iii) *museums*;
 - iv) *nightclubs*; and,
 - v) *restaurants*.

7.37.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum permitted Floor Space Index for any *buildings* provided the total combined *net floor area* of all *buildings* does not exceed 47,300 square metres – 1.0 m;
- b) Maximum *height* – 36.0 m;
- c) Maximum permitted *net floor area* for a *nightclub* – 1,000 sq.m;
- d) Minimum *net floor area* for *retail stores* – not applicable;
- e) Minimum width of *landscaping* required parallel to and adjoining any *streetline* – 3.0 m;
- f) Encroachment into *landscaping area* to any *lot line* by a *building* or *structure* – permitted, except adjacent to the

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Highway 7 *streetline* and to that portion of the *exterior side lot line* that is located 50 metres from the Highway 7 *streetline*.

7.37.3 Elevated Pedestrian Walkway Provisions

The following additional provisions apply to elevated pedestrian walkways:

- a) Walkways that connect *buildings* are not required to comply with any of the *yard* or setback requirements of this By-law provided they:
 - i) have a minimum *height* above *grade* of 5.0 metres;
 - ii) have a minimum width of 6.0 metres; and,
 - iii) have a maximum width of 10.0 m.
- b) Elevated pedestrian walkways are not permitted to cross any *streetline* within 100 metres of the Highway 7 *streetline*;
- c) Elevated pedestrian walkways are deemed to not be part of the *main building(s)* on the *lot*.

7.38 COMMUNITY AMENITY AREA IN LEITCHCROFT

(By-law 307-96, December 10/96; By-law 2001-289, November 27/01; By-law 2003-69, February 25/03; By-law 2005-03, January 18, 2005)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *38 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.38.1 Zone Standards

- a) **Building Height**
The maximum *building height* shall be 238 meters above sea level, geodetic datum. No portion of any *building* or *structure* shall be permitted to exceed this *height* limit.

- ~~b) **Number**Maximum number of **Dwelling Units**
A maximum of 650 dwelling units are permitted unit – 1,903~~

- c) **Minimum Yard Standards**
The minimum *front yard*, *rear yard*, *exterior side yard*, and

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interior side yard shall be 0.6 metres. Special provisions 3 and 4 of Table B7 do not apply.

- d) Encroachments into Required Yards
Architectural features, balconies, roofed *porches*, underground cellars, stairs and landings as set out in Section 6.6 may encroach up to *front lot lines*, *rear lot lines*, *interior side lot lines* and *exterior side lot lines*.

- ~~ii)e)~~ Maximum Number of *Townhouse Dwelling Units*
For maximum number of *townhouse units* see Section 7.38.2

~~e)~~

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7.38.2 Special Site Provisions

- a)- *Lot Definitions*
For the purposes of applying development standards, Blocks 41, 42 and 43 Registered Plan 65M-3226 shall be deemed to be one *lot*.

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- b) ~~Location of *Front lot line*~~
Lot lines abutting Highway 7, South Park Road and the east and west *lot lines* of Block 5 Plan 65M-3575 shall be deemed the *front lot lines*.

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- c) Number of *Townhouse Dwelling Units*
The maximum number of *townhouse dwelling units* permitted by the definition of *townhouse building* shall not apply.

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- ~~d)~~ Maximum Floor Space Index
~~The Maximum Floor Space Index provisions of Table B7 shall not apply.~~

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- e) ~~Further division or partition of lands~~
Notwithstanding any further division or partition of lands located within plans 65M-3226 and 65M-3575 all by-law development standards shall continue to apply to each Block as they existed on the date of the passing of this ~~By-law.~~

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7.38.3 Special Parking Provisions

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- a) *Loading space* Requirements
Section 5.11.2 does not apply to Block 4, Plan 65M-3575.
- b) Minimum Number of Residential *Parking spaces*
The following parking standards shall apply:
 - ~~a)~~ *Visitors parking spaces*: 0.2 spaces per *dwelling unit*;
 - ~~a)~~ *Apartment Dwellings*: 1.3 spaces per *dwelling unit* (including guest *suites*).
- c) *Tandem Parking spaces*
The following provisions shall apply to Blocks 41, 42 and 43 Registered Plan 65M-3226.
 - a) Up to 30 percent of the required number of *parking spaces* for *apartments* may be provided as tandem spaces.
 - b) ~~—~~Tandem *parking spaces* shall not be shared by more than one unit.
 - c) ~~—~~Visitor parking shall not be tandem.~~—~~

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7.39 COMMUNITY AMENITY AREA IN LEITCHCROFT

(By-law 306-96, January 14/97; By-law 102-1999, June 8/99; By-law 2002-16, January 29/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *39 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.39.1 Additional Permitted Uses

The following additional uses are permitted on Block 39 of Plan 65M-3226:

- a) *hotel* with private cooking facilities;
- b) *townhouse dwelling units*, subject to Section 7.43 of this By-law; and,

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- c) *townhouse dwelling units*, on Blocks 11, 12 and 38, Plan 65m-3226 subject to the additional provisions of Section 7.43 and 7.44 of this By-law.

7.39.2 Prohibited Uses

The following uses are prohibited:

- a) Within 60 metres of Pond Drive:
 - i) *financial institutions*;
 - ii) *restaurants*; and,
 - iii) *retail stores*.
- b) Within 105 metres of Times Avenue and 90 metres of the Highway 7 *streetline*, legally described as Block 10, Plan 65M-3226:
 - i) *apartment dwellings*; and,
 - ii) *multiple dwellings*.

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7.39.3 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum permitted *net floor area* for all non-residential uses, excluding *business offices* – 4,650 sq.m;
- b) Maximum permitted *net floor area* for *retail stores* – 3,750 sq.m;
- c) Maximum *height* – 32.0 m;
- d) Encroachment by *hotel* roofed entrance into required *exterior side yard* – Permitted;
- e) The following additional *Zone* Standards apply collectively to Blocks 10 and 39, Registered Plan 65M-3226, notwithstanding the future subdivision of the land:
 - i) Maximum Floor Space Index for any *building* on a *lot* – 1.75;
 - ii) Maximum number of *dwelling units* per hectare on a *lot* – 134;
- f) Special Provisions on Table B7 regulating the maximum setback of the wall facing the *front lot line* do not apply.

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7.40 COMMUNITY AMENITY AREA IN LEITCHCROFT

(By-law 306-96, January 14/97; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *40 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.40.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *public schools*; and

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- b) *townhouse dwelling units* on Blocks 36 and 37, Plan 65M-3226 subject to the provisions of Sections 7.43 and 7.44 of this By-law

7.40.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum permitted total *net floor area* for *retail stores* – 465 sq.m;
- b) Maximum *height* – 30.0 m;
- c) The following provisions apply collectively to Block 40 Plan 65M-3226, notwithstanding the future subdivision of the land:
 - i) Maximum Floor Space Index for any *building* on a *lot* – 1.75;
 - ii) Maximum permitted number of *dwelling units* per hectare on a *lot* – 135.

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7.41 HIGH DENSITY RESIDENTIAL USES IN LEITCHCROFT

(By-law 306-96, January 14/97; By-law 141-97, June 10/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *41 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.41.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *townhouse dwelling units*.

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7.41.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *height* – 7.0 m;
- b) Maximum *height* – 40.0 m;
- c) Maximum number of *dwelling units* on a *lot* – 185 units/ha;
- d) *Minimum required rear yard* – 6.0 m.

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7.41.3 Special Site Provisions

The following additional provisions apply:

- a) The *front lot line* is deemed to be the longest of the two *lot lines* that abut a *public street* on the block adjoining Highway 7.

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7.42 MEDIUM DENSITY RESIDENTIAL AREA IN LEITCHCROFT

(By-law 306-96, January 14/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *42 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.42.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *apartment dwellings*;
- b) *multiple dwellings*; and,
- c) *townhouse dwellings*, subject to the provisions of Section 7.44 of this By-law.

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7.42.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum number of *townhouse dwellings* in a *townhouse building* – no restriction;

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- b) Maximum number of *dwelling units* on all privately owned lands – 90 units/ha;
- c) *Minimum required front yard* – 3.0 m;
- d) *Porches* are permitted to encroach into the required *exterior side yard* provided they are not located any closer than 6.0 m from the *front lot line*.

7.42.3 Special Site Provisions

The following additional provision applies:

- a) The south *lot line* shall be deemed to be the *front lot line*.

7.43 LEITCHCROFT RESIDENTIAL ON LOTS NOT ACCESSED BY LANES

(By-law 306-96, January 14/97; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *43 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.43.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *home occupations*; and,
- b) *townhouse dwellings*.

7.43.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum *driveway width* – 3.5 m at the *streetline*;
- b) Maximum *garage width* – 5.5 m;
- c) Minimum *lot frontage* for an interior unit – 7.0 m;
- d) Minimum *lot frontage* for an end unit on an *interior lot* – 8.2 m;
- e) Minimum *lot frontage* for an end unit on a *corner lot* – 9.4 m;

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- f) *Minimum required exterior side yard* within that portion of the *yard* located 6.0 metres or more from the front and *rear lot lines* – 1.2 m;
- g) *Minimum required rear yard* for a *lot* not accessed by a *lane* – 6.0 m;
- h) *Minimum required rear yard* for a *lot* not accessed by a *lane* on Block 36, Plan 65M-3226 – 1.0 m;
- i) *Roofed porches* are permitted to encroach into the required *exterior side yard* provided they are not located any closer than 6.0 m from the *front lot line*;
- j) Maximum number of *townhouse dwelling units* permitted in a *townhouse building* – no restrictions.

7.43.3 Special Site Provisions

The following additional provision applies:

- a) No part of an attached *private garage* shall be located closer to the *front lot line* than any other portion of the *wall* of the *main building* facing the *front lot line*.

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7.44 LEITCHCROFT RESIDENTIAL ON LOTS ACCESSED BY LANES

(By-law 306-96, January 14/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *44 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.44.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *home occupations*; and,
- b) *townhouse dwellings*.

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7.44.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum number of *townhouse dwellings* in a *townhouse building* – no restriction;
- b) Minimum *lot frontage* for an interior unit – 5.0 m;
- c) Minimum *lot frontage* for an end unit on an *interior lot* – 6.2 m;
- d) Minimum *lot frontage* for an end unit on a *corner lot* – 7.0 m;
- e) *Minimum required exterior side yard* – 1.2 m;
- f) *Minimum required rear yard* on a *lot* with a *lot* depth of 25 metres or less – 6.0 m;
- g) An attached *private garage* with a maximum *height* of 3.0 metres is permitted in the required *rear yard* of a *lot* with a depth of 25 metres or less provided it is set back a minimum of 0.6 m from the *rear lot line*;
- h) *Porches* are permitted to encroach into the required *exterior side yard* provided they are not located any closer than 6.0 m from the *front lot line* or *rear lot line*.

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7.45 SCHOOLS IN BUSINESS PARK ZONE

(By-law 307-96, December 10/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *45 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.45.1 Additional Permitted Used

The following additional uses are permitted:

- a) *commercial schools*;
- b) *private schools*; and,
- c) *public schools*.

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7.45.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum width of *landscaping area* required parallel to and adjoining any *interior side lot line* – 3.0 m;
- b) Encroachments are permitted into the *landscaping area* by *buildings* or *structures*.

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7.46 LANDS AROUND CENTRAL PARK IN LEITCHCROFT

(By-law 307-96, December 10/96)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *46 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.46.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum width of *landscaping area* required parallel to and adjoining any *streetline* – 3.0 m;
- b) Encroachments are permitted into the *landscaping area* by *buildings* or *structures*;
- c) Permitted encroachment into required *front yard* by outdoor patios *accessory to restaurants* – 3.0 m;
- d) A minimum of 70% of the *lot frontage* of any *lot*, located wholly or partially upon lands subject to this Section and which abuts a *streetline* shall be the location of a wall that is set back no further than 3.0 metres from the *streetline*.

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7.46.2 Special Site Provisions

The following additional provision applies:

- a) The *front lot line* shall be the same as any *streetline*.

7.47 EXISTING SINGLE DETACHED DWELLING

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(By-law 306-96, January 14/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *47 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.47.1 Additional Permitted Uses

The following additional use is permitted:

- a) One *single detached dwelling* that existed on January 14, 1997.

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7.48 HIGHWAY 7 FRONTAGE IN LEITCHCROFT

(By-law 306-96, January 14/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *48 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.48.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *front yard* within 30 metres of the intersection of the *exterior side lot line* and the Highway 7 *streetline* – 15.0 m;
- b) Maximum *exterior side yard* within 30 metres of the intersection of the *exterior side lot line* and the Highway 7 *streetline* – 9.0 m;
- c) A minimum of 70% of the *lot frontage* of any *lot* that abuts Highway 7 shall be the location of a wall that is set back no further than 19.0 metres from the *front lot line*.
- d) Minimum width of *landscaping area* required parallel to and adjoining any *streetline* – 3.0 m;
- e) Maximum percentage of the *wall* facing the *front lot line* of any *building* on any *lot* that can have a *height* of less than 8.0 metres – 50%.

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7.48.2 Special Site Provisions

The following additional provision applies:

- a) The *front lot line* shall be the Highway 7 *streetline*.

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7.49 HIGHWAY 7 FRONTAGE IN LEITCHCROFT

(By-law 308-96, December 10/96; By-law 2001-289, November 27/01; By-law 2003-69, February 25/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *49 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.49.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum *front yard* for *lots* abutting Highway 7 – 15.0 m;
- b) Maximum *exterior side yard* for *lots* abutting Highway 7 – 9.0 m;
- c) Minimum landscaped area required parallel to and adjoining any *streetline* – 3.0 m;
- d) Encroachments by *buildings* or *structures* into the required *front yard* and landscape area – Permitted to the *streetline*.

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7.49.2 Special Site Provisions

The following additional provisions apply:

- a) The *front lot line* shall be the Highway 7 *streetline*;
- b) No more than 50% of the *front wall* of any *building* on any *lot* shall have a *height* of less than 8.0 metres;
- c) Special Provisions on Table B7 regulating the maximum setback of the wall facing the *front lot line* do not apply.

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7.50 BERCZY VILLAGE, FIRST PHASE (MONARCH-LARKIN PARTNERSHIP) (By-law 80-97, April 15/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *50 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.50.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for a *single detached dwelling* on a *lot* not accessed by a *lane* – 10.7 m.

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7.51 EXISTING SINGLE DETACHED DWELLINGS IN BERCZY VILLAGE (By-law 80-97, April 15/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *51 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.51.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* – 4.0 m;
- b) Maximum number of *dwelling units* – 2.

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7.51.2 Special Site Provisions

The following additional provisions apply:

- a) The *front lot line* shall be the shortest *lot line* adjoining a *public street*;
- b) No *motor vehicle* access shall be permitted onto a *lot* from 16th Avenue.

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7.52 LOTS ACCESSED BY REAR LANES IN SOUTH UNIONVILLE

(By-law 19-97, April 15/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *52 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.52.1 Zone Standards

The following specific *Zone* Standard applies:

- a) *Minimum required rear yard* for lots accessed by rear lanes – 14.5 m.

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7.54 SINGLE DETACHED HOUSING ADJOINING WOODBINE AVENUE AND MAJOR MACKENZIE DRIVE IN THE WOODBINE NORTH PLANNING DISTRICT

(By-law 167-97, June 24/97, OMB Approved Dec. 11/97; By-law 2001-239, Sept. 11/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *54 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.54.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *height* – 9.0 m;
- b) Maximum number of *storeys* – two *storeys*;
- c) Minimum *lot depth* of a *wide shallow lot* – 24.0 m.

7.54.2 Special Site Provisions

The following additional provision applies:

- a) On a *lot* not accessed by a *lane*, in no case shall the wall of a *private garage* containing the opening for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than any other portion of the wall of the *dwelling* facing the *lot* line crossed by the *driveway*;
- b) Maximum setback for *main buildings* from *front lot line* on a *lot* where any part of the *front lot line* is curved - no maximum.

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7.55 DWELLING TYPES AND GARAGE PROJECTIONS IN THE WOODBINE NORTH PLANNING DISTRICT

(By-law 167-97, June 24/97, OMB Approved Dec. 11/97; By-law 2001-239, Sept. 11/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *55 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to

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7.55.1 Only Uses Permitted

The following uses are the only *dwelling* types permitted:

- a) In the R2-S Zone north of Hillmount Road:
 - i) *semi-detached dwellings*; and
 - ii) *single detached dwellings*.
- b) In the R2-S Zone south of Hillmount Road:
 - i) *semi-detached dwellings*;
 - ii) *single detached dwellings*; and,
 - iii) *townhouse dwellings*.

7.55.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot depth* of a *wide shallow lot* – 24.0 m.

7.55.3 Special Site Provisions

The following additional provision applies:

- a) On a *lot* not accessed by a *lane*, in no case shall the wall of a *private garage* containing the opening for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than any other portion of the wall of the *dwelling* facing the *lot* line crossed by the *driveway*.
- b) Maximum setback for *main buildings* from *front lot line* on a *lot* where any part of the *front lot line* is curved - no maximum.

7.56 FRONT WALL OF MAIN BUILDING AND PRIVATE GARAGE IN THE WOODBINE NORTH PLANNING AREA

(By-law 167-97, June 24/97. OMB Approved Dec. 11/97; By-law 2001-239, Sept. 11/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *56 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to

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7.56.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum setback for the wall of the *first storey* and/or of the foundation of a covered *porch* facing the *front lot line* from the *front lot line* – 6.0 m;
- b) Maximum setback for the wall of each *storey* above the *first storey* facing the *front lot line* from the *front lot line* – 7.5 m;
- c) Minimum *lot depth* of a *wide shallow lot* – 24.0 m.

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7.56.2 Special Site Provisions

The following additional provision applies:

- a) On a *lot* not accessed by a *lane*, in no case shall the wall of a *private garage* containing the opening for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than any other portion of the wall of the *dwelling* facing the *lot* line crossed by the *driveway*.
- b) Maximum setback for *main buildings* from *front lot line* on a *lot* where any part of the *front lot line* is curved - no maximum.

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7.57 DWELLING TYPES, DOUBLE GARAGES, DRIVEWAYS IN THE WOODBINE NORTH PLANNING DISTRICT

(By-law 167-97, June 24/97. OMB Approved Dec. 11/97; By-law 2001-239, Sept. 11/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *57 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.57.1 Only Uses Permitted

The following uses are the only *dwelling* types permitted:

- a) In the R2-S *Zone* north of Hillmount Road:

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- i) *semi-detached dwellings; and*
- ii) *single detached dwellings.*
- b) In the R2-S Zone south of Hillmount Road:
 - i) *semi-detached dwellings;*
 - ii) *single detached dwellings; and,*
 - iii) *townhouse dwellings.*

7.57.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum garage and *driveway* width on a *lot* not accessed by a *lane* and having a *lot frontage* of less than 12.2 m – 3.5 m;
- b) Maximum setback for the wall of the *first storey* and/or foundation of a *porch* facing the *front lot line* - 6.0 m;
- c) Maximum setback for the *main wall* of any *storey* above the *first storey* that faces the *front lot line* - 7.5 m;
- d) Minimum *lot depth* of a *wide shallow lot* – 24.0 m.

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7.57.3 Special Site Provisions

The following additional provision applies:

- a) Maximum setback for *main buildings* from *front lot line* on a *lot* where any part of the *front lot line* is curved - no maximum.

7.58 SINGLE AND SEMI-DETACHED DWELLINGS

(By-law 191-97, June 24/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *58 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.58.1 Zone Standards

The following specific *Zone Standards* apply to *lots* not accessed by *lanes*:

- a) Minimum *lot frontage* for a *single detached dwelling* on an *interior lot* – 9.1 m;
- b) Minimum *lot frontage* for a *single detached dwelling* on a *corner lot* – 10.2 m;
- c) Minimum *lot frontage* for a *semi-detached dwelling* on an *interior lot* – 7.5 m/unit;
- d) Minimum *lot frontage* for a *semi-detached dwelling* on a *corner lot* – 16.2 m;
- e) Minimum *front yard* for single and *semi-detached dwellings* on a *lot* – 3.0 m;
- f) Minimum *rear yard* for single and *semi-detached dwellings* on a *lot* – 7.0 m.

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7.59 STREET TOWNHOUSES - SOUTH OF ROUGE STREET, PART LOT 9, CON. 8

(By-law 73-97, Mar. 25/97; By-law 289-97, Oct. 28/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *59 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.59.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum *driveway* width at the *streetline* on a *lot* not accessed by a *lane* and having a frontage of 9.0 metres or less – 3.5 m;
- b) Maximum *driveway* width at the *main wall* on a *lot* not accessed by a *lane* and having a frontage of 9.0 metres or less – 5.2 m;
- c) Maximum *garage width* on a *lot* not accessed by a *lane* and having a *lot frontage* of 9.0 metres or less – 5.2 m;
- d) Maximum number of *single detached dwellings* – 1, provided it is located on Block 24 of Registered Plan 173;
- e) *Minimum required exterior side yard* for a *townhouse building* – 1.2 m.

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7.60 RETAIL AND RESTAURANT USES IN BERCZY VILLAGE

(By-law 191-97, June 24/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *60 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.60.1 Additional Permitted Uses

The following additional uses are permitted, provided they have a maximum *net floor area* of 60 square metres per *premises* and are located in the *first storey* of a *building*:

- a) *restaurants*; and,
- b) *retail stores*.

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7.60.2 Special Parking Provisions

The following parking provisions apply:

- a) Minimum number of required *parking spaces* for *restaurants* – 1 per 15 square metres of *net floor area*;
- b) Minimum number of required *parking spaces* for *retail stores* – zero.

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7.61 LOW DENSITY HOUSING IN BERCZY VILLAGE

(By-law 191-97, June 24/97; By-law 174-98, Sept. 15/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *61 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.61.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum *lot frontage* for *semi-detached dwellings* not accessed by a *lane* – 7.5 m/unit;
- b) Minimum *lot frontage* for a *semi-detached* end unit flanking a *lane* on a *lot* not accessed by a *lane* – 7.5 m;
- c) Minimum *lot frontage* for a *semi-detached* end unit flanking a *public street* on a *lot* not accessed by a *lane* – 8.7 m;
- d) Minimum *lot frontage* for a *townhouse dwelling* not accessed by a *lane* – 6.0 m/unit;

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- e) Minimum *lot frontage* for a *townhouse dwelling* end unit flanking a *lane* on a *lot* not accessed by a *lane* – 7.2 m;
- f) Minimum *lot frontage* for a *townhouse dwelling* end unit flanking a *public street* on a *lot* not accessed by a *lane* – 8.4 m;
- g) *Minimum required front yard* – 3.0 m;
- h) *Minimum required rear yard* on a *lot* not accessed by a *lane* – 7.0 m;
- i) *Minimum required exterior side yard* where adjoining a *lane* – 1.2 m;
- j) Maximum *height* – 12.0 m;
- k) Maximum width of a *private garage* and *driveway* on a *lot* not accessed by a *lane* and having a *lot frontage* of less than 11.6 m – 5.2 m;
- l) Maximum width of a *private garage* and *driveway* on a *lot* not accessed by a *lane* and having a *lot frontage* of greater than 11.6 m – 6.1 m.
- m) Maximum number of abutting *lots* fronting on the same street and having *lot frontages* of less than 11.6 metres containing a *dwelling* with *garage* and *driveway* widths exceeding 3.5 metres – two (2).

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7.61.2 Special Parking Provisions

The following parking provision applies:

- a) Maximum number of *parking spaces* permitted within the setback area between the *main building* and detached *private garage* on a *lot* where a *lane* providing access to a *lot* abuts the side *lot* line – 1, provided the *parking space* is unenclosed.

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7.61.3 Special Site Provisions

The following additional provision applies:

- a) In no case shall the wall of a *private garage* containing the opening(s) for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than any other portion of the wall of the *dwelling* facing the *lot* line crossed by the *driveway*.

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7.62 CORNER STORES IN BERCZY VILLAGE

(By-law 195-97, June 24/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *62 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.62.1 Additional Permitted Uses

The following additional use is permitted:

- a) *retail stores* in the *first storey* only.

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7.62.2 Zone Standards

The following specific *Zone* Standard applies:

- a) Maximum *net floor area* for *retail store* – 100 sq.m.

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7.62.3 Special Parking Provisions

The following parking provision applies:

- a) Minimum number of *parking spaces* required for *retail stores* – zero.

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7.63 WIDE SHALLOW LOTS IN BERCZY VILLAGE

(By-law 195-97, June 24/97; By-law 212-98, Oct. 13/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *63 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.63.1 Zone Standards

The following specific *Zone* Standards apply:

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- a) Minimum *lot frontage* for a *single detached dwelling* on a *wide shallow lot* – 11.0 m;
- b) Minimum required *interior side yard* for a *single detached dwelling* on a *wide shallow lot* – 1.2 m on one side, 0.6 m on the other side;
- c) Maximum width of a *private garage* on a *lot* not accessed by a *lane* having a *lot frontage* of less than 13.3 metres – 3.5 m;
- d) Maximum width of a *driveway* on a *lot* not accessed by a *lane* having a *lot frontage* of less than 13.3 metres – 5.2 m;
- e) Maximum permitted encroachment by roofed *porches*, underground cellars and architectural features including sills, belt courses, cornices, eaves, chimney breasts, pilasters, roof overhangs and cantilevered window bays into required front or *exterior side yard* – 1.8 m;
- f) Minimum required setback for any *building* or *structure* or part thereof including *porches*, landings, architectural features, and fencing from any utility or service easement on a *lot* – 1.5 m.

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7.63.2 Special Site Provisions

The following additional provision applies:

- a) Any wall of a *private garage* is not permitted to extend closer than 1.5 metres to the *lot* line crossed by the *driveway* than the wall of the *dwelling* containing the *main* entrance. Notwithstanding the above, the wall of a *private garage* may extend further than 1.5 metres from the wall of the *dwelling* containing the *main* entrance if:
 - i) the *lot* has a frontage equal to or greater than 17.0 metres;
 - ii) the wall of the *private garage* containing the opening(s) for *motor vehicle* access faces an *interior* or *exterior side lot line*; and,
 - iii) no part of the *main* front wall of the *dwelling* facing the front line is located farther than 11.5 m from the *front lot line*.

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7.64 WIDE SHALLOW LOTS, PRIVATE GARAGES AND ENCROACHMENT PROVISIONS IN ROUGE NORTHEAST

(By-law 66-97, Mar. 25/97; By-law 102-1999, June 8/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *64 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.64.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum setback for detached *private garages* from the *interior side lot line* and *rear lot line* where *lots* have a *lot frontage* greater than 11.6 metres – 0.3 m, provided no doors or window openings are in the wall facing that *lot* line;
- b) Roofed *porches* on *corner lots* may encroach into the required front and *exterior side yards* provided that no part of the roofed *porch* or stairs is located closer than 1.2 metres from the front and exterior *lot* lines.

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7.64.2 Special Site Provisions

The following additional provision applies:

- a) There is no maximum setback required from the *front lot line* on Lot 148 of Plan 65M-3134 (1 Wood Thrush Avenue).

7.65 R2-LA ZONE, BERCZY VILLAGE

(By-law 119-97, May 13/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *65 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.65.1 Zone Standards

The following specific *Zone* Standard applies:

- a) *Minimum required rear yard* – 12.8 m.

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7.66 R2 ZONE LOW DENSITY HOUSING, BERCZY VILLAGE, SOUTHEAST QUADRANT

(By-law 119-97, May 13/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *66 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.66.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for *semi-detached dwellings* on a *lot* not accessed by a *lane* – 7.3 m/unit;
- b) Minimum *lot frontage* for a *semi-detached* end unit on a *lot* not accessed by a *lane* flanking a *lane* – 7.3 m;
- c) Minimum *lot frontage* for a *semi-detached* end unit on a *lot* not accessed by a *lane* flanking a *public street* – 8.5 m;
- d) Minimum *lot frontage* for *townhouse dwellings* on a *lot* not accessed by a *lane* – 6.0 m/unit;
- e) Minimum *lot frontage* for a *townhouse* end unit on a *lot* not accessed by a *lane* flanking a *lane* – 7.2 m;
- f) Minimum *lot frontage* for a *townhouse* end unit on a *lot* not accessed by a *lane* flanking a *public street* – 8.4 m;
- g) *Minimum required front yard* – 3.0 m;
- h) *Minimum required rear yard* on a *lot* not accessed by a *lane* – 7.0 m;
- i) *Minimum required exterior side yard* where the *lot* adjoins a *lane* – 1.2 m;
- j) Maximum width of a *private garage* and *driveway* on a *lot* not accessed by a *lane* and with a frontage of less than 11.6 m – 3.5 m.

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7.67 LOT FRONTAGE AND DRIVEWAY STANDARDS IN SOUTH UNIONVILLE

(By-law 249-97, Sept. 30/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *67 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.67.1 Zone Standards

The following specific *Zone* Standards apply:

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- a) Minimum *lot frontage* for a *semi-detached dwelling* on an *interior lot* not accessed by a *lane* – 7.3 m/unit;
- b) Minimum *lot frontage* for a *semi-detached dwelling* on a *corner lot* not accessed by a *lane* – 15.8 m;
- c) Minimum *lot frontage* for a *townhouse building* interior unit on an *interior lot* not accessed by a *lane* – 6.0 m/unit;
- d) Minimum *lot frontage* for a *townhouse building* end unit on an *interior lot* not accessed by a *lane* – 7.2 m;
- e) Minimum *lot frontage* for a *townhouse building* end unit on a *corner lot*, not accessed by a *lane* and adjoining a *public street* – 8.4 m;
- f) Minimum *lot frontage* for a *townhouse building* end unit on a *corner lot*, not accessed by a *lane* and adjoining a *public lane* – 7.2 m;
- g) Maximum garage and *driveway* width on any *lot* not accessed by a *lane* and having a frontage of less than 11.4 metres – 3.5 m.

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7.67.2 Special Site Provisions

The following additional provision applies:

- a) On any *lot* not accessed by a *lane*, in no case shall the wall of a *private garage* containing the opening for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than any other portion of the wall of the *dwelling* facing the *lot* line crossed by the *driveway*.

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7.68 S/E CORNER OF MAJOR MACKENZIE DRIVE AND MARKLAND STREET

(By-law 167-97, June 24/97, OMB Approved Dec. 11/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *68 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.68.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum permitted *net floor area* of a *retail store* – 148 sq.m of which a maximum of 110 square metres may be used for retail sales;
- b) Minimum setback of *car wash* from the Major Mackenzie Drive *streetline* – 40.0 m.

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7.68.2 Special Site Provisions

The following additional provision applies:

- a) Walkways having a minimum width of 1.2 metres are required to facilitate pedestrian access to all *buildings* from Markland Street and Major Mackenzie Drive, except those occupied entirely by a *car wash*.

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7.69 S/W CORNER OF WOODBINE AVENUE AND HILLMOUNT ROAD

(By-law 167-97, June 24/97, OMB Approved Dec. 11/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *69 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.69.1 Only Uses Permitted

The following use is the only use permitted:

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- a) *place of worship.*

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7.70 NORTHERN ELEMENTARY SCHOOL SITE IN THE WOODBINE NORTH PLANNING DISTRICT

(By-law 167-97, June 24/97, OMB Approved Dec. 11/97; By-law 2001-239, Sept. 11/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *70 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.70.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) all uses permitted in the OS2 Zone; and,
b) *single detached dwellings.*

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7.70.2 Zone Standards

The following specific Zone Standards apply:

- a) Minimum *lot depth* for a *wide shallow lot* – 24.0 m.

7.70.3 Special Site Provisions

The following additional provision applies:

- a) Maximum setback for *main buildings* from *front lot line* on a *lot* where any part of the *front lot line* is curved - no maximum.

7.71 R2 LANDS ADJOINING INDUSTRIAL LANDS IN THE WOODBINE NORTH PLANNING DISTRICT

(By-law 167-97, June 24/97, OMB Approved December 11/97; By-law 2001-239, September 11/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *71 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to

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this Section.

7.71.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required rear yard* – 12.5 m;
- b) *Minimum width of required landscaping area adjoining the rear lot line* – 3.0 m;
- c) *Minimum lot depth for a wide shallow lot* – 24.0 m.

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7.71.2 Special Site Provisions

The following additional provision applies:

- a) Maximum setback for *main buildings* from *front lot line* on a *lot* where any part of the *front lot line* is curved - no maximum.

7.72 LOTS SURROUNDING THE CENTRAL CAMPUS IN THE WOODBINE NORTH PLANNING DISTRICT

(By-law 167-97, June 24/97, OMB Approved December 11/97; By-law 2001-239, September 11/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *72 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.72.1 Only Uses Permitted

The following use is the only use permitted:

- a) *single detached dwellings*.

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7.72.2 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required rear yard* - 3.5 m;

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- b) *Minimum required rear yard* for that 50% of the *rear yard* adjoining the *interior side lot line* – 7.5 m;
- c) *Minimum required rear yard* for that portion of the *rear yard* within 6.0 metres of the *exterior side lot line* – 3.5 m;
- d) Maximum required *rear yard* for that portion of the *rear yard* within 6.0 metres of the *exterior side lot line* – 5.0 m;
- e) Minimum *lot depth* for a *wide shallow lot* – 24.0 m.

7.72.3 Special Site Provisions

The following additional provision applies:

- a) No *accessory building* shall be located closer than 7.5 metres from the *rear lot line*;
- b) The *driveway* is not permitted to cross the *exterior side lot line*;

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- c) The *driveway* shall only be permitted to cross that portion of the *front lot line* that is located within 7.5 metres of the *interior side lot line*;
- d) The *main* entrance into the *dwelling* shall face, and be from, the *exterior side yard*;
- e) A continuous roofed *porch* is permitted to encroach into the required *exterior side yard* a distance of no more than 60 percent of the required *exterior side yard* for the *main building* provided the *porch* extends from the *main* entrance to the *dwelling* to within 1.2 metres from the *driveway* that crosses the *front lot line*;
- f) Maximum setback for *main buildings* from *front lot line* on a *lot* where any part of the *front lot line* is curved - no maximum;
- g) No less than 70% of the wall of the *main building* facing the *exterior side lot line* shall be located further than 4.1 metres from the *exterior side lot line*.

7.73 DETACHED HOUSING IN ROUGE NORTHEAST

(By-law 140-97, June 10/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *73 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.73.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Maximum garage and *driveway* width for a *single detached dwelling* not accessed by a *lane* and having a frontage of 9.1 metres or more – 6.1 m.

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7.74 FRONT YARD DEPTH, GARAGE PROJECTIONS AND SEMI-DETACHED HOUSING IN R2-S ZONE

(By-law 193-97, June 24/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *74 on the

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Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.74.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required front yard* – 3.0 m;
- b) Maximum setback for the wall of the *first storey* facing the *front lot line* from the *front lot line* – 6.0 m;
- c) Maximum setback of *main front wall* on floors above the *first storey* from the *front lot line* – 7.5 m;
- d) Minimum *lot frontage* for *semi-detached dwellings* not accessed by a *lane* – 7.5 m/unit;
- e) Minimum *lot frontage* for a *semi-detached* end unit on a *lot* not accessed by a *lane* and flanking a *lane* – 7.5 m;
- f) Minimum *lot frontage* for a *semi-detached* end unit on a *lot* not accessed by a *lane* and flanking a *public street* – 8.7 m.

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7.74.2 Special Site Provisions

The following additional provisions apply:

- a) The main entrance for a *semi-detached dwelling* unit on a *corner lot* not accessed by a *lane* shall face and be accessed from the *exterior side yard* of the *lot*;

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- b) On a *lot* not accessed by a *lane*, in no case shall the wall of the *private garage* containing the opening for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than the *main wall* of the *dwelling* or foundation of the *porch* (whichever is closer to the *front lot line*) facing the *front lot line* crossed by the *driveway*.

7.75 DETACHED HOMES WITH DOUBLE GARAGES AND STREET TOWNHOUSES IN BERCZY VILLAGE

(By-law 193-97, June 24/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *75 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.75.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Maximum garage and *driveway* width for a *single detached dwelling* on a *lot* not accessed by a *lane* and with a *lot frontage* equal to or greater than 10.6 metres – 6.1 m;
- b) Minimum *lot frontage* for *townhouse dwellings* not accessed by a *lane* – 6.0 m/unit;
- c) Minimum *lot frontage* for a *townhouse* end unit not accessed by a *lane* and flanking a *lane* – 7.2 m;
- d) Minimum *lot frontage* for a *townhouse* end unit not accessed by a *lane* and flanking a *public street* – 8.4 m;
- e) *Minimum required front yard* – 3.0 m.

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7.76 LOT FRONTAGE AND DRIVEWAY STANDARDS IN SOUTH UNIONVILLE

(By-law 211-97, Aug. 19/97)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *76 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.76.1 Zone Standards

The following *Zone Standards* apply to *lots* not accessed by a *lane*:

- a) Minimum *lot frontage* for *semi-detached dwellings* on *interior lots* – 7.3 m/unit;
- b) Minimum *lot frontage* for a *semi-detached dwelling* on a *corner lot* – 15.8 m;
- c) Minimum *lot frontage* for *townhouse interior units* on *interior lots* – 6.0 m/unit;
- d) Minimum *lot frontage* for a *townhouse end unit* on an *interior lot* – 7.2 m;
- e) Minimum *lot frontage* for a *townhouse end unit* on a *corner lot* not accessed by *lanes* adjoining a public *lane* – 7.2 m;
- f) Minimum *lot frontage* for a *townhouse end unit* on a *corner lot* adjoining a *public street* – 8.4 m;
- g) Maximum garage and *driveway* width on a *lot* having a frontage of less than 11.1 metres – 3.5 m.

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7.76.2 Special Site Provisions

The following additional provision applies:

- a) On any *lot* not accessed by a *lane*, in no case shall the wall of a *private garage* containing the opening for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than the wall of the *dwelling* facing the *lot* line crossed by the *driveway*.

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7.77 RESERVED

(Deleted by By-law 2001-5, December 12/00)

7.78 RESERVED

(Deleted by By-law 2001-5, December 12/00)

7.79 STRINGBRIDGE BUSINESS PARK AREA

(By-law 303-97, Oct. 28/97; By-law 2001-5, December 12/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *79 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.79.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot area* – 6,000 sq.m;
- b) *Minimum required rear yard* – 3.0 m;
- c) Minimum width of *landscaping* area required adjacent to the *front lot line* – 6.0 m;
- d) Minimum width of *landscaping* area required adjacent to the *front lot line* and within 70 metres of the west *lot line* – 2.0 m;
- e) Minimum width of *landscaping* area required adjacent to all other *lot lines* – 3.0 m.

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7.79.2 Special Parking Provisions

The following parking provisions apply:

- a) Maximum depth of *parking area* in a *front yard* or an *exterior side yard*, including vehicular aisles – 20.0 m;
- b) Parking is not required for the first 250 square metres of *net floor area* devoted to *retail stores*;
- c) Parking is not required for the first 300 square metres of *net floor area* devoted to *restaurants*.

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7.79.3 Special Site Provisions

The following additional provision applies:

- a) The *front lot line* is the Clegg Road *streetline*.

7.80 STRINGBRIDGE

(By-law 303-97, October 28/97; By-law 2001-5, December 12/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *80 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.80.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *front yard* within 50 metres of the intersection of South Town Centre Boulevard and the Highway 7 *streetline* – 10.0 m;
- b) Maximum *exterior side yard* within 50 metres of the intersection of South Town Centre Boulevard and the Highway 7 *streetline* – 6.0 m;
- c) Minimum width of *landscaping* area required adjacent to the front and exterior *lot* lines – 3.0 m;
- d) Minimum width of *landscaping* area required adjacent to the Clegg Road *streetline* – 6.0 m;
- e) Minimum *height* – 7.5 m, provided any portion of a *building* within 60 metres of the point of intersection of South Town Centre Boulevard and the Highway 7 *streetlines* has a *height* of no less than 15.0 m;
- f) Maximum *height* – 36.0 m;
- g) Minimum *lot frontage* – 45.0 m;
- h) Maximum Floor Space Index – 3.6, provided that the maximum Floor Space Index for all *buildings* combined on the lands subject to this Section shall not exceed a Floor Space Index of 1.0.

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7.80.2 Special Parking Provisions

The following parking provisions apply:

- a) Maximum depth of a *parking area* in a *front yard*, including vehicular aisles – 10.0 m;
- b) *Parking spaces* are not permitted within the *exterior side yard* and/or *interior side yard* between *main buildings*. *Driveways* accessing *parking areas* are permitted in these locations;
- c) Parking is not required for the first 250 square metres of *net floor area* devoted to *retail stores*;
- d) Parking is not required for the first 300 square metres of *net floor area* devoted to *restaurants*.

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7.80.3 Special Site Provisions

The following additional provisions apply:

- a) A minimum of 85% of the *lot frontage* of each *lot* that is beyond 50 metres of the intersection of South Town Centre Boulevard and Highway 7 shall be the location of a wall facing Highway 7 that is no further than 14.0 metres from the *front lot line*;
- b) *Dwelling units* are not permitted within 50.0 metres of the point of intersection of South Town Centre Boulevard and Highway 7 *streetlines*;
- c) For any *lot* abutting the Highway 7 road allowance, including a *corner lot*, the *front lot line* is the Highway 7 *streetline*;
- d) *Buildings* or *structures* or an outdoor patio associated with a *restaurant* are permitted to encroach into any *landscaping* area to any *lot line*.

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7.81 WEST OF 9TH LINE AND SOUTH OF HIGHWAY 407

(By-law 20-98; January 27/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *81 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.81.1 Special Site Provision

The following additional provision applies:

- a) There is no maximum setback required from the *front lot line*.

7.82 DETACHED PRIVATE GARAGES, ANGUS GLEN

(By-law 76-98, May 26/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *82 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to

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this Section.

7.82.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Detached *private garages* are permitted in the *front yard* provided:
 - i) it has a *height* of no more than 4.5 m;
 - ii) the wall containing the opening for *motor vehicle* access does not face the *front lot line*.

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7.83 EAST OF WARDEN AVENUE, NORTH OF 16TH AVENUE (By-law 108-98, June 23/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *83 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.83.1 Additional Permitted Uses

The following additional use is permitted:

- a) *townhouse dwellings*.

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7.83.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot area* – 2.0 ha;
- b) Maximum *height* – 11.0 m;
- c) Maximum number of *dwelling units* on a *lot* – 15 units/ha;
- d) Minimum setback for all *buildings* and *structures* from any *lot* line – 5.0 m;
- e) Minimum setback from Open Space *Zone* – 3.5 m;
- f) Minimum required landscaped area – 35%.

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7.83.3 Special Site Provisions

The following additional provision applies:

- a) The Open Space *Zone* boundary identified in Section 7.83.2(e) shall be located 10.0 metres from the top of bank of Berczy Creek.

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7.84 OS1 ZONE, EAST OF WARDEN AVENUE, NORTH OF 16TH AVENUE (By-law 108-98, June 23/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *84 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.84.1 Additional Permitted Uses

The following additional uses are permitted:

- a) access roads and associated *structures*; and,
- b) facilities required for the servicing of *buildings* on adjoining lands with watermains and storm and sanitary sewers.

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7.85 LOT 67, 65M-3114 (30 ANGUS GLEN BOULEVARD) (By-law 174-98, Sept. 15/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *85 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.85.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Detached *private garages* shall be located no closer than 1.2 metres from the *exterior side lot line*.

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7.86 LOT 62, 65M-3176 (81 THE FAIRWAYS)

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(By-law 174-98, Sept. 15/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *86 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.86.1 Special Site Provisions

The following additional provisions apply:

- a) *Minimum required front and rear yards – 0.0 m;*
- b) *Minimum setback between detached private garage and main building - zero.*

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7.87 LOT 23, 65M-3114 (2 ANGUS GLEN BOULEVARD)

(By-law 174-98, Sept. 15/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *87 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.87.1 Zone Standards

The following specific *Zone* Standard applies:

- a) *Minimum required rear yard – 13.0 m*

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7.88 MIXED USE BLOCK, CASTAN AVENUE, SOUTH UNIONVILLE

(By-law 214-98, Oct. 13/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *88 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.88.1 Zone Standards

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The following specific *Zone* Standards apply:

- a) *Minimum required exterior side yard* – 0.0 m;
- b) *Maximum exterior side yard* – 15.0 m;
- c) *Maximum front yard* – 18.0 m;
- d) *Maximum height* – 18.0 m;
- e) *Minimum landscaped open space* – 25%;
- f) *Maximum number of residential units* – 30.

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7.88.2 Special Parking Provisions

The following parking provision applies:

- a) Visitor *parking spaces* for *apartment dwelling units* located on the second *storey* or higher *storeys* of a mixed commercial-residential *building* are not required.

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7.88.3 Special Site Provisions

The following additional provision applies:

- a) The *lot* line abutting Kennedy Road shall be deemed to be the *front lot line*.

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7.89 TOWNHOUSE BLOCK, VALENTINA DRIVE, SOUTH UNIONVILLE (By-law 214-98, Oct. 13/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *89 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.89.1 Zone Standards

The following specific *Zone* Standards apply:

- a) All *main buildings* shall be located no closer than 3.0 m from any *lot* line, road or *lane*;
- b) Minimum setback of a *private garage* containing the opening for *motor vehicle* access from any *lot* line, road or *lane* – 5.8 m;
- c) Maximum *height* – 12.0 m;
- d) Maximum residential density – 54 units/ha.

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7.89.2 Special Site Provisions

The following additional provision applies:

- a) Subsection 7.89.1(b) shall not apply to the *dwelling unit* located closest to the southwest corner of the lands subject to this Section.

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7.90 SEMI-DETACHED DWELLINGS IN THE CA3 ZONE (KENNEDY SIXTEENTH DEVELOPMENTS)

(By-law 237-98, Nov. 24/98; By-law 98-2000, Sept. 26/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *90 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.90.1 Additional Permitted Uses

The following additional use is permitted:

- a) *semi-detached dwellings on lots accessed by a lane.*

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7.90.2 Zone Standards

- a) The following specific *Zone Standards* apply to *semi-detached dwellings on lots accessed by lanes*:
 - i) Minimum *lot frontage* – 6.0 m;
 - ii) Minimum *required front yard* – 1.8 m;
 - iii) Maximum *front yard* – 4.5 m;
 - iv) Minimum *required exterior side yard* – 2.0 m;
 - v) Maximum *exterior side yard* – 5.5 m;

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- vi) *Minimum required interior side yard* – 1.2 m on one side and 0.0 m on the other side;
- vii) *Minimum required rear yard* – 12.0 m;
- viii) *Minimum height* – 7.6 m;
- ix) *Maximum height* – 12.0 m;
- b) *Maximum exterior side yard for townhouse buildings* – 5.5 m;
- c) *Minimum setback for detached private garages from the exterior side lot line* – 2.0 m;
- d) *Minimum setback for detached private garages from the interior side lot line* – 0.5 m on one side and 0 m on the other side.

7.91 LOW DENSITY HOUSING IN THE R2 ZONE (KENNEDY SIXTEENTH DEVELOPMENTS)

(By-law 237-98, November 24/98; By-law 74-2000, May 9/00; By-law 98-2000, September 26/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *91 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.91.1 Zone Standards

The following specific *zone* standards apply:

- a) The following specific *Zone* Standards apply to *semi-detached dwellings* on *lots* not accessed by a *lane*:
 - i) *Minimum lot frontage* – 7.5 m/unit;
 - ii) *Minimum lot frontage* for an end unit in cases where the *lot* flanks a *lane* – 7.5 m;
 - iii) *Minimum lot frontage* for an end unit in cases where the *lot* flanks a *public street* – 8.7 m;
- b) The following specific *Zone* Standards apply to *townhouse dwellings* on *lots* not accessed by a *lane*:
 - i) *Minimum lot frontage* – 6.0 m/unit;
 - ii) *Minimum lot frontage* for an end unit in cases where the *lot* flanks a *lane* – 7.2 m;

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- iii) Minimum *lot frontage* for an end unit in cases where the *lot* flanks a *public street* – 8.4 m;
- c) The following specific *Zone Standards* apply to *semi-detached dwellings* on a *lot* accessed by a *lane*:
 - ~~a)i)~~ Minimum *lot frontage* – 6.0 m/unit;
 - ~~b)ii)~~ Minimum required *front yard* – 1.8 m;
 - ~~c)iii)~~ Minimum required *exterior side yard* – 2.0 m;
 - iv) Minimum required *rear yard* – 11.0 m;
- d) Minimum required *front yard* on a *lot* not accessed by a *lane* – 3.0 m;
- e) Minimum required *rear yard* on a *lot* not accessed by a *lane* – 7.0 m;
- f) Maximum *height* – 12.0 m;
- g) Maximum width of a *private garage* and *driveway* on a *lot* not accessed by a *lane* and having a *frontage* of less than 13.29 m – 5.2 m;
- h) Minimum setback for a detached *private garage* on a *lot* accessed by a *lane* abutting a side *lot* line from that same side *lot* line – 0.6 m;
- i) Minimum setback for a detached *private garage* from the *rear lot line* on a *lot* accessed by a *lane* abutting a side *lot* line – 0.0 m;
- j) Minimum setback for *driveway* that crosses *front lot line* from *interior side lot line* – 0.3 m.

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7.91.2 Special Parking Provisions

The following parking provision applies:

- a) Maximum number of *motor vehicle parking spaces* permitted within the setback area between the *main building* and detached *private garage* where a *lane* providing access to a *lot* abuts the side *lot* line and not the *rear yard* line – 1, provided the *parking space* is unenclosed.

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7.91.3 Special Site Provisions

The following additional provisions apply:

- a) In no case shall more than two (2) abutting *lots* fronting on the same *public street* and having *lot frontages* of less than 11.6 metres be the site of garages and *driveways* that each have a width exceeding 3.5 metres;
- b) In no case shall the wall of a *private garage* containing the opening(s) for *motor vehicle* access be located closer to the *lot* line crossed by the *driveway* than the *first storey* of the wall of the *dwelling* facing the *lot* line crossed by the *driveway*.

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7.92 R2-S SINGLE AND SEMI-DETACHED DWELLINGS (KENNEDY SIXTEENTH DEVELOPMENTS)

(By-law 237-98, November 24/98; By-law 74-2000, May 9/00; By-law 98-2000, September 26/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *92 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.92.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for a *single detached dwelling* on a *lot* not accessed by a *lane* – 9.1 m for an *interior lot*, 10.2 m for a *corner lot*;

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- b) Minimum *lot frontage* for a *semi-detached dwelling* on a *lot* not accessed by a *lane* – 7.5 m/unit for an *interior lot*, 16.2 m for a *corner lot*;
- c) Minimum required *front yard* for a single or *semi-detached dwelling* on a *lot* not accessed by a *lane* – 3.0 m;
- d) Minimum required *rear yard* for a single or *semi-detached dwelling* on a *lot* not accessed by a *lane* – 7.0 m;
- e) The following specific *Zone Standards* apply to *semi-detached dwellings* on *lots* accessed by a *lane*:
 - i) Minimum *lot frontage*– 6.0 m;
 - ii) Minimum required *front yard*– 1.8 m;
 - iii) Maximum *front yard* – 4.5 m;
 - iv) Minimum required *exterior side yard*– 2.0 m;
 - v) Maximum *exterior side yard*– 5.5 m;
 - vi) Minimum required *interior side yard* – 1.2 m on one side, 0.0 m on the other side;
 - vii) Minimum required *rear yard* – 11.0 m;
 - viii) Minimum *height* – 7.6 m;
 - ix) Maximum *height* – 12.0 m;

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- f) Minimum setback for a detached *private garage* on a *lot* accessed by a *lane* abutting a side *lot* line from that same side *lot* line – 0.6 m;
- g) Minimum setback for a detached *private garage* from the *rear lot line* on a *lot* accessed by a *lane* abutting a side *lot* line – 0.0 m;
- h) Maximum width of a *private garage* and *driveway* on a *lot* not accessed by a *lane* and having a frontage of less than 13.29 m – 5.2 m;
- j) Minimum setback for *driveway* that crosses *front lot line* from *interior side lot line* – 0.3 m.

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7.92.2 Special Parking Provisions

The following parking provisions apply:

- a) Maximum number of *parking spaces* permitted within the setback area between the *main building* and detached *private garage* where a *lane* providing access to a *lot* abuts the side *lot* line and not the *rear yard* line – 1;
- b) *Parking spaces* permitted under Subsection 7.92.2(a) shall remain unenclosed.

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7.93 BLOCKS 189 TO 199, WISMER COMMONS

(By-law 36-1999, February 23/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *93 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.93.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

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7.93.2 Special Site Provisions

The following additional provisions apply:

- a) *Motor vehicle* access to a *lot* within the Community Amenity Three (CA3) Zone may be provided from a *public street* adjoining the *rear lot line*;
- b) The *lot line* adjoining Bur Oak Avenue shall be the *front lot line*.

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7.94 BLOCK 334 PLAN PHASE 1 AND BLOCK 160 PHASE 1, WISMER COMMONS

(By-law 36-1999, February 23/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *94 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.94.1 Additional Permitted Uses

The following additional use is permitted:

- a) *place of worship*.

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7.95 LOTS 22 TO 38, WISMER COMMONS PHASE 2

(By-law 36-1999, February 23/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *95 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.95.1 Zone Standards

The following specific Zone Standards apply:

- b) *Minimum required front yard* – 4.5 m;
- c) *Minimum required rear yard* – 15.0 m;

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- d) *Minimum required interior side yards* – 1.8 m on one side, 3.5 m on the other side;
- e) *Minimum landscaping strip adjacent to the rear lot line* – 3.0 m;
- f) *Maximum height* – 11.0 m;
- g) *Minimum setback for detached private garages from the rear lot line* – 3.0 m;
- h) *Minimum setback for detached private garages from the side lot line* – 0.6 m;
- i) *Maximum width of detached private garages* – 7.5 m;
- j) *Maximum depth of detached private garages* – 7.5 m;
- k) *Maximum height of detached private garages* – 5.0 m;
- l) *Maximum driveway width* – 3.5 m;
- m) *Minimum lot depth for a wide shallow lot* – 24.5 m.

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7.95.2 Special Site Provisions

The following additional provision applies:

- a) *Private garages* shall be detached and located in the *rear yard*.

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7.96 WISMER COMMONS

(By-law 36-1999, February 23/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *96 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.96.1 Zone Standards

- a) The following specific *Zone Standards* apply to *lots* accessed by a *lane* within the CA3 and R2-LA *Zones*:
 - i) *Minimum required front yard* – 0.6 m;
 - ii) Maximum permitted encroachment by architectural

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- features into required *front yard* – 0.3 m;
- iii) Maximum permitted encroachment by a *main wall*, underground cellar, *porch*, or stairs accessing a *porch* – zero;
- iv) No less than 25% of the wall of the *first storey* facing the *front lot line* shall be set back further than 5.1 metres from the *front lot line*.
- b) Minimum *lot frontage* for *townhouse dwellings* – 4.5 m;
- c) *Minimum required exterior side yard* for *townhouse dwellings* on *lots* accessed by a *lane* and having a *lot frontage* of less than 5.5 m – 1.2 m;
- d) *Minimum required rear yard* for *townhouse dwellings* on *lots* accessed by a *lane* and having a *lot frontage* of less than 5.5 m – 17.0 m;
- e) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.96.2 Special Site Provisions

The following additional provisions apply:

- a) *Lots* for *townhouse buildings* with a frontage of 5.5 metres or more may be constructed in accordance with R2-LA *Zone Standards*;
- b) For *townhouse dwellings* accessed by a *lane* and having a frontage of less than 5.5 metres, no part of a detached *private garage* shall be located closer than 5.0 metres to the *main building* on the *lot*.

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7.97 LOTS 53 TO 58, WISMER COMMONS PHASE 2

(By-law 36-1999, February 23/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *97 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.97.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot depth* of a *wide shallow lot* – 24.5 m.

7.97.2 Special Site Provisions

The following additional provisions apply:

- a) *Motor vehicle* access to a *lot* within the Residential Two-Lane Access (R2-LA) *Zone* may be from a *public street* adjoining the *rear lot line*;
- b) The west *lot* line shall be the *front lot line*.

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7.98 SCHOOLS IN R2-S AND R2 ZONES, WISMER COMMONS

(By-law 36-1999; February 23/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *98 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.98.1 Additional Permitted Uses

The following additional use is permitted:

- a) schools.

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7.98.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot depth* of a *wide shallow lot* – 24.5 m.

7.99 R2-S AND R2 ZONES, WISMER COMMONS

(By-law 36-1999, February 23/99)

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7.99.1 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required side yard on a lot where a side lot line abuts a lane* – 1.2 m;
- b) Minimum setback for a *driveway* that crosses the *front lot line* from the *interior side lot line* – 0.3 m;
- c) Minimum *lot depth* of a *wide shallow lot* – 24.5 m;
- d) The provisions of Table B2 – Part 2 and Table B3 – Part 2 apply to all *lots*.

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7.100 WIDE-SHALLOW LOTS ACCESSED BY A LANE, BERCZY VILLAGE

(By-law 79-1999, April 27/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *100 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.100.1 Zone Standards

The following specific Zone Standards apply to *lots* accessed by a *lane*:

- a) Minimum *lot frontage* for *single detached* and *semi-detached dwellings* – 8.0 m;
- b) Minimum *lot frontage* for *townhouse dwellings* – 6.0 m;
- c) Minimum required interior side yard for *single detached dwellings* – 1.2 m on one side and 0.6 metres on the other side, with the 0.6 metres being reduced to 0.3 metres if the 0.3 metre *yard lot* abuts a 1.2 metre *interior side yard* on an adjoining *lot*;
- d) Minimum required rear yard – 13.0 m;
- e) Maximum *height* – 12.0 m.

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7.101 R2-S ZONE STANDARDS FOR WIDE-SHALLOW AND CONVENTIONAL LOTS NOT ACCESSED BY A LANE, BERCZY VILLAGE (By-law 79-1999, April 27/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *101 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.101.1 Zone Standards

The following specific Zone Standards apply to *lots* not accessed by a *lane*:

- a) Minimum *lot frontage* for a *single detached dwelling* – 9.0 m;
- b) Minimum *lot frontage* for a *single detached dwelling* flanking a *lane* or *public street* – 10.2 m;
- c) Maximum garage and *driveway* width for a *single detached dwelling* on a *wide shallow lot* having a frontage of less than 12.2 metres – 3.5 m;
- d) Minimum *lot frontage* for a *semi-detached dwelling* on a

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conventional *lot* – 7.5 m/unit;

- e) Minimum *lot frontage* for a *semi-detached dwelling* on a conventional *lot* flanking a *lane* or *public street* – 8.7 m;
- f) Maximum garage and *driveway* width for a *semi-detached dwelling* on a conventional *lot* – 3.0 m;
- g) Minimum required *front yard* for a *semi-detached dwelling* on a conventional *lot* – 3.0 m;
- h) Minimum required *side yard* where the side *lot* line abuts a *lane* for a *semi-detached dwelling* on a conventional *lot* – 1.2 m.

7.102 WIDE-SHALLOW R2 ZONE STANDARDS, BERCZY VILLAGE

(By-law 79-1999, Apr. 27/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *102 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.102.1 Zone Standards

The following specific *Zone Standards* apply to *wide shallow lots* on *lots* not accessed by a *lane*:

- a) Minimum *lot frontage* for a *single detached dwelling* – 9.0 m;
- b) Minimum *lot frontage* for a *single detached dwelling* flanking a *lane* or *public street* – 10.2 m;
- c) Maximum garage and *driveway* width for a *single detached dwelling* having a *lot frontage* less than 12.2 metres – 3.5 m;
- d) Minimum required *front yard* – 3.0 m;
- e) Minimum *lot frontage* for *townhouse buildings* – 6.0 m/ unit;
- f) Minimum *lot frontage* for a *townhouse* end unit flanking a *lane* or *public street* – 7.2 m;
- g) Minimum required *side yard* where the side *lot* line abuts a *lane* – 1.2 m.

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7.103 COMMERCIAL MIXED USE SITE, BUR OAK AVENUE AT KENNEDY ROAD, BERCZY VILLAGE

(By-law 125-1999, July 6/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *103 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.103.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum *net floor area* devoted to commercial uses – 3000 sq.m;
- b) Minimum *landscaped open space* – 25%;
- c) Minimum *landscaping strip width* abutting the *front lot line* – 6.0 m;
- d) Minimum *landscaping strip width* abutting the Kennedy Road *streetline* – 6.0 m;
- e) Minimum *height of a main building* – 6.0 m;
- f) Minimum percentage of *lot frontage* where the location of a *main wall* facing the *front lot line* shall be set back no farther than 4.5 metres from the *front lot line* – 65%;
- g) Minimum percentage of the *lot line* abutting the Kennedy Road *streetline* where a *main wall* facing the Kennedy Road *streetline* shall be set back no farther than 8.0 metres from the Kennedy Road *streetline* – 50%.

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7.103.2 Special Site Provisions

The following additional provisions apply:

- a) The Bur Oak Avenue *streetline* is the *front lot line*;
- b) *Buildings* are permitted to encroach into the *landscaping strip* required along the Kennedy Road *streetline*.

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7.104 COMMERCIAL MIXED USE SITE, BUR OAK AVENUE AT McCOWAN ROAD, BERCZY VILLAGE

(By-law 127-1999, July 6/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *104 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.104.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *landscaped open space* – 25%;
- b) Minimum *landscaping* strip width abutting the *front lot line* – 6.0 m;
- c) Minimum *landscaping* strip width abutting the McCowan Road *streetline* – 6.0 m;

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- d) Minimum *height* of a *main building* – 6.0 m;
- e) Minimum setback for all *main buildings* from a Residential Zone – 7.5 m;
- f) Minimum percentage of *lot frontage* where the *main wall* facing the *lot* line shall be set back no farther than 6.0 metres from the *front lot line* – 50%;

7.104.2 Special Site Provisions

The following additional provisions apply:

- a) The Bur Oak Avenue *streetline* is the *front lot line*;
- b) *Buildings* are permitted to encroach into the *landscaping* strip required along the *front lot line* to the *front lot line*.

7.105 COURTYARD SEMIS AND STREET TOWNHOUSES IN CA3 AND R2-LA ZONES, BERCZY VILLAGE

(By-law 127-1999; July 6/99, By-law 255-1999; December 14/99, By-law 74-2000; May 9/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *105 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.105.1 Additional Permitted Uses

The following additional use is permitted:

- a) *semi-detached dwellings* on *lots* accessed by a *lane* in the CA3 Zone.

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7.105.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for *semi-detached dwellings* – 7.5 m/unit;
- b) Minimum *lot frontage* for a *semi-detached dwelling unit* on a *corner lot* – 8.7 m;

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- c) Minimum *lot frontage* for *townhouse dwellings* – 5.5 m/unit;
- d) Minimum required *interior side yard* for *semi-detached dwellings* – 0.9 m on one side, zero on the other side;
- e) Minimum required *interior side yard* for *semi-detached dwelling units* on a *lot* abutting a *lane* for *semi-detached dwellings* – 1.2 m;
- f) Minimum required *front yard* for *semi-detached* and *townhouse dwelling units* – 1.8 m;
- g) Minimum required *exterior side yard* for *semi-detached* and *townhouse dwelling units* – 1.8 m;
- h) Minimum required *rear yard* for *semi-detached* and *end unit townhouse dwelling units* – 0.6 m;
- i) Minimum required *rear yard* for *townhouse dwelling units* on *interior lots* accessed by a *lane* – 5.8 m;
- j) Minimum size of *outdoor amenity space* – 30.0 sq.m/unit, which may include the area of an unenclosed *porch* located within an exterior or *interior side yard*;
- k) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

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7.105.3 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding Subsections 7.105.2(d) and 7.105.2(e), a *semi-detached dwelling unit* may be constructed with a zero *interior side yard* on both sides of the *lot*, provided an *interior side yard* of at least 0.9 metres is located on an adjoining *lot* and abuts the *interior side lot line*;
- b) A *deck* and associated stairs is permitted in an *outdoor amenity space*.

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7.106 SINGLE DETACHED DWELLINGS, R2-S ZONE, BERCZY VILLAGE

(By-law 127-1999, July 6/99; By-law 255-1999, Dec. 14/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *106 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.106.1 Zone Standards

The following specific *Zone* provisions apply:

- a) *Minimum required rear yard* for the *first storey* of a *building* – 5.0 m, provided that a 7.5 metre *rear yard* is maintained between the mid-point of the *lot* and a *side lot line*;
- b) *Minimum required rear yard* for any *storey* above the *first storey* – 7.5 m;
- c) *Minimum required interior side yard* – 1.2 m on one side, 0.3 m on the other side.

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7.106.2 Special Site Provisions

The following additional provisions apply:

- a) No part of an attached or detached *private garage* shall be located closer to the *front lot line* than any portion of the *main wall* of the *first storey* facing the *front lot line*;

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- b) A 0.3 metre side *yard* is required to abut a 1.2 metre side *yard* on an adjoining *lot*.

7.107 BUNGALOW HOUSING, BERCZY VILLAGE

(By-law 127-1999, July 6/99; By-law 255-1999, December 14/99; By-law 256-1999, December 14/99; By-law 74-2000, May 9/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *107 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.107.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum garage and *driveway* width on a *wide shallow lot* with a *single detached dwelling* that has a *lot frontage* of 10.4 metres or greater - 3.5 m;
- b) *Minimum required front yard* – 2.4 m;
- c) *Minimum required interior side yard* – 1.2 m on one side, 0.3 m on the other side;
- d) *Minimum required rear yard* on a *lot* with a *lot frontage* of less than 13.0 metres – 3.0 m;
- e) *Minimum required rear yard* on a *lot* with a *lot frontage* of 13.0 metres or more – 1.2 m;

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- f) Maximum *height* – 7.0 m;
- g) Maximum garage and *driveway* width on a *lot* with a *lot frontage* less than 13.3 metres – 3.5 m;
- h) Maximum garage and *driveway* width on a *lot* with a *lot frontage* of 13.3 metres or more – 6.1 m.

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7.108 REVISED R2 ZONE PROVISIONS, BERCZY VILLAGE

(By-law 127-1999, July 6/99; By-law 255-1999, December 14/99; By-law 256-1999, December 14/99; By-law 74-2000, May 9/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *108 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.108.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *driveway* and *garage width* on *lots* that have a *lot frontage* of 12.8 metres or greater - 6.1 m;
- b) Maximum *driveway* and *garage width* on *wide shallow lots* that have a *lot frontage* of 10.4 metres or greater - 3.5 m;
- c) Maximum *driveway* and *garage width* on a wide shallow *corner lot* - 6.1 m;
- d) *Minimum required rear yard* for the *first storey* – 5.0 m, provided that a minimum of 7.5 m is required across at least 50% of the width of the *rear yard*;
- e) *Minimum required rear yard* for the second *storey* portion of a *building* – 7.5 m, provided that a 7.5 *rear yard* is maintained between the mid-point of the *lot* and a side *lot* line;
- f) *Minimum required interior side yard* – 1.2 m on one side, 0.3 m on the other side.

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7.108.2 Special Site Provisions

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The following additional provision applies:

- a) A 0.3 metre *side yard* is required to abut a 1.2 metre *side yard* on an adjoining *lot*.

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7.109 CONDOMINIUM TOWNHOUSES, STEELES AVENUE EAST WEST OF BAYVIEW AVENUE

(By-law 84-1999, May 11/99; By-law 98-2000, Sept. 26/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *109 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.109.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* – 89.0 m, measured at the *front lot line* from *interior side lot line* to *interior side lot line*;
- b) *Minimum required front yard* – 6.0 m;
- c) *Minimum required side yards*:
- i) 9.5 m from the westerly *interior side lot line*, within 80 metres of the Steeles Avenue East *streetline*;
 - ii) 8.5 m from the westerly *interior side lot line*, more than 80 metres from the Steeles Avenue East *streetline*;

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- iii) 7.5 m from the easterly *interior side lot line*, within 80 metres of the Steeles Avenue East road *streetline*;
- iv) 2.2 m from the easterly *interior side lot line*, more than 80 metres from the Steeles Avenue East road *streetline*;
- d) Maximum *height* – 9.5 m;
- e) Minimum *floor area* in the *first storey* – 165 sq.m;
- f) Maximum number of *townhouse dwellings* – 17;
- g) Minimum setback from the top of bank, as *established* by the Toronto and Region Conservation Authority – 10.0 m;
- h) Maximum projection from the *main wall by decks* – 3.0 m.

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7.109.2 Special Parking Provisions

The following parking provision applies:

- a) Minimum required enclosed *parking spaces per dwelling unit* – 2.

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7.109.3 Special Site Provisions

The following additional provision applies:

- a) A *townhouse building* may be vertically divided into a minimum of two *dwelling units* and a maximum of eight *dwelling units*.

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7.110 TOWN CENTRE BOULEVARD AT COX BOULEVARD

(By-law 167-1999, August 31/99; By-law 74-2000, May 9/00; By-law 98-2000, September 26/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *110 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.110.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *home occupations*;
- b) *townhouse dwellings*;
- c) *business offices and personal service shops* within a premises that adjoins and faces the *front lot line*.

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7.110.2 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required front yard* – 4.0 m;
- b) *Minimum required interior side yard* – 3.0 m;
- c) *Minimum required side yard* for an end unit – 1.5 m;
- d) *Minimum required rear yard* – 3.0 m;
- e) Minimum setback for *main buildings* and *structures* from a non-Residential *Zone* boundary – 10.0 m;
- f) Minimum distance separation between *main buildings* above *established grade* – 3.0 m;
- g) Maximum *driveway* width leading to a *private garage* – 3.5 m;
- h) Maximum *height* – 12.0 m;
- i) Maximum number of *dwelling units* – 62 units/ha.

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7.110.3 Special Parking Provisions

The following parking provision applies:

- a) Number of required *parking spaces* for the first 90 square metres of the *net floor area* devoted to uses permitted under Subsection 7.110.1(c) – zero.

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7.110.4 Special Site Provisions

The following additional provisions apply:

- a) *Porches* and stairs are not permitted to encroach into any *required yard*;
- b) The Town Centre Boulevard *streetline* is the *front lot line*.

7.111 9399 WARDEN AVENUE

(By-law 191-1999, September 28/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *111 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.111.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum *lot frontage* – zero;
- b) Minimum *lot area* – 0.4 ha.

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7.112 9393 WARDEN AVENUE

(By-law 191-1999, Sept. 28/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *112 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.112.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* – 0.0 m;
- b) Minimum *lot area* – 1.5 ha.

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7.113 BUILDING RESTRICTIONS FOR LOTS 69 AND 70, PLAN 65M-3248

(By-law 167-98, Aug. 18/98)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *113 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.113.1 Special Site Provisions

The following additional provision applies:

- a) The erection of any *building* or *structure*, including *swimming pools*, tennis courts, gazebos, sheds or *accessory buildings* of any kind is not permitted within the area affected by the York-Durham Sanitary Sewer easement.

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7.114 GENERAL INDUSTRIAL BLOCK, NORTH OF HIGHGLEN AVENUE AND WEST OF MARKHAM ROAD

(By-law 269-1999, Dec. 14/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *114 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.114.1 Prohibited Uses

The following additional uses are prohibited:

- a) *outdoor storage.*

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7.114.2 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required rear yard* – 20.0 m;
- b) *Maximum height* within 40 metres of a Residential *Zone* – 7.0 m;
- c) *Minimum landscaping* area width required adjacent to a Residential *Zone* – 9.0 m.

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7.115 CONVENTIONAL LOT STANDARDS IN THE R2 ZONE, BERCZY VILLAGE

(By-law 261-1999, December 14/99)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *115 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.115.1 Zone Standards

The following specific *Zone* Standard applies:

- a) *Minimum lot frontage for townhouse buildings* – 6.7 m/unit.

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7.115.2 Specific Site Provisions

The following additional provisions apply:

- a) No part of an attached *private garage* shall be located closer to the *front lot line* than the wall of the *dwelling* facing the *front lot line*. This provision does not apply where the *main* entrance and the wall of an attached *private garage* containing the opening for *motor vehicle* access do not face the same *lot line*;
- b) For *lots* having a *lot depth* of less than 30 metres, the provisions of Table B2, Part One (Standards for the Residential Two (R2) *Zone*) shall apply.

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7.116 LOTS 114 TO 135 PLAN 65M-3501, BERCZY VILLAGE

(By-law 261-1999, Sept. 14/99; By-law 2001-161, June 26/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *116 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.116.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required interior side yard* – 0.6 m on one side, 3.3 m on the other;
- b) *Maximum driveway width* – 3.0 m;
- c) *Minimum setback for detached private garages from any lot line* – 0.6 m;
- d) *Maximum width of detached private garage* – 7.5 m;
- e) *Maximum depth of detached private garage* – 7.5 m;
- f) *Maximum height of detached private garage* – 5.0 m;
- g) *Minimum setback for attached private garages from the interior side lot line* – 0.6 m;

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- h) Minimum setback for attached *private garages* from the *rear lot line* – 7.5 m;
- i) Maximum width of attached *private garage* – 7.5 m;
- j) Maximum depth of attached *private garage* – 7.5 m.

7.116.2 Special Site Provisions

The following additional provisions apply:

- a) Detached *private garages* are only permitted within a *rear yard*;
- b) Attached *private garages* are only permitted provided they are attached to the wall of the *dwelling* facing the *rear lot line*.

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7.117 DETACHED GARAGES ON LOTS NOT ACCESSED BY LANES, WISMER COMMONS

(By-law 256-1999, Dec. 14/99; By-law 74-2000, May 9/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *117 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.117.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Minimum setback for a detached *private garage* from the *rear lot line* – 1.2 m;
- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

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7.117.2 Special Site Provisions

- a) The *front lot line* is the Bur Oak Avenue *streetline*.

7.118 DWELLINGS WITH ATTACHED REAR YARD GARAGES ON LOTS ACCESSED BY LANES, ANGUS GLEN

(By-law 255-1999, Dec. 14/99)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *118 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.118.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required rear yard for dwelling units with private garages* that are attached to the wall of the *dwelling* facing the *rear lot line* and provided that the *lot* is accessed by a *driveway* that crosses a *lot* line that abuts a *lane* - 6.0 m;
- b) No part of an attached *private garage* shall be located closer than 0.6 metres from the *interior side lot line*;
- c) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

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7.119 LOTS ADJACENT TO NINTH LINE IN CORNELL

(By-law 121-2000, Aug. 29/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *119 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.119.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *semi-detached dwellings*; and,
- b) *single detached dwellings*.

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7.119.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* – 6.0 m;
- b) Minimum required *interior side yard* – 0.6 m;
- c) Minimum required *interior side yard* where the adjoining wall contains the main front entrance – 1.2 m;
- d) Minimum required *rear yard* on a *lot* accessed by a *lane* – 11.6 m.

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7.119.3 Special Site Provisions

The following additional provision applies:

- a) The *driveway* accessing the *private garage* is permitted to cross the *front lot line*.

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7.120 RESIDENTIAL DEVELOPMENT ON WEST SIDE OF BUR OAK AVENUE, CORNELL

(By-law 24-2000, February 8/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *120 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.120.1 Only Uses Permitted

The following use is the only use permitted:

- a) *multiple dwellings*.

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7.120.2 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required front yard* – 3.0 m;
- b) *Minimum required interior side yard* – 1.2 m;
- c) *Minimum height* – 7.6 m;
- d) *Maximum height* – 14.0 m;
- e) *Maximum number of dwelling units* – one per 3.0 m of *lot frontage*.

7.120.3 Special Site Provisions

The following additional provision applies:

- a) No provision of this By-law shall prevent the further division or partition of these lands where all applicable requirements of this By-law are met, except that required *parking spaces* must be located on the same *lot* as the *building, structure*, or use requiring the parking.

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7.121 RESERVED

~~7.122 DETACHED ACCESSORY BUILDINGS AND MAIN BUILDINGS,
BLOCKS 195 TO 200, WISMER COMMONS PHASE 1~~

~~7.122 TOWNHOUSE BLOCKS FRONTING ONTO BUR OAK AVENUE EAST
OF MINGAY AVENUE, WISMER COMMONS~~

(By-law 59-2000, Apr. 11/00; By-law 74-2000, May 9/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *122 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.122.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Maximum lot coverage* of a detached *private garage* on a *lot*

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with frontage less than 9.75 metres – 20%;

- b) Minimum setback for a detached *private garage* from the *exterior side lot line* – 2.1 m;
- c) Minimum setback for a detached *private garage* on a *corner lot* from the *main building* on the *lot* – 4.5 m, provided a 10.0 metre setback is maintained between the mid-point of the *lot* and a *side lot line*;
- d) *Minimum required exterior side yard* – 2.1 m;
- e) Encroachments are permitted into the *exterior side yard* by architectural features, balconies, roofed *porches*, underground cold cellars, stairs and landings used to access the *main building* provided they are not located closer than 0.9 metres from the *exterior side lot line*;
- f) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.123 LOTS 1 TO 10, 49 TO 51, AND 187 TO 194, DRAFT PLAN 19T-95039, WISMER COMMONS PHASE 1 AND LOTS 1, 2, 37 TO 39 AND 74 TO 76 (ON CASTLEMORE AVENUE), DRAFT PLAN 19TM-02008
(By-law 59-2000, April 11/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *123 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.123.1 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required front yard* – 6.0 m;
- b) *Minimum required interior side yards* – 0.6 m on one side and 3.5 m on the other side;
- c) Maximum *driveway* width where the *driveway* crosses the *front lot line* – 3.5 m;
- d) Maximum width of *private garages* – 7.5 m;
- e) Maximum depth of *private garages* – 8.5 m;
- f) Maximum *height* of *private garages* – 5.0 m;

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- g) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.123.2 Special Site Provisions

The following additional provision applies:

- a) *Private garages* shall be located in the *rear yard* provided the *private garage* is located no closer to the exterior *lot* line than the *exterior side yard* requirement for the *main building* on the *lot*.

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7.124 LOTS 72 TO 75, WISMER COMMONS PHASE 2

(By-law 59-2000, Apr. 11/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *124 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.124.1 Zone Standards

The following specific *Zone* Standard applies:

- a) *Minimum required front yard on a lot not accessed by a lane* – 3.0 m;
- b) *Minimum lot depth for a wide shallow lot* – 24.5 m.

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7.125 LOTS 52 TO 56 AND 63 TO 65, DRAFT PLAN 19T-95039, WISMER COMMONS PHASE 2

(By-law 59-2000, April 11/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *125 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.125.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Minimum setback for a detached *private garage* from the *rear lot line* – 3.0 m;
- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

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7.126 LOTS 57 TO 62, DRAFT PLAN 19T-95039, WISMER COMMONS PHASE 2

(By-law 59-2000, April 11/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *126 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.126.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Minimum setback for a detached *private garage* from the *rear lot line* – 3.0 m;
- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

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7.127 ANGUS GLEN DEVELOPMENTS LTD. PHASE 5 DRAFT PLAN 19T- 95026

(By-law 196-2000; October 24/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *127 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.127.1 Zone Standards

The following specific *Zone* Standards apply:

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- a) Minimum setback for the wall of a *private garage* that contains the opening for *motor vehicle* access from a public or *private street* – 5.8 m;
- b) Minimum setback for any wall of a *dwelling unit* from a public or *private street* – 3.0 m;
- c) Minimum distance separation between *dwelling units* – 1.8 m;
- d) Maximum number of *single detached dwellings* – 53.

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7.128 ANGUS GLEN DEVELOPMENTS LTD. PHASE 4

(By-law 196-2000, October 24/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *128 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.128.1 Zone Standards

The following specific *Zone* Standard applies:

- a) *Minimum required rear yard* – 14.3 m.

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7.129 STREET TOWNHOUSES IN THE CATHEDRAL COMMUNITY

(By-law 2002-93, May 28/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *129 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.129.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for *townhouse buildings* on *wide shallow lots* – 7.0 m/unit;
- b) Minimum *lot frontage* for end units of *townhouse buildings* located on an *interior lot* – 8.7 m;

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- c) Minimum *lot frontage* for end units of *townhouse buildings* located on a *corner lot* – 9.9 m.

7.130 MARKHAM CENTRE OFFICE DEVELOPMENT, EAST OF WARDEN AVENUE AND NORTH OF HIGHWAY 407

(By-law 114-2000, June 27/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *130 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.130.1 Prohibited Uses

The following additional uses are prohibited:

- a) *outdoor display and sales*; and,
b) *outdoor storage*.

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7.130.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum percentage of *net floor area* of the *first storey* of any *building* permitted for retail uses – 10%.

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7.130.3 Special Parking Provisions

The following parking provisions apply:

- a) Maximum depth of *parking area* in *exterior side yard* – Not applicable;
b) *Loading spaces* are permitted in an *exterior side yard*.

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7.132 SEMI-DETACHED AND TOWNHOUSE DWELLINGS IN THE CA3 ZONE, GREENSBOROUGH

(By-law 100-2000, June 27/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *132 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.132.1 Additional Uses Permitted

The following additional use is permitted:

- a) *semi-detached dwellings on lots accessed by a lane.*

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7.132.2 Zone Standards

The following specific *Zone* Standards apply:

- a) For *semi-detached dwellings on lots accessed by a lane*:
 - i) Minimum *lot frontage* – 6.0 m/unit;
 - ii) Minimum *required front yard* – 1.8 m;
 - iii) Maximum *front yard* – 4.5 m;
 - iv) Minimum *required exterior side yard* – 1.8 m;
 - v) Maximum *exterior side yard* – 4.5 m;
 - vi) Minimum *required rear yard* – 13.0 m;
 - vii) Minimum *height* – 7.6 m;
 - viii) Maximum *height* – 12.0 m;
 - ix) Minimum *required interior side yards* – 0.9 m on one side, 0.0 m on the other;
 - x) Minimum *required interior side yard* for an end unit flanking a *lane* – 0.9 m;
- b) Minimum *required rear yard* for *townhouse buildings* accessed by a *lane* – 13.0 m;
- c) Minimum *required exterior side yard* for *townhouse buildings* accessed by a *lane* – 1.8 m;
- d) Minimum setback for detached *private garages* from the *exterior side lot line* – 1.2 m;
- e) Maximum *lot coverage* for a detached *private garage* if the *lot*

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frontage is less than 9.75 m – 22%.

7.132.3 Special Site Provisions

The following additional provisions apply:

- a) The maximum permitted encroachment:
 - i) into required front, exterior side or *interior side yards* by eaves, sills, cornices and roof overhangs shall be to within 0.1 m of the *front lot line*, the *exterior side lot line* or the *interior side lot line*;
 - ii) into required front and/or *exterior side yards* by architectural features (other than eaves, sills, cornices and roof overhangs), roofed *porches*, underground cellars and stairs and landings used to access a *main building* shall be to within 0.6 metres of the *front lot line* and *exterior side lot line*.
- b) *Townhouse buildings* are permitted to be located further than 4.5 metres from the *front lot line* provided a portion of the *main wall* or *porch* facing the *front lot line* is located within 4.5 metres from the *front lot line*.

7.133 R2 ZONE STANDARDS, GREENSBOROUGH

(By-law 100-2000, June 27/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *133 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.133.1 Additional Permitted Uses

The following additional use is permitted:

- a) *schools, public*, subject to the provisions of the OS2 Zone.

7.133.2 Zone Standards

The following specific *Zone* Standards apply:

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a) For *single detached dwellings* on a *lot* not accessed by a *lane*:

- i) Minimum *lot frontage* – 9.0 m;
- ii) Minimum required *interior side yard* – 0.3 m with a minimum 1.2 m separation between *dwellings* on abutting *lots*.

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b) For *semi-detached dwellings* on a *lot* not accessed by a *lane*:

- i) Minimum *lot frontage* – 7.5 m/unit;
- ii) Minimum *lot frontage* for an end unit flanking a *lane* – 7.5 m.
- iii) Minimum *lot frontage* for an end unit flanking a *public street* – 8.7 m.

c) For *townhouse dwellings* on a *lot* not accessed by a *lane*:

- i) Minimum *lot frontage* for an interior unit – 7.0 m/unit
- ii) Minimum *lot frontage* for an end unit on an *interior lot* – 8.2 m;
- iii) Minimum *lot frontage* for an end unit flanking a *lane* – 8.2 m;
- iv) Minimum *lot frontage* for an end unit flanking a *public street* – 9.4 m.

d) Minimum required *front yard* for a *lot* not accessed by a *lane* – 3.0 m;

e) Minimum required *rear yard* for a *lot* not accessed by a *lane*:

- i) 7.0 m across the full width of the *lot*; or,
- ii) 7.5 m across a minimum of 50% of the *lot* width and 5.0 m across a maximum of 50% of the *lot* width provided the 5.0 m *yard* is adjacent to the *first storey* portion of the *main building*;

f) Maximum permitted encroachments into the required *interior side yard* by eaves, sills, cornices and roof overhangs – to within 0.1 m of the *interior side lot line*;

g) Maximum *height* – 12.0 m;

h) For *semi-detached dwellings* on a *lot* accessed by a *lane* abutting the side *lot line*:

- i) Minimum *lot frontage* – 7.5 m/unit;
- ii) Minimum required *front yard* – 3.0 m;
- iii) Minimum required *rear yard* – 7.0 m;

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- iv) Maximum *height* – 12.0 m;
- v) Minimum *interior side yard* – 1.2 m on one side, zero on the other;
- vi) Minimum *interior side yard* for a unit flanking a *lane* – 1.2 m;
- i) Maximum *garage width* and *driveway* width on a *wide shallow lot* not accessed by a *lane* and with a *lot frontage* of 12.2 metres to 13.29 metres – 5.5 m;
- j) For detached *private garages* accessed by a *lane* abutting a side *lot* line:
 - i) Minimum setback from the *rear lot line* – zero;
 - ii) Minimum setback from the side *lot* line abutting the *lane* – 0.6 m;
 - iii) Minimum setback from the other *interior side lot line* for the *first storey* if there are no doors or windows on the wall facing the *interior side lot line* – 0.3 m;
- k) Minimum setback from the *interior side lot line* for *driveways* that cross a *front lot line* - 0.3 m;
- l) Maximum permitted *lot coverage* for a detached *private garage* on *lots* having a frontage less than 9.75 m – 22%;

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- m) Minimum setback between a detached *private garage* having a *height* of 4.5 metres or less and a *main building* on a *lot* accessed by a *lane* abutting a side *lot line* – 5.0 m;
- n) For *dwellings* with attached or detached *private garages* located in or adjacent to the *rear yard* and which are accessed by a *driveway* which crosses the *front lot line*:
 - i) Minimum *lot frontage* – 12.5 m;
 - ii) *Minimum required front yard* – 3.0 m;
 - iii) *Minimum required rear yard* – 7.0 m, or 9.0 m across a minimum of 50% of the *lot width* and 5.0 m across a maximum of 50% of the *lot width*;
 - iv) *Minimum required interior side yard* – 0.9 m on one side and 0.3 m on the *driveway side*;
 - v) *Minimum required exterior side yard* – 1.8 m;
 - vi) Minimum *driveway width* to allow access to the *private garage* – 3.0 m;
 - vii) Maximum permitted encroachments:
 - 1. into the required *exterior side yard* by eaves, sills, cornices, and roof overhangs – to within 0.1 m from the *exterior side lot line*;
 - 2. into the required *interior side yard* by eaves, sills, cornices, and roof overhangs – to within 0.1 m from the *interior side lot line*;
 - 3. into the required *exterior side yard* by architectural features (other than eaves, sills, cornices, and roof overhangs), roofed *porches*, underground cellars, and stairs and landings used to access a *main building* – to within 0.6 m of the *exterior side lot line*

7.133.3 Special Parking Provisions

The following parking provision applies:

- a) Where a *lane* providing access to a *lot* abuts the side *lot line*, a maximum of one *motor vehicle parking space* may be provided within the setback area between the *main building* and the detached *private garage* on the *lot*. Such a *parking space* shall remain unenclosed.

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7.133.4 Special Site Provisions

The following additional provisions apply:

- a) *Townhouse dwellings, semi-detached dwellings and detached private garages accessed by a lane abutting the rear lot line* will be subject to the provisions of the CA3*132 Zone as provided in Subsections 7.132.2 and 7.132.3.

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7.134 R2-S ZONE STANDARDS, GREENSBOROUGH

(By-law 100-2000, June 27/00; By-law 2002-151, June 26/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *134 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.134.1 Additional Permitted Uses

The following additional use is permitted:

- a) *schools, public*, subject to the provisions of the OS2 Zone.

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7.134.2 Zone Standards

The following specific *Zone Standards* apply:

- a) For *single detached dwellings* on a *lot* not accessed by a *lane*:
 - i) Minimum *lot frontage* – 9.0 m;
 - ii) Minimum required *interior side yard* – 0.3 m with a minimum 1.2 m separation between *dwellings* on abutting *lots*;
- b) For *semi-detached dwellings* on a *lot* not accessed by a *lane*:
 - i) Minimum *lot frontage* – 7.5 m/unit;
 - ii) Minimum *lot frontage* for an end unit flanking a *lane* – 7.5 m.
 - iii) Minimum *lot frontage* for an end unit flanking a *public street* – 8.7 m.
- d) Minimum required *front yard* for a *lot* not accessed by a *lane* – 3.0 m;
- e) Minimum required *rear yard* for a *lot* not accessed by a *lane*:
 - i) 7.0 m across the full width of the *lot*; or,
 - ii) 7.5 m across a minimum of 50% of the *lot* width and 5.0 m across a maximum of 50% of the *lot* width provided the 5.0 m *yard* is adjacent to the *first storey* portion of the *main building*;
- f) Maximum permitted encroachments into the required *interior side yard* by eaves, sills, cornices and roof overhangs – to within 0.1 m of the *interior side lot line*;
- g) Maximum *height* – 12.0 m;
- h) For *semi-detached dwellings* on a *lot* accessed by a *lane* abutting the side *lot line*:
 - i) Minimum *lot frontage* – 7.5 m/unit;
 - ii) Minimum required *front yard* – 3.0 m;
 - iii) Minimum required *rear yard* – 7.0 m;
 - iv) Maximum *height* – 12.0 m;
 - v) Minimum required *interior side yard* – 1.2 m on one side, zero on the other;
 - vi) Minimum required *interior side yard* for a unit flanking a *lane* – 1.2 m;

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- i) Maximum *garage width* and *driveway width* on a *wide shallow lot* not accessed by a *lane* and with a *lot frontage* of 12.2 metres to 13.29 metres – 5.5 m;
- j) For detached *private garages* accessed by a *lane* abutting a side *lot line*:
 - i) Minimum setback from the *rear lot line* – zero;
 - ii) Minimum setback from the side *lot line* abutting the *lane* – 0.6 m;
 - iii) Minimum setback from the other *interior side lot line* for the *first storey* if there are no doors or windows on the wall facing the *interior side lot line* – 0.3 m;
- k) Minimum setback from the *interior side lot line* for *driveways* that cross a *front lot line* – 0.3 m
- l) Maximum permitted *lot coverage* for detached *private garage* for *lots* having a frontage less than 9.75 m – 22%;
- m) Minimum setback between a detached *private garage* having a *height* of 4.5 metres or less and a *main building* on a *lot* accessed by a *lane* abutting a side *lot line* – 5.0 m;
- n) For *dwellings* with attached or detached garages located in or adjacent to the *rear yard* and which are accessed by a *driveway* which crosses the *front lot line*:
 - i) Minimum *lot frontage* – 12.5 m;
 - ii) *Minimum required front yard* – 3.0 m;
 - iii) *Minimum required rear yard*:
 - 1. 7.0 m; or,
 - 2. 9.0 m across a minimum of 50% of the *lot width* and 5.0 m across a maximum of 50% of the *lot width*;
 - iv) *Minimum required interior side yard* – 0.9 m on one side and 0.3 m on the *driveway side*;
 - v) *Minimum required exterior side yard* – 1.8 m;
 - vi) Minimum *driveway width* – 3.0 m;
 - vii) Maximum permitted encroachments:
 - 1. into the *required exterior side yard* by eaves, sills and roof overhangs – to within 0.1 m of the *exterior side lot line*;
 - 2. into the *required interior side yard* by eaves, sills, cornices and roof overhangs – to within 0.1 m from the *interior side lot line*;

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3. into the *required exterior side yard* by architectural features (other than eaves, sills, cornices and roof overhangs), roofed *porches*, underground cellars, and stairs and landings used to access a *main building* – to within 0.6 m of the *exterior side lot line*.
- o) Notwithstanding Subsection 7.134.2(n)(iii) above, the following setbacks shall apply to those *lots* abutting Open Space Blocks adjacent to the future Markham By-Pass:
 - i) Minimum setback from the *rear lot line* – 7.0 metres across the full width of the *lot*; or
 - ii) Minimum setback from the *rear lot line* – 9.0 metres across a minimum of 50% of the *lot* width and 0.6 metres across a maximum of 50% of the *lot* width for a one *storey* attached or detached *private garage*.

7.134.3 Special Parking Provisions

The following parking provision applies:

- a) Where a *lane* providing access to a *lot* abuts the side *lot line*, a maximum of one *motor vehicle parking space* may be provided within the setback area between the *main building* and the detached *private garage* on the *lot*. Such a *parking space* shall be unenclosed.

7.134.4 Special Site Provisions

The following additional provision applies:

- a) *Townhouse dwellings, semi-detached dwellings* and detached *accessory buildings* accessed by a *lane* abutting the *rear lot line* will be subject to the provisions of the CA3*132 *Zone* as provided in Subsections 7.132.2 and 7.132.3;
- b) *Enclosed, unenclosed and roofed walkways* are permitted on *lots* that abut open space blocks adjacent to the future Markham By-pass;
- c) The length of the common wall between a *dwelling* unit and an attached *private garage* shall not exceed 3.5 metres on those

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lots that abut open space blocks adjacent to the future Markham By-pass.

7.135 REDUCED DEPTH LOTS, BUR OAK AVENUE, GREENSBOROUGH

(By-law 100-2000, June 27/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *135 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.135.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required rear yard* – 11.0 m;
- b) Minimum setback for a detached *private garage* having a *height* of 4.5 metres or less from the *main building* – 5.0 m;

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- c) Minimum setback for a detached *private garage* having a *height* of 4.5 metres or less from the *main building* provided than an *outdoor amenity space* of at least 10.0 metres in depth from the *main building* is provided across at least 40% of the width of the *lot* – 4.5 m;
- d) Minimum setback for any part of a detached *private garage* from the *main building* – 3.5 m.

7.135.2 Special Parking Provisions

The following parking provision applies:

- a) One *parking space* is permitted in the *outdoor amenity space* required by Section 7.135.1 (c) of this By-law.

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7.135.3 Special Site Provisions

The following additional provisions apply:

- a) A *deck* is permitted in an *outdoor amenity space*.

7.136 BUNGALOW DWELLINGS WITHIN R2 AND R2-S ZONES, GREENSBOROUGH

(By-law 100-2000, June 27/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *136 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.136.1 Zone Standards

The following specific *Zone Standards* apply only to those *single detached dwellings* that have a minimum of 65 percent of its habitable *floor area* in the *first storey*.

- a) *Minimum required front yard* – 2.4 m;
- b) *Minimum required interior side yard* – 1.2 m on one side, 0.3 m on the *driveway* side;
- c) *Minimum required rear yard* – 0.6 m;
- d) *Maximum height* – 9.5 m;
- e) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

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7.136.2 Special Site Provisions

The following additional provisions apply:

- a) Minimum size of *outdoor amenity space* – 30.0 sq.m/unit;
- b) Minimum dimension of *outdoor amenity space* on one side – 5.0 m;
- c) The area of an unenclosed *porch* adjoining an *outdoor amenity space* having a maximum depth of 1.8 metres may be

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included as part of the *outdoor amenity space*;

- d) Maximum permitted encroachments:
 - i) into the required front and *rear yard* by eaves, sills, cornices and roof overhangs – to within 0.1 m of the front or *rear lot line*;
 - ii) into the required front and *rear yard* by architectural features (other than eaves, sills, cornices and roof overhangs), roofed *porches*, underground cellars, and stairs and landings used to access a *main building* – to within 0.6 m of the front or *rear lot line*.
- e) A *deck* and associated stairs is permitted in an *outdoor amenity space*.

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7.137 RAILWAY RIGHT OF WAY, GREENSBOROUGH

(By-law 100-2000, June 27/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *137 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.137.1 Special Site Provision

The following additional provision applies:

- a) Minimum setback from a railway right of way for any part of a *dwelling* excluding eaves, sills, cornices and roof overhangs – 30.0 m.

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7.138 VILLAGE CORE CA2 ZONE, GREENSBOROUGH

(By-law 100-2000, June 27/00)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *138 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.138.1 Additional Uses Permitted

The following additional use is permitted:

- a) *townhouse dwellings*

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7.138.2 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required front yard* – 0.6 m;
- b) *Minimum required exterior side yard* – 0.6 m;
- c) *Minimum required rear yard* – 0.6 m.
- d) The following specific *Zone* Standards apply to *townhouse dwelling* only:
 - i) the provision of the CA2 *Zone* for *Apartment, Multiple-unit, Institutional* and *Office buildings* shall apply, except where modified by Subsections 7.138.2(a), (b) and (c).

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7.138.3 Special Parking Provisions

The following parking provisions apply:

- a) All or any portion of the total number of required *parking spaces* for a permitted use may be provided and maintained off the lot on another lot or lots which the use is located provided the:
 - i) *parking spaces* are located within the CA2*138 *Zone*; and,
 - ii) *parking spaces* are located within a 150 metres of the use requiring the parking.

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7.139 RESERVED

7.140 CA1 LANDS NEAR NORTHEAST CORNER OF KENNEDY ROAD AND HELEN AVENUE

(By-law 2001-106, April 24/01)

Notwithstanding any other provision of this By-law, the provisions in this

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Section shall apply to those lands denoted by the symbol *140 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.140.1 Prohibited Uses

The following additional use is prohibited:

- a) *townhouse dwellings*.

7.140.2 Special Site Provisions

The following additional provision applies:

- a) The maximum setback for a *main wall* from the *front lot line* is 3.0 metres along 70% of the *lot frontage* of any *lot*.

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7.141 R2 LANDS NEAR NORTHEAST CORNER OF KENNEDY ROAD AND HELEN AVENUE

(By-law 2001-106, April 24/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *141 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.141.1 Special Site Provisions

The following additional provisions apply:

- a) Minimum setback for *duplex*, *triplex* and *fourplex dwellings* from the Helen Avenue *streetline* – 25.0 m;
- b) In the event that the lands subject to this Section of this By-law are comprised of one *lot* or block in a Plan of Condominium, the following provisions apply:
 - i) *Minimum required yard* abutting any *lot line* – 3.0 m;
 - ii) *Maximum height* – 11.0 m;
 - iii) *Maximum residential density* – 50 units/ha.

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7.142 MIXED USE BLOCKS ON BUR OAK AVENUE IN CORNELL

(By-law 2001-183, July 10/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *142 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.142.1 Additional Permitted Uses

The following additional use is permitted:

- a) *townhouse dwellings*, subject to the provisions of the CA3 Zone, as modified by Section 7.145 of this By-law;

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7.142.2 Zone Standards

The following additional provisions apply:

- a) Minimum *height* – Not applicable;
- b) Maximum *height* – 11.0 m.

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7.143 SOUTH UNIONVILLE PLANNING AREA

(By-law 2001-154, June 12/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *143 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.143.1.1 Special Site Provisions

The following additional provisions apply:

- a) Maximum setback for a *main wall* from the *front lot line* – 23.0 m;
- b) Minimum setback for a *main wall* from an *interior side lot line* abutting the Open Space (O1) *Zone* – 7.0 m.

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7.144 LOTS 69, 73, 86, 90, 103, 107 AND 163 PLAN 65M-3501, BERCZY VILLAGE

(By-law 2001-162, June 26/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *144 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.144.1 Zone Standards

The following specific *Zone* Standards apply to *single detached dwellings*:

- a) Maximum *driveway* width on a *lot* not accessed by a *lane* and having a frontage of less than 11.6 metres – 6.1 m provided the maximum *driveway* width at the *front lot line* is 4.5 metres;
- b) Maximum *garage width* on a *lot* not accessed by a *lane* having a *lot frontage* of less than 11.6 metres – 6.7 m.

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7.145 RESIDENTIAL DEVELOPMENT ON BUR OAK AVENUE, CORNELL

(By-law 2001-183, July 10/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *145 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.145.1 Only Uses Permitted

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The following uses are the only uses permitted:

- a) *accessory dwelling units;*
- b) *home occupations*, which may occupy up to 100% of *floor area* of the *first storey*; and,
- c) *townhouse dwellings.*

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7.145.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* – 3.8 m;
- b) *Minimum required rear yard* – 6.0 m;
- c) Maximum number of *storeys* – 3;
- d) Minimum setback from *interior side lot line* for detached *Accessory buildings* and *private garages* – 0.6 m;
- e) Minimum setback from *exterior side lot line* for detached *private garages* – 1.4 m;
- f) Maximum number of *townhouse dwelling units* in a *townhouse building* – Not applicable;
- g) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

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7.146 R2 ZONE, LARKIN-MONARCH PARTNERSHIP, BERCZY VILLAGE

(Former Exception *142 from By-law 2002-57, April 16/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *146 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

~~7.143-7.146.1~~ **Zone Standards**

The following specific *Zone* Standards apply:

- a) The maximum garage and *driveway* width is 5.6 metres for the following *lots*:

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TO 7.146.1(a)	
Plan 65M-3582	Plan 65M-3638
Lot 31	Lot 29
Lot 34	Lot 30
Lot 35	Lot 33
Lot 37	Lot 34
Lot 38	Lot 36
Lot 39	Lot 39
Lot 41	Lot 43
Lot 42	Lot 44
Lot 45	Lot 46
Lot 49	Lot 47
Lot 51	Lot 49
Lot 52	Lot 52
Lot 55	Lot 53
Lot 56	Lot 55
Lot 57	Lot 56
Lot 58	Lot 59
Lot 61	Lot 62
Lot 62	Lot 64
Lot 63	Lot 65
Lot 65	Lot 67
Lot 66	Lot 68
Lot 67	Lot 71
Lot 71	Lot 74
Lot 72	Lot 75
Lot 74	Lot 77
Lot 75	Lot 82
Lot 76	Lot 84
Lot 77	Lot 85
Lot 79	Lot 88
Lot 82	Lot 90
Lot 83	Lot 91
Lot 84	Lot 93
Lot 95	Lot 94
Lot 96	Lot 96
Lot 99	Lot 100
Lot 100	Lot 102
Lot 104	Lot 104
Lot 105	Lot 105
Lot 106	Lot 107

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<i>Lot 107</i>	<i>Lot 108</i>
<i>Lot 110</i>	<i>Lot 111</i>
<i>Lot 111</i>	
<i>Lot 112</i>	
Block 127	
Block 128	
Block 130	

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- b) The maximum garage and *driveway* width is 6.1 metres for the following *lots*:

TO 7.146.1(b)	
Plan 65M-3582	Plan 65M-3638
<i>Lot 30</i>	<i>Lot 27</i>
<i>Lot 33</i>	<i>Lot 28</i>
<i>Lot 36</i>	<i>Lot 31</i>
<i>Lot 40</i>	<i>Lot 32</i>
<i>Lot 43</i>	<i>Lot 35</i>
<i>Lot 46</i>	<i>Lot 38</i>
<i>Lot 47</i>	<i>Lot 41</i>
<i>Lot 50</i>	<i>Lot 42</i>
<i>Lot 53</i>	<i>Lot 45</i>
<i>Lot 54</i>	<i>Lot 48</i>
<i>Lot 59</i>	<i>Lot 51</i>
<i>Lot 64</i>	<i>Lot 54</i>
<i>Lot 68</i>	<i>Lot 57</i>
<i>Lot 69</i>	<i>Lot 60</i>
<i>Lot 73</i>	<i>Lot 61</i>
<i>Lot 78</i>	<i>Lot 63</i>
<i>Lot 81</i>	<i>Lot 66</i>
<i>Lot 85</i>	<i>Lot 69</i>
<i>Lot 86</i>	<i>Lot 70</i>
<i>Lot 87</i>	<i>Lot 73</i>
<i>Lot 88</i>	<i>Lot 76</i>
<i>Lot 89</i>	<i>Lot 79</i>
<i>Lot 98</i>	<i>Lot 80</i>
<i>Lot 101</i>	<i>Lot 83</i>
<i>Lot 102</i>	<i>Lot 86</i>
<i>Lot 103</i>	<i>Lot 89</i>
<i>Lot 108</i>	<i>Lot 92</i>
Block 126	<i>Lot 95</i>
Block 129	<i>Lot 98</i>
Block 131	<i>Lot 99</i>
Block 132	<i>Lot 103</i>
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	<i>Lot 109</i>
	<i>Lot 113</i>
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7.147 4177 HIGHWAY 7

(By-law 2001-295, December 11/01, OMB Approved November 29/01)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *147 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.147.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum *height* – 20.0 m
- b) The location of the OS1 *Zone* boundary is deemed to be located 10 metres north of the stable top of bank as determined by the Toronto Regional Conservation Authority;
- c) Maximum density calculations shall not include lands below stable top of bank.

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7.148 R2-S ZONE, LARKIN-MONARCH PARTNERSHIP, BERCZY VILLAGE

(By-law 2002-57, April 16/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *148 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.148.1 Zone Standards

The following specific *Zone* Standards apply:

- a) No more than 50% of the wall of the *main building* facing the *front lot line* may be located up to 9.8 metres from the *front lot line*.

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7.149 BUR OAK AVENUE AND ROY RAINEY AVENUE, WISMER COMMONS

(By-law 2002-184, Sept. 3/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *149 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.149.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.149.2 Special Site Provisions

The following additional provisions apply:

- a) *Driveways* crossing either the *front lot line* or the *exterior side lot line* to access the *townhouse dwelling unit* are not permitted;

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- b) No *driveways* or *parking spaces* accessed from a *lane* or over the *exterior side lot line* are permitted in association with single and *semi-detached dwellings*.

7.150 SEMIS AND TOWNHOUSES IN R2 ZONE, WILLIAMSTOWN, BERCZY VILLAGE

(By-law 2002-54, April 16/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *150 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.150.1 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum *lot frontage* for *semi-detached dwellings* – 8.3 m;
- b) Minimum *lot frontage* for an end unit or an *interior lot* at 251, 141 and 145 Stonebridge Drive– 8.3 m;
- c) *Minimum required rear yard* for the *first storey* portion of a *building* – 5.0 m, provided that a minimum *rear yard* of 7.5 m or more is provided across at least 50% of the width of the *rear yard* measured along the *rear lot line*;
- d) *Minimum required rear yard* for the second *storey* portion of a *main building* – 7.5 m;
- e) *Lots* known as 251, 253 and 255 Stonebridge Drive and 22, 24 and 26 Devonwood Drive are subject to the provisions of Table B2, Part 2 "Standards for the Residential Two (R2) *Zone* – *Wide shallow lots*.

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7.151 SINGLE DETACHED RESIDENTIAL DEVELOPMENT ADJACENT TO CARLTON CREEK

(By-law 2002-93, May 28/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *151 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.151.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required front yard* – 4.0 m;
- b) *Minimum setback for private garages from the streetline* – 6.0 m;
- c) *Minimum lot frontage for any lot containing a heritage building* – 15.3 m.

7.151.2 Special Site Provisions

The following additional provision applies:

- a) The *lot* line abutting the buffer area adjacent to Carlton Creek shall be deemed to be the *front lot line*.

7.152 COMMUNITY AMENITY ONE ZONE, WILLIAMSTOWN, BERCZY VILLAGE

(By-law 2002-54, Apr. 16/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *152 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.152.1 Zone Standards

The following specific *Zone* Standard applies:

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- a) Maximum number of *dwelling units* permitted – 186.

- b) Maximum *Floor Space Index* (FSI) upon removal of Hold (H) provision – 1.45

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7.152.2 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding the *Floor Space Index* (FSI) definition, the lot area to be used to calculate the *Floor Space Index* shall be the sum of all the *lot areas* denoted by the symbol *152.

7.153 RESIDENTIAL STANDARDS IN THE CA3 ZONE, WILLIAMSTOWN, BERCZY VILLAGE

(By-law 2002-54, April 16/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *153 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.153.1 Zone Standards

The following specific *Zone* Standard applies:

- a) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

7.153.2 Special Site Provisions

The following additional provisions apply:

- a) Bur Oak Avenue is the *front lot line*;
- b) *Driveways* accessing a *townhouse dwelling unit* are not permitted to cross the *front lot line* or *exterior side lot line*;
- c) *Lots* that are the site of an attached or detached *private garage*, which are accessed by a *driveway* that crosses a *rear lot line* shall be deemed to be accessed by a *lane*.

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**7.154 RESIDENTIAL UNITS IN THE COMMUNITY AMENITY ONE AND
RESIDENTIAL THREE ZONES, MARKHAM TRAILS, BERCZY VILLAGE**
(By-law 2002-78, May 14/02; By-law 2003-59, February 25/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *154 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.154.1 Special Site Provisions

The following additional provisions apply:

- a) Should the CA1 block be developed with *residential uses* only:
 - i) Minimum number of *dwelling units* – 45;
 - ii) Maximum number of *dwelling units* – 181;
- b) Minimum number of *dwelling units* for R3 Zone at northwest corner of Castlemore Avenue and McCowan Road – 54;
- c) Maximum number of *dwelling units* for R3 Zone at northwest corner of Castlemore Avenue and McCowan Road – 116;
- d) Minimum number of *dwelling units* for R3 Zone at southwest corner of Castlemore Avenue and McCowan Road – 51;
- e) Maximum number of *dwelling units* for R3 Zone at southwest corner of Castlemore Avenue and McCowan Road – 110.

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7.155 RESERVED

7.156 RESERVED

**7.157 UNIONVILLE MONTESSORI SCHOOL, NORTH OF 16TH AVENUE AND
WEST OF KENNEDY ROAD**

(By-law 2002-66, April 30/02)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *157 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.157.1 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required front yard* – 1.8 m;
- b) *Minimum required rear yard* – 4.5 m.

7.158 RESERVED

7.159 RESERVED

7.160 RESERVED

7.161 LOT 320, PLAN 65M-3594, GREENSBOROUGH (By-law 2002-151, June 26/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *161 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.161.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *day nursery*; and,
- b) *school, private*.

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7.161.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum width of *landscaped open space* area abutting the north and west *lot lines* – 1.2 m, if lands subject to this Section are used for a *day nursery* or *private school*;
- b) The existing *heritage building* is permitted to encroach into the required *landscaped open space*.

7.162 LANDS TO THE EAST OF 9TH LINE AND NORTH OF 16TH AVENUE

(By-Law 2002-174, June 26/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *162 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.162.1 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required rear yard* for the *main building* on a *lot* accessed by a *lane* – 13.0 m;
- b) Maximum *lot coverage* of the *first storey* of all detached *accessory buildings* on a *lot* used for *semi-detached dwellings* – 20% of the *lot area*;
- c) Maximum *height* of any detached *private garage* with an *accessory dwelling unit* in the second *storey* for *lots* having a frontage of less than 9.75 metres – 6.75 m.

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7.163 NEIGHBOURHOOD CENTRE, BUR OAK AVENUE EAST OF 9TH LINE

(By-law 2002-174, June 26/02; By-law 2004-34, February 10/04)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *163 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.163.1- Only Permitted Uses

The following uses are the only uses permitted:

- a) *Retail stores and restaurants* with a maximum *net floor area* of 120 square metres per *premises* and located only in the *first storey* of a *building*;
- b) No more than two *dwelling units* provided that the *dwelling unit(s)* are located above the *first storey* of a *building*.

7.163.2- Zone Standards

The following specific *Zone Standards* apply:

- a) All applicable provisions for *single detached dwellings* shall apply.

7.163.3- Special Parking Provisions

The following parking provisions apply:

- a) *Retail stores and restaurants* shall be exempt from providing any required *parking spaces*;
- b) Minimum number of *parking spaces* for *dwelling units* – 1 per unit;
- c) Tandem *parking spaces* are not permitted to be required *parking spaces* for the *dwelling units*.

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7.164 LANDS TO THE EAST OF 9TH LINE AND NORTH OF 16TH AVENUE (CA2 ZONE)

(By-law 2002-174, June 26/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *164 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.164.1- Additional Permitted Uses

The following additional use is permitted:

- a) *nursing home*, subject to the provisions of the CA2 Zone.

7.165 COMMERCIAL BLOCK ON SOUTH SIDE OF HIGHWAY 7 AT BUR OAK AVENUE

(By-law 2002-177, June 26/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *165 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.165.1- Special Site Provisions

The following additional provision applies:

- a) Special Provisions 1, 2 and 3 of Table A2 shall not apply to lands subject to this Section.

7.166 PLAN 65M-3733, BERCZY VILLAGE

(By-law 2002-253, November 12/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *166 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.166.1- Zone Standards

The following specific Zone Standard applies:

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- a) Maximum garage and *driveway* width on *lots* 27, 28, 33, 34, 37, 38, 43, 44, 48, 49, 54, 55, 58, 59, 66, 67, 72 and 73 of Plan 65M-3733 – 5.6 m.

7.167 NORTHWEST CORNER OF HIGHWAY 7 AND TOWN CENTRE BOULEVARD (APARTMENTS)

(By-law 2002-251, November 12/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *167 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.167.1-_____ Only Permitted Uses

The following uses are the only uses permitted:

- a) *apartment building(s)*; and,
- b) one (1) private recreation facility.

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7.167.2-_____ Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum number of *dwelling units* permitted – 780;
- b) Minimum and maximum setback for *main buildings* – See Section 8.2 of this By-law;
- c) Minimum and maximum *heights* – See Section 8.3 of this By-law.

7.167.3-_____ Special Parking Provisions

The following parking provisions apply:

- a) Maximum number of *parking spaces* for *apartment buildings* – 1.3 *parking spaces* per *dwelling unit*;
- b) Maximum number of *parking spaces* for *apartment building* visitors – 0.2 *parking spaces* per *dwelling unit*;
- c) Required parking may be provided in an underground *parking garage* that extends under adjoining lands in the OS1 *Zone*, provided the *parking garage* is below *grade*.

7.168 NORTHWEST CORNER OF HIGHWAY 7 AND TOWN CENTRE BOULEVARD (TOWNHOUSES)

(By-law 2002-251, November 12/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *168 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.168.1-_____ Only Uses Permitted

The following uses are the only uses permitted:

- a) *home occupations*; and,
- b) *townhouse dwellings*.

7.168.2-_____ Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum number of *dwelling units* – 155;
- b) Minimum and maximum setbacks for *main buildings* – See Section 8.4 of this By-law;
- c) Permitted encroachments – Only stairs, bay windows and landings may encroach into the setback areas shown on Schedule 8.4 to this By-law, provided the encroachment is no more than 0.5 m.

7.169 NORTHWEST CORNER OF HIGHWAY 7 AND TOWN CENTRE BOULEVARD (SENIORS RETIREMENT HOME, NURSING HOME AND OFFICE BUILDING)

(By-law 2002-251, November 12/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *169 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.169.1-_____ Only Uses Permitted

The following uses are the only uses permitted:

- a) *nursing home*;
- b) *business offices*; and,
- c) retail and service commercial uses.

7.169.2-_____ Zone Standards

The following specific *Zone* Standards apply:

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- a) Minimum *height* – 160.0 metres above sea level;
- b) Maximum *height* – 213.0 metres above sea level;
- c) Minimum *building floor area* – 13,000 sq.m;
- d) Setbacks for *main buildings* from all *lot* lines – See Section 8.5 of this By-law.

7.169.3-_____ Special Parking Provisions

The following parking provision applies:

- a) Required parking may be provided in an underground *parking garage* that extends under adjoining lands in the OS1 *Zone*, provided the *parking garage* is below *grade*.

7.169.4 _____ Special Site Provisions

The following additional provision applies:

- a) Retail and service commercial uses are required in the *first storey* of a multi-storey *building*.

7.170 NORTHWEST CORNER OF HIGHWAY 7 AND TOWN CENTRE BOULEVARD (OFFICE BUILDING)

(By-law 2002-251, November 12/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *170 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.170.1-_____ Prohibited Uses

The following uses are prohibited:

- a) all *residential uses*.

7.170.2-_____ Zone Standards

The following specific *Zone* Standards apply:

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- a) Maximum *height* for the westerly *building* – 210.0 metres above sea level;
- b) Maximum *height* for the easterly *building* – 212.0 metres above sea level;
- c) Setbacks for *main buildings* from all *lot* lines – See Section 8.6 of this By-law.
- d) Minimum *building floor area* – 10,000 sq.m for each *building*;
- e) Minimum *height* for both the easterly and westerly *building* - 175 metres above sea level.

7.170.3-_____Special Parking Provisions

The following parking provision applies:

- a) Required parking may be provided in an underground *parking garage* that extends under adjoining lands in the OS1 *Zone*, provided the *parking garage* is below *grade*.

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7.170.4-_____ Special Site Provisions

The following additional provision applies:

- a) Retail and service commercial uses are required to occupy no less than 50% of the *floor area* of the *first storey* of an *office building*.

7.171 NORTHWEST CORNER OF HIGHWAY 7 AND TOWN CENTRE BOULEVARD (OPEN SPACE)

(By-law 2002-251, November 12/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *171 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.171.1-_____ Zone Standards

The following specific *Zone* Standard applies:

- a) Minimum area of the Open Space Block – 1.0 ha.

7.171.2-_____ Special Parking Provisions

The following parking provision applies:

- a) Parking is permitted in a *parking garage* that is completely below *grade*.

7.172 BLOCKS A, B, C, D AND E AND BLOCKS 3, 4 AND 5 ON PLAN 65M-2503 AND PART 1 ON PLAN 65R-18932 (NORTHWEST CORNER OF HIGHWAY 7 AND TOWN CENTRE BOULEVARD)

(By-law 2002-251, November 12/02)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *172 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.172.1-_____ Zone Standards

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The following specific *Zone* Standard applies:

- a) Maximum Floor Space Index – 200%.

7.173 16TH AVENUE AND WILLIAMSON ROAD

(By-law 2003-19, January 28/03)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *173 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.173.1- Only Uses Permitted

The following use is the only use permitted:

- a) *place of worship.*

7.174 RESERVED

7.175 STANDARDS FOR BUSINESS PARK AREA - WEST OF KENNEDY ROAD AND NORTH OF HIGHWAY 407

(By-law 2003-151, May 27/03)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *175 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.175.1- Only Uses Permitted

The following uses are the only uses permitted:

- a) *financial institutions;*
- b) *institutional uses;*
- c) *research and training facilities;*
- d) *commercial fitness centres;*
- e) *non-profit fitness centres;*
- f) *trade and convention centres;*
- g) *a transit station, provided that the lands do not abut or front*

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onto Kennedy Road; and,

- h) *office buildings* and/or post-secondary educational institutions, along with the following *accessory* uses, provided the total *gross floor area* (GFA) devoted to these *accessory* uses does not exceed 10% of the GFA of the *building*:
 - i) *day nurseries*;
 - ii) *personal service shops*;
 - iii) *restaurants*; and,
 - iv) retail uses.

7.175.2- Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum Floor Space Index in a BP(100%/150%)(H) *Zone* – 100%;
- b) Maximum Floor Space Index in a BP(100%/150%) *Zone* – 150%;
- c) Minimum number of *storeys* – four;
- d) Maximum number of *storeys* – eight.

7.175.3- Special Parking Provisions

The following parking provisions apply:

- a) Maximum depth of *parking area* in the *exterior side yard*, including the *driveway* – 18.0 m;
- b) *Parking areas* and *driveways* between the *building* and *front lot line* are prohibited;
- c) The required *parking spaces* for uses permitted within this Section need not be provided on the same *lot* as the *building, structure* or use requiring the parking;
- d) The following standards apply to underground and above *grade parking garages*:
 - i) *Minimum required front yard* – 6.0 m;
 - ii) *Minimum required side yard* – 3.0 m;
 - iii) *Minimum required rear yard* – 3.0 m.

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7.175.4-_____ Special Site Provisions

The following additional provisions apply:

- a) A *drive-through service facility* associated with any use is not permitted;
- b) An individual parcel or parcels Zoned BP(100%/150%) may exceed a *Floor space index (FSI)* of 150% provided that the average density of 150% FSI over all lands Zoned BP(100%/150%) is not exceeded, and that the Holding (H) provision is removed as required by Section 7.175.5 of this By-law;
- c) Notwithstanding any further division or partition on lands subject to this Section, the required setbacks and yards in this Section shall continue to apply to each Block on the Registered Plans pertaining to this site as they existed on the date of passage of By-law 2003-151.

7.175.5-_____ Removal of Holding Provision

The Holding (H) provision may be lifted upon completion/satisfaction of the following conditions:

- a) A site plan for a specific development proposal being approved by the Town;
- b) A detailed Precinct Plan being approved by the Town;
- c) A site plan agreement being executed;
- d) A detailed transportation and parking demand study being approved by the Town, including participation in the Town's transportation management association and travel demand management initiatives;
- e) A stormwater management report being approved by the Town; and,
- f) All additional studies required being approved by the Town.

7.176 BLOCK B OS2 ZONE – NON-PROFIT FITNESS CENTRE OR PUBLIC RECREATIONAL ESTABLISHMENT (KENNEDY ROAD)

(By-law 2003-151, May 27/03)

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Notwithstanding any provision in By-law 177-96, as amended the following provisions apply to those lands denoted by the symbol *176 on the Schedules to this By-law. All other provisions of this By-law not inconsistent with this provision shall continue to apply.

7.176.1- Only Uses Permitted

The following uses are the only uses permitted

- a) A *non-profit fitness centre* or *public community centre*, along with the following *accessory* uses provided the total *gross floor area* (GFA) devoted to these *accessory* uses does not exceed 10% of the GFA of the *building*:
 - i) *day nurseries*;
 - ii) *business offices*;
 - iii) *personal service shops*;
 - iv) *restaurants*; and,
 - v) *retail uses*.

7.176.2- Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum Floor Space Index in a BP(100%/150%)(H) *Zone* – 100%;
- b) Maximum Floor Space Index in a BP(100%/150%) *Zone* – 150%;
- c) Maximum number of *storeys* – eight;
- d) Minimum *building floor area* – 4,650 sq.m.

7.176.3- Special Parking Provisions

The following parking provisions apply:

- a) Maximum width of *parking area* in the *exterior side yard*, including the *driveway* – 18.0 m;
- b) *Parking areas* and *driveways* between the *building* and *front lot line* are prohibited;
- c) The required *parking spaces* for uses permitted within this Section need not be provided on the same *lot* as the *building*,

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structure or use requiring the parking.

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7.176.4-_____ Special Site Provisions

The following additional provisions apply:

- a) A *drive-through service facility* associated with any use is not permitted;
- b) The existing designated *heritage building*, including any necessary changes or additions required to ensure compliance with applicable *building* and fire code regulations, will not be subject to the setback requirements of this By-law;
- c) An individual parcel or parcels Zoned BP(100%/150%) may exceed a *Floor space index (FSI)* of 150% provided that the average density of 150% FSI over all lands Zoned BP(100%/150%) is not exceeded, and that the Holding (H) provision is removed as required by Section 7.176.5 of this By-law;
- d) Notwithstanding any further division or partition on lands subject to this Section, the setbacks in this Section shall continue to apply to each Block on the Registered Plans pertaining to this site as they existed on the date of passage of this By-law.

7.176.5-_____ Removal of Holding Provision

The Holding (H) provision may be lifted upon completion/satisfaction of the following conditions:

- a) A site plan for a specific development proposal being approved by the Town;
- b) A detailed Precinct Plan being approved by the Town;
- c) A site plan agreement being executed;
- d) A detailed transportation and parking demand study being approved by the Town, including participation in the Town's transportation management association and travel demand management initiatives;
- e) A stormwater management report being approved by the Town; and,
- f) All additional studies required being approved by the Town.

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7.177 BLOCK C STANDARDS FOR BUSINESS PARK AREA, KENNEDY ROAD

(By-law 2003-151, May 27/03)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *177 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.177.1- Only Uses Permitted

The following uses shall be the only uses permitted:

- a) *financial institutions;*
- b) *institutional uses;*
- c) *parking lots and parking garages;*
- d) *research and training facilities;*
- e) *commercial fitness centres;*
- f) *non-profit fitness centres;*
- g) *trade and convention centres; and,*
- h) *business office buildings and/or post-secondary educational institutions, along with the following accessory uses provided the total gross floor area (GFA) devoted to these uses does not exceed 10% of the GFA of the building:*
 - i) *day nurseries;*
 - ii) *personal service shops;*
 - iii) *restaurants; and,*
 - iv) *retail uses.*

7.177.2- Zone Standards

The following specific *Zone* Standards apply:

- a) Maximum Floor Space Index in a BP(100%/150%)(H) *Zone* – 100%;
- b) Maximum Floor Space Index in a BP(100%/150%) *Zone* – 150%;
- c) Minimum *lot frontage* – 50.0 m;

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- d) *Minimum required front yard* – 6.0 m;
- e) Minimum number of *storeys* – four;
- f) Maximum number of *storeys* – eight.

7.177.3- Special Parking Provisions

The following parking provisions apply:

- a) Maximum width of *parking area* in the *exterior side yard*, including the *driveway* – 18.0 m;
- b) *Parking areas* and *driveways* between the *building* and *front lot line* are prohibited;
- c) The required *parking spaces* for uses permitted within this Section need not be provided on the same *lot* as the *building, structure* or use requiring the parking;
- d) The following standards apply to underground and above *grade parking garages*:
 - i) *Minimum required front yard* – 6.0 m;
 - ii) *Minimum required side yard* – 3.0 m;
 - iii) *Minimum required rear yard* – 3.0 m.

7.177.4- Special Site Provisions

The following additional provisions apply:

- a) A *drive-through service facility* associated with any use is not permitted;
- b) An individual parcel or parcels *Zoned BP(100%/150%)* may exceed a *Floor space index (FSI)* of 150% provided that the average density of 150% FSI over all lands *Zoned BP(100%/150%)* is not exceeded, and that the Holding (H) provision is removed as required by Section 7.177.5 of this By-law;
- c) Notwithstanding any further division or partition on lands subject to this Section, the setbacks in this Section shall continue to apply to each Block on the Registered Plans pertaining to this site as they existed on the date of passage of this By-law.

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7.177.5- Removal of Holding Provision

The Holding (H) provision may be lifted upon completion/satisfaction of the following conditions:

- a) A site plan for a specific development proposal being approved by the Town;
- b) A detailed Precinct Plan being approved by the Town;
- c) A site plan agreement being executed;
- d) A detailed transportation and parking demand study being approved by the Town, including participation in the Town's transportation management association and travel demand management initiatives;
- e) A stormwater management report being approved by the Town; and,
- f) All additional studies required being approved by the Town.

7.178 RESERVED

7.179 RESERVED

7.180 NORTHEAST CORNER OF KENNEDY ROAD AND CASTAN AVENUE, SOUTH UNIONVILLE

(By-law 2003-162, May 27/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *180 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.180.1- Special Site Provisions

The following additional provisions apply:

- a) No part of the *first storey* of any *building* shall be used as a *dwelling unit*;
- b) A *private garage*, as well as stairs accessing a *residential use* on the floor above the *first storey*, shall be permitted as part of

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the *first storey*;

- c) At least 10.0 square metres of the *first storey* shall be used exclusively as a *business office* or *personal service shop*.

7.181 RESERVED

7.182 SPECIAL DRIVEWAY SETBACKS SOUTH OF MAJOR MACKENZIE DRIVE AND WEST OF HIGHWAY 48, WISMER COMMONS

(By-law 2003-207, June 24/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *182 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.182.1- Zone Standards

The following specific *Zone* Standards apply:

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- a) Minimum setback for a *driveway* from the *interior side lot line* – 0.3 m;
- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.183 SPECIAL DRIVEWAY SETBACKS WEST OF MINGAY AVENUE, SOUTH OF BUR OAK AVENUE, WISMER COMMONS

(By-law 2003-205, June 24/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *183 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.183.1-_____Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum setback for a *driveway* from the *interior side lot line* – 0.3 m;
- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.184 SPECIAL DRIVEWAY SETBACKS SOUTH OF MAJOR MACKENZIE DRIVE AND EAST OF MCCOWAN ROAD, WISMER COMMONS

(By-law 2003-203, June 24/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *184 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.184.1-_____Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum setback for a *driveway* from the *interior side lot line* – 0.3 m;
- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.185 SPECIAL DRIVEWAY SETBACKS SOUTH OF MAJOR MACKENZIE DRIVE AND EAST OF MCCOWAN ROAD, WISMER COMMONS

(By-law 2003-201, June 24/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *185 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.185.1-_____Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum setback for a *driveway* from the *interior side lot line* – 0.3 m;
- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.186 LOTS HAVING A LOT DEPTH OF 30 METRES OR GREATER

(By-law 2003-201, June 24/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *186 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.186.1-_____Zone Standards

The following specific *Zone* Standards apply:

- a) The provisions of Table B2, Part 2 – "Standards for the

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Residential Two (R2) Zone, *Wide shallow lots*" – shall apply;

- b) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.187 LANDS ON WEST SIDE OF MARKHAM ROAD SOUTH OF MAJOR MACKENZIE DRIVE EAST

(By-law 2003-263, July 8/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *187 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.187.1- Additional Permitted Uses

The following additional uses are permitted:

- a) *apartment dwellings*;
- b) *townhouse dwellings*; and,
- c) *multiple dwellings*.

7.187.2- Prohibited Uses

The following additional uses are prohibited:

- a) *places of worship*.

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7.187.3- Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot area* – 0.4 hectares;
- b) Minimum *lot frontage* – 60 metres;
- c) Minimum setback for all *buildings* and *structures* from the Markham Road *streetline* – 10.0 metres;
- d) Minimum setback for all *buildings* and *structures* from any other *streetline* or *lot line* – 3.0 metres;
- e) Minimum setback for all *buildings* and *structures* from a residential *Zone* – 7.5 metres;
- f) Minimum setback to *parking area* or patio without footings from Markham Road *streetline* – 6.0 metres;
- g) Minimum width of *landscaping* strip along Markham Road – 6.0 metres;
- h) Minimum width of *landscaping* strip along Castlemore Avenue, Edward Jeffreys Avenue, Bur Oak Avenue and adjacent a residential *Zone* – 3.0 metres;
- i) Minimum *landscaped open space* for *apartment* and multi-unit *buildings* – 20%;
- j) Minimum *landscaped open space* for all *buildings* except *apartment* and multi-unit *buildings* – not applicable;
- k) Maximum Floor Space Index for *apartment*, *townhouse buildings* and multi-unit *buildings* – 2.0;
- l) All uses permitted in the CA1 *Zone* and permitted on the lands subject to this Section are subject to the standards of the CA1 *Zone*, unless such standard has been modified/amended by this Section.

7.187.4- Special Site Provisions

The following additional provisions apply:

- a) The following requirements apply to *buildings* that have a *net floor area* of 557 square metres or less:
 - i) At least 80% of the *main wall* of *buildings* facing

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Markham Road shall be located no further than 12 metres from the *streetline* of a Municipal/Regional right-of-way or 1.0 metre greater than the Ministry of Transportation's minimum setback requirement from a Provincial right-of-way, notwithstanding that when the 40% provision in Section 7.187.4 b) is complied with the provisions of this Subsection do not apply.

- ii) At least 60% of the surface area of each wall facing Markham Road and within 30 metres of Markham Road shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 metres of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof.
- b) For *buildings* within each area identified as A, B, C and E shown on Schedule 8.7 in Section 8.7 of this By-law, a minimum of 40% of the Markham Road *streetline* shall be the location of a *main wall* that is set back no further than 12 metres from the *streetline* of a Municipal/Regional right-of-way or 1.0 metre greater than the Ministry of Transportation's minimum setback requirement from a Provincial right-of-way.
- c) The following requirements apply to each area identified as W, X, Y and Z shown on Schedule 8.7 in Section 8.7 of this By-law:
 - i) Within the areas identified as 'W', measured 30 metres from the intersection of Markham Road and Bur Oak Avenue and 30 metres from the intersection of Markham Road and Castlemore Avenue *drive-through service facilities* and *queuing lanes* are prohibited.

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- ii) Within the areas identified as 'X', measured 30 metres from the intersection of Markham Road and Edward Jeffreys Avenue *queuing lanes* located between the *main wall* and the Markham Road *streetline* and the Edward Jeffreys *streetline* are prohibited.
- iii) Within the area identified as 'Y', measured 30 metres from the Markham Road *queuing lanes* between the *main wall* and the Markham Road *streetline* and the *main wall* and a *driveway* are prohibited.
- iv) Within the areas identified as 'Z', measured 30 metres from Markham Road *queuing lanes* between the *main wall* and the Markham Road *streetline* are prohibited.
- d) A minimum of 60 % of the Bur Oak Avenue *streetline* shall be the location of a wall that is set back no further than 5 metres from the Bur Oak Avenue *streetline*.
- e) The maximum *height* of any *building* containing *dwelling units* is 30 metres. Notwithstanding this provision, within 40 metres of a residential *Zone* boundary, the maximum *height* of any *building* containing *dwelling units* is 13.0 metres.

7.188 LANDS ON THE SOUTH SIDE OF BUR OAK DRIVE WEST OF MARKHAM ROAD

(By-law 2003-263, July 8/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *188 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.188.1-___ Only Uses Permitted

The following uses are the only uses permitted:

- a) All uses permitted by the CA1 *Zone*.

7.188.2-___ Prohibited Uses

The following additional use is prohibited:

- a) *places of worship*.

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7.188.3- Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum setback for all *buildings* and *structures* from Markham Road- 10.0 metres;
- b) Minimum setback for all *buildings* and *structures* from Bur Oak Avenue or any other *lot line* – 3.0 metres;
- c) Minimum setback to *parking area* or patio without footings from Markham Road – 6.0 metres;
- d) Minimum setback for all *buildings* and *structures* from the west *lot line* – 7.5 metres;
- e) Minimum landscape strip adjacent a Residential *Zone* – 3.0 metres;
- f) Minimum *landscaped open space* for *apartment* and multi-unit *buildings* – 20%;
- g) Minimum *landscaped open space* for all *buildings* except *apartment* and multi-unit *buildings* – not applicable;
- h) Maximum Floor Space Index for *apartment*, *townhouse* and *multiple-unit buildings* – 2.0;
- i) Maximum *height* of any *building* – 30.0 metres;
- j) Maximum *height* of any *building* within 40 metres of a Residential *Zone* boundary – 13.0 metres;

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- k) Minimum setback for any floor wholly above the first 8.2 metres of any *building* from the Bur Oak Avenue *streetline* – 9.0 metres;
- l) All uses permitted in the CA1 *Zone* and permitted on the lands subject to this Section are subject to the standards of the CA1 *Zone*, unless such standard has been modified/amended by this Section.

7.188.4- Special Site Provisions

The following additional provisions apply:

- a) A minimum of 60% of the Bur Oak Avenue *streetline* shall be the location of a main front wall that is set back no further than 6.0 metres from the Bur Oak Avenue *streetline*. This provision shall only apply to that portion of the *main wall* that is within 8.2 metres of *established grade*;
- b) Within the area identified as D shown on Schedule 8.8 in Section 8.8 of this By-law, a minimum of 40% of the Markham Road *streetline* shall be the location of a *main* front wall that is set back no further than 12 metres from the *streetline* of a Municipal/Regional right-of-way or 1.0 metre greater than the Ministry of Transportation's minimum setback requirement from a Provincial right-of-way;
- c) The following requirements apply to each area identified as W and Z shown Schedule 8.8 in Section 8.8 of this By-law:
 - i) Within the area identified as 'W', measured 30 metres from the intersection of Markham Road and Bur Oak Avenue *drive-through service facilities* are prohibited.
 - ii) With the area identified as 'Z', measured 30 metres from Markham Road *queuing lanes* located between the *main wall* and the Markham Road *streetline* are prohibited.

7.189 ANGUS GLEN DEVELOPMENTS – EAST VILLAGE

(By-law 2003-254, July 8/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *189 on the Schedules to this By-law. All other provisions, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.189.1-_____ Special Site Provisions

The following additional provision applies:

- a) Stairs that are used to provide access to a *porch* from the ground may encroach into the required *front yard* and *exterior side yard* provided that no stair is located closer than 0.3 metres from the *front lot line* or *exterior side lot line*.

7.190 ADDITIONAL STANDARDS, CORNELL

(By-law 2003-257, July 8/03)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *190 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.190.1-_____ Additional Permitted Use

The following additional use is permitted:

- a) One (1) *accessory dwelling unit* is permitted on a *lot* provided that:
 - i) it is *accessory* to a *single detached, semi detached* or *townhouse dwelling unit* on the same *lot*;

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- ii) ~~_____~~ it is located above a *private garage* in either the *main building* or an *accessory building* on the same *lot*, excepting that stairways providing access to the *accessory dwelling unit* may extend down to *grade*; and,
- iii) the required *parking space* is independently accessible from the *parking spaces* for the *main dwelling unit* on the *lot*.

7.190.2- ~~_____~~ Zone Standards

- a) The following specific *Zone Standards* shall apply to all *main buildings* except *duplexes*:
 - i) *Minimum required front yard* - 3.0 m;
 - ii) *Minimum required rear yard* - 13.0 m;
 - iii) *Maximum height* - 12.0 m;
 - iv) On *lots* having a minimum *lot frontage* of at least 11 metres and a minimum depth of 25 metres, *single detached dwellings* with attached *private garages* are permitted and are subject to the following additional provisions:
 - i. *Minimum required rear yard* - 0.6 metres;
 - ii. an *outdoor amenity space* shall be provided and shall be subject to the following regulations:
 - 1. The *outdoor amenity space* shall have a minimum area of 40 square metres and a minimum dimension of 7.0 metres on one side.
 - 2. No part of the required *outdoor amenity space* shall be located further than 15 metres from the *rear lot line*.
 - 3. *Balconies* and roofed *porches* shall not encroach into the required *outdoor amenity space*.
 - 4. *Decks* and associated stairs may encroach into the required *outdoor amenity space*.

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- b) The following specific *Zone Standards* apply to *duplex dwellings* and detached *private garages* that are *accessory* to a *duplex dwelling*:
- i) Minimum *lot frontage* – 7.0 m;
 - ii) Minimum required *front yard* – 1.0 m;
 - iii) A *duplex dwelling* may be attached to one (1) other *duplex dwelling*;
 - iv) Minimum required *interior side yard* – 1.2 m, except that the minimum *interior side yard* may be 0.0 metres where the *building* shares a common wall with another *duplex dwelling* on an abutting *lot*;
 - v) Minimum required *rear yard* – 11 m;
 - vi) Minimum setback required for a detached *private garage* from the *main building* on the *lot* – 5.0 m;
 - vii) *Balconies* may encroach into the required *rear yard* a distance of no more than 3.0 metres. Stairs used to access a *Balcony* shall not be subject to the setback requirements of this Section.
- c) The following specific *zone standards* apply to *carports* and *private garages* and to *habitable floor area* that may be located above a *private garage*:
- i) Minimum setback required from the *rear lot line* – 0.6 m;
 - ii) Minimum setback required from an interior or *exterior side lot line* – 0.3 m;
 - iii) Minimum setback required from the *interior side lot line* where the *carport* or *private garage* (with or without *habitable floor area* above) shares a common wall with another *carport* or *private garage* (with or without *habitable floor area* above) on an abutting *lot* – 0.0 m;

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- iv) No more than two *carports* or *private garages* (with or without habitable *floor area* above) on abutting *lots* are permitted to share common walls;
 - v) Maximum *height* of a detached *private garage* – 8.0 m.
- d) The following specific *zone* standards apply to all *buildings*:
- i) Eaves and roof overhangs may encroach into any required setback area or *yard* up to the *lot* line;
 - ii) Maximum permitted *height* of *porches*, with the *height* being measured from the *established grade* to the underside of the rafters or ceiling of the *porch*, located within a required *yard* – 5.0 m;
 - iii) *Porches* may encroach to a required *front yard* or *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* and no part of the stairs is located closer than 0.3 metres from the *front lot line* or *exterior side lot line*.

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7.190.3-_____ Special Parking Provisions

The following special parking provisions apply:

- a) Parking shall be required at a rate of one *parking space* for each *duplex dwelling unit*.
- b) Tandem *parking spaces* are not permitted to be required *parking spaces* for *duplex dwelling units*.

7.190.4 _____ Special Site Provisions

The following additional provisions apply:

- a) The conventional *lot* standards set out in Table B2 shall also apply to *wide shallow lots*.
- b) A *lot* separated from a *public street* by a strip of land owned by a *public authority* and used for the purpose of *landscaping* is deemed to abut such a *public street*.

7.191 MIXED USE DEVELOPMENT, CORNELL

(By-law 2003-257, July 8/03)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *191 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.191.1-_____ Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* – 7.0 m;
- b) *Minimum required exterior side yard* – 0.0 m;
- c) *Minimum required rear yard* – 6.0 m;
- d) *Balconies* may encroach into the required *rear yard* a distance of no more than 4.0 metres. Stairs used to access a *Balcony* shall not be subject to the setback requirements of this Section;
- e) Minimum required *landscaped open space* – 0%;

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- f) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

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7.192 REDUCED DEPTH LOTS, CORNELL

(By-law 2003-259, July 8/03)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *192 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.192.1- Zone Standards

The following specific Zone Standards apply:

- a) On *corner lots*, *single detached dwellings* with attached *private garages* are permitted and are subject to the following specific Zone Standards:
 - i) Minimum *lot depth* – 25.0 m;
 - ii) Minimum *lot frontage* – 11.0 m;
 - iii) Minimum required *rear yard* – 0.6 m;
 - iv) The wall of the attached *private garage* that contains the opening for *motor vehicle* access shall be set back no further than 1.2 metres from the *rear lot line*;
 - v) An *outdoor amenity space* shall be provided and shall be subject to the following regulations:
 - 1. The *outdoor amenity space* shall have a minimum area of 40 square metres and a minimum dimension of 7.0 metres on one side;
 - 2. No part of the required *outdoor amenity space* shall be located further than 15 metres from the *rear lot line*;
 - 3. Balconies and *porches* shall not encroach into the required *outdoor amenity space*; and,
 - 4. *Decks* and associated stairs may encroach into the required *outdoor amenity space*.
- b) On *corner lots* fronting on 16th Avenue, and on *interior lots* that have a *lot frontage* of less than 11.0 metres, *single detached dwellings* with attached *private garages* are permitted and are subject to the following specific Zone Standards:
 - i) Minimum *lot depth* – 25.0 m;
 - ii) Minimum *lot frontage* – 9.0 m;

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- iii) *Minimum required rear yard* – 5.8 m;
- iv) *Maximum driveway width and garage width on lots with a lot frontage of 9.0 metres or less* – 3.5 m;
- v) *An outdoor amenity space* shall be provided and shall be subject to the following regulations:
 - 1. The *outdoor amenity space* shall have a minimum area of 35 square metres and a minimum dimension of 7.0 metres on one side.
 - 2. No part of the required *outdoor amenity space* shall be located further than 15 metres from the *rear lot line*.
 - 3. *Balconies and porches* shall not encroach into the required *outdoor amenity space*.
 - 4. *Decks* and associated stairs may encroach into the required *outdoor amenity space*.
- c) *Semi-detached dwellings* with attached *private garages* are permitted and are subject to the following specific *Zone Standards*:
 - i) *Minimum lot depth* – 25.0 m;
 - ii) *Semi-detached dwellings* with attached *private garages* are permitted only on *interior lots*; excepting that *semi-detached dwellings* with attached *private garages* are permitted on *corner lots* which front onto 16th Avenue;
 - iii) *Minimum lot frontage* – 7.0 m/unit
 - iv) *Minimum required rear yard* – 5.8 m;

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- v) Maximum *driveway* width and *garage width* – 3.5 m;
- vi) An *outdoor amenity space* shall be provided and shall be subject to the following regulations:
 - 1. The *outdoor amenity space* shall have a minimum area of 30 square metres and a minimum dimension of 7.0 metres on one side;
 - 2. No part of the required *outdoor amenity space* shall be located further than 15 metres from the *rear lot line*;
 - 3. Balconies and *porches* shall not encroach into the required *outdoor amenity space*; and,
 - 4. *Decks* and associated stairs may encroach into the required *outdoor amenity space*.

7.193 NARROW TOWNHOUSE LOTS, CORNELL

(By-law 2003-259, July 8/03)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *193 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.193.1- Zone Standards

The following specific *Zone Standards* apply to *townhouse dwellings*:

- a) Minimum *lot frontage* for an interior unit – 4.5 m/unit;
- b) Minimum setback for a detached *private garage* from the *main building* on the *lot* - 5.0 m;
- c) Minimum *lot frontage* for an end unit on a *corner lot* – 7.0 m/unit;
- d) Minimum *lot frontage* for an end unit on an *interior lot* – 5.7 m;
- e) Minimum setback for detached *private garages* from *rear lot line* – 5.8 m;
- f) *Minimum required rear yard* – 5.8 m;
- g) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

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h) Minimum required front yard – 0.6 metres.

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7.194 NEIGHBOURHOOD CENTRE, CORNELL

(By-law ~~2003-259, July 8/03~~2005-137)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *194 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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~~7.194.1 Additional~~ **Only Permitted Uses**

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The following ~~additional uses are the only uses permitted, provided no premises have a net floor area greater than 60.0 square metres and are located only in the first storey of a building.~~

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~~a) retail stores; and, a) Retail Stores;
b) restaurants.~~

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b) Restaurants;

c) Take- out Restaurants; and

d) dwelling units

~~7.194.2-~~ **Zone Standards**

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a) Minimum lot frontage – 12.0 metres;

b) Minimum required front yard – 3.0 m;

c) Minimum required side yard – 1.2 m on one side, 0.6 m on the other;

d) Minimum required rear yard – 0.6 m

7.194.3 Special ~~Parking~~ **Park Provisions**

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The following parking ~~provision applies:~~provisions apply:

~~a) Retail stores and restaurants are exempt from providing parking spaces.~~

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a) Parking shall be required at a rate of one space for each dwelling unit;

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b) ~~Tandem parking spaces are not permitted as required parking spaces for dwelling units.~~

c) ~~No parking spaces are required for any non-residential use.~~

7.194.4 Special Site Provisions

a) ~~The combined net floor area of retail stores, restaurants and take-out restaurants shall not exceed 120 m2;~~

b) ~~A drive-through service facility is not permitted;~~

c) ~~Driveways that cross either the front lot line or the exterior side lot line to access the lot are not permitted;~~

d) ~~An opening for a door that provides access to the interior of the main building is not permitted in any portion of a wall facing the interior side lot line that is located less than 1.2 metres from the interior side lot line;~~

e) ~~Dwelling units shall be located above the first storey.~~

f) ~~Maximum number of dwelling units – 2."~~

7.195 BLOCKS 13 TO 15, 65M-3680 AND BLOCKS 12-14, 65M-3687

(By-law 2004-37, February 10/04)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *195 on the schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.195.1- Zone Standards

The following specific Zone Standards apply:

- a) *Minimum required rear yard* for an attached garage on Block 13 of Plan 65M-3680 – 9.0 m;
- b) *Minimum required rear yard* for an attached garage on Blocks 14 and 15 of Plan 65M-3680 – 8.0 m;
- c) *Minimum required rear yard* for an attached garage on Blocks

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12 and 14 of Plan 65M-3687 – 8.0 m;

- d) *Minimum required rear yard* for an attached garage on Block 13 of Plan 65M-3687 – 6.8 m;
- e) Maximum garage and *driveway* width – 3.4 m;
- f) *Minimum required rear yard* – 14.0 m;
- g) Minimum area of the *outdoor amenity space* – 36.0 sq.m;
- h) Minimum length of the *outdoor amenity space* – 14.0 m;
- i) Detached *private garages* are prohibited;
- j) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

7.195.2- Special Site Provisions

The following additional provisions apply:

- a) A *deck* and associated stairs is permitted in an *outdoor amenity space*.

7.196- LANE-BASED SINGLE DETACHED DWELLINGS IN THE WEST CATHEDRAL COMMUNITY TOWN

~~(By-law 2003-284, Aug. 26/03)~~

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *196 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.196.1- Only Uses Permitted:

The following uses are the only uses permitted:

- ~~a) *single detached dwellings.*~~

- a) *Single Detached Dwellings.*

7.196.2- Zone Standards

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The following specific ~~Zone Standards~~ zone standards apply:

- ~~a) Minimum lot frontage - 13.0 m;~~
- ~~b) Minimum lot depth - 25.0 m;~~
- ~~c) Minimum required front yard - 3.5 m;~~
- ~~d) Rear yard provisions for main building or structure with attached private garage:~~
 - ~~c) Minimum required front yard - 3.5 m;~~
 - ~~d) Rear yard provisions for main building with an attached private garage:~~
 - ~~i) Minimum required rear yard - 1.0 m;~~
 - ~~ii) Maximum required rear yard - 6.5 m;~~
 - ~~iii) Maximum required rear yard setback for corner lots and lots at the intersection of a lane and a public street - 1.6 m;~~
 - ~~e) Rear yard provision for main building with a detached private garage:~~
 - ~~i) Minimum required rear yard - 12.0 m;~~
 - ~~ii) Maximum setback for detached private garage from the rear lot line - 6.5 m;~~
 - ~~iii) Maximum setback for detached private garage from the rear lot line for corner lots and lots at the intersection of a lane and a public street - 1.6 m;~~
- ~~f) Minimum required interior side yard for an attached private garage shall be - 0.6 m;~~
- ~~g) Minimum required setback of porch or landing from front lot line - 1.5 m;~~
- ~~h) Minimum required setback of porch stairs or landing stairs from front lot line - 0.75 m;~~
- ~~i) Minimum required setback of porch, porch stairs, landing or landing stairs from exterior side lot line - 0.75 m;~~
- ~~j) An underground cold cellar may also encroach into the required yard, provided an underground cold cellar is located entirely underneath the landing;~~
- ~~k) Provisions for outdoor amenity space:~~
 - ~~i) Minimum area of outdoor amenity space - 60 sq. m;~~

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- ii) Minimum additional area of landscaped open space to be provided in a location adjacent to the dwelling unit and contiguous with the outdoor amenity space - 15 sq. m;
- l) The minimum side yard setback for a detached private garage shall be 0.22 m from an interior side lot line created by a Hydro Transformer Notch;
- m) An accessory dwelling unit is permitted on lot provided that:
 - i) it is accessory to a permitted residential use on the lot;
 - ii) an accessory dwelling unit is not located in the main building on the lot;
- n) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane.

7.196.3 Special Site Provisions

The following additional provisions shall apply:

- a) Outdoor Amenity Space:
 - i) shall be located within the side yard or rear yard immediately adjacent to and directly accessible from the dwelling;
 - ii) may include a deck and associated stairs but shall not include a porch;
- b) An opening for a door is permitted in any portion of a wall facing the interior side lot line that is less than 1.2 m from the interior side lot line.

7.197 LANE-BASED SEMI-DETACHED DWELLINGS IN THE WEST CATHEDRAL COMMUNITY

(By-law 2006-179, June 13/06)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *197 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.197.1 Only Uses Permitted:

The following use is the only use permitted:

- a) Semi-detached Dwellings.

7.197.2 Zone Standards

The following specific zone standards apply:

a) Minimum *lot frontage* – 8.5 m;

b) Minimum *lot depth* – 28.0 m;

c) Minimum *required front yard* – 3.5 m;

d) *Rear yard provisions for main building with an attached private garage:*

i) Minimum *required rear yard* – 1.0 m;

ii) Maximum *required rear yard* – 6.5 m;

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~~ii) Notwithstanding 7.196.2.d)ii), the maximum rear yard for a building or structure with an attached private garage is 1.6 m.~~

~~l) An accessory dwelling unit is permitted on lot provided that:~~

~~i) it is accessory to a permitted residential use on the lot;~~

~~ii) an accessory dwelling unit is not located in the main building on the lot;~~

~~m) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane.~~

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~~7.196~~197.3 Special Site Provisions

The following additional provisions shall apply:

~~a) A deck and associated stairs is permitted in an outdoor amenity space.~~
a) Outdoor Amenity Space:

~~i) shall be located within the side yard or rear yard immediately adjacent to and directly accessible from the dwelling;~~

~~ii) may include a deck and associated stairs but shall not include a porch;~~

~~b) An opening for a door is permitted in any portion of a wall facing the interior side lot line that is less than 1.2 metres from the interior side lot line.~~

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~~7.197~~198 LANE-BASED ~~SEMI-DETACHED~~TOWNHOUSE DWELLINGS IN THE WEST CATHEDRAL COMMUNITY

~~(By-law 2003-284, August 26/03)~~

~~(By-law 2006-179, June 13/06)~~

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *~~197~~198 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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~~7.197~~198.1- Only Uses Permitted:

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The following ~~use isuses are~~ the only ~~useuses~~ permitted:

a) ~~semi-detached dwellings.~~

a) Townhouse Dwellings.

7.197198.2- Zone Standards

The following specific ~~Zone Standards~~ zone standards apply:-

- a) Minimum *lot frontage* – ~~85.5~~ 5 m;
- b) Minimum *lot depth* – ~~28.30~~ 30 m;
- c) *Minimum required front yard* – 3.5 m;
- d) Rear yard provisions for *main building* ~~or structure~~ with an attached *private garage*:
 - i) Minimum *required rear yard* – 1.0 m;
 - ii) Maximum required *rear yard* – ~~4.6.5~~ 6.5 m;

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- e) ~~Rear yard provision for main building or structure with detached private garage:~~

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~~i) Minimum required rear yard 12.0 m;~~

~~ii) Maximum setback of detached private garage from the rear lot line 1.6 m;~~

~~f) Maximum width of private garage 6.0 m;~~

~~g) Minimum setback required for porch from front lot line 1.5 m;~~

~~h) Minimum setback required for porch stairs from front lot line 0.75 m;~~

~~i) Minimum setback required for porch from exterior side lot line 0.75 m;~~

~~j) Maximum height of any portion of a building or structure located within 10.6 metres of the rear lot line 4.5 m;~~

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~~k) Provisions for outdoor amenity spaces:~~

~~i) Minimum area of outdoor amenity space 30.0 m²;~~

~~ii) Minimum width of outdoor amenity space 5.0 m;~~

~~iii) Minimum length of outdoor amenity space 6.0 m;~~

~~iv) Minimum additional area of landscaped open space to be provided in a location adjacent to the dwelling unit and contiguous with the outdoor amenity space 6.0 m²;~~

~~l) Provisions for corner lots and lots at the intersection of a lane and a public street:~~

~~i) Minimum height of any building or portion of a building located within 6.0 metres of the rear lot line 5.0 m;~~

~~ii) The maximum height provisions of Subsection 7.197.2(j) shall not apply.~~

~~m) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane.~~

~~7.197.3 Special Site Provisions~~

~~The following additional provisions apply:~~

~~a) A deck and associated stairs is permitted in an outdoor amenity space.~~

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- ~~b) An opening for a door is permitted in any portion of a wall facing the interior side lot line that is less than 1.2 metres from the interior side lot line.~~

~~7.198 LANE-BASED TOWNHOUSE DWELLINGS IN THE WEST CATHEDRAL COMMUNITY~~

~~(By-law 2003-284, August 26/03)~~

~~Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *198 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.~~

~~7.198.1 Only Uses Permitted:~~

~~The following uses are the only uses permitted:~~

- ~~a) townhouse dwellings.~~

~~7.198.2 Zone Standards~~

~~The following specific Zone Standards apply:~~

- ~~a) Minimum lot frontage 5.5 m;~~
~~b) Minimum lot depth 32.0 m;~~
~~c) Minimum required front yard 3.5 m;~~
~~d) Rear yard provisions for main building with attached private garage:~~
~~i) Minimum required rear yard 1.0 m;~~
~~ii) Maximum rear yard 1.6 m;~~

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~~e) Rear yard provision for main building with detached private garage:~~

- ~~i) Minimum required rear yard – 11.5 m;~~
- ~~ii) Maximum setback of detached private garage from the rear lot line – 4.6.5 m;~~

~~f) Minimum required setback of porch or landing from front lot line – 1.5 m;~~

~~g) Minimum required setback of porch stairs or landing stairs from front lot line – 0.75 m;~~

~~h) Minimum required setback of porch, porch stairs, landing or landing stairs from exterior side lot line – 0.75 m;~~

~~i) An underground cold cellar may also encroach into the required yard, provided the underground cold cellar is located entirely underneath the landing;~~

~~j) Maximum height of any portion of a building or structure located within 10.6 metres of the rear lot line – 4.5 m;~~

~~jk) Provisions for outdoor amenity spaces:~~

~~i) Minimum area of outdoor amenity space – 20.0 m²; 20sq. m;~~

~~ii) Minimum width of outdoor amenity space – 4.0 m;~~

~~iii) Minimum length of outdoor amenity space – 5.0 m;~~

~~iv) Minimum additional area of landscaped open space to be provided in a location adjacent to the dwelling unit and contiguous with the outdoor amenity space – 7.0 m²; sq. m;~~

~~k~~

~~l) Maximum width of an attached private garage – 3.5 m;~~

~~m) Maximum width of a detached private garage – 5.8 m;~~

~~n) Provisions for corner lots and lots at the intersection of a lane and a public street:~~

~~i) Minimum height of any building or portion of a building located within 6.0 metres of the rear lot line – 5.0 m;~~

~~Maximum width of an attached private garage – 5.8 m; ii)~~

~~The maximum height provisions of Subsection 7.198.2(1) shall not apply.~~

~~iii) Maximum setback for detached or attached private garage from the rear lot line – 1.6 m;~~

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- ~~o) The minimum side yard setback for a detached garage shall be 0.22 m from an interior side lot line created by a Hydro Transformer Notch;~~
- ~~p) A detached private garage may share a common wall with an attached private garage on an abutting lot, and no setback from the interior side lot line is required on that side of the lot;~~
- ~~q) All detached private garages and any storey above the first storey of a detached private garage shall be set back a minimum of 5.0 m from the main building on the lot;~~
- ~~r) An accessory dwelling unit is permitted on a lot provided that:
 - ~~i) it is accessory to a permitted residential use on the lot;~~
 - ~~ii) an accessory dwelling unit is not located in the main building on the lot;~~~~
- ~~s) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane.~~

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7.198.3 Special Site Provisions

The following additional provisions shall apply:

- ~~a) A deck and associated stairs is permitted in an outdoor amenity space.~~
 - ~~a) Outdoor Amenity Space:~~
 - ~~i) shall be located within the side yard or rear yard immediately adjacent to and directly accessible from the dwelling;~~
 - ~~ii) may include a deck and associated stairs, but shall not include a porch;~~
- b) An opening for a door is permitted in any portion of a wall facing the interior side lot line that is less than 1.2 metres from the interior side lot line.

7.199 TOWNHOUSES FRONTING ON WOODBINE AVENUE

(By-law 2003-284, August 26/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *199 on the Schedules to this By-law. All other provisions, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.199.1- Zone Standards

Notwithstanding the provisions of 7.198.2(b) and 7.198.2(c), the following provisions shall apply:

- a) Minimum *lot depth* – 31.0 m;
- b) Minimum *required front yard* – 2.5 m.

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7.199.2 Special Site Provisions

The following additional provisions apply:

- a) All *lots* are subject to the *wide shallow lot* standards of this By-law.
- b) An opening for a door is permitted in any portion of a wall facing the *interior side lot line* that is less than 1.2 metres from the *interior side lot line*.

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7.200 REVISED LOT FRONTAGE STANDARDS – BERCZY VILLAGE

(By-law 2004-16, January 27/04)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *200 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.200.1- Zone Standards

The following specific *Zone* Standard applies:

- a) Minimum *lot frontage* for *townhouse buildings* – 6.0 m.

7.201 REVISED GARAGE AND DRIVEWAY STANDARDS – BERCZY VILLAGE

(By-law 2004-314, November 16/04)

Notwithstanding any other provisions of this by-law, the provisions in this section shall apply to those lands denoted with the symbol *201 on the Schedules to this by-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section:

7.201.1- Zone Standards

The following specific *Zone* Standard applies:

- a) Maximum garage and *driveway* width – 5.6 m.

7.202 RESERVED

7.203 RESERVED

7.204 NORTHWEST CORNER LOT, MARKHAM BY-PASS AND CASTLEMORE AVENUE

(By-law 2003-326, November 25/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *204 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to

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7.204.1-_____Special Site Provisions

The following additional provisions apply:

- a) The *lot* line abutting the public road cul-de-sac is deemed to be the *front lot line*;
- b) There is no maximum setback required from the *front lot line*.

7.205 LOTS WITH A SIDE LOT LINE SEPARATED FROM THE MARKHAM BY-PASS OR RAILWAY RIGHT-OF-WAY BY OPEN SPACE ZONES - 9TH LINE NORTH OF CASTLEMORE

(By-law 2003-326, November 25/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *205 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.205.1-_____Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required rear yard – 7.0 m;*
- b) *A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane.*

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- c) An attached one-storey *private garage* shall be located no closer than 0.6 metres from the *rear lot line*, provided a *rear yard* of 7.5 metres is provided between the *main building* and the *rear lot line* across at least 50% of the width of the *lot*.

7.205.2-_____Special Site Provisions

The following additional provision applies:

- a) A side *lot line* abutting an Open Space *Zone* is deemed to be an *interior side lot line*.

7.206 LOTS AND BLOCKS ACCESSED BY A LANEWAY ABUTTING THE REAR LOT LINE - 9TH LINE NORTH OF CASTLEMORE

(By-law 2003-326, November 25/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *206 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.206.1-_____Zone Standards

- a) The following specific *Zone Standards* apply to *semi-detached dwellings*:
 - i) Minimum required *lot frontage* – 6.0 m/unit;
 - ii) Minimum required *front yard* – 1.8 m;
 - iii) Minimum required *rear yard* on all *lots* – 13.0 m;
 - iv) Minimum required *exterior side yard* – 1.8 m;
 - v) Minimum required *interior side yard* – 0.9 m on one side, 0.0 m on the other;
 - vi) Maximum *height* – 12.0 m;
 - vii) Maximum setback from *front lot line* - no maximum.
- b) The following specific *Zone Standards* apply to *townhouse dwellings* adjacent to the OS1 *Zone* at Castlemore Avenue and Swan Park Road:
 - i) Minimum required *front yard* – 0.6 metres;
 - ii) Minimum required *rear yard* – 13.0 metres ;
 - iii) Minimum required *exterior side yard* – 1.8 metres;
 - iv) Minimum required *interior side yard* – 0.6 metres for an

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- end unit;
 - v) Maximum *height* – 12 metres;
 - vi) Maximum setback from *front lot line* - no maximum;
 - vii) Minimum *lot frontage* - 6.0 m/unit.
- c) The following specific *Zone Standards* apply to detached *private garages* for both *semi-detached* and *townhouse dwellings*:
- i) Minimum setback required from *exterior side lot line* – 1.2 m;
 - ii) Minimum setback required from *main building* – 5.0 m;
 - iii) Maximum *lot coverage* – no maximum.

7.206.2-_____Special Site Provisions

The following additional provisions apply:

- a) In no case shall an ~~attacheddetached~~ *private garage* share a common wall with more than one other ~~attacheddetached~~ *private garage* on an abutting *lot*. In such instances, and where there are no doors or windows on the wall facing the *interior side lot line* on the open side, the ~~attached~~-*private garage* shall be located no closer than 0.3 metres from that *interior side lot line*.
- b) For *townhouse dwellings*, the *lot line* farthest from and opposite to the *lane* is deemed to be the *front lot line*;

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- c) For both *semi-detached* and *townhouse dwellings*:
- i) A *side lot line* abutting an *Open Space Zone* or a *laneway* is deemed to be an *interior side lot line*;
 - ii) Sills, cornices, eaves and roof overhangs may encroach into any *required yard* up to 0.1 metres from the *lot line*;
 - iii) *balconies*, roofed *porches* and stairs that are used to provide access to the *porch* from the ground, underground cellars and stairs and landings used to access a *main building* may encroach into the *required front yard* and/or into the *required exterior side yard* provided no part of any *structure* is located closer than 0.6 metres from the *front lot line* and *exterior side lot line*.

7.206.3-_____Special Parking Provisions

The following parking provision applies:

- a) There is no maximum setback for *parking pads* from the *rear lot line*.

7.207 SINGLE DETACHED DWELLINGS - 9TH LINE NORTH OF CASTLEMORE (By-law 2003-326, November 25/03)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *207 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.207.1-_____Special Site Provisions

The following additional provisions apply to *single detached dwellings*:

- a) Sills, cornices, eaves and roof overhangs may encroach into any *required yard* up to 0.1 metres from the *lot line*;
- b) Balconies, roofed *porches* and stairs that are used to provide access to the *porch* from the ground, underground cellars and

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stairs and landings used to access a *main building* may encroach into the *required front yard* and/or into the *required exterior side yard* provided no part of any *structure* is located closer than 0.6 metres from the *front lot line* and *exterior side lot line*.

7.208 BUR OAK AVENUE BETWEEN 16TH AVENUE AND 9TH LINE, CORNELL
(By-law 2004-34, February 10/04)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *208 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.208.1 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot frontage* for an end unit on a *corner lot* – 6.4 m;
- b) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

7.209 HERITAGE HOME ON EAST SIDE OF 9TH LINE, NORTH OF 16TH AVENUE, CORNELL
(By-law 2004-34, February 10/04)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *209 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.209.1-____ Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required rear yard* – 3.0 m;
- b) *Maximum setback from front lot line* - no maximum;
- c) *Minimum setback of a detached private garage from the main building on the lot* – 2.0 m.

7.210 LANDS NORTH OF 16TH AVENUE AND EAST OF 9TH LINE, CORNELL (By-law 2004-34, February 10/04)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *210 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.210.1-____ Zone Standards

The following specific *Zone* Standards apply:

- a) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

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7.210.2-_____ Special Site Provisions

The following additional provisions shall apply:

- a) Maximum permitted *lot coverage* for detached *private garages* - no maximum;
- b) Stairs and landings that access any part of the *main building* on the *lot*, and are not associated with a *deck* or *porch*, may encroach into the required *rear yard* a distance of no more than 3.0 metres;
- c) Maximum setback from *front lot line* - no maximum.

7.211 43-81 OMEGA STREET & 272-310 ROY RAINEY AVENUE

(By-law 2004-57, March 9/04)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *211 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.211.1 _____ Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum *lot depth* for a *wide shallow lot* – 24.5 m.

7.211.2 _____ Special Parking Provisions

The following parking provision applies:

- a) Minimum unenclosed *parking space* width for Blocks 67-72 on Registered Plan 65M-3613 – 2.68 m.

7.212 RESERVED

7.213 RESERVED

7.214 RESERVED

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7.220 GAS BAR AND CAR WASH FACILITY – SOUTH EAST CORNER OF 16TH AVENUE AND 9TH LINE

(By-law 2004-90, April 27/04)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *220 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.220.1 Zone Standards

The following specific *Zone Standards* shall apply:

- a) Maximum *front yard* - 6.0 metres;
- b) Minimum required *exterior side yard* – 3.0 metres;
- c) Maximum required *exterior side yard* – 6.0 metres;
- d) Minimum *landscaped open space* – 10%;
- e) Maximum *height* – 6.0 metres.

7.220.2 Special Site Provisions

The following additional provisions apply:

- a) There are no special setback requirements for *car washes*;
- b) Maximum setback requirements shall only apply to the *gas bar* on the subject lands.

7.221 LANDS ON WEST SIDE OF HIGHWAY 48 SOUTH OF MAJOR MACKENZIE DRIVE EAST

(By-law 2004-149, June 8/04)

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *221 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.221.1 Prohibited Uses

The following uses are prohibited:

- a) *places of worship*

7.221.2 Zone Standards

The following specific *Zone* Standards apply:

- a) Minimum *lot area* – 0.75 hectares
- b) Minimum *lot frontage* – 65 metres
- c) Minimum setback to *parking areas* and patios without footings from Markham Road *streetline* - 6.0 metres;
- d) Minimum landscape strip along Markham Road – 6.0 metres.

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7.221.3 Special Site Provisions

The following additional provisions apply:

- a) The following requirements apply to *buildings* that have a *net floor area* of 557 square metres or less:
 - i) At least 80% of the *main wall* of *buildings* facing Markham Road shall be located no further than 14 metres from the *streetline* of a Municipal/Regional right-of-way.
 - ii) At least 60% of the surface area of each wall facing Markham Road and within 30 metres of Markham Road shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 metres of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof.
- b) *Queuing lanes* are prohibited between the *main wall* and Markham Road if the setback from the Markham Road *streetline* to the *main wall* is less than 30 metres.

7.222 LOTS 6, 7, AND 8, CONCESSION 9 BOX GROVE COMMUNITY

(By-law 2004-149, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *222 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.222.1 Zone Standards

The following specific *Zone* Standard applies:

- a) Minimum *lot frontage* for a *single detached dwelling* - 10.4 m;

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- b) The maximum *garage width* and *driveway width* on a *wide shallow lot* with a frontage from 12.8 metres to 13.29 metres and not accessed by a *lane* - 5.5 metres;
- c) Minimum *lot depth* - 26 metres.

7.223 LOTS 6, 7, AND 8, CONCESSION 9 BOX GROVE COMMUNITY (PLACE OF WORSHIP)

(By-laws 2004-146 and 2004-149, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *223 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.223.1 Permitted Uses:

The following is the only use permitted in the R2(h) *Zone*:

- a) One *place of worship*.

7.223.2 Zone Standards for a Place of worship

The following specific *zone* standards apply to a *place of worship*:

- a) *Minimum required front yard* - 6.0 metres;
- b) *Minimum required rear yard* - 6.0 metres;
- c) *Minimum required side yard* - 6.0 metres;
- d) *Maximum exterior side yard* - 3.0 metres;
- e) *Maximum height* - 10 metres;
- f) *Minimum width of landscaping area* required adjacent to the *front lot line* - 6.0 metres;
- g) *Minimum width of landscaping area* required adjacent to all other *lot lines* - 3.0 metres;
- h) *Minimum lot area* - 1.0 hectare.

7.223.3 Special Site Provisions

The following additional provisions apply:

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- a) The *front lot line* is the 9th Line By-Pass *streetline*.
- b) No parking shall be permitted between the *building* and the *front lot line*.
- c) No parking shall be permitted between the *building* and the south *exterior side lot line*.

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7.224 LOTS 3 TO 5, AND LOTS 6 TO 8, CONCESSION 9 BOX GROVE COMMUNITY

(By-laws 2004-146, 2004-149 and 2004-151, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *224 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

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7.224.1 _____ Special Site Provisions

The following additional provisions apply:

- a) Architectural features, such as sills, belt cornices, eaves, roof overhangs may encroach into the required *front yard* and/or *exterior side yard* provided no part of such architectural features are located closer than 0.1 metres to the *front lot line* and/or exterior *lot line*.
- b) Stairs are permitted to encroach into the required *front yard* and/or required *exterior side yard* provided no part of the stairs is located closer than 0.6 metres to the *front lot line* and/or *exterior side lot line*.

7.225 LOTS 3 TO 5, AND LOTS 6 TO 8, CONCESSION 9 BOX GROVE COMMUNITY

(By-law 2004-146, June 8/04; 2004-151, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *225 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.225.1 _____ Special Site Provisions

The following additional provisions apply:

- a) *Minimum required rear yard* - 13.0 metres;
- b) *Maximum lot coverage* for detached *private garage* – 20%;

7.226 LOTS 6, 7, AND 8, CONCESSION 9 BOX GROVE COMMUNITY

(By-law 2004-146, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *226 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

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7.226.1 _____ Special Site Provisions

_____ Notwithstanding Section 7.222.1(c), the following provision shall apply:

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- a) Minimum *lot depth* - 24 m.

7.227 LOTS 6, 7, AND 8, CONCESSION 9 BOX GROVE COMMUNITY

(By-law 2004-146, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *227 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.227.1 _____ Special Site Provisions

The following additional provision applies:

- a) The eastern *lot* line is the *front lot line*.

7.228 LOTS 6, 7, AND 8, CONCESSION 9, BOX GROVE COMMUNITY

(By-law 2004-146, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *228 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.228.1 _____ Permitted Uses

The following uses are the only uses permitted:

- a) *Business offices;*
- b) *Day nurseries;*
- c) *Financial institutions;*
- d) *Personal service shops;*
- e) *Repair shops;*

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- f) One *Restaurant*;
- g) *Retail stores*;
- h) One (1) *dwelling unit*.

7.228.2 Zone Standards

The following specific *Zone Standards* apply:

- a) Minimum *lot frontage* - 15 m;
- b) *Minimum required front yard* - 2.0;
- c) Maximum *front yard* – 8.0 m;
- d) *Minimum required exterior side yard* - 4.5 m;
- e) *Minimum required side yard* (west) - 3.5 m;
- f) *Minimum required side yard* (east) - 1.2 m;
- e) *Minimum required rear yard* - 7.5 m;
- f) Maximum *height* - 11.0 m;
- g) Maximum *building* depth - 20 m;
- h) Minimum number of *storeys* - two *storeys*;
- i) Minimum width of *landscaped open space* required adjacent to *front lot line* - same as *front yard* for *main building*;
- j) Minimum width of *landscaped open space* required adjacent to the exterior *lot line* - same as *exterior side yard* for *main building*.
- k) Sections 7.228(2) (f) and (h) shall not apply to a *building* or any addition to a *building* designated under Part IV of the *Ontario Heritage Act*.

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7.228.3 Special Site Provisions

The following additional provisions apply:

- a) No part of the *first storey* of any *building* shall be used as a *dwelling unit*.
- b) The *first storey* shall be used for commercial uses set out in Section 7.228.1 (a) to (g).
- c) No parking shall be permitted between the *building* and the *front lot line*.
- d) No parking shall be permitted between the *building* and the exterior *lot line*.
- e) An access ramp is permitted to cross the *landscaped open space*.
- f) A *private garage*, as well as stairs accessing a *residential use* on the floor above the *first storey*, shall be permitted as part of the *first storey*.
- g) The opening for *motor vehicle* access in a *private garage* shall not face the *front lot line*.
- h) Section 7.228.3 (a) and (b) shall not apply to a *building* or any addition to a *building* designated under Part IV of the *Ontario Heritage Act*, on the lands as shown on Schedule 'A' attached hereto.

7.229 LOTS 6, 7, AND 8, CONCESSION 9 -BOX GROVE COMMUNITY

(By-law 2004-146, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *229 on the Schedules to this By-law. All other provisions of this By-law unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.229.1 Additional Permitted Uses

The following additional uses are permitted on lands *zoned* Business Corridor:

- a) _____ a) _____ *School, Public*

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b) Supermarket

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7.229.2 Special Site Provisions

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The following additional provisions apply:

a) Supermarket minimum net floor area – 300 square metres;

and.

b) Supermarket maximum net floor area – 6,000 square metres.

7.229.3 Special Site Provisions

The following additional provisions shall apply:

a) The minimum net floor area for individual retail store premises shall be 93m² on the lands zoned Business Corridor.

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b) The total combined store floor area of all individual retail store premises with new floor areas less than 300m² shall not exceed 15% of the total net floor area of all buildings on the lands zoned Business Corridor.

c) Free standing restaurants and takeout restaurants shall be permitted within any building on the lands zoned business corridor.

d) One (1) free standing financial institution shall be permitted on the lands zoned Business Park.

7.230 LOTS 6 AND 7, CONCESSION 9, BOX GROVE COMMUNITY

(By-law 2004-149, June 8/04)

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Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *230 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.230.1 Additional Permitted Uses:

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The following additional uses are permitted:

- a) *Business offices.*

7.230.2 Zone Standards

The following specific *zone* standards apply:

- a) Minimum *lot frontage* - 19 m;
- b) Maximum *front yard* - 6.0 m;
- c) *Minimum required front yard* - 5.0 m;
- d) *Minimum required side yard* (west) - 5.0 m;
- e) *Minimum required side yard* (east) - 1.2 m;
- f) *Minimum required rear yard* - 7.5 m;
- e) Maximum *height* - 11.0 m;

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- f) Minimum width of *landscaped open space* required adjacent to lot line (west) - 1.5 m;
- g) Minimum width of *landscaped open space* required adjacent to the *front lot line* - equal to the *front yard* of the *main building*;
- h) Maximum *building depth* - 20 m.

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7.230.3 Special Site Provisions

The following additional provisions apply:

- a) No part of the *first storey* of any *building* shall be used as a *dwelling unit*;
- b) The *first storey* shall be used as a *business office*;
- c) No parking shall be permitted between the *building* and the *front lot line*;
- e) An access ramp shall be permitted to cross the *landscaped open space*;
- f) A *private garage*, as well as stairs accessing a *residential use* on the floor above the *first storey*, shall be permitted as part of the *first storey*;
- g) The opening for *motor vehicle* access in a *private garage* shall not face the *front lot line*.

7.231 LOTS 6 AND 7, CONCESSION 9, BOX GROVE COMMUNITY

(By-law 2004-149, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *231 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.231.1 Permitted Uses

The following are the only permitted uses:

- ~~1)a)~~ Business offices;
- ~~1)b)~~ Day nurseries;

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- ~~iii)c)~~ c) *Financial institutions;*
- ~~iv)d)~~ d) *Personal service shops;*
- ~~v)e)~~ e) *Repair shop;*
- ~~vi)f)~~ f) *One (1) Restaurant;*
- ~~vii)g)~~ g) *Retail stores;*
- ~~viii)h)~~ h) *One (1) dwelling unit above the first storey.*

7.231.2 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum lot frontage - 35 m;*
- b) *Minimum required front yard - 3.0 m;*
- c) *Maximum front yard - 4.0;*
- d) *Minimum required side yard (west) - 5 m;*
- e) *Minimum required side yard (east) - 1.2 m;*
- d) *Minimum required rear yard - 7.5 m;*
- e) *Maximum height - 11 m;*
- f) *Maximum building depth - 20 m;*
- g) *Maximum number of storeys - two storeys;*
- h) *Minimum width of landscaped open space required adjacent to west lot line - 0.6 m;*
- i) *Minimum width of landscaped open space required adjacent to front lot line - equal to the front yard of the main building;*
- j) *Minimum width of landscaped open space required adjacent to the exterior side lot line - equal to the exterior side yard of the main building.*

7.231.3 Special Site Provisions

The following additional provisions apply:

- a) *No part of the first storey of any building shall be used as a dwelling unit;*

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- b) The *first storey* shall be used for the uses set out in Section 7.231.1 (a) to (g);
- c) No parking shall be permitted between the *building* and the *front lot line*;
- d) An access ramp shall be permitted to cross the *landscaped open space*;
- e) A *private garage*, as well as stairs accessing a *residential use* on the floor above the *first storey*, shall be permitted as part of the *first storey*;
- f) The opening for *motor vehicle* access in a *private garage* shall not face the *front lot line*;
- g) Portions of a *storey* exceeding 4.2 metres in *height* shall not be deemed to be an additional *storey*.

7.232 RESERVED

7.233 LOTS 3, 4 AND 5, CONCESSION 9 BOX GROVE COMMUNITY

(By-law 2004-151, June 8/04)

Notwithstanding any other provisions of this By-law, the provisions in this sections shall apply to those lands denoted by the symbol *233 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this Section

7.233.1 Permitted Uses

The following are the only uses permitted:

- a) *Apartment dwellings*;
- b) *Business offices*;
- c) *Day nurseries*;
- d) *Financial institutions*;
- e) *Libraries*;
- f) *Personal service shops*;
- g) *Repair shops*;
- h) *One (1) Restaurant*;

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- i) One (1) *Restaurant, Take-Out*;
- j) *Retail stores*.

7.233.2 Zone Standards

The following specific *Zone Standard* applies:

- a) Minimum *lot frontage* - 25 m;
- b) *Minimum required front yard* - 6.0 m;
- c) *Minimum required exterior side yard* - 6.0 m;
- d) *Minimum required interior side yard* - 6.0 m;
- e) *Minimum required rear yard* - 6.0 m;
- f) Minimum *height* - 9.0 m;
- g) Maximum *height* - 11 m;
- h) Minimum width of *landscaped open space* required adjacent to the *front lot line* - equal to the *front yard* of the *main building*;
- i) Minimum width of *landscaped open space* required adjacent to the exterior *lot line* - equal to the *exterior side yard* of the *main building*;
- j) Minimum width of *landscaping area* required adjacent to all other *lot lines* - 3.0 m;

7.233.3 Special Site Provisions

The following additional provisions apply:

- a) The *front lot line* is the 14th Avenue *streetline*.
- b) No parking shall be permitted between the *building* and the *front lot line*.
- c) No part of the *first storey* of any *building* shall be used as a *dwelling unit*.
- d) A *private garage*, as well as stairs accessing a *residential use* on the floor above the *first storey*, shall be permitted as part of the *first storey*.
- e) The *first storey* shall only be used for the uses set out in Section 7.233.1 (b) to (j).

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7.234 CORNELL SOUTH – LINDVEST PROPERTIES REDUCED BUILDING SEPARATION

(By-law 2004-187; July 1, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *234 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.234.1 Zone Standards

The following specific *zone* standards shall apply:

- a) Minimum setback for a detached *private garage* from the *main building* on a *lot* for *townhouse dwellings* – 5.0 m.

7.235 CORNELL SOUTH – LINDVEST PROPERTIES AND WYKLAND ESTATES INC., PHASTE 2, MATTAMY (COUNTRY GLEN) LIMITED DETERMINATION OF FRONT LOT LINE

(By-law 2004-187; July 1, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *235 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.235.1 Special Site Provisions

The following additional provisions apply:

- a) A *lot* shall also include a parcel of land that abuts an open space *zone* provided that the parcel of land is accessed by a *lane*;
- b) For the purposes of this Section, the *lot* line that abuts the open space (OS1) *Zone* shall be deemed the *front lot line*;
- c) For the purposes of this Section, a *lot* that abuts a *lane* shall be deemed to abut a street.

7.236 CORNELL SOUTH – LINDVEST PROPERTIES REDUCED EXTERIOR SIDE YARD SETBACKS FOR TOWNHOUSES

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(By-law 2004-187; July 1, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *236 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

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7.236.1 Zone Standards

The following specific zone standards shall apply:

- a) *Minimum required exterior side yard for townhouse dwellings - 0.6 metres.*

7.237 CORNELL SOUTH – LINDVEST PROPERTIES REDUCED YARD SETBACKS FOR DWELLINGS ABUTTING TRAFFIC CIRCLES

(By-law 2004-187; July 1, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *237 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.237.1 Additional Permitted Use

The following additional use is permitted:

- a) One *accessory dwelling unit* is permitted on a *lot* provided that:
 - i) it is *accessory* to a *single detached*, semi detached or *townhouse dwelling unit* on the same *lot*; and,
 - ii) it is only located above a *private garage* in either the *main building* or above a detached *private garage*. The stairs accessing a *residential use* on the floor above the *first storey*, shall be permitted as part of the *first storey*.

7.237.2 Zone Standards

The following specific Zone Standards shall apply:

- a) *Minimum required front yard for single detached dwellings - 0.3 m;*
- b) *Porches* may encroach into the required *front yard* or *exterior side yard* provided that no part of the *porch* or stairs is located closer than 0.1 metres from the *front lot line* or *exterior side lot line*;
- c) *Minimum required rear yard – 0.6 m;*

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- d) Minimum area of *outdoor amenity space* - 40 m²;
- e) Minimum width of *outdoor amenity space* - 5.0 m;
- f) Minimum length of *outdoor amenity space* - 6.0 m;
- g) A *private garage* is permitted to be within or attached to the *main building*, if the *lot* is accessed by a *lane*.

7.237.3 Special Site Provisions

The following additional provisions apply:

- a) A *deck* and associated stairs is permitted in an *outdoor amenity space*.

7.238 CORNELL SOUTH- LINDVEST PROPERTIES SPECIFIC DEVELOPMENT STANDARDS FOR EXISTING HERITAGE DWELLING (By-law 2004-187; July 1, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *238 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

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7.238.1 Zone Standards

The following specific *Zone Standards* shall apply:

- a) *Minimum required front yard* – 13.0 m;
- b) *Minimum required exterior side yard* – 1.2 metres.
- c) *Minimum required rear yard* – 4.5 metres.

7.239 RESERVED

7.240 ~~RESERVED TOWNHOUSE DWELLINGS IN THE SOUTH UNIONVILLE PLANNING DISTRICT~~ (BY-LAW 2005-215)

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *240 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.240.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Townhouse dwellings.*
- b) *Home occupations.*

7.240.2 Zone Standards for Townhouse Buildings with Attached Garages

The following specific zone standards apply to *townhouse buildings* with an attached *private garage* accessed by a *lane*:

- a) *Minimum required lot frontage:*
 - i) *Interior Units - 4.5 m*
 - ii) *End Units - 6.2 m*
- b) *Minimum lot depth - 25.0 m*
- c) *Required yards*
 - i) *Minimum Front Yard - 3.0 m*
 - ii) *Minimum Interior Side Yard*

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- a) Interior Units - 0.0 m
- b) End Units - 1.2 m
- iii) Minimum Exterior Side Yard - 1.2m
- iv) Minimum Rear Yard - 5.8 m
- Maximum Rear Yard – 7.2m Provisions for second floor covered balcony.
- d) Provisions for second floor covered balcony:
 - i) Minimum area of balcony - 6.0 m²
 - ii) The floor of any balcony that is located between a main wall of a building and a streetline or public park shall extend at least 1.5 metres towards the streetline or public park from the main wall that abuts the balcony. Windows, stairs, columns, piers and/or railings associated with the balcony are permitted to encroach up to 0.45 metres within this area.
 - iii) No portion of the required balcony shall be farther than 5.0 m from the front lot line;
- e) Provisions for corner lots and lots at the intersection of a lane and a public street:
 - i) Minimum height of any building or portion of a building located within 6.0 metres of the rear lot line - 5.0m;

7.240.3 Zone Standards for units with detached garages

The following specific zone standards for townhouse dwellings units with a detached private garage accessed by a lane apply:

- a) Minimum required lot frontage:
 - i) Interior Units - 4.5 m
 - ii) End Units - 6.2 m
- b) Minimum lot depth - 25.0m
- c) Required yards
 - i) Minimum Front Yard - 3.0 m
 - ii) Minimum Interior Side Yard
 - a) Interior Units - 0.0 m
 - b) End Units - 1.2 m
 - iii) Minimum Exterior Side Yard - 1.2m
 - iv) Minimum Rear Yard for a private garage - 5.8 m

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Maximum Rear Yard for a private garage - 7.2m

d) Provisions for corner lots and lots at the intersection of a lane and a public street:

ii) Minimum height of any building or portion of a building located within 6.0 metres of the rear lot line - 5.0 m;

7.240.4 Special Site Provisions:

a) Private garages within or attached to the main building are permitted on lots accessed by a lane.

b) All units with an attached private garage shall have a porch and a balcony in the front yard and attached to the main building.

7.241 CORNELL SOUTH – LINDVEST PROPERTIES

(By-law 2004-187; July 1, 2004, 2004-329; November 30, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *241 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.241.1 Additional Permitted Use

The following additional use is permitted:

a) One accessory dwelling unit is permitted on a lot provided that:

(i) it is accessory to a single detached, semi detached or townhouse dwelling unit on the same lot; and,

(ii) it is only located above a detached private garage on the same lot. The stairs accessing a residential use on the floor above the first storey shall be permitted as part of the first storey.

7.241.2 Zone Standards

The following specific zone standards shall apply:

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- a) *Main Building*
 - i) *Minimum required rear yard*) 13.0 m
 - ii) *Maximum height* 12.0 m
 - iii) *Maximum eave and roof overhang encroachment - to the lot line*
 - iv) *Maximum height of porches, 5.0 m with the height being measured from the established grade to the underside of the rafters or ceiling of the porch*
- b) *Detached Private garages*
 - i) *Minimum setback from interior 0.3 m or exterior side lot line*
 - ii) *Minimum setback from interior 0.0 m side yard where the private garage shares a common wall with another private garage on an abutting lot*
 - iii) *Maximum height 8.0 m*
 - iv) *Maximum lot coverage 20% of the lot area*
 - v) *Maximum eave and roof overhang encroachment - to the lot line*
- c) The conventional *lot* standards apply to all *lots*.
- d) For all *dwelling* types, *porches* may encroach into the required *front yard* or *exterior side yard* provided that no part of the *porch* is located closer than 0.3 metres from the *front lot line* or *exterior side lot line* and no part of the stairs or architectural features (excluding eaves, gutters, roof overhangs, cantilevered window bays or balconies) is located closer than 0.1 metres from the *front lot line* or *exterior side lot line*.

7.241.3 Special Site Provisions

The following additional provisions apply:

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- a) There is no restriction on the maximum setback of the *dwelling* from the *front lot line*;
- b) *Motor vehicle* access is only permitted over a *lot line* that abuts a *lane*.

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7.241.4- Special Parking Provisions

The following parking provision applies:

- a) There is no maximum setback for *parking pads* from the *rear lot line*.

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7.242 RESTRICTED PERMITTED USES – BERCZY VILLAGE

(By-law 2004-314; November 16/04)

Notwithstanding any other provisions of this by-law, the provisions in this section shall apply to those lands denoted with the symbol *242 on the Schedules to this by-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section:

7.242 Only Permitted Use

The following use is the only use permitted:

- ~~7a)~~ A *driveway* associated with the adjacent *place of worship* at 4898/4916 16th Avenue.

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7.243 WEST OF McCOWAN ROAD AND SOUTH OF MAJOR MACKENZIE DRIVE

(By-law 2004-274, September 28, 2004)

Notwithstanding any other provisions of this By-law, the provisions of this Section shall apply to those lands denoted by the symbol *243 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.243.1- Additional Permitted Uses

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The following additional uses are permitted:

- a) *Townhouse dwellings on lots not accessed by a lane.*

7.243.2 Zone Standards

The following specific *Zone Standards* apply to *townhouse dwellings* not accessed by a *lane*:

- a) Minimum *lot frontage* - 85 m;
- b) Minimum block area - 1.3 ha;
- c) Maximum *height* - 12 m;
- d) *Minimum required interior side yard* - 2.0 m;
- e) *Minimum required exterior side yard* - 0.8 m;
- f) *Minimum required front yard* - 0.43 m;
- g) *Minimum required rear yard* - 5.0 m.

7.243.3 Special Site Provisions

The following additional provisions apply:

- a) The stairs that are used to provide access to the *porch* from the ground may encroach into the *required front yard* and/or *exterior side yard* provided that no stair is located closer than 0.2 metres from the *front lot line* and/or *exterior side lot line*.

7.244 WEST OF McCOWAN ROAD AND SOUTH OF MAJOR MACKENZIE DRIVE

(By-law 2004-274, September 28, 2004)

Notwithstanding any other provisions of this By-law, the provisions of this Section shall apply to those lands denoted by the symbol *244 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.244.1 Additional Permitted Uses

The following additional uses are permitted:

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- a) *Townhouse dwellings on lots not accessed by a lane.*

7.244.2 Zone Standards

The following specific *Zone Standards* apply to *townhouse dwellings* not accessed by a *lane*:

- a) Minimum *lot frontage* - 140 m;
- b) Minimum block area - 1.3 ha;
- c) Maximum *height* - 12 m;
- d) *Minimum required interior side yard* - 1.50 m;
- e) *Minimum required exterior side yard* - 0.6 m;
- f) *Minimum required front yard* - 0.52 m;
- g) *Minimum required rear yard* - 5.2 m.

7.244.3 Special Site Provisions

The following additional provisions apply:

- a) The stairs that are used to provide access to the *porch* from the ground may encroach into the *required front yard* and/or *exterior side yard* provided that no stair is located closer than 0.2 metres from the *front lot line* and/or *exterior side lot line*.

7.245 WEST OF McCOWAN ROAD AND SOUTH OF MAJOR MACKENZIE DRIVE

(By-law 2004-274, September 28, 2004)

Notwithstanding any other provisions of this B-law, the provisions of this Section shall apply to those lands denoted by the symbol *245 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.245.1 Zone Standards

The following specific *Zone Standards* apply to *townhouse dwellings* not accessed by a *lane*:

- a) Minimum *lot frontage* - 167 m;

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- b) Minimum block area - 1.2 ha;
- c) Maximum *height* - 12 m;
- d) *Minimum required interior side yard* - 5.0 m;
- e) *Minimum required exterior side yard* - n/a;
- f) *Minimum required front yard* - 2.5 m;
- g) *Minimum required rear yard* - 7.0 m.

7.246 RESERVED COMMERCIAL RETAIL PLAZA AT 9899 HWY 48 - HIPA INVESTMENTS
(By-law 2005-18)

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Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *246 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.246.1 Zone Standards

a)	Minimum <i>lot area</i>	1.0ha;
b)	Minimum <i>lot frontage</i>	100 metres;
c)	Minimum required <i>front yard</i>	6 metres;
c)	Maximum required <i>front yard</i>	N/A;
d)	Minimum required <i>interior side yard</i>	3 metres;
d)	Minimum required <i>rear yard</i>	30 metres;
e)	Minimum width of <i>landscaping</i> adjacent to an <i>interior side lot line</i>	1.5 metres;
f)	Minimum width of <i>landscaping</i> adjacent to & <i>front lot line</i>	4.5 metres;
g)	Minimum <i>height</i>	5 metres.

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7.246.2 Special Parking Provisions

The following parking provisions apply:

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- a) 146 parking spaces shall be required for the subject property having a net floor area of not more than 3750 m².
- b) No loading spaces shall be required.

7.246.3 Special Site Provisions

- a) Only one (1) day nursery having a maximum floor area of 230m² is permitted.
- b) Maximum floor area for all restaurants - 475m²
- c) Driveways, and utility structures are permitted encroach into the required landscaping adjacent to a required front or interior lot line.

7.247 LANDS EAST OF MARKHAM ROAD, NORTH OF KIRKHAM DRIVE, WEST OF THE CNR LINE (MAJOR COMMERCIAL)

(By-Law 2004-281, September 28, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *247 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.247.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *art galleries;*
- b) *business offices;*
- c) *commercial fitness centres;*
- d) *community centres;*
- e) *day nurseries;*
- f) *financial institutions;*
- g) *libraries;*
- h) *medical offices;*
- i) *museums;*
- j) *non-profit fitness centres;*

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- k) *personal service shops*;
- l) *restaurants*;
- m) *restaurants, take-out*;
- n) *retail stores*, subject to Section 7.247.3(a);
- o) *schools, commercial*; ~~and~~
- o) *theatres*.

7.247.2 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required yard* adjoining any street or property line - 6 m, with the exception that any part of the *main wall* may encroach up to 3 m into the required *yard*;
- b) Notwithstanding Section 7.247.2(a), the minimum required setback from the CNR property line is 30 m;
- c) Minimum required *landscaped open space* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *landscaped open space*;
- d) Minimum required *landscaped open space* adjoining any other *lot* line - 3.0 m;
- e) In addition to the provisions of Section 7.247.2(c), the following encroachments shall be permitted in the required *landscaped open space* adjoining streets:
 - i) access ramps and *driveways*, provided they are more or less perpendicular to the street line;
 - ii) awnings, roof overhangs, open colonnades, canopies, uncovered platforms or stairs;
- f) Maximum *height* - 12 m.

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7.247.3 Special Site Provisions

- a) The maximum *net floor area* for any *retail store premises* is 3,500 square metres.

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7.248 LANDS AT THE NORTHEAST CORNER OF MARKHAM ROAD AND KIRKHAM DRIVE (MAJOR COMMERCIAL)

(By-Law 2004-281, September 28, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *248 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.248.21 Only Permitted Uses

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The following uses are the only permitted uses:

- a) *art galleries;*
- b) *business offices;*
- c) *commercial fitness centres;*
- d) *community centres;*
- e) *day nurseries;*
- f) *financial institutions;*
- g) *libraries;*
- h) *medical offices;*
- i) *motor vehicle service stations*, subject to Section 7.248.3(c);
- j) *museums;*
- k) *non-profit fitness centres;*
- l) *personal service shops;*
- m) *restaurants;*
- n) *restaurants, take-out;*
- o) *retail stores*, subject to Section 7.248.3(a);
- p) *schools, commercial;*
- q) *supermarket; subject to sub-section 7.248.3 a); and*
- r) *theatres.*

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7.248.2 Zone Standards

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The following specific *Zone* Standards apply:

- a) *Minimum required yard* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *yard*;
- b) Minimum required *landscaped open space* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *landscaped open space*;
- c) in addition to the provisions of Section 7.248.2(b), the following encroachments shall be permitted in the required *landscaped open space* adjoining streets;
 - i) access ramps and *driveways*, provided they are more or less perpendicular to the *streetline*;
 - ii) awnings, roof overhangs, open colonnades, canopies, uncovered platforms or stairs;
- d) minimum *height* - 6.0 m; and
- e) maximum *height* - 12 m.

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7.248.3 Special Site Provisions

- a) The maximum *net floor area* for any retail **store or supermarket** premises is 3,500 square metres;
- b) Within 40 metres of the Markham Road *streetline*, the following additional provisions apply:
 - i) *maximum yard* from the Markham Road *streetline* - 6.0 m;
 - ii) minimum *height* - 8.0 m;
 - iii) *queuing lanes* located between a *main wall* and the Markham Road *streetline* are not permitted;
 - iv) a minimum of 50% of the surface area of each *main wall* facing the street shall be comprised of openings. This provision only applies to that portion of the *main wall* that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof;
 - v) doors associated with *loading spaces* shall not face Markham Road;
- c) Only the *motor vehicle service station* uses existing on September 28, 2004 are permitted.

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7.249 LANDS AT THE SOUTHEAST CORNER OF MARKHAM ROAD AND KIRKHAM DRIVE (MAJOR COMMERCIAL)

(By-Law 2004-281, September 28, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *249 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.249.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *art galleries*;
- b) *business offices*;
- c) *commercial fitness centres*;

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- d) *community centres;*
- e) *day nurseries;*
- f) *financial institutions;*
- g) *libraries;*
- h) *medical offices;*
- i) *museums;*
- j) *non-profit fitness centres;*
- k) *personal service shops;*
- l) *restaurants;*
- m) *restaurants, take-out;*
- n) *retail stores, subject to Sections 7.249.3(a) and 7.249.3(b)(i);*
- o) *schools, commercial;*
- p) **supermarket; subject to sub-section 7.249.3 a) and 7.249.3 b)**
i)
- q) *theatres.*

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7.249.2 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required yard* adjoining any street - 6.0 m; with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *yard*;
- b) Minimum required *landscaped open space* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *landscaped open space*;
- c) in addition to the provisions of Section 7.249.2(b), the following encroachments shall be permitted in the required *landscaped open space* adjoining streets:
 - i) access ramps and *driveways*, provided they are more or less perpendicular to the *streetline*;
 - ii) awnings, roof overhangs, open colonnades, canopies, uncovered platforms or stairs;

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- d) minimum *height* - 6.0 m; and
- e) maximum *height* - 12 m.

7.249.3 Special Site Provisions

- a) The maximum *net floor area* for any retail store or supermarket premises is 3,500 square metres.
- b) Within 40 metres of the *public street* at the south limit of the lands zoned MJC*249, the following additional provisions apply:
 - i) notwithstanding Section 7.249.3(a), the maximum *net floor area* for any one *retail store or supermarket premises* within 40 metres of the *public street* at the south limit of the lands zoned MJC*249 is 1,000 square metres;
 - ii) minimum *height*;
 - iii) maximum setback of any *main wall* facing the street - 6.0 m;
 - iv) a minimum of 70% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6.0 m from the *streetline*;
 - v) a minimum of 60% of the surface area of each wall facing the street shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof;
 - vi) doors associated with *loading spaces* shall not face the street at the south limit of the *zone*.
- c) Within 40 metres of the Markham Road *streetline*, the following additional provisions apply:
 - i) minimum *height* - 8.0 m;
 - ii) maximum setback from the Markham Road property line, or from the street at the south limit of this *zone* - 6.0 m;
 - iii) *drive-through service facilities* and *queuing lanes* are not permitted;

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- iv) a minimum of 50% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6.0 m from the *streetline*;
- v) a minimum of 50% of the surface area of each wall facing the street shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof;
- vi) doors associated with *loading spaces* shall not face Markham Road.

7.250 LANDS EAST OF MARKHAM ROAD, NORTH OF THE GOLDEN AVENUE INTERSECTION (MAJOR COMMERCIAL)

(By-Law 2004-281, September 28, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *250 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.250.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *art galleries*;
- b) *business offices*;
- c) *commercial fitness centres*;
- d) *community centres*;
- e) *day nurseries*;
- f) *financial institutions*;
- g) *libraries*;
- h) *medical offices*;

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- i) *museums*;
- j) *non-profit fitness centres*;
- k) *personal service shops*;
- l) *restaurants*;
- m) *restaurants, take-out*;
- n) *retail stores*, subject to Section 7.250.3(a) and 7.250.3(c)(i);
- o) *schools, commercial*;
- p) *supermarket, subject to sub-section 7.250.3 a) and 7.250.3 c) i); and,*
- q) *theatres*.

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7.250.2 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required yard* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *yard*;
- b) *Minimum required landscaped open space* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *landscaped open space* adjoining streets;
 - i) access ramps and *driveways*, provided they are more or less perpendicular to the *streetline*;
 - ii) awnings, roof overhangs, open colonnades, canopies, uncovered platforms or stairs;
- c) in addition to the provisions of Section 7.250.2(b), the following encroachments shall be permitted in the required *landscaped open space* adjoining streets:
 - i) access ramps and *driveways*, provided they are more or less perpendicular to the *streetline*;

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- ii) awnings, roof overhangs, open colonnades, canopies, uncovered platforms or stairs.
- d) minimum *height* - 6.0 m; and
- e) maximum *height* - 12 m.

7.250.3 Special Site Provisions

- a) The maximum *net floor area* for any retail store or supermarket premises is 3,500 square metres.
- b) The east limit of the *zone* is defined as no further than 360 metres from the Markham Road property line.
- c) Within 40 metres of the *public street* at the north limit of the lands *zoned* MJC*250, the following provisions shall apply:
 - i) the maximum *net floor area* for any one *retail store or supermarket* premises within 40 metres of the *public street* at the north limit of the lands *zoned* MJC*250 is 1,000 square metres;
 - ii) minimum *height* - 8.0 m;
 - iii) maximum setback of any *main wall* from the street at the north limit of this *zone* - 6.0 m;
 - iv) *drive-through service facilities* and *queuing lanes* are not permitted;
 - v) a minimum of 70% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6.0 m from the *streetline*;
 - vi) a minimum of 60% of the surface area of each *main wall* facing the street shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof.
 - vii) doors associated with *loading spaces* shall not face the street.
- d) Within 40 metres of the south limit of the lands *zoned* MJC*250, the following additional provisions apply:
 - i) minimum *height* - 8.0 m;

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- ii) maximum setback from the Markham Zone property line, or from the street at the south limit of this *zone* - 6.0 m;
 - iii) *drive-through service facilities* and *queuing lanes* are not permitted;
 - iv) a minimum of 50% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6.0 m from the *streetline*;
 - v) a minimum of 50% of the surface area of each *main wall* facing the street shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof;
 - vi) doors associated with *loading spaces* shall not face the street at the south limit of the *zone*.
- e) Within 40 metres of the Markham Road *streetline*, the following additional provisions apply:
- i) minimum *height* - 8.0 m;
 - ii) maximum setback from the Markham Road property line, or from the street at the south limit of this *zone* - 6.0 m;
 - iii) *drive-through service facilities* and *queuing lanes* are not permitted;
 - iv) a minimum of 50% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6.0 m from the *streetline*;
 - v) a minimum of 50% of the surface area of each *main wall* facing the street shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof;
 - vi) doors associated with *loading spaces* shall not face Markham Road.

7.251 MARKHAM ROAD

(By-Law 2004-281, September 28, 2004)

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *251 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.251.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *retail stores* with a *net floor area* greater than 3,500 square metres and less than 6,000 square metres.

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7.251.2 Special Site Provisions

The following additional provisions apply:

- a) the maximum number of *retail store premises* with a *net floor area* more than 3,500 square metres and less than 6,000 square metres is one (1).
- b) no *retail store premises* with a *net floor area* greater than 3,500 square metres and less than 6,000 square metres is permitted within 40 metres of:
 - i) Markham Road;
 - ii) the *public street* at the south limit of the lands zoned MJC*249; and
 - iii) the *public street* at the north limit of the lands zoned MJCV*250.

7.252 LANDS ON THE EAST SIDE OF MARKHAM ROAD SOUTH OF KIRKHAM DRIVE (MAJOR COMMERCIAL)

(By-Law 2004-281, September 28, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *252 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.252.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *art galleries*;
- b) *motor vehicle* tire sales and repair, subject to Section 7.252.3(d);
- c) *motor vehicle* sales, subject to Section 7.252.3(e);
- d) *business offices*;
- e) *community centres*;
- f) *commercial fitness centres*;
- g) *day nurseries*;

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- h) *financial institutions;*
- i) *libraries;*
- j) *medical offices;*
- k) *museums;*
- l) *non-profit fitness centres;*
- m) *outdoor display and sales, subject to Section 7.252.3(f);*
- n) *personal service shops;*
- o) *propane dispensing facility, subject to Section 7.252.3(g);*
- p) *restaurants, take-out;*
- q) *restaurants;*
- r) *retail stores, subject to Section 7.252.3(b), (c) and (i);*
- s) *schools, commercial;*
- t) *supermarkets; subject to sub-section 7.252.3 b), 7.252.3 c) and 7.252.3 i).*
- t) *theatres.*

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7.252.2 Zone Standards

The following specific *Zone Standards* apply:

- a) *Minimum required yard* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *yard*;
- b) Minimum required *landscaped open space* adjoining any street - 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *landscaped open space*;

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- c) in addition to the provisions of Section 7.252.2(b), the following encroachments shall be permitted in the required *landscaped open space* adjoining streets;
 - i) access ramps and *driveways*, provided they are more or less perpendicular to the *streetline*;
 - ii) awnings, roof overhangs, open colonnades, canopies, uncovered platforms or stairs;
- d) minimum *height* - 6.0 m; ~~and~~
- e) maximum *height* - 12 m.

7.252.3 Special Site Provisions

- a) The east limit of the lands subject to exception *252 shall be no further than 450 metres from Markham Road.
- b) The *net floor area* of any *retail store*, *or supermarket* premises shall be either:
 - i) less than 3,500 m², or
 - ii) more than 10,000 m² and less than 15,000 m²;
- c) The maximum number of *retail store*, *or supermarket* premises with a *net floor area* more than 10,000 m² and less than 15,000 m² is one (1);
- d) *motor vehicle* tire sales and repair are permitted subject to the following provisions:
 - i) only within a *retail store building* containing a *retail store* premise with a *net floor area* more than 10,000 m²;
 - ii) maximum *gross floor area* - 560 square metres;
- e) *motor vehicle* sales are restricted to the indoor display of a maximum of two vehicles within a *retail store* premise with a *net floor area* more than 10,000 m² and less than 15,000 m². Indoor storage of *motor vehicles* and/or the outdoor display or storage of *motor vehicles* is not permitted;
- f) *outdoor display and sales* in the form of a garden centre are permitted subject to the following provisions:

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- i) only in association with a *retail store* premise with a *net floor area* more than 10,000 m² and less than 15,000 m²;
 - ii) maximum *gross floor area* - 560 square metres.
- g) a propane dispensing facility is permitted subject to the following provisions:
 - i) only in association with a *retail store* premise with a *net floor area* more than 10,000 m² and less than 15,000 m²
 - ii) maximum area - 100 m²;
 - iii) maximum *height* - 4.0 m.
- h) The following provisions apply to a retail **or supermarket** building with a *net floor area* more than 10,000m² and less than 15,000 m²:
 - i) no part of the *building* or *structure* shall be located closer than 40 metres from the *public street* at the south limit of the lands zoned MJC*252
 - ii) *Minimum required yard* adjoining any street or property line – 6m
 - iii) minimum width of *landscaping* adjoining any street – 6m
 - iv) minimum *height* – 6.0 m
 - v) maximum *height* – 14 m
 - vi) For the purposes of calculating parking, this *building* shall not be considered to be part of a shopping centre. Parking shall be provided in accordance with the *retail store* requirements in Table B of By-law 28-97, as amended.

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- i) Within 40 metres of the street at the south limit of the lands zoned MJC*252, the following additional provisions apply:
 - i) maximum *net floor area* for any one *retail store premises* is 1,000 square metres;
 - ii) maximum setback of any *main wall* from the street at the south limit of this *zone* – 6m;
 - iii) *drive-through service facilities* and *queuing lanes* are not permitted;
 - iv) where a *building* is located within 40 metres of the street at the south limit of the lands zoned MJC*252, a minimum of 70% of the length of a street line within a *lot/block* shall be the location of a *main wall* that is set back no further than 6m from the *streetline*;
 - v) where a *building* is located within 40 metres of the street at the south limit of the lands zoned MJC*252, a minimum of 60% of the surface area of each *main wall* facing the street shall be comprised of openings. This provision only applies to that portion of the wall that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof.

7.253 LANDS EAST OF MARKHAM ROAD, WEST OF THE CNR RAIL LINE (RESIDENTIAL THREE)

(By-Law 2004-281, September 28, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *253 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.253.1 Only Permitted Uses

The following are the only permitted uses:

- a) *townhouse dwellings*;
- b) *multiple dwellings*;
- c) *apartment dwellings*;

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- d) *home occupations*;
- e) *retail stores*, subject to Section 7.253.3(a)(ii);
- f) *personal service shops*, subject to Section 7.253.3(a)(ii); ~~and~~
- g) *business offices*, subject to Section 7.253.3(a)(ii).

7.253.3 Special Site Provisions

- a) Within 40 metres of the street at the south limit of the lands zoned R3*253 the following additional provisions apply:
 - i) the provisions of the CA1 *Zone* shall apply;
 - ii) *retail stores*, *personal service shops* and *business offices* are permitted only in the *first storey* of residential *buildings*;
 - iii) Minimum required depth for retail, *personal service* or *business office* uses in the *first storey* of a residential *building* – 6.0 m;
 - iv) a minimum of 70% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6.0 m from the *streetline*.

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7.254 LANDS EAST OF MARKHAM ROAD, WEST OF THE CNR RAIL LINE (RESIDENTIAL THREE)

(By-Law 2004-281, September 28, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *254 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.254.1 Only Permitted Uses

The following are the only permitted uses:

- a) *townhouse dwellings*;
- b) *multiple dwellings*;
- c) *apartment dwellings*;
- d) *home occupations*;
- e) *retail stores*, subject to Section 7.253.3(a)(ii);
- f) *personal service shops*, subject to Section 7.253.3(a)(ii);
- g) *business offices*, subject to Section 7.253.3(a)(ii).

7.254.2 Special Site Provisions

- a) Within 40 metres of the street at the north limit of the lands zoned R3*254 the following additional provisions apply:
 - i) The provisions of the CA1 zone shall apply;
 - ii) *retail stores*, *personal service shops* and *business offices* are permitted only in the *first storey* of residential *buildings*;
 - iii) within 450 metres of the Markham Road street line, *retail stores*, *personal service shops* and *business offices* are the only permitted uses in the *first storey* of residential *buildings*;
 - iv) Minimum required depth for retail, personal service or *business office* uses in the *first storey* of a residential *building* – 6.0 m;

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- v) a minimum of 70% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6m from the *streetline*.

7.255 CORNELL LANDS ON BUR OAK BETWEEN 16TH AVENUE AND WHITE'S HILL AVENUE BY-LAW 2004-305

(By-Law 2004-305, October 26, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *255 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.255.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *medical offices;*
- b) *financial institutions;*
- c) *repair shops;*
- d) *retail stores.*

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7.255.2 Special Parking Provisions

The following parking provisions shall apply:

- a) Two (2) additional *parking spaces* are required for any commercial use permitted by Section 7.255.1.

7.255.3 Special Site Provisions

The following additional site provisions apply:

- a) all commercial uses permitted by Section 7.255.1 are to be located only in the *first storey* of a *building*. Further, the maximum permitted *floor area* for a commercial use is 90 m².

7.256 CORNELL LANDS ON BUR OAK BETWEEN 16TH AVENUE AND WHITE'S HILL AVENUE BY-LAW 2004-305

(By-Law 2004-305, October 26, 2004)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *256 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.256.1 Additional Permitted Use

The following additional use is permitted:

- a) *restaurants*.

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7.258 LANDS EAST OF MARKHAM ROAD, NORTH OF ENVIRONMENTAL CHANNEL (MIXED COMMERCIAL AND RESIDENTIAL)

(By-Law 2004-305, October 26, 2004)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *258 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

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7.258.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *apartment dwellings*;
- b) *art galleries* subject to Section 7.258.3(b)(iii);
- c) *business offices* subject to Section 7.258.3(b)(iii);
- d) *commercial fitness centres* subject to Section 7.258.3(b)(iii);
- e) *community centres* subject to Section 7.258.3(b)(i) and 7.258.3(b)(iii);
- f) *day nurseries* subject to Section 7.258.3(b)(i) and 7.258.3(b)(iii);
- g) *financial institutions* subject to Section 7.258.3(b)(iii);
- h) *home occupations*;
- i) *libraries* subject to Section 7.258.3(b)(i) and 7.258.3(b)(iii);
- j) *medical offices* subject to Section 7.258.3(b)(iii);
- k) *museums* subject to Section 7.258.3(b)(iii);
- l) *multiple dwellings*;
- m) *non-profit fitness centres*;
- n) *personal service shops* subject to Section 7.258.3(b)(ii);
- o) *restaurants* subject to Section 7.258.3(b)(ii);
- p) *restaurants, take-out* subject to Section 7.258.3(b)(ii);
- q) *retail stores*, subject to Section 7.258.3(b)(ii);
- r) *schools, commercial* subject to Section 7.258.3(b)(iii); and
- s) *theatres*.

7.258.2 Zone Standards

The following specific *Zone* Standards apply:

- a) *Minimum required yard* adjoining any street – 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *yard*;

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- b) Minimum required setback from south and east property lines – 10 m;
- c) Minimum required *landscaped open space* adjoining any street – 6.0 m, with the exception that any part of the *main wall* may encroach up to 3.0 m into the required *landscaped open space*;
- d) in addition to the provisions of Section 7.258.2(c), the following encroachments shall be permitted in the required *landscaped open space* adjoining streets:
 - i) access ramps and *driveways*, provided they are more or less perpendicular to the *streetline*;
 - ii) awnings, roof overhangs, open colonnades, canopies, uncovered platforms or stairs;
- e) Minimum required *landscaped open space* adjoining the south and east property lines – 10 m;
- f) maximum *floor space index (FSI)* – 1.0;
- g) minimum *height* – 6.0 m; and
- h) maximum *height* – 12.0 m.

7.258.3 Special Site Provisions

The following additional provisions apply:

- a) Within 40 metres of the Markham Road *streetline*, and the street at the north limit of the lands zoned CA2*258, the following additional provisions apply:
 - i) minimum *height* – 8.0 m;
 - ii) maximum setback of any *main wall* from the Markham Road property line, or from the street at the north limit of this *zone* – 6.0 m;
 - iii) *drive-through service facilities* and *queuing lanes* are not permitted;
 - iv) a minimum of 50% of the length of a *streetline* within a *lot/block* shall be the location of a *main wall* that is set back no further than 6.0 m from the *streetline*;
 - v) a minimum of 50% of the surface area of each *main wall* facing the street shall be comprised of openings. This provision only applies to that portion of the wall

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that is within 3.0 m of *established grade*. For the purpose of this provision, "openings" are spaces/perforations in walls that contain windows, doors or entrance features or any combination thereof;

- vi) doors associated with *loading spaces* shall not face Markham Road or the street at the north limit of the lands zoned CA2*258.

- b) To uses as identified in Section 7.258.1:

- i) *Buildings* containing only this use are permitted;
- ii) this use is permitted only in the *first storey* of an *apartment building* or in the *first storey* of an *office building*;
- iii) this use is permitted only in the *first storey* of an *apartment building* and on any floor of an *office building*."

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7.260 PART OF LOT 16, CONCESSION 5

(By-law 2005-35)

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *260 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.260.1 Zone Standards

The following specific zone standards apply:

- a) Maxim required front yard – 18 metres
- b) Minimum exterior side yard – 0 metres
- c) Minimum required interior side yard abutting a Residential Zone – 2.5 metres
- d) Minimum required rear yard – 3 metres
- e) Minimum height – not applicable

7.260.2 Special Parking Provisions

- a) Loading Spaces – not required

7.261 SOUTH EAST CORNER OF HIGHWAY 7 AND TIMES AVENUE

(By-law 2005-27)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *261 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.261.1 Only Permitted Uses

The following uses are the only uses permitted:

- a) *Business offices;*
- b) *Commercial fitness centres;*
- c) *Commercial schools;*
- d) *Financial institutions;*

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- ~~e) Medical offices;~~
- ~~f) Financial institutions;~~
- ~~g) Personal service shops;~~
- ~~h) Repair shops;~~
- ~~i) Restaurants;~~
- ~~j) Restaurants, take out; and~~
- ~~k) Retail stores.~~

7.261.2 Zone Standards

The following specific zone standards shall apply:

- ~~a) Minimum required front yard - 3.0 metres.~~
- ~~b) Minimum required setback to the Times Avenue streetline - 3 metres.~~
- ~~c) Minimum required rear yard - 4.5 metres.~~
- ~~d) The maximum height is 10.0 metres.~~
- ~~e) The CA2 zone standards in Table B7 do not apply.~~

7.261.3 Special Site Provisions

The following additional provisions shall apply:

- ~~a) Outdoor storage and outdoor display and sales area shall not be permitted;~~
- ~~b) Restaurants and Restaurants, Take-out are limited to a maximum gross leasable floor area of 930 m²;~~
- ~~c) Restaurants and Restaurants, Take-out are permitted only in buildings where the front or exterior main walls are located no more than 10 metres from the street lines of Highway 7 or Times Avenue;~~
- ~~d) Drive-Through Service Facilities and Queuing lanes are not permitted; and~~
- ~~e) The front lot line shall be the Highway 7 streetline.~~

7.262 GAS BAR CAR WASH FACILITY AND RETAIL STORE -SOUTH CAST CORNER OF MAJOR MACKENZIE DRIVE

(By-law 2005-30)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *262 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

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7.262.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *Retail stores;*
- b) *Business offices;*
- c) *Financial institutions;*
- d) *Medical offices; and,*
- e) *Personal service shops.*

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7.262.2 Zone Standards

The following specific zone standards shall apply:

a)	Maximum lot area	n/a;
b)	Minimum required front yard	10 metres
b)	Maximum front yard	n/a;
c)	Minimum required exterior side yard	4.5 metres;
d)	Maximum exterior side yard	n/a;
e)	Minimum required interior side yard	4.5 metres;
f)	Minimum required rear yard	6 metres; and
g)	Minimum width of landscaping	4.5 metres
	adjacent to the interior and rear lot lines	
h)	Minimum width of landscaping	
	adjacent to the front and exterior side	
	lot lines	- 6 metres;
i)	Maximum height	- 7.5 metres;

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7.262.3 Special Site Provisions

- a) For the purposes of this By-law, the lot line adjacent to Major MacKenzie Drive shall be deemed to be the front lot line.
- b) Underground storage tanks and associated concrete pads may encroach into the required landscaping adjacent to a required front or exterior lot line.

7.263 RESERVED CERTAIN PART LOTS ON PLAN 19TM-06009 **(By-law 2010-120)**

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Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *263 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.263.1 Special Site Provisions

The following additional provisions shall apply:

- a) Size of Porches

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~~Porches are subject to the development standards that were in effect prior to January 18, 2005.~~

~~b) Encroachments of Architectural Features and Balconies~~

~~The following provisions shall apply for window bays:~~

- ~~i) Window bays are not required to be cantilevered; and~~
- ~~ii) There is no maximum width.~~

~~c) Encroachment of Porches and Underground Cellars~~

~~Porches and underground cellars are subject to the development standards that were in effect prior to January 18, 2005.~~

7.264 NORTH WEST CORNER OF OLIVIA DRIVE AND WILLIAM BERCZY BOULEVARD
(By-law 2005-53)

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Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to the lands denoted by the symbol *264 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section continue to apply to the lands subject to this Section.

7.264.1 Zone Standards

The following specific zone standards apply:

- a) Minimum rear yard setback - 12 metres;
- b) Minimum setback between - 5.4 metres detached private garages and the main building;
- c) Minimum setback for detached - 0.6 metres private garages from the rear lot line;
- d) Minimum setback for detached - 0.5 metres private garages from the interior side lot line; and
- e) Maximum permitted first storey - 20 % floor area for detached private garages.

7.264.2 Special Site Provisions

The following provisions apply:

- a) An unobstructed rear yard of at least 10 metres in depth from the main building be provided across at least 32% of the width of the lot.

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**7.265 COMMUNITY AMENITY 1 NORTH WEST CORNER OF MCCOWAN
ROAD AND BUR OAK AVENUE**
(By-law 2005-152)

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *265 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.265.1 Additional Permitted Uses

The following additional uses are permitted:

- a) Gas bar

7.265.2 Zone Standards

The following specific zone standards apply to a Gas Bar.

- a) Minimum required front yard -1.8 metres;
- b) Minimum required rear yard - 3.0 metres;
- c) Maximum/Minimum Height - Not applicable;
- d) Maximum Floor Space Index - Not applicable; and
- e) The remaining zone standards for Apartment, Institutional and Office Buildings in the Community Amenity One (CA1) zone shall apply.

7.265.3 Special Parking Provisions

The following parking provisions apply to a gas bar.

- a) Minimum number of parking spaces-17

7.265.4 Special Site Provisions

The following additional provisions apply to a gas bar:

- a) An accessory retail store and restaurant with a drive-through service facility is permitted provided the combined net floor area for both uses does not exceed 300 m².

7.266 ROUGE NORTHEAST
(By-law 2005-226)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *266 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.266.1 Only Permitted Uses

The following uses are the only uses permitted:

- (a) *Single detached dwellings;*
- (b) *Private home daycare; and,*
- (c) *Home occupation.*

7.266.2 Zone Standard

The following specific zone standard applies:

- (a) The minimum *rear yard* shall be 13.0 metres for lane based units.

7.267 BEST HOMES CANADA INC. - 9582 HIGHWAY 48

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RESIDENTIAL TWO — LANE ACCESS ZONE [R2-LA*267] MEDIUM DENSITY TOWNHOUSE DEVELOPMENT

(By-law 2010-165)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol R2-LA*267 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.267.1 Only Uses Permitted

The following are the only uses permitted:

- a) *Townhouse buildings; and*
- b) *Home occupations.*

7.267.2 Zone Standards

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The following specific zone standards apply:

- a) Maximum *height* - 14.0 metres;
- b) Minimum required *rear yard* - 5.8 metres;
- c) Minimum *lot depth* - 21 metres;
- d) Minimum *lot frontage* per unit - 5.0 metres; and
- e) Minimum *front yard* - 1.2 metres.

7.267.3 Special Site Provisions

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The following special site provisions apply:

- a) The *main wall* of an attached *private garage*, that contains the opening for motor vehicle access, shall be set back a minimum of 6.0 metres from the *rear lot line*.
- b) A *private garage* is permitted to be within or attached to the *main building*, only if the *lot* is accessed by a *lane*.
- c) Minimum *garage width* for *townhouse dwellings* - 3.5 m.
- d) *Outdoor amenity spaces* and *decks space* may be located on the roof of an attached *garage*.

7.267.4 Community Amenity One Zone [CA1*413]

Mixed Use - High Density Development

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol CA1*423 on the Schedule to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.267.5 Only Uses Permitted

The following are the only uses permitted:

- a) *Apartment dwellings*;
- b) *Art galleries*;
- c) *Business offices*;

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d) Commercial fitness centres;

e) Commercial schools;

f) Community centres;

g) Day nurseries;

h) Financial institutions;

i) Home occupations;

j) Non-profit fitness centres;

k) Personal service shops;

l) Private home daycare;

m) Restaurants;

n) Restaurants, take out; and

o) Retail stores.

7.267.6 Zone Standards

The following specific zone standards apply:

a) Minimum height - 20 metres;

b) Minimum number of storeys – 10;

c) Maximum height - 55 metres;

d) Maximum number of storeys – 18;

e) Maximum Floor Space Index - 1.75;

f) Maximum number of dwelling units – 220;

g) Minimum setback of the main wall from the front property lot line - 10 metres;

h) Maximum setback of the main wall from the front property lot line - 18 metres;

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i) Minimum landscape strip from the front and rear lot line - 3.0 metres; and

j) Minimum setback from *lot lines* other than the Highway 48 streetline - 3.0 metres.

7.267.7 Special Site Provisions

The following additional provisions shall apply:

a) The following uses are permitted only in the *first storey* and *second storey* of an *apartment building*:

i) *Art galleries;*

ii) *Business offices;*

iii) *Commercial fitness centres;*

iv) *Commercial schools;*

v) *Community centres;*

vi) *Day nurseries;*

vii) *Financial institutions;*

viii) *Home occupations;*

ix) *Non-profit fitness centres;*

x) *Personal service shops;*

xi) *Private home daycare;*

xii) *Restaurants;*

xiii) *Restaurants, take out; and*

xiv) *Retail stores.*

b) *Residential uses* on the ground floor of an *apartment building* shall not exceed 35% of the total ground floor gross floor area.

c) Maximum gross floor area for a *retail store* - 500 m²

d) *Floor space index* shall be calculated using the lot and the floor

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area of the CA1*413 and R2-LA*413 zones, subject to this exception.

e) The following floor areas shall be exempted from the FS/ calculation:

i) *Parking areas below established grade;*

ii) *Rooftop mechanical penthouses; and*

iii) *Loading areas, storage lockers, garbage/recycling, utility, mechanical and electrical rooms, and similar ancillary uses located below established grade.*

f) Any ornamental roof construction features including (but not limited to) towers, steeples or cupolas, shall not be included in the calculation of height. Mechanical features, including their screening, and structures containing the equipment necessary to control an elevator, are permitted to project a maximum of 5.0 metres above the highest point of the roof surface, regardless of the height of the building.

g) Any portions of a main wall that extends beyond 20 metres in height shall be setback 2 metres from the line of the main wall that is less than 20 metres high.

7.268 APARTMENTS - EAST OF KENNEDY ROAD, SOUTH OF DENISON STREET

(By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *268 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.268.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Apartment dwellings;*
- b) *Home occupations;*
- c) *Multiple dwellings;*
- d) *Personal service shops;*
- e) *Private home daycare; and*

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- f) Retail stores.

7.268.2 Zone Standards

The R4 zone standards in Table B6 do not apply. The following specific zone standards apply:

- a) minimum lot area - 1.5ha;
- b) minimum required yard from the north streetline of the public street that forms the south limit of the *268 exception - 3.0m;
- c) minimum required yard from the Kennedy Road streetline - 3.0m;
- d) minimum required yard from the Old Kennedy Road streetline - 10.0m;
- e) minimum required yard from a lot line not adjacent to a public street -20.0m;
- f) minimum required landscaped open space - 25%;
- g) maximum number of dwelling units per hectare – 148; and
- h) minimum height of the main wall within 6.0 metres of the Kennedy Road streetline and of the north streetline of the public street that is the south limit of the *268 exception - 11.0m
- i) maximum height - 26.0m.

7.268.3 Special Site Provisions

The following additional provisions apply:

- a) Personal service shops and retail stores are permitted only in the first storey of an apartment building.
- b) At least 75 percent of the main wall facing the public street that is the south limit of the *268 exception shall be located within 6.0 metres of the north streetline of the public street that is the south limit of the zone.
- c) At least 75 percent of the main wall facing Kennedy Road shall be located within 6.0 metres of the Kennedy Road streetline.

7.269 APARTMENTS/MULTIPLE DWELLINGS/TOWNHOUSES - NORTH OF VICTORY AVENUE, EAST OF KENNEDY ROAD (By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *269 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.269.1 Only Permitted Uses

The following uses are the only uses permitted:

- a) Apartment dwellings;
- b) Multiple dwellings;
- c) Townhouse dwellings;
- d) Home occupations;
- e) Private home daycare;
- f) Retail stores; and
- g) Personal service shops.

7.269.2 Zone Standards

The R4 zone standards in Table B6 do not apply. The following specific zone standards apply:

- a) The following standards shall apply for *apartment buildings*:
 - i) minimum required front yard - 3.0m;
 - ii) minimum required exterior side yard -3.0m;
 - iii) minimum required interior side yard - 6.0m;
 - iv) minimum required rear yard - 20.0m;
 - v) minimum required *landscaped open space* - 25%;
 - vi) minimum *height* of main wall within 6.0 metres of the *front lot line* - 11.0m;
 - vii) maximum *height* -18.0 m; and
 - viii) maximum number of *dwelling units* per hectare – 96.
- b) The following standards shall apply for *multiple-unit buildings and townhouse buildings*:
 - i) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
 - ii) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

7.269.3 Special Site Provisions

The following additional provisions apply:

- a) *Personal service shops and retail stores* are permitted only in the *first storey* of an *apartment building*;
- b) A *lot with building* that faces the *public street* at the east limit of the exception shall only be accessed from a *lane*; and

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- c) At least 75 percent of the *main wall* facing the *front lot line* shall be located within 6.0 metres of the *front lot line*.

7.270 MULTIPLE DWELLINGS/TOWNHOUSE DWELLINGS - NORTH OF VICTORY AVE, WEST OF OLD KENNEDY ROAD
(By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *270 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.270.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Multiple dwellings;*
- b) *Townhouse dwellings;*
- c) *Home occupations; and*
- d) *Private home daycare.*

7.270.2 Zone Standards

The following specific zone standards apply:

- a) *The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.*
- b) *The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.*

7.270.3 Special Site Provisions

The following additional provisions apply:

- a) *A lot with a *building* that faces Old Kennedy Road shall only be accessed from a *lane*.*
- b) *A lot with a *building* that faces the *public street* at the west limit of the *270 exception shall only be accessed from a *lane*.*

7.271 SCHOOL SITE - NORTH OF VICTORY AVENUE, WEST OF OLD KENNEDY ROAD
(By-law 2005-250)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted, by the symbol *271 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.271.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *School, public*

7.271.2 Zone Standards

The following specific zone standards shall apply:

- a) *The public school buildings standards in Table B9 apply to public school buildings.*

7.272 MULTIPLE DWELLINGS/TOWNHOUSE DWELLINGS – EAST OF KENNEDY ROAD, SOUTH OF VICTORY AVENUE
(By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *272 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.272.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Multiple dwellings;*
- b) *Townhouse dwellings;*
- c) *Home occupations; and*
- d) *Private home daycare.*

7.272.2 Zone Standards

The following specific zone standards shall apply:

- a) *The R3 multiple-unit buildings standards in Table B5 apply to multiple-unit buildings.*
- b) *The R2 townhouse buildings standards in Table B2 apply to townhouse buildings.*

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7.272.3 Special Site Provisions

The following additional provisions apply:

- a) A lot with a building that faces the public street at the east limit of the *272 exception shall only be accessed from a lane.

7.273 MULTIPLE DWELLINGS/TOWNHOUSES DWELLINGS – WEST OF OLD KENNEDY ROAD, SOUTH OF VICTORY AVENUE (By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *273 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.273.1 Only Uses Permitted

The following are the only uses permitted:

- a) Multiple dwellings
b) Townhouse dwellings
c) Home occupations
d) Private home daycare

7.273.2 Zone Standards

The following specific zone standards shall apply:

- a) The R3 multiple-unit buildings standards in Table B5 apply to multiple-unit buildings.
b) The R2 townhouse buildings standards in Table B2 apply to townhouse dwellings.

7.273.3 Special Site Provisions

The following additional provisions apply:

- a) A lot with a building that faces the public street at the west limit of the *273 exception shall only be accessed from a lane.

7.274 COMMERCIAL USES – 186 OLD KENNEDY ROAD (By-law 2005-250)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *274 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.274.1 Additional Use Permitted

The following additional uses are permitted within the building existing prior to the effective date of this By-law.

- a) *Financial institutions*
- b) *Business offices*
- c) *Day nurseries*
- d) *Personal service shops*
- e) *Retail stores*
- f) *Supermarkets*

7.274.2 Special Parking Provisions

The following parking provisions apply:

- a) *A parking area associated with the uses permitted in 7.274.1 is permitted.*

7.275 MEDIUM DENSITY RESIDENTIAL - WEST OF OLD KENNEDY ROAD, SOUTH OF ALDERGROVE DRIVE (By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *275 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.275.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Multiple dwellings;*
- b) *Townhouse dwellings;*
- c) *Home occupations; and*
- d) *Private home daycare.*

7.275.2 Zone Standards

The following specific zone standards shall apply:

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- a) The R3 *multiple-unit buildings* standards in Table B5 apply to *multiple-unit buildings*.
- b) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

7.276 MEDIUM DENSITY RESIDENTIAL - EAST OF OLD KENNEDY ROAD

(By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *276 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.276.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Townhouse dwellings;*
- b) *Home occupations; and*
- c) *Private home daycare.*

7.276.2 Zone Standards

The following specific zone standards shall apply:

- a) The R2 *townhouse buildings* standards in Table B2 apply to *townhouse buildings*.

7.277 PLACE OF WORSHIP - 133 OLD KENNEDY ROAD

(By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *277 on the Schedules to this By-law, municipally known as 133 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.277.1 Additional Permitted Uses

The following uses are permitted in an R2*276(H)*277 zone and in a CA2*283(H)*277 zone prior to, and subsequent to, removal of the Holding provision:

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- a) *Place of worship*

7.277.2 Zone Standards

The following specific zone standards shall apply to a *place of worship*:

- a) *minimum required front yard - 9.0m;*
- b) *minimum required rear yard - 6.0m;*
- c) *minimum required west side yard - 2.0m; and*
- d) *minimum required landscaped open space along the east lot line - 3.0m, except that the minimum landscaped open space between any building and the east lot line is 6.0m.*

7.277.3 Special Site Provisions

The following additional provisions apply.

- a) *A 15m² portion of the building may encroach into the required landscaped open space along the east lot line and into the north side yard setback.*

7.278 COMMERCIAL USES - 210 OLD KENNEDY ROAD

(By-law 2005-250)

*Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *278 on the Schedules to this By-law, municipally known as 210 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.*

7.278.1 Additional Permitted Uses

*The following use is the only use permitted in the CA2*284(H)*278 zone, prior to the removal of the Holding provision:*

- a) *Motor vehicle repair garage*

7.278.2 Zone Standards

The following specific zone standards shall apply for a motor vehicle repair garage:

- a) *minimum lot frontage - 46.0m;*
- b) *minimum lot area - 0.2 ha;*

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- c) minimum required front yard - 6.0m;
- d) minimum required interior side yard - 15.0m;
- e) minimum required exterior side yard r 20.0m;
- f) minimum required rear yard - 8.0m;
- g) maximum height - 6.0m;
- h) minimum width of landscaped open space abutting the south lot line - 2.0m;
- i) minimum width of landscaped open space abutting the north, and east lot lines - 6.0m;
- j) minimum width of landscaped open space abutting the west lot line - 3.0m; and
- k) minimum number of loading spaces – 0.

7.278.3 Special Provisions

The following additional provisions apply:

- a) The front lot line is defined as the north lot line.

7.279 MIXED RESIDENTIAL AND NON-RETAIL COMMERCIAL - WEST OF OLD KENNEDY ROAD (By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *279 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.279.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) Apartment dwellings;
- b) Art galleries;
- c) Business offices;
- d) Community centres;
- e) Commercial fitness centres;
- f) Financial institutions;
- g) Home occupations;
- h) Libraries;
- i) Medical offices;
- j) Multiple dwellings;
- k) Municipal parking lots;

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- l) Non-profit fitness centres;
- m) Parking garages;
- n) Personal service shops;
- o) Private clubs;
- p) Private home daycare;
- q) Repair shops;
- r) Schools, commercial;
- s) Schools, private;
- t) Schools, public;
- u) Townhouse dwellings;
- v) Public transit systems; and
- w) Transit stations.

7.279.2 Zone Standards

The following specific zone standards apply:

- a) The provisions of the CA4 Zone in Table B7 apply for stand-alone non-residential uses.
- b) The following specific zone standards apply for stand-alone residential uses:
 - i) The R3 multiple-unit buildings standards in Table B5 apply to multiple-unit buildings.
 - ii) The R2 townhouse buildings standards in Table B2 apply to townhouse buildings.
- c) The maximum floor space index (FSI) for non-residential buildings is 0.75.
- d) The maximum floor space index (FSI) for stand-alone residential buildings is 1.0.

7.280 RECREATIONAL USES -146 OLD KENNEDY ROAD

(By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *280 on the Schedules to this By-law, municipally known as 146 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.280.1 Additional Permitted Uses

The following uses are permitted in a CA1*279(H)*280 zone and in a CA2*283(H)*280 zone prior to, and subsequent to, removal of the Holding provision:

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a) Recreational establishments; and,

b) Restaurants.

7.280.2 Special Provisions

The following additional provisions apply for restaurants uses:

a) A restaurant with a gross floor area not exceeding 464.5m² within the building existing prior to the effective date of this By-law is permitted.

7.281 TOWNHOUSE, MULTIPLE UNIT, & MIXED USE BUILDINGS IN MILLIKEN MAIN STREET - WEST SIDE OF OLD KENNEDY ROAD **(By-law 2005-205)**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *281 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.281 Only Uses Permitted

The following are the only uses permitted:

- a) Apartment dwellings;
- b) Multiple dwellings;
- c) Townhouse dwellings;
- d) Home occupations;
- e) Private home daycare;
- f) Art galleries;
- g) Business offices;
- h) Community centres;
- i) Commercial fitness centres;
- j) Financial institutions;
- k) Libraries;
- l) Non-profit fitness centres;
- m) Personal service/shops;
- n) Repair shops;
- o) Retail stores;
- p) Schools, commercial;
- q) Transit stations; and
- r) Public transit system.

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7.281.2 Zone Standards

The CA1 zone standards in Table B7 do not apply. The following specific zone standards apply:

- a) minimum lot area - 1.0 ha;
- b) minimum required yard from Old Kennedy Road - 3.0m;
- c) maximum yard from Old Kennedy Road - 6.0m;
- d) minimum required yard from the streetline at the north limit of the zone - 1.5m;
- e) minimum required yard from the south lot line - 15.0m, except that within 20m of the Old Kennedy Road streetline the minimum required yard from the south lot line is 1.8m, and within 20m of the west lot line the minimum required yard from the south lot line is 2.5m;
- f) minimum required yard from the west lot line - 5.5m;
- g) maximum floor space index - 1.25; and
- h) maximum height - 14.0m.

7.281.3 Special Site Provisions

- a) The following additional provisions apply to residential uses:
 - i) The maximum number of dwelling units is 135.
 - ii) Dwelling units are not permitted within first storey suites facing Old Kennedy Road.
 - iii) The wall of the first storey of the main building or porch facing the front lot line shall not be located more than 1.5m farther from the front lot line than the wall of the attached private garage facing the front lot line.
 - iv) The wall of an attached private garage that contains the opening for motor vehicle access shall be set back a minimum of 5.8m from the lot line that the driveway crosses to access the attached private garage.
- b) The following additional provisions apply to the permitted uses f) through p) inclusive in Section 7.281.1:
 - i) Permitted only within suites facing Old Kennedy Road.
 - ii) The establishment of a drive-through service facility is not permitted.

7.282 INDUSTRIAL USE-82 OLD KENNEDY ROAD

(By-law 2005-250)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *282 on the Schedules to this By-law, municipally known as 82 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.282.1 Additional Permitted Uses

The following uses are permitted in a CA1*279(H)*282 zone and in a CA2*283(H)*282 zone prior to, and subsequent to, removal of the Holding provision:

- a) *Industrial uses*

7.282.2 Zone Standards

The following specific zone standards shall apply for *industrial uses*:

- a) *minimum required front yard - 6.0m;*
- b) *maximum required front yard - 20.0m;*
- c) *minimum required interior side yard adjoining the north lot line - 0.0m;*
- d) *minimum required interior side yard adjoining the south lot line - 7.0m;*
- e) *minimum required rear yard - 15.0m;*
- f) *maximum height - 15.0m;*
- g) *minimum height of the main front wall of a main building - 8.0m;*
and
- h) *minimum width of landscaped open space abutting all lot lines - 3.0m.*

7.282.3 Special Provisions

The following additional provisions apply:

- a) *Industrial uses are limited to the manufacture of clothing, sportswear and similar products, subject to the portion of the main building facing Old Kennedy Road being used as a retail store and/or business office accessory use associated with the industrial use.*
- b) *A driveway may encroach into landscaped open space abutting the side and rear lot lines.*
- c) *A main building may encroach into the landscaped open space abutting the north interior yard to the north side lot line.*

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**7.283 MIXED RESIDENTIAL/RETAIL/OFFICE USES - OLD KENNEDY ROAD
MAIN STREET, SOUTH OF ALDERGROVE DRIVE
(By-law 2005-250)**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *283 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.283.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) Apartment dwellings;
- b) Multiple dwellings;
- c) Townhouse dwellings;
- d) Private home daycare;
- e) Home occupations;
- f) Art galleries;
- g) Business offices;
- h) Community centres;
- i) Commercial fitness centres;
- j) Financial institutions;
- k) Libraries;
- l) Medical offices;
- m) Non-profit fitness centres;
- n) Personal service shops;
- o) Private clubs;
- p) Repair shops;
- q) Restaurants, take-out;
- r) Restaurants;
- s) Retail stores;
- t) Schools, commercial;
- u) Public transit systems; and
- v) Transit stations.

7.283.2 Zone Standards

The CA2 zone standards in Table B7 do not apply. The following specific zone standards apply:

- a) minimum lot frontage -19.2m;

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- ~~b) minimum required front yard - 1.8m;~~
- ~~c) minimum required exterior side yard - 1.8m;~~
- ~~d) minimum required interior side yard - 0.0m, except that the required yard shall be increased to 6.0m if it abuts a Residential zone;~~
- ~~e) minimum required rear yard - 7.5m;~~
- ~~f) minimum required landscaped open space - 25%;~~
- ~~g) maximum floor space index (FSI) - 1.0;~~
- ~~h) minimum height - 10.5m; and~~
- ~~i) maximum height - 12.0m.~~

7.283.3 Special Site Provisions

The following additional provisions apply:

- ~~a) Dwelling units are not permitted within the first storey of buildings.~~
- ~~b) No less than 80% of the wall of the first storey facing Old Kennedy Road shall be located any further than 6m from the Old Kennedy Road streetline.~~
- ~~c) No less than 80% of the wall of the first storey facing the exterior side lot line shall be located any further than 3.0m from the exterior side lot line.~~
- ~~d) The maximum gross floor area permitted per retail store or supermarket premises is 1,000m².~~
- ~~e) The establishment of a drive-through service facility is not permitted.~~

7.284 MIXED RESIDENTIAL/RETAIL/OFFICE USES - OLD KENNEDY ROAD MAIN STREET, NORTH OF ALDERGROVE DRIVE (By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *284 on the Schedules to this By-law. All other provisions, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.284.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) Apartment dwellings;
- b) Art galleries;
- c) Business offices;
- d) Community centres;
- e) Commercial fitness centres;
- f) Day nurseries;
- g) Financial institutions;
- h) Home occupations;
- i) Libraries;
- j) Medical offices;
- k) Multiple dwellings;
- l) Non-profit fitness centres;
- m) Personal service shops;
- n) Private clubs;
- o) Private home daycare;
- p) Repair shops;
- q) Restaurants, take-out;
- r) Restaurants;
- s) Retail stores;
- t) Schools, commercial; and
- u) Townhouse dwellings.

7.284.2 Zone Standards

The CA2 zone standards in Table B7 do not apply. The following specific zone standards apply:

- a) minimum lot frontage - 19.2m;
- b) minimum required front yard - 1.8m, except that no less than 80% of the main wall of the first storey facing Old Kennedy Road shall be located further than 6.0m from the Old Kennedy Road streetline;
- c) minimum required exterior side yard - 1.8m, except that no less than 80% of the wall of the first storey facing the exterior side lot line shall be located further than 3.0m from the exterior side lot line;
- d) minimum required interior side yard - 0.0m, except that the required yard shall be increased to 6.0m if it abuts a Residential zone;

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- ~~e) minimum required rear yard - 7.5m;~~
- ~~f) minimum required landscaped open space - 25%;~~
- ~~g) maximum floor space index (FSI) - 1.0;~~
- ~~h) minimum height - 10.5m; and~~
- ~~i) maximum height - 12m.~~

7.284.3 Special Site Provisions

The following additional provisions apply:

- ~~a) The maximum gross floor area permitted per retail store or supermarket premises is 1,000m².~~
- ~~b) The establishment of a drive-through service facility is not permitted;~~

7.285 COMMERCIAL USES - STEELES AVENUE

(By-law 2005-250)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *285 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.285.1 Only Uses Permitted

The following uses are the only uses permitted:

- ~~a) Art galleries;~~
- ~~b) Business offices;~~
- ~~c) Community centres;~~
- ~~d) Commercial fitness centres;~~
- ~~e) Financial institutions;~~
- ~~f) Hotels;~~
- ~~g) Libraries;~~
- ~~h) Medical offices;~~
- ~~i) Non-profit fitness centres;~~
- ~~j) Personal service shops;~~
- ~~k) Private clubs;~~
- ~~l) Public transit system;~~
- ~~m) Repair shops;~~
- ~~n) Restaurants, take-out;~~
- ~~o) Restaurants;~~
- ~~p) Retail stores;~~

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- g) Schools, commercial;
- r) Schools, private;
- s) Supermarkets;
- t) Transit stations; and,
- u) Veterinary clinics.

7.285.2 Zone Standards

The following specific zone standards apply:

- a) maximum floor space index - 0.75.

7.285.3 Special Site Provisions

The following additional provisions apply:

- a) The maximum gross floor area permitted per retail store or supermarket premises is 6,000m².

7.286 COMMERCIAL/RESIDENTIAL – 4600 STEELES AVENUE

(By-law 2007-98)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *286 on the Schedules to this By-law, municipally known as 4600 Steeles Avenue East. All other provisions, unless specifically modified/amended by this Section, shall continue to apply to the lands subject to this Section.

7.286.1 Only Uses Permitted

The following uses are the only uses permitted:

Residential:

- a) Apartment dwellings;
- b) Multiple dwellings; and
- c) Townhouse dwellings.

Non-residential:

- a) Art galleries;
- b) Business offices;
- c) Community centres;

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- d) Commercial fitness centres;
- e) Financial institutions;
- f) Libraries;
- g) Medical offices;
- h) Non-profit fitness centres;
- i) Personal service shops;
- j) Private clubs;
- k) Repair shops;
- l) Retail stores;
- m) Schools, commercial;
- n) Schools, private;
- o) Schools, public; and
- p) Supermarkets.

7.286.2 Zone Standards

The CA4 zone standards in Table B7 do not apply. The following site specific zone standards apply:

- a) minimum lot area - 0.7 ha
- b) minimum required yard from the Steeles Avenue East street line:
 - i) for the main building that existed on the site prior to the effective date of this by-law - 0 m.
 - ii) for any new building or any addition to the main building that existed on the site prior to the effective date of this by-law - 3.0 m.
- c) minimum required yard from the east limit:
 - i) within 60 metres of the Steeles Avenue East street line - 16 m.
 - ii) more than 60 metres from the Steeles Avenue East street line - 6 m.
- d) minimum required yard from the north limit - 7.5 m;
- e) minimum required yard from the west limit (the street line of future Midland Avenue) - 0 m;
- f) minimum width of landscaped open space abutting the east and north limits - 6.0 m;
- g) minimum required landscape open space - 25%;
- h) maximum floor space index - 1.6;
- i) maximum permitted number of storeys:

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- i) within 25 metres of the north limit – 3.
- ii) more than 25 metres from the north limit and within 18 metres of the east limit – 4.
- iii) more than 25 metres from the north limit and between 18 and 24 metres from the east limit – 6.
- iv) more than 25 metres from the north limit and more than 24 metres from the east limit – 7.

7.286.3 Special Site Provisions

- a) maximum number of *dwelling units* – 129;
- b) maximum combined *net floor area* of non-residential uses - 300 square metres; and
- c) The establishment of a *drive-through service facility* is not permitted.

7.286.4 Special Parking Provisions

The following specific parking provisions shall apply:

- a) *Apartment dwellings* - 1 space per *dwelling unit* plus 0.2 spaces per *dwelling unit* for visitors.

7.287 ZONE STANDARDS FOR R2 STANDARDS, ANGUS GLEN WEST VILLAGE (PHASE 2) (By-law 2010-106)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *287 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.287.1 Zone Standards

The following specific zone standards apply:

Notwithstanding any other provision in this By-law, no person shall hereafter erect any building, structures, architectural elements including but not limited to asphalt, brickwork, concrete stonework or any other private infrastructure, 6 metres from the north property line.

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7.288 ZONE STANDARDS FOR R2 STANDARDS, ANGUS GLEN WEST VILLAGE (PHASE 2) (By-law 2010-106)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *288 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.288.1 Zone Standards

The following specific zone standards apply:

- a) Maximum rear yard of a private garage or accessory building is 0.5 m.
- b) Maximum depth of a private garage is 15 m.
- c) Maximum permitted floor area of an accessory building is 20 square metres.

7.288.2 Special Site Provisions

The following additional provisions apply:

- a) The private garage must be setback 1.0 m behind the main wall closest to the front property line.

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7.292 SPECIAL PROVISIONS FOR TOWNHOUSES ADJACENT TO THE WOODBINE BY-PASS/SERVICING BUFFER
(By-law 2006-179, June 13/06)

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Notwithstanding any other provisions of this by-law, the following provisions shall apply to those lands denoted with the symbol *292 on the Schedules to this by-law. All other provision of this by-law, unless specifically

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modified/amended by this section, continue to apply to the lands subject to this section.

- a) Rear yard provision for *main building* with an attached *private garage*:
 - i) Minimum *required rear yard* - 6.0 m;
 - ii) There shall be no maximum *required rear yard*;
- b) Rear yard provisions for *main building* with a detached private garage:
 - i) Minimum *required rear yard* -6.0 m;
 - ii) There shall be no maximum *required rear yard*;
- c) The provisions of 7.198.2 I) shall not apply;
- d) Maximum width of an attached *private garage* - 5.8 m;
- e) The roof top of an *attached garage* may be used for the required *outdoor amenity space* and landscaped open space.

7.293 NORTH EAST CORNER OF HIGHWAY 404 AND MAJOR MACKENZIE DRIVE (BY-LAW 2006-7)

(By-law 2006-7)

Notwithstanding any other provision of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *293 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.293.1 Special Site Provisions

The following uses shall only be located within a building containing a *hotel*, a *trade and convention centre*, and/or located only in the first storey of an *office building*:

- *Art galleries;*
- *Commercial and non-profit fitness centres;*
- *Financial institutions;*
- *Libraries;*
- *Personal service shops;*
- *Private clubs;*
- *Recreational establishments;*
- *Restaurants;*
- *Retail stores; and*
- *Take-out restaurants.*

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**7.294 NORTH SIDE OF MAJOR MACKENZIE DRIVE BETWEEN HIGHWAY 404
AND MARKLAND STREET**
(By-Law 2006-7)

Notwithstanding any other provision of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *294 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.294.1 Zone Standards

The following specific Zone Standards shall apply:

- a) Minimum Lot Area: not applicable;
- b) Minimum Lot Frontage: not applicable;
- c) Maximum Front Yard: not applicable;
- d) Maximum Exterior Side Yard: not applicable;
- e) Minimum height: not applicable; and
- f) Minimum width of landscaped open space adjacent to Major Mackenzie Drive: 9 m.

7.294.2 Special Site Provisions

- a) The maximum net floor area for individual Retail Stores is 6,000 m², except that one Retail Store may have a maximum net floor area of 16,350 m²
- b) Outdoor display and sales areas:
 - i. Outdoor display and sales areas associated with a retail store that exceeds a net floor area of 6,000 m² are permitted;
 - ii. Outdoor display and sales areas shall be set back at least 45.0 metres from the Major Mackenzie Drive streetline;
- c) Drive-Through Service Facilities and Queuing Lanes associated with restaurants shall be set back at least 45.0 metres from the Major Mackenzie Drive streetline; and
- d) The Major Mackenzie Drive streetline shall be the front lot line.

**7.295 NORTH SIDE OF MAJOR MACKENZIE DRIVE BETWEEN MARKLAND
STREET AND WOODBINE AVENUE**
(By-Law 2006-7)

Notwithstanding any other provision of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *295 on the Schedules to

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this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.295.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *Motor vehicle repair garage.*

7.295.2 Zone Standards

The following specific Zone Standards shall apply:

- a) *Minimum Lot Area:* not applicable;
- b) *Minimum Lot Frontage:* not applicable;
- c) *Maximum Front Yard:* not applicable;
- d) *Maximum Exterior Side Yard:* not applicable; and
- e) *Minimum height:* not applicable.

7.295.3 Special Site Provisions

- a) The maximum *net floor area* for individual *Retail Stores* is 6,000 m², except that one *Retail Store* may have a *net floor area* of up to 10,000 m²;
- b) *Outdoor display and sales areas:*
 - i. *Outdoor display and sales areas* associated with a retail store that exceeds a *net floor area* of 6,000 m² are permitted;
 - ii. *Outdoor display and sales areas* shall be set back at least 45.0 metres from the Major Mackenzie Drive *street line*;
- c) *Drive-Through Service Facilities and Queuing Lanes* associated with *restaurants* shall be set back at least 45.0 metres from the Major Mackenzie Drive *streetline*.
- d) The Major Mackenzie Drive *streetline* shall be the *front lot line*.
- e) *Motor vehicle repair garage:*
 - i) Only one *motor vehicle repair garage* shall be permitted
 - ii) The *motor vehicle repair garage* shall only be located in a *building* with a *retail store* that exceeds a *net floor area* of 6,000 m².

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- iii) The motor vehicle and repair garage shall be set back at least 45.0 metres from the Major Mackenzie Drive streetline.

7.296 NORTH SIDE OF BUR OAK AVENUE AND ABBUTING GREENSBOROUGH VILLAGE CIRCLE

(By-law 2005-361)

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Notwithstanding any provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *296 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.296.1 Special Site Provisions

The following additional provisions apply:

- a) Residential uses (except for carports, interior vestibules and stairways leading to dwelling units located above the first storey) are prohibited on the first storey.

7.297 PART OF LOT 9, CONCESSION 6 AND BLOCK 156 AND PART OF BLOCK 155, REGISTERED PLAN 65M-33246

(By-law 2005-354)

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Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *297 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.297.1 Zone Standards

- a) there shall be no openings, including doors and windows, in any BUILDING or STRUCTURE, on the lands subject to this provision, below an elevation of 172.3 metres above sea level;
- b) the MINIMUM EXTERIOR SIDE YARD setback to a PRIVATE GARAGE from the South Unionville Avenue STREELINE is 6.0 metres.

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**7.298 SOUTH OF MAJOR MACKENZIE DRIVE, WEST OF MCCOWAN ROAD -
BERCZY VILLAGE**

(By-law 2005-340)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *298 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.298.1 Special Parking Provisions

- a) Driveways that cross a front lot line and are used for parking of motor vehicles and/or are used to access a single detached dwelling unit shall be located:
 - i) no closer to an interior side lot line than the minimum distance requirement for the main building from the interior side lot line; and,
 - ii) no closer to an exterior side lot line than the minimum distance requirement for the main building from the exterior side lot line.
- b) Driveways that cross an exterior side lot line and are used for the parking of motor vehicles and/or are used to access a single detached dwelling unit shall be located:
 - i) no closer to a rear lot line than the minimum distance requirement for the main building from the rear lot line; and,
 - ii) no closer to a front lot line than the minimum distance requirement for the main building from the front lot line.

7.298.2 Special Site Provisions

The following additional provisions apply:

- a) The R2-S*298 lands shall be subject to the wide shallow lot provisions of this By-law.

**7.299 MAXIMUM NET FLOOR AREA FOR ANY INDIVIDUAL RETAIL STORE OR
SUPERMARKET PREMISES**

(By-law 2005-376)

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Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *299 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.299.1 Zone Standards

The following specific zone standards apply:

- a) Maximum Net Floor Area for any individual retail store or supermarket premises - 6000 m²
- b) Maximum Net Floor Area permitted on a lot - 30,000 m²

7.300 OPEN SPACE IN THE NORTH EAST QUADRANT OF HIGHWAY 404 AND MAJOR MACKENZIE DRIVE (By-law 2006-7)

Notwithstanding any other provision of this by-law, the provisions of this section shall apply to those lands denoted by the symbol *300 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.300.1 Additional Permitted Use

The following additional use is permitted:

- a) Private park.

7.301 APARTMENTS - SOUTHEAST CORNER OF KENNEDY ROAD AND DENISON STREET (By-law 2005-359)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *267 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.301.1 Only Uses Permitted

The following uses are the only uses permitted:

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- a) Apartment dwellings;
- b) Home occupations;
- c) Personal service shops;
- d) Private home daycare; and
- e) Retail stores.

7.301.2 Zone Standards

The R4 zone standards in Table B6 do not apply. The following specific zone standards apply:

- a) minimum lot area - 1.5ha;
- b) minimum required yard from the Kennedy Road streetline - 3.0m;
- c) minimum required yard from the Denison Street streetline - 3.0m;
- d) minimum required yard from the Old Kennedy Road streetline - 10.0m;
- e) minimum required yard from a lot line other than a streetline - 10.0m;
- f) minimum required landscaped open space - 25%;
- g) maximum number of dwelling units per hectare -148;
- h) minimum height of main wall within 6.0 metres of the Kennedy Road and Denison Street streetlines - 11.0m; and
- i) maximum height - 26.0m.

7.301.3 Special Site Provisions

- a) Personal service shops and retail stores are permitted only in the first storey of an apartment building.
- b) At least 70 percent of the main wall facing Kennedy Road shall be located within 6.5 metres of the Kennedy Road streetline.
- c) At least 75 percent of the main wall facing Denison Street shall be located within 9.5 metres of the Denison Street streetline.

7.302 9718 McCOWAN ROAD - BEHRAM AND ANAHITA FAROOGH (RADIANT WAY MONTESSORI)

(By-law 2006-46)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *302 on the Schedules to this By-law. All other provisions of this by-law, unless specifically

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modified/amended by this section, continue to apply to the lands subject to this Section.

7.302.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) Schools, private, ~~private school~~ and,
- b) Day nursery.

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7.302.2 Zone Standards

The following specific zone standards apply:

- a) Minimum lot area - 0.30 ha;
- b) Maximum front yard - 27 metres; and
- c) Minimum width of landscaping adjacent to the front lot line - 2 metres.

7.302.3 Special Site Provisions

The following additional provisions apply:

- a) An accessory building not exceeding 15 square metres is permitted within landscaping required adjacent to the interior and rear lot lines, subject to the following:
 - i) Minimum setbacks - 0.65 metres.
- b) The maximum front yard shall only apply to buildings which have a gross floor area of 464 square metres or less.

7.303 BLOCKS 1&2 REGISTERED PLAN 65M-2505 - NORTHEAST CORNER OF HIGHWAY 48 & ANDERSON AVENUE

(By-law 2006-209)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *303 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.303.1 Additional Permitted Uses

The following additional uses are permitted:

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a) Apartment dwellings

b) Multiple dwellings

7.303.2 Zone Standards

The following specific zone standards apply:

a) Minimum Lot Area - 1.4 ha;

b) Minimum Lot Frontage - 75.0 m;

c) Minimum required front yard - 3.0 m;

d) Maximum required front yard for buildings abutting Highway 48, - 5.5 m;

e) Minimum required exterior side yard - 1.5 m;

f) Maximum required exterior side yard - 4.5 m;

g) Minimum width of landscaping adjacent to the front and exterior side lot lines - 3.0 m, except that any part of the main wall may encroach up to 1.5 m into the required landscaping.

7.303.3 Special Site Provisions

a) Maximum required front yard provisions shall not apply to the daylighting triangle.

7.304 CORNELL ROUGE

(By-law 2006-51)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *304 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.304.1 Special Site Provisions

The following specific site provisions shall apply:

a) The wall of the detached private garage that contains the opening for motor vehicle access shall be set back no further than 1.5 metres from the rear lot line.

7.305 CORNELL ROUGE

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(By-law 2006-51)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *305 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.305.1 Special Site Provisions

The following specific site provisions shall apply:

- a) The wall of the attached or detached *private garage* that contains the opening for *motor vehicle* access shall be set back no further than 4.5 metres from the *rear lot line*.

7.306 CORNELL ROUGE

(By-law 2006-51)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *306 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.306.1 Special Site Provisions

The following specific site provisions shall apply:

- a) On lots with a *lot frontage* greater than 11.0 metres:
 - i) the maximum width of a window bay in the *front yard* is 4.0 metres; and,
 - ii) window bays in the *front yard* are not required to be cantilevered.

**7.307 NORTH SIDE OF ELGIN MILLS, WEST OF WOODBINE AVENUE –
MONARCH CORPORATION, WEST CATHEDRAL COMMUNITY**

(By-law 206-133)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *307 on the

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Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.307.1 Only Uses Permitted

The following are the only uses permitted:

- a) Townhouse dwellings

7.307.2 Zone Standards

The following specific zone standards apply:

- a) A private garage may be attached to the main building.
- b) Rear yard provision for main building with attached private garage:
 - i) Minimum required rear yard – 6.0
- c) Provisions for Outdoor amenity space:
 - i) Minimum area of outdoor amenity space – 35 m2.
 - ii) A flat roof of an attached private garage may be used as the outdoor amenity space.

7.307.3 Special Site Provisions

The following provisions shall apply:

- a) A deck and associated stairs is permitted to encroach into the outdoor amenity space.

7.308 WYNBERRY DEVELOPMENTS INC., WISMER COMMONS

(By-law 2006-148)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *308 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.308.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required front yard - 4.3 metres;

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- b) Minimum required rear yard - 15 metres;
- c) Minimum required interior side yard - 1.8 metres on one side, 1.2 metres on the other side;
- d) Maximum height for Lots 4, 5 and 6, as shown on Schedule 'A' attached hereto - 9.15 metres;
- e) Maximum height for Lots 1, 2, 3 and 7 to 12, inclusive, as shown on Schedule 'A' attached hereto - 10 metres; and
- f) Minimum width of landscaping adjacent to the rear lot line - 3.0 metres.

7.308.2 Special Site Provisions

The following additional provisions apply:

- a) The main wall of a dwelling shall be setback no further than 4.5 metres from the front lot line.
- b) The main wall of an attached private garage that contains the opening for motor vehicle access shall be setback no further than 5.8 metres from the front lot line.
- c) Detached private garages are not permitted.
- d) The height of the dwellings on all lots shall be measured from the established grade at the front main wall to the highest point of the ridge of a gabled, hip, gambrel roof or other type of pitched roof.
- e) No part of the grade at the rear wall shall be lower than 0.8 metres than the average grade along the front wall.

7.309 RESERVED

7.310 NORTH SIDE OF ELGIN MILLS, WEST OF WOODBINE AVENUE - MONARCH CORPORATION, WEST CATHEDRAL COMMUNITY **(By-law 2006-133)**

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *310 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.310.1 Zone Standards

The following specific zone standards apply:

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- a) Minimum rear yard setback - 6.5 m.

7.311 TOWNHOUSE DEVELOPMENT ON A NEW PUBLIC ROAD

(By-law 2006-193)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *311 on the Schedules to this By-law, formerly known municipally as 83 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.311.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) *Townhouse dwellings;*
- b) *Home occupations; and*
- c) *Private home daycare.*

7.311.2 Zone Standards

- a) The following specific zone standards shall apply:

- i) *minimum lot frontage:*
 - a) *6.0m per unit on an interior lot;*
 - b) *7.5m per end unit on an interior lot; and*
 - c) *8.4m per end unit on a corner lot.*
- ii) *minimum required front yard - 3.0m;*
- iii) *maximum driveway width - 3.5m;*
- iv) *maximum width of a private garage - 3.5m;*
- v) *minimum required exterior side yard - 2.4m; and*
- vi) *minimum required interior side yard.*
 - a) *0.0m for interior units; and*
 - b) *1.5m for end units.*
- vii) *minimum required rear yard - 6.0m, except that the minimum required rear yard above the first storey is 7.5m;*
- viii) *maximum height- 12.0m.*

7.312 MIXED-USE DEVELOPMENT ON OLD KENNEDY ROAD

(By-law 2006-193)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by the symbol *312 on the Schedules to this By-law, formerly known municipally as 83 Old Kennedy Road. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.312.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) Multiple dwellings;
- b) Apartment dwellings;
- c) Home occupations;
- d) Private home daycare;
- e) Art galleries;
- f) Business offices;
- g) community centres;
- h) commercial fitness centres;
- i) financial institutions;
- j) libraries;
- k) non-profit fitness centres;
- l) personal service shops;
- m) repair shops;
- n) retail stores; and
- o) schools, commercial.

7.312.2 Zone Standards

a) The following specific zone standards shall apply:

- i) minimum required yard from the Old Kennedy Road streetline - 1.0m;
- ii) minimum height - 10.5m;
- iii) maximum height - 12.0m;
- iv) minimum required exterior side yard - 1.0m;
- v) minimum required interior side yard - 1.0m; and
- vi) maximum floor space index - 1.25.

7.312.3 Special Site Provisions

a) The following additional provisions apply:

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- i) Dwelling units are not permitted within the first storey of buildings.
- ii) The establishment of a drive-through service facility is not permitted.

7.313 SPECIAL PROVISIONS FOR LOTS FRONTING BUFFERS AND OTHER OPEN/SPACE AREAS

(By-law 2006-179)

Notwithstanding any other provisions of this by-law, the following provisions shall apply to those lands denoted with the symbol *313 on the Schedules to this by-law. All other provision of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

- a) For purpose of this section, a lot that abuts a lane shall be deemed to abut a street; and
- b) For the purpose of this Section, the lot line that abuts the buffer or other open space area shall be deemed the front lot line.

7.314 SPECIAL PROVISIONS FOR DEEP LOTS IN THE CATHEDRAL TOWN COMMUNITY

(By-law 2006-179)

Notwithstanding any other provisions of this By-law, the following provision shall apply to those lands denoted with the symbol *314 on the Schedules to this By-law. All other provision of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

- a) Maximum required setback for detached private garage from rear lot line - 10.5 m; and
- b) Maximum required rear yard setback for main building with attached private garage - 10.5 m;

7.315 RESERVED

7.316 NORTH SIDE OF ELGIN MILLS, WEST OF WOODBINE AVENUE - MONARCH CORPORATION, WEST CATHEDRAL COMMUNITY

(By-law 2006-133)

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *316 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section:

7.316.1 Zone Standards

The following specific zone standards apply:

- a) Minimum rear yard setback -11.35m;
- b) Maximum detached garage coverage - 23 %;
- c) Minimum distance from detached garage building - 5.0 m; and
- d) Minimum outdoor amenity space - 30 sq. in.

**7.317 NORTH SIDE OF 16TH AVENUE, WEST OF KENNEDY ROAD -
KYLEMORE HOMES**
(By-law 2006-215)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *317 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.317.1 Zone Standards

The following specific zone standards apply:

- a) Minimum Lot Frontage - 7.0 m; and
- b) Maximum Height -12 m.

7.317.2 Special Site Provisions.

The following provisions apply

- a) A lot is permitted to front onto a private street.

**7.318 NORTH SIDE OF 16TH AVENUE, WEST OF KENNEDY ROAD -
KYLEMORE HOMES**
(By-law 2006-215)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *318 on the

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Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.318.1 Special Site Provisions

The following additional provisions apply:

- a) The maximum *driveway* width and *garage* width shall not apply.

7.319 LOTS FLANKING A NEIGHBOURHOOD PARK IN CATHEDRAL TOWN

(By-law 2006-177)

Notwithstanding any other provisions of this by-law, the following provisions shall apply to those lands denoted with the symbol *319 on the Schedules to this by-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply.

7.319.1 Zone Standards:

The following specific zone standards apply:

- a) Maximum *driveway* width - 6.5 m;
- b) Maximum *garage width* - 6.5 m;
- c) Minimum required *exterior side yard* -1.8 m;
- d) Minimum distance of detached *private garage* from *interior side lot line* if there are no doors or windows on the wall facing the interior side lot line - 0.15 m;
- e) Minimum required setback of *porch stairs* or *landing stairs* from front lot line - 0.75 m;
- f) Minimum required setback of *porch*, *porch stairs*, *landing* or *landing stairs* from exterior side lot line - 0.4 m; and
- g) An underground cold cellar may also encroach into the *required yard*, provided an underground cold cellar is located entirely underneath the landing.

7.320 AMBER PLAIN INVESTMENTS LTD., WISMER COMMONS

(By-law 2006-175)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *320 on the Schedule to this By-law. All other provisions of this Bylaw unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.320.1 Only Permitted Uses

The following uses are the only uses permitted:

- a) *Retail stores; and*
- b) *one dwelling unit.*

7.320.2 Zone Standards

The following specific Zone Standards apply:

- a) *Minimum required front yard - 3.0 m;*
- b) *Minimum required rear yard -12 m;*
- c) *Minimum required interior side yard- 0.6 m; and*
- d) *Minimum required exterior side yard - 3.0 m.*

7.320 3 Special Site Provisions

The following additional provisions apply:

- a) *Retail stores:*
 - i) *maximum net floor area per premises - 95 m².*
 - ii) *permitted location -first storey of a building;*
- b) *Dwelling unit:*
 - i) *permitted location - above the first storey of a building.*

7.321 AMBER PLAIN INVESTMENTS LTD., WISMER COMMONS

(By-law 2006-175)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *321 on the Schedule to this By-law. All other provisions of this Bylaw, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.321.1 Zone Standards

The following specific Zone Standards apply:

- a) *Minimum required front yard - 2.4 m;*
- b) *Minimum required rear yard - 7 m;*
- c) *Minimum required interior side yard - 7 m;*
- d) *Minimum required interior side yard for most southerly block of townhouse units - 3 m.*

7.321.2 Special Site Provisions

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The following additional provisions apply:

- a) The *lot line* abutting Bur Oak Avenue is deemed to be the *front lot line*.
- b) The *main wall* of a *dwelling unit* shall be setback a minimum of 6.7 metres from the centerline of a private road.
- c) The *main wall* of an attached *private garage* that contains the opening for motor vehicle access shall be setback a minimum of 9.5 metres from the centerline of a private road.

7.322 NORTH OF 14TH AVENUE, EAST OF 9TH LINE, BOX GROVE SECONDARY PLAN AREA - BOX GROVE HILL DEVELOPMENTS INC., BOX GROVE NORTH INC., BOX GROVE CENTRE INC.

(By-law 2006-171)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *322 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.322.1 Special Site Provisions

The following special site provisions shall apply:

- a) The wall of the *first storey* of the *main building* or *porch* facing the *front lot line* shall not be located more than 3.0 metres farther from the *front lot line* than the wall of the attached garage facing the *front lot line*.
- b) Window bays are not required to be cantilevered.

7.323 SOUTH OF 14TH AVENUE, EAST OF 9TH LINE, BOX GROVE COMMUNITY (WINTER GARDEN ESTATES, PHASE 2)

(By-law 2006-220)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *323 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.323.1 Special Parking Provisions

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- a) Driveways that cross a front lot line and are used for the parking of motor vehicles and/or are used to access a single detached, semi-detached or townhouse dwelling unit shall be located:
 - i) no closer to an interior side lot line than the minimum distance requirement for the main building from the interior side lot line; and
 - ii) no closer to an exterior side lot line than the minimum distance requirement for the main building from the exterior side lot line.
- b) Driveways that cross an exterior lot line and are used for the parking of motor vehicles and/or are used to access a single detached, semi-detached or townhouse dwelling unit shall be located:
 - i) no closer to a rear lot line than the minimum distance requirement for the main building from the rear lot line; and
 - ii) no closer to a front lot line than the minimum distance requirement for the main building from the front lot line.

7.324 SOUTH OF 14TH AVENUE, EAST OF 9TH LINE, BOX GROVE COMMUNITY (WINTER GARDEN ESTATES, PHASE 2)
(By-law 2006-220)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *324 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.324.1 Zone Standards

The following specific zone standards apply:

- a) minimum required rear yard - 5.0m.

7.325 SOUTH OF 14TH AVENUE, EAST OF 9TH LINE, BOX GROVE COMMUNITY (WINTER GARDEN ESTATES, PHASE 2)
(By-law 2006-220)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *325 on the

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Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.325.1 Zone Standards

The following specific zone standards apply:

- a) minimum required exterior **side yard** - 1.8m.

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7.326 SOUTH OF 14TH AVENUE, EAST OF 9TH LINE, BOX GROVE COMMUNITY, (HOME SPORT PROPERTIES LTD) **(By-law 2006-222)**

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *326 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.326.1 Special Parking Provisions

- a) Driveways that cross a front lot line and are used for the parking of motor vehicles and/or are used to access a single detached, semi-detached or townhouse dwelling unit shall be located:
- i) no closer to an interior side lot line than the minimum distance requirement for the main building from the interior side lot line; and
- ii) no closer to an exterior side lot line than the minimum distance requirement for the main building from the exterior side lot line.
- b) Driveways that cross an exterior lot line and are used for the parking of motor vehicles and/or are used to access a single detached, semi-detached or townhouse dwelling unit shall be located:
- i) no closer to a rear lot line than the minimum distance requirement for the main building from the rear lot line; and

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- ii) no closer to a *front lot line* than the minimum distance requirement for the *main building* from the *front lot line*.

**7.327 NORTH SIDE OF 16TH AVENUE, WEST OR KENNEDY ROAD -
VILLAGE GROCER**

(By-law 2009-58)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *327 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.327.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *Supermarket* with associated seasonal outdoor display; and
- b) *Business* and *professional offices*.

7.327.2 Prohibited Uses

The following additional use is prohibited:

- a) *Drive-through service facility*.

7.327.3 Zone Standards

The following specific Zone Standards apply:

- a) Minimum *front yard* 9 metres
- b) Minimum *exterior side yard* 60 metres
- c) Minimum *rear yard* 3 metres
- d) Minimum *interior side yard* 3 metres
- e) Minimum building *height* 12 metres
- f) Maximum building *height* 14 metres

7.327.4 Special Site Provisions

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The following additional provisions apply:

- a) 16th Avenue frontage shall be deemed to be the *front lot line*.
- b) The *first storey* shall only be used for a *supermarket*.
- c) Minimum required landscaped open space adjoining:
 - Rear and interior lot lines* - 3.0 metres
 - Exterior lot line* - 1.8 metres
- d) 40% of the *front lot line* shall have a minimum *landscaped open space* of 5 metres adjoining the *front lot line*.
- e) Access ramps and *driveways* that are more or less perpendicular to the *streetline*, are permitted to cross the *landscaped open space*
- f) Stairs not used to access the *building* may encroach into any required yard.
- g) Eaves, awnings and roof overhangs may encroach 1.5 metres into any required yard.
- h) A covered pedestrian walkway may encroach into the *exterior side yard* subject to the following minimum setbacks:
 - 15 m from Yorkton Blvd.
 - 20 m from 16th Avenue
 - 20 m from north lot line
 - 65 m from east lot line
- i) *Loading spaces* shall be fully enclosed within a *building*.
- j) *Outdoor display and sales* is permitted subject to the following provisions:
 - i) only in association with a *supermarket* with a *gross floor area* greater than 3,000 m² and less than 3,200 m²; and
 - ii) maximum area of outdoor display and sales -220 m².

7.327.5 Special Parking Provisions

The following parking provisions apply:

- (a) Minimum number of required parking spaces – 74.

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**7.328 SPECIAL PROVISIONS FOR CORNER LOTS AND LOTS AT THE
INTERSECTION OF A LANE AND A PUBLIC STREET**

(By-law 2006-179)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to those lands denoted with the symbol *328 on the Schedules to this by-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

- a) Maximum required rear yard setback on corner lots and lots at the intersection of a lane and a public road for main buildings with and attached private garage - 1.6 m;
- b) Maximum setback for detached private garage from the rear lot line for corner lots and lots at the intersection of a lane and a public road - 1.6 m.

**7.329 SOUTH SIDE OF MAJOR MACKENZIE DRIVE, EAST OF GLENBOUME
PARK DRIVE - ANGUS GLEN FARM LTD. & ANGUS GLEN GOLF CLUB
LTD., ANGUS GLEN COMMUNITY.**

(By-law 2006-218)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *329 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.329.1 Zone Standards

The following specific zone standards apply:

- a) Minimum Lot Area - 0.12 ha; and
- b) Maximum number of storeys – 2.

**7.330 SOUTH SIDE OF MAJOR MACKENZIE DRIVE, EAST OF GLENBOURNE
PARK DRIVE - ANGUS GLEN FARM LTD. & ANGUS GLEN GOLF CLUB
LTD., ANGUS GLEN COMMUNITY**

(By-law 2006-218)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *330 on the

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Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.330.1 Additional Permitted Uses

The following additional uses are permitted:

- a) Retail stores.

7.330.2 Special Parking Provisions

The following specific zone standards apply:

- a) Retail stores shall be exempt from providing the parking spaces required.

7.330.3 Special Site Provisions

The following additional provisions apply:

- a) Retail stores shall:
 - i) only be permitted in the first storey; and,
 - ii) have a maximum gross floor area of 100 square metres.

7.331 SOUTH SIDE OF MAJOR MACKENZIE DRIVE, EAST OF GLENBOUME PARK DRIVE - ANGUS GLEN FARM LTD. & ANGUS GLEN GOLF CLUB LTD., ANGUS GLEN COMMUNITY **(By-law 2006-218)**

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *331 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.331.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) Apartment dwellings

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7.331.2 Zone Standards

The following specific zone standards apply:

- a) Minimum setback between the Residential Four *331(Hold 1) [R4*331(H1)] and the Open Space One (OS1) zone, as shown on Schedule 'A' attached to By-law 2006-218 - 7.5 m.
- b) Maximum number of storeys - 4.

7.332 SOUTH OF 14TH AVENUE, EAST OF 9TH LINE, BOX GROVE COMMUNITY, (HOME SPORT PROPERTIES LTD)

(By-law 2006-222)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *332 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.332.1 Zone Standards

The following specific zone standards apply:

- a) maximum number of storeys – 2.

7.333 SOUTH OF 14TH AVENUE, EAST OF 9TH LINE, BOX GROVE COMMUNITY (WINTER GARDEN ESTATES, PHASE 2)

(By-law 2006-220)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *333 on the Schedules to this By-law. All other provisions of this by-law unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.333.1 Zone Standards

The following specific zone standards apply:

- a) maximum number of storeys – 2.

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7.334 RESERVED

7.335 East of Kennedy Road, north of Bur Oak Avenue – Fairglen Homes Ltd.

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *335 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.335.1 Zone Standards

The following specific zone standards apply:

- a) Minimum required exterior side yard – 1.2 metres

7.355.2 7.335.2 Special Site Provisions

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The following additional provisions apply:

- a) Stairs and landings may encroach into the required exterior side yard of a distance of no more than 75% of the required exterior side yard for the main building on the lot.

7.336 RESERVED

7.337 PART OF LOTS 6, 7 AND 8, CONCESSION 4

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(By-law 2007-150)

7.337.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *Business offices;*
- b) *Restaurants; and*
- c) *Restaurants, take-out*

7.337.2 Special Site Provisions

The following special site provisions shall apply:

- (a) Minimum gross floor area of an office building - 2,787 m²; and

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- (b) Restaurants and Take-Out Restaurants are only permitted in an office building.

7.338 MILLER PAVING LIMITED, LANDS EAST OF WOODBINE AVENUE, NORTH OF 14TH AVENUE (BUSINESS CORRIDOR)
(By-law 2007-150)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *338 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.338.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) Art galleries;
- b) Business offices;
- c) Commercial fitness centres;
- d) Day nurseries;
- e) Financial institutions;
- f) Hotel;
- g) Industrial uses;
- h) Medical offices;
- i) Personal service shops;
- j) Recreational establishments;
- k) Restaurants;
- l) Restaurant, take-out;
- m) Retail stores;
- n) Schools, commercial, and
- o) Veterinary clinics.

7.338.2 Special Site Provisions

The following special site provisions shall apply:

- (a) Restaurants and Take-Out Restaurants are only permitted in an office building;
- (b) Maximum combined gross floor area devoted to retail stores and/or retail accessory to other permitted use(s) - 30%;

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- (c) Maximum gross floor area of a *refa/7 store* - 300 m² to 1,000 m²;
- (d) Maximum gross floor area of a *retail store*, in which the predominate products sold are computers and/or office supplies - 3,000 m²; and
- (e) Retail sales accessory to an *industrial use* are permitted provided:
 - (i) The retail sales are conducted within the same *premises* as a permitted *industrial use*.
 - (ii) The retail sales area has a *net floor area* that does not exceed the lesser of 300 m² or 10 percent of the *net floor area* of the *premises* containing the *industrial use*.
- (f) Retail sales accessory to a *hotel use* are permitted.
- (g) *Outdoor storage* and *outdoor display and sales* are not permitted.

7.339 RESERVED

7.340 MILLER PAVING LIMITED, LANDS EAST OF WOODBINE AVENUE, NORTH OF 14TH AVENUE (MAJOR COMMERCIAL) (By-law 2007-150)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *340 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.340.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) *Art galleries*;
- b) *Business offices*;
- c) *Commercial fitness centres*;
- d) *Day nurseries*;
- e) *Financial institutions*;

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- ~~f) Medical offices;~~
- ~~g) Personal service shops;~~
- ~~h) Places of entertainment;~~
- ~~i) Restaurants;~~
- ~~j) Restaurants, take-out;~~
- ~~k) Retail stores;~~
- ~~l) Schools, commercial;~~
- ~~m) Schools, private;~~
- ~~n) Supermarket; and~~
- ~~o) Theatres.~~

7.340.2 Special Site Provisions

The following special site provisions apply:

- ~~(a) Maximum number of retail store premises within a fully enclosed net floor area greater than 4,000 m² and less than 13,200 m² - one (1).~~
 - ~~(i) Outdoor display and sales in the form of a garden center are permitted subject to the following:~~
 - ~~• Only in association with a retail store premise with a net floor area greater than 10,000 m²;~~
 - ~~• Maximum area of a garden center partially enclosed and/or unenclosed - 3,100 m²; and~~
 - ~~• Outdoor display and sales are not permitted adjacent to a public street.~~
- ~~(b) Maximum number of retail store premises with a fully enclosed net floor area greater than 4,000 m² and less than 20,000 m² - one (1).~~
 - ~~(i) Outdoor display and sales in the form of a garden center are permitted subject to the following:~~
 - ~~• Only in association with a retail store premise with a net floor area greater than 18,000 m²;~~
 - ~~• Maximum area of a garden center partially enclosed and/or unenclosed - 2,000 m²; and~~
 - ~~• Outdoor display and sales are not permitted adjacent to a public street.~~

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(c) Motor vehicle tire sales and repair are permitted subject to the following provisions:

(i) Only within a retail store building containing a retail store premise with a net floor area of more than 18,000 m²; and

(ii) Maximum gross floor area - 660 m².

(d) The combined gross floor area of restaurants and take-out restaurants shall not exceed 20% of the total gross floor area of all buildings.

7.340.3 Special Parking Provisions

The following parking provision applies:

(a) Parking is not required for any unenclosed portions of garden centers.

(b) The number of parking spaces required shall be calculated at a rate of 1 space per 20 square metres of gross leasable floor area.

7.340.4 Special Landscaping Provisions

The minimum landscaped open space provided shall be 15%.

7.341 MILLER PAVING LIMITED, LANDS EAST OF WOODBINE AVENUE, NORTH OF 14TH AVENUE (GENERAL INDUSTRIAL)

(By-law 2007-150)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *341 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.341.1 Additional permitted uses

The following additional uses are permitted:

(a) Any use operated and/or financed (in whole or in part) by a public authority

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**7.342 PLACE OF WORSHIP SITE SOUTH WEST CORNER OF BUR OAK AND
WHITE'S HILL AVENUE, BLOCK 114, PLAN 65M-3295**

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *342 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.342.1 Only Uses Permitted

The following are the only uses permitted:

- a) *Place of worship.*

**7.343 WEST SIDE OF WOODBINE AVENUE, NORTH OF ELGIN MILLS ROAD -
RICE COMMERCIAL GROUP**

(By-law 2007-156)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *343 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.343.1 Zone Standards

The following specific zone standards apply:

- a) *Minimum Lot Frontage - 30 m*
- b) *Maximum depth of parking area in front yard - Not applicable.*
- c) *Maximum depth of parking area in exterior side yard -Not applicable.*
- d) *Minimum Height - Not applicable*

7.343.2 Special Site Provisions

The following additional provisions apply:

- a) *The eastern lot line shall be deemed the front lot line.*
- b) *Outdoor display shall be permitted.*

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- c) Loading spaces are also permitted in an exterior side yard

7.344 EAST OF 9TH LINE, NORTH OF 16TH AVENUE (METRUS DEVELOPMENTS)

(By-law 2007-164)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *344 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.344.1 Zone Standards

The following specific zone standards apply:

- a) minimum required front yard for townhouse dwellings fronting 9th Line - 1.8 m
- b) minimum required front yard for dwelling units fronting 16th Avenue - 3.0 m

7.344.2 Special Site Provisions

The following provisions shall apply:

- a) No buildings or structures are permitted within 2.0 m of any lot line abutting 16th Avenue.
- b) The minimum width of a parking space shall be 2.5m where the parking space is located on a parking pad between a private garage and a side lot line created by a Hydro Transformer Notch.

7.345 WEST SIDE OF WOODBINE AVENUE, NORTH OF ELGIN MILLS ROAD - RICE COMMERCIAL GROUP

(By-law 2007-156)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *345 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

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7.345.1 Special Site Provisions

The following additional provisions apply:

- a) Only driveways and landscaping are allowed.

7.346 EAST OF 9TH LINE, SOUTH OF HIGHWAY 7, CORNELL

(By-law 2007-186)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *346 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.346.1 Only Uses Permitted.

The following are the only uses permitted:

- a) Apartment dwellings;
- b) Private home daycare;
- c) Home occupations;
- d) Retail stores;
- e) Personal service shops;
- f) Business offices;
- g) Financial institutions;
- h) Commercial fitness centres;
- i) Non-profit fitness centres;
- j) Community centres;
- k) Day nurseries;
- l) ~~Private and commercial schools;~~
- m) Schools, private;
- n) Schools, commercial;
- o) Restaurants;
- p) Restaurants, take-out; and
- q) Art galleries.

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7.346.2 Zone Standards

Only the following specific zone standards shall apply:

- a) minimum height - 24 m;

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- b) maximum height - 40 m;
- c) minimum floor space index - 2.5;
- d) minimum setback from the Highway 7 streetline - 1.8m;
- e) maximum setback from the Highway 7 streetline - 4.5m; and
- f) minimum setback from streetlines other than the Highway 7 streetline - 3.0m.

7.346.3 Special Site Provisions

The following additional provisions shall apply:

- a) The following uses are permitted only in the first storey and second storey of an apartment building:
 - i) Retail stores;
 - ii) Personal service shops;
 - iii) Business offices;
 - iv) Financial institutions;
 - v) Commercial fitness centres;
 - vi) Non-profit fitness centres;
 - vii) Community centres;
 - viii) Day nurseries;
 - ix) Private and commercial schools;
 - x) Restaurants;
 - xi) Restaurants, take-out; and
 - xii) Art galleries.
- b) Residential uses on the ground floor of an apartment building shall not exceed 35% of the total ground floor gross floor area.
- c) Maximum gross floor area for a retail premises - 500m².

7.347 EAST OF 9TH LINE, SOUTH OF HIGHWAY 7, CORNELL

(By-law 2007-186)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *347 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

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7.347.1 Only Uses Permitted

The following are the only uses permitted:

- a) Apartment dwellings;
- b) Private home daycare;
- c) Home occupations;
- d) Retail stores;
- e) Personal service shops;
- f) Business offices;
- g) Financial institutions;
- h) Commercial fitness centres;
- i) Non-profit fitness centres;
- j) Community centres;
- k) Day nurseries;
- l) Private and commercial schools;
- m) Restaurants;
- n) Restaurants, take-out; and
- o) Art galleries.

7.347.2 Zone Standards

Only the following specific zone standards shall apply:

- a) minimum height - 24 m;
- b) maximum height - 40 m;
- c) minimum floor space index - 2.5;
- d) minimum setback from the Highway 7 streetline - 1.8 m;
- e) maximum setback from the Highway 7 streetline - 4.5 m; and
- f) minimum setback from streetlines other than the Highway 7 streetline - 3.0m.

7.347.3 Special Site Provisions

The following additional provisions shall apply:

- a) The following uses are permitted only in the first storey and second storey of an apartment building:

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- i) Retail stores;
 - ii) Personal service shops;
 - iii) Business offices;
 - iv) Financial institutions;
 - v) Commercial fitness centres;
 - vi) Non-profit fitness centres;
 - vii) Community centres;
 - viii) Day nurseries;
 - ix) Private and commercial schools;
 - x) Restaurants;
 - xi) Restaurants, take-out; and
 - xii) Art galleries.
- b) Residential uses on the ground floor of an apartment building shall not exceed 35% of the total ground floor gross floor area.
- c) Maximum gross floor area for a retail premises - 500m².
- d) Floor space index shall be calculated over the total area of the lands within the CA1*347*350 zone based on the dimensions shown on Schedule 'B' attached hereto.

7.348 EAST OF 9TH LINE, SOUTH OF HIGHWAY 7, CORNELL

(By-law 2007-186)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *348 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.348.1 Only Uses Permitted

The following are the only uses permitted:

- a) Retail stores;
- b) Supermarkets;
- c) Places of entertainment; and
- d) Parking garages.

7.348.2 Zone Standards

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Only the following specific zone standards shall apply:

- a) maximum height - 2 storeys;
- b) minimum setback from a streetline - 3.0m; and
- c) minimum floor space index - 0.45.

7.348.3 Special Site Provisions

The following additional provisions shall apply:

- a) Maximum gross floor area for a retail store premises or supermarket premises - 2,000 m²
- b) Two premises consisting of either supermarket premises or retail store premises may exceed a gross floor area per premises of 2,000m², up to a maximum of 6,000m².
- c) Floor space index shall be calculated over the total area of the lands within the CA 1*348*350 zone based on the dimensions shown on Schedule 'B' attached hereto.

7.349 EAST OF 9TH LINE, SOUTH OF HIGHWAY 7, CORNELL

(By-law 2007-186)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *349 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.349.1 Only Uses Permitted

The following are the only uses permitted:

- a) Apartment dwellings;
- b) Multiple dwellings;
- c) Townhouse dwellings;
- d) Private home daycare;
- e) Home occupations;
- f) Parking garages;
- g) Art galleries;

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- h) Business offices;
- i) Commercial fitness centres;
- j) Community centres;
- k) Day nurseries;
- l) Financial institutions;
- m) Libraries;
- n) Medical offices;
- o) Non-profit fitness centres;
- p) Personal service shops;
- q) Repair shops;
- r) Restaurants;
- s) Restaurants, take-out;
- t) Retail stores; and
- u) Schools, commercial.

7.349.2 Zone Standards

The following specific zone standards shall apply:

- a) minimum height - 4 storeys;
- b) maximum height - 6 storeys;
- c) minimum floor space index - 1.0;
- d) minimum setback from the south limit of the CA1*349*350 zone - 12 m; and
- e) minimum setback from a streetline - 3.0m.

7.349.3 Special Site Provisions

The following additional provisions shall apply:

- a) The following uses are permitted only in the first storey and second storey of residential buildings:
 - i) Art galleries;
 - ii) Business offices;
 - iii) Commercial fitness centres;
 - iv) Community centres;
 - v) Day nurseries;
 - vi) Financial institutions;
 - vii) Libraries;

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- ~~viii) Medical offices;~~
- ~~ix) Non-profit fitness centres;~~
- ~~x) Personal service shops;~~
- ~~xi) Repair shops;~~
- ~~xii) Restaurants;~~
- ~~xiii) Restaurants, take-out;~~
- ~~xiv) Retail stores; and~~
- ~~xv) Schools, commercial.~~

- ~~b) Residential uses on the ground floor of residential buildings shall not exceed 35% of the total ground floor gross floor~~
- ~~c) Medical offices and restaurants are not permitted on the ground floor of townhouse dwellings.~~
- ~~d) The minimum number of storeys of a townhouse dwelling is 3.~~
- ~~e) Maximum gross floor area for a retail store premises -2,000 m².~~
- ~~f) Floor space index shall be calculated over the total area of the lands within the CA1*349*350 zone based on the dimensions shown on Schedule 'B' attached hereto.~~

7.350 EAST OF 9TH LINE, SOUTH OF HIGHWAY 7, CORNELL

~~(By-law 2007-186)~~

~~Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *350 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.~~

7.350.1 Special Site Provisions

~~The following provisions shall apply:~~

- ~~a) Notwithstanding any further division or partition of the lands subject to *350, the development standards of By-law 177-96, as amended, shall continue to apply to the lands as they existed on the date of the passing of this By-law.~~

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7.350.2 Special Parking Provisions

The following provisions shall apply:

- a) Parking shall be provided in accordance with the standards set out below:
 - i) all types of *restaurants*, including associated seating areas, are subject to the following requirements:
 - 1 parking space per 22m² of *gross floor area* for that portion that occupies 15% or less of the total *gross floor area* of all *non-residential* building(s) in the Community Amenity One*348*350 (CA1 *348 *350), Community Amenity One*349*350 (CA1 *349 *350) and Community Amenity One*349*350 Holding 1 [CA1 *349 *350 (H1)] *zones* shown on Schedule 'A' hereto.
 - 1 parking space per 9m² of *gross floor area* for that portion that occupies more than 15% of the total *gross floor area* of all *non-residential* building(s) in the Community Amenity One*348*350 (CA1 *348 *350), Community Amenity One*349*350 (CA1 *349 *350) and Community Amenity One*349*350 Holding 1 [CA1 *349 *350 (H1)] *zones* shown on Schedule 'A' hereto.
 - ii) for all other permitted non-residential uses, 1 parking space per 22m² of *gross floor area*.
- b) In addition to the parking required for the residential use, two (2) parking spaces are required for any non-residential uses permitted on the ground floor of a *townhouse dwelling*.
- c) Parking shall be provided at a rate of 1 space per 30m² of *gross floor area* for any *retail* use permitted on the ground floor of an *apartment building*.

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7.354 RESERVED

7.355 SOUTHEAST CORNER OF MAJOR MACKENZIE DRIVE AND RALPH CHALMERS AVENUE

(By-law 2007-255)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *355 on Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.355.1 Only Permitted Uses

The following uses are the only uses permitted:

- a) Single detached dwellings;
- b) Semi-detached dwellings;
- c) Home occupations; and
- d) Private home daycare.

7.355.2 Zone Standards

(i) The following specific zone standards apply to Single Detached dwellings:

- a) Minimum FRONT YARD - 2.4 metres;
- b) Minimum REAR YARD - 5.8 metres; and
- c) Maximum REAR YARD - 7.5 metres.

(ii) The following specific zone standards apply to Semi-Detached dwellings:

- a) Minimum FRONT YARD - 4.5 metres;
- b) Maximum FRONT YARD - 7 metres; and
- c) Provisions for detached PRIVATE GARAGE.
 - i) Minimum required setback of detached PRIVATE GARAGE from the REAR LOT LINE - 5.8 metres.
 - ii) Maximum required setback of detached PRIVATE GARAGE from the REAR LOT LINE - 7 metres.

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7.355.3 Special Provisions

The following additional provisions apply:

- a) For the purpose of this Section, the LOT LINE that abuts Major Mackenzie Drive shall be deemed the FRONT LOT LINE.
- b) Semi-detached dwellings shall have detached PRIVATE GARAGES.
- c) Minimum distance separation between the detached PRIVATE GARAGE and the main rear wall of the MAIN BUILDING shall be a minimum of 6 metres.
- d) Single Detached Dwelling shall have attached PRIVATE GARAGES.
- e) Corner lots shall only be used for Single Detached Dwellings.

7.356 RESERVED

7.357 SOUTHEAST CORNER OF THE PROPOSED COPPER CREEK DRIVE EXTENSION AND PROPOSED MARKHAM BY-PASS (By-law 2008-30)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *357 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.357.1 Only Uses Permitted

The following are the only uses permitted:

- a) **Business Offices;**
- b) **Medical offices;**
- c) **Industrial uses;**
- c) **Data processing and related facilities;**
- d) **Day nurseries;**
- e) **Financial institutions;**

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- f) Parks, public;
- g) Personal service shops;
- h) Transit stations;
- i) Restaurants;
- j) Restaurants, take-out; and
- k) Gas bars.

7.357.2 Zone Standards

The following specific zone standards apply:

- a) Minimum LOT FRONTAGE - 45 metres; and
- b) Minimum LANDSCAPING abutting an ARTERIAL ROAD - 6 metres.

7.357.3 Special Site Provisions

The following additional provisions shall apply:

- a) GAS BARS may include an accessory RETAIL STORE with a maximum NET FLOOR AREA of 150 m² accessory to the GAS BAR is permitted
- b) Maximum combined number of RESTAURANTS and TAKE-OUT RESTAURANTS is One (1).
- c) Total combined GROSS FLOOR AREA of all RESTAURANTS and TAKE-OUT RESTAURANTS shall be 300 m².
- d) QUEUING LANE(S) shall not be permitted between the public arterial road and a BUILDING.
- e) An accessory RETAIL STORE in which goods produced and/or stored in a BUILDING containing an INDUSTRIAL USE is permitted provided the RETAIL STORE has a NET FLOOR AREA that does not exceed the lesser of 300 square metres or 10 percent of the NET FLOOR AREA of the BUILDING containing the INDUSIAL USE.
- f) Outdoor storage and outdoor display and sales not permitted
- g) All garbage shall be stored completely within fully enclosed garbage room(s) and there shall be no outdoor storage of garbage or garbage containers at anytime.

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7.358 SOUTH SIDE OF 16TH AVENUE (MATTAMY COUNTRY GLEN & WYKLAND ESTATES)

(By-law 2008-4)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *358 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.358.1 Special Site Provisions

The following provisions shall apply:

- a) No buildings or structures or encroachments are permitted within 2.0 m of any lot line abutting 16th Avenue.

7.359 SOUTHWEST CORNER OF 16TH AVENUE AND CORNELL CENTRE BOULEVARD (MATTAMY COUNTRY GLEN & WYKLAND ESTATES)

(By-law 2008-4)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *359 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.359.1 Zone Standards

The following specific zone standards apply:

- a) minimum lot frontage for an end unit on a corner lot - 7.3m.
- b) minimum required exterior side yard for a main building - 2.0m.
- c) minimum required exterior side yard for enclosed, unenclosed and roofed walkways - 0.6m.

7.359.2 Special Site Provisions

The following provisions shall apply:

- a) The lot line abutting 16th Avenue is deemed to be the front lot line.

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**7.360 EAST SIDE OF BUR OAK AVENUE, SOUTH OF RIVERLANDS AVENUE
(MATTAMY COUNTRY GLEN & WYKLAND ESTATES)**

(By-law 2008-4)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *360 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.360.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *Financial institutions;*
- b) *Repair shops; and*
- c) *Retail stores.*

7.360.2 Special Parking Provisions

The following parking provisions shall apply

- a) Two (2) additional *parking* spaces are required for permitted commercial uses.

7.360.3 Special Site Provisions

The following additional site provisions apply:

- a) Commercial uses are permitted only in *the first storey of a building.*
- b) The maximum permitted *gross floor area* for a commercial or *home occupation* use is 90m².

**7.361 DAY NURSERY, MEDICAL & BUSINESS & PROFESSIONAL OFFICES AT
10137 WOODBINE AVENUE - BALDATH RAMPERSAD**

(By-law 2008-150)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *361 on the schedules to this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

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7.361.1 Only Uses Permitted

The following uses are the only uses permitted:

7.361.2 Special Parking Provisions

The following parking provisions apply:

- (a) 32 parking spaces shall be required for the subject development having a gross floor area of not more than 1065 m²; and
- (b) No loading spaces shall be required.

7.361.3 Special Site Provisions

- (a) Driveways, utility structures and 1 required parking space are permitted encroach into the required landscaping adjacent to a required front or interior lot line; and
- (b) Outdoor play areas are permitted to encroach into the required landscaping adjacent to a required interior lot line only.

7.362 PART OF LOTS 4 AND 5, CONCESSION 9

(By-law 2008-153)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *362 on Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section. Continue to apply to the lands subject to this Section.

7.362.1 Zoning Standards

The following specific zone standards apply:

- a) Minimum FRONT YARD setback - 2 metres; and
- b) Maximum FRONT YARD setback - 3 metres.

7.362.2 Special Provisions

The following additional provisions apply:

- a) For the purposes of this Section, the LOT LINE that abuts Donald

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Cousens Parkway shall be deemed the FRONT LOT LINE.

- b) Townhouse dwelling shall only have detached PRIVATE GARAGES.
- c) Minimum distance between the detached PRIVATE GARAGE and the main rear wall of the MAIN BUILDING shall be a minimum of 6 metres.

**7.363 EAST HALF OF LOT 20, CONCESSION 7 AND PART LOT 21,
CONCESSION 7
(By-law 2008-155)**

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *363 on Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section. Continue to apply to the lands subject to this Section.

7.363.1 Zone Standards

The following specific zone standards apply:

- a) Minimum landscape strip adjacent to a residential zone - 6 metres.

**7.364 DOUGSON INVESTMENTS INC. (VILLAGE NISSAN) SOUTH SIDE OF
SOUTH UNIONVILLE AVENUE, EAST OF KENNEDY ROAD
(By-law 2008-20)**

Notwithstanding any other provisions of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *364 on the Schedules of this by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.364.1 Additional Permitted Uses

- a) one (1) motor vehicle sales establishment; and
- b) a maximum of 4 vehicles on display associated with the motor vehicle sale establishment.

7.364.2 Prohibited Uses

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The following uses are prohibited:

- a) autobody paint and repair.

7.364.3 Zone Standards – Motor Vehicle Sales Establishments

- a) Minimum required front yard - 0 metres;
b) Maximum permitted front yard - 6 metres;
c) Minimum required side yard - 6 metres;
d) Minimum required rear yard - 50 metres;
e) Minimum required building height - 5.8 metres;
f) Maximum permitted building height – 14 metres;
g) Minimum required landscaped open space:

- Adjoining the easterly side lot line - 4 metres
- Adjoining an interior side lot line – 3 metres
- Adjoining a rear lot line - 6 metres
- Adjoining the front lot line- 3 metres

For the purposes of this section, the lot line dividing the lands from South Unionville Avenue shall be considered the front lot line.

7.364.4 Special Site Provisions - Motor Vehicle Sales Establishments

The following additional site provisions apply:

- a) Access ramps and driveways may encroach into the required landscaped open space provided they are more or less perpendicular to the street line.
b) The main building may encroach into the required landscaped open space adjoining the front lot line.
c) Loading spacers) shall not be required.
d) Any vehicles on display shall not encroach into the required landscaped open space, and cannot be located between the building face and street line.

7.365 SOUTH EAST CORNER OF DENISON STREET AND KENNEDY ROAD

(By-law 2008-260)

Notwithstanding any other provision of this By-law, the provisions in this

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Section shall apply to those lands denoted by the symbol *365 on Schedule 'A' attached to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.365.1 Zone Standards

- a) Provisions relating to the maximum number of dwelling units per hectare shall not apply.
- b) Maximum number of dwelling units – 273.

7.366 LOTS 4 AND 5 ON BLOCK E OF REGISTERED PLAN 19 AND PART LOT 6, CONCESSION 9
(By-law 2008-252)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *366 on Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section continue to apply to the lands subject to this Section.

7.366.1 Zoning Standards

The following specific zone standards apply:

- a) Minimum REAR YARD setback - 4.0 metres
- b) Minimum FRONT YARD setback-4.0 metres

7.366.2 Special Site Provisions

The following additional provisions apply:

- a) "Wide shallow lot" means a residential lot with a lot depth of 12 metres or greater and less than 30 metres.
- b) Maximum FRONT YARD setback shall not apply.
- c) Porches and stairs shall not encroach into the required FRONT YARD.

7.367 SOUTH EAST CORNER OF DENISON STREET AND KENNEDY ROAD
(By-law 2008-260)

Notwithstanding any other provision of this By-law, the provisions in this

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Section shall apply to those lands denoted by the symbol *367 on Schedule 'A' attached to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.367.1 Zone standards

- a) Minimum lot area - the minimum lot area for this lot shall be its lot area on the date of passing of this by-law.
- b) Minimum lot frontage - the minimum lot frontage for this lot shall be its lot frontage on the date of the passing of this by-law.

7.367.2 Special Site Provisions

- a) The lands subject to this exception can only be used in accordance with the provisions of the R4 Zone only if is added or combined with another lot in the R4 zone.
- b) The land subject to this exception shall not be counted in the calculation of the maximum permitted density, after it has been consolidated with another lot in the R4 zone.

7.368 LOTS 4 AND 5 ON BLOCK E OF REGISTERED PLAN 19 AND PART LOT 6, CONCESSION 9
(By-law 2008-252)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *368 on Schedules to this Bylaw. All other provisions of this By-law, unless specifically modified/amended by this section continue to apply to the lands subject to this Section.

7.368.1 Special Site Provisions

The following additional provisions apply:

- a) Buildings, accessory structures above or below grade and paved/hardened surfaces shall not be located within 5 metres of the rear property line.
- b) Porches and stairs shall not encroach into the required FRONT YARD.

7.369 WEST OF OLD KENNEDY ROAD AND ALDERGROVE DRIVE
(By-law 2009-105)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *369 on Schedule 'A' attached to this By-law. All other provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.369.1 Only Uses Permitted in CA1

The following are the only uses permitted:

- a) ~~Multiple-unit buildings;~~
- b) ~~Private home daycare;~~
- c) ~~Art galleries;~~
- d) ~~Business and professional offices;~~
- e) ~~Community centres;~~
- f) ~~Fitness centres;~~
- g) ~~Day nurseries;~~
- h) ~~Financial institutions;~~
- i) ~~Libraries;~~
- j) ~~Personal service shops;~~
- k) ~~Private clubs;~~
- l) ~~Repair shops but not including automobile repair shops;~~
- m) ~~Restaurants; and~~
- n) ~~Retail stores.~~

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7.369.2 Only Uses Permitted in OS1

The following are the only uses permitted:

- a) ~~Public park~~
- b) ~~Public playground~~
- c) ~~Pedestrian walkways~~

7.369.3 Zone standards

The CA1 zone standards in Table B7 do not apply. The following specific zone standards apply:

- a) ~~minimum required yard from Old Kennedy Road-1.75m;~~
- b) ~~minimum required yard from the south lot line - 11.45m, except that within 30m of the easterly lot line (Old Kennedy Road), the minimum required yard from the south lot line to the wall of the main building is 9m;~~

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- c) minimum required yard from the Railway Line to the west - 30m;
- d) minimum required yard from the west lot line - 5m;
- e) maximum floor space index (FSI) - 1.0;
- f) maximum height - 4 storeys;
- g) maximum total net floor area of all restaurants - 96m²;
- h) maximum encroachment for porches, balconies, awnings and window bays on Old Kennedy Road - 1.55m; and
- i) minimum area of OS1 zone area - 0.1 ha.

7.369.4 Special Site Provisions

- a) The following additional provisions apply to residential uses:
 - i) Maximum number of dwelling units within 87m of the easterly lot line (Old Kennedy Road) is 28.
 - ii) Dwelling units are not permitted within the ground floor of any building within 87m of the easterly lot line (Old Kennedy Road).
 - iii) Maximum number of dwelling units beyond 87m of the easterly lot line (Old Kennedy Road) is 78.
- b) The following additional provisions apply to non-residential uses:
 - i) Non-residential uses are permitted only within the ground floor of any building within 87m of Old Kennedy Road.
 - ii) The establishment of a drive-through facility is not permitted.

7.369.5 Parking Provisions

- a) Minimum number of parking spaces – 278;
- b) Minimum number of parking spaces for residential uses to be provided within 87m of the easterly lot line (Old Kennedy Road) – 42;
- c) Minimum number of visitor parking spaces within 87m of the easterly lot line (Old Kennedy Road) – 7;
- d) Minimum number of parking spaces for non-residential uses within 87m of the easterly lot line (Old Kennedy Road) – 37;
- e) Minimum number of parking spaces for residential uses beyond 87m of the easterly lot line (Old Kennedy Road) -156;
- f) Minimum number of visitor parking spaces beyond 87m of the easterly lot line (Old Kennedy Road) – 24;

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- g) Minimum width of parallel parking space - 2.5m; and
- h) Minimum length of parallel parking space - 6.7m.

7.369.6 Definitions

For the purposes of this By-law only, a *Multiple-Unit Building* shall be defined as "a building containing three or more dwelling units which may be accessed by a common corridor system and/or entrance, or dwelling units which may be accessed directly from the outside, but not including a triplex, fourplex, a townhouse building, or an apartment building."

7.370 SOUTH SIDE OF ELGIN MILLS, WEST OF WOODBINE AVENUE - CLERA HOLDINGS LIMITED

(By-law 2009-89)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *370 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.370.1 Additional Permitted Uses

The following additional uses are permitted:

- a) Gas bar

7.370.2 Special Site Provisions

The following additional provisions apply to a gas bar:

- a) An accessory *retail store* and *restaurant* with a *drive-through service facility* is permitted provided the *net floor area* for the *restaurant* with a *drive-through service facility* does not exceed 75 m².

7.371 MARKHAM STOUFFVILLE HOSPITAL AND TOWN OF MARKHAM COMMUNITY FACILITY LANDS, CORNELL COMMUNITY

(By-law 2009-54)

Notwithstanding any other provisions of this By-law, the following provisions shall apply to the lands denoted by the symbol *371 on the schedules to this

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by-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

~~7.371.1 Definitions~~

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~~Hospital, public – means any institution, building or other premises or place established for the purpose of the treatment of persons, and that is approved under The Public Hospitals Act, R.S.O. 1990, Chapter P40, as amended, as a public hospital.~~

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~~7.371.1 Permitted Uses~~

The following uses are permitted:

- ~~a) Community centres;~~
- ~~b) Hospital, public;~~
- ~~c) Libraries;~~
- ~~d) Maintenance and sale of medical equipment and supplies;~~
- ~~e) Medical and diagnostic laboratories;~~
- ~~f) Medical offices;~~
- ~~g) Nursing homes;~~
- ~~h) Parks, public;~~
- ~~i) Public transit system;~~
- ~~j) Residential health care facilities for people who require assisted living such as sanatoria, centres for the disabled, homes for the aged and chronic care facilities;~~
- ~~k) Retirement homes;~~
- ~~l) Transit stations; and~~
- ~~m) The following are only permitted as ancillary uses and must be located within a building that contains one or more of the uses listed above:~~
 - ~~i. day nurseries;~~
 - ~~ii. personal service shops;~~
 - ~~iii. pharmacies;~~
 - ~~iv. restaurants;~~
 - ~~v. restaurants, take-out; and~~
 - ~~vi. retail uses.~~

~~7.371.2 Zone Standards~~

The following specific zone standards apply:

- ~~a) minimum required yard;~~

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- i. from a lot line that is coincident with the boundary of the lands subject to exception *371, that is not the Bur Oak Avenue streetline- 3.0 metres
- ii. from the Bur Oak Avenue streetline - 2.5 metres.
- b) minimum required width of landscaped open space:
 - i. from a lot line that is coincident with the boundary of the lands subject to exception *371 that is not the Bur Oak Avenue streetline, or that does not adjoin a Greenway (G) zone - 3.0 metres
 - ii. from the Bur Oak Avenue streetline - 2.5 metres
 - iii. from a Greenway (G) zone - 1.5 metres
- c) minimum landscaped open space - 20 % maximum floor space index (FSI) - 0.75;
- d) minimum number of storeys for buildings that are not a public hospital, community centre or operated by a public authority – 3;
- e) maximum number of storeys shall be as shown on Schedule 8.9; and
- f) maximum number of buildings exceeding 6 storeys - one (1).

7.371.3 Special Parking Provisions

The following special parking provisions apply:

- a) Minimum width of parking spaces in a parking lot, not including parking spaces for the physically disabled - 2.7 metres; and
- b) Required parking spaces may be located on lands bounded by Church Street, Bur Oak Avenue, Riverlands Avenue and 9th Line under the same ownership.

7.371.4 Special Site Provisions

The following additional provisions apply

- a) Drive-through service facilities are prohibited.
- b) For the purposes of applying the zone standards, the lands subject to exception *371 shall be considered as one lot.
- c) Driveways shall not be included in the calculation of required landscaped open space.
- d) For the purposes of this exception, for a public hospital, any portion of a storey exceeding 5.0 metres, and for a community centre, any portion of a storey exceeding 7.0 metres, shall be deemed to be an additional storey.

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- e) Buildings may encroach up to 1.5 metres into the required landscaped open space abutting the Bur Oak Avenue streetline.
- f) The top storey of a public hospital and community centre which contains only mechanical equipment shall not be included in the maximum number of storeys.
- g) The area of adjoining lots or parcels zoned Greenway (G) may be included in the calculation of Floor Space Index (FSI).
- h) Permitted ancillary retail uses shall not exceed 15% of the total gross floor area of a premise.
- i) Parking garages are exempt from the floor space index (FSI) calculation.
- j) Loading spaces are not required for residential health care facilities.
- k) For the purposes of this by-law, the Greenway (G) zone shall be defined as having a minimum 12.0 metre width from the 9th Line streetline.

7.372 RESERVED

7.373 LOTS 6, 7 (PARTS 1 AND 2) AND 8, CONCESSION 9 NORTHWEST OF COPPER CREEK DRIVE AND THE TOWN ARTERIAL ROAD/PLANNED LINK BOX GROVE DEVELOPMENTS INC.

(By-law 2009-113)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *373 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.373.1 Additional Permitted Uses

The following additional uses are permitted:

- a) Free standing restaurants;
- b) Free standing restaurants, take-out; and
- c) Supermarket.

7.373.2 Prohibited Uses

The following uses are prohibited:

- a) Places of worship

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7.373.3 Zone Standards

The following specific zone standards shall also apply:

- a) The south lot line shall be deemed to be the *front lot line*

7.373.4 Special Parking Provisions

The following special parking provisions apply:

- a) Restaurant and restaurant, take-out uses are subject to the following requirements:
 - i) 1 parking space per 22m² of gross floor area for that portion which occupies 15% or less of the total gross floor area of all buildings subject to this Exception; and
 - ii) 1 parking space per 9m² of gross floor area for that portion which occupies more than 15% of the total gross floor area for all buildings subject to this Exception.
- b) Minimum number of parking spaces required for all other uses - 1 space per 22 m² of gross floor.

7.373.5 Special Site Provisions

The following additional provisions shall apply:

- a) Drive through service facilities shall only be permitted if associated with financial institutions.
- b) Maximum combined total gross floor area of the first storeys of all buildings subject to this Exception - 35,000 m².
- c) Multi-storey buildings, where business office uses comprise 85% or more of the total gross floor area of a building, shall be exempt from the maximum permitted total gross floor area of the combined first storeys of all buildings.
- d) Maximum gross floor area of the first storey of any building shall be 4,500 m², except that:
 - i) The first storey of one (1) building may exceed 4,500 m² gross floor area to a maximum of 18,000 m² gross floor area.

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- e) Maximum gross floor area of an individual retail premise shall be 4,500 m², except that:
 - i) One (1) retail store premise may exceed 4,500 m² gross floor area to a maximum of 18,000 m² gross floor area.
- f) Minimum net floor area for an individual retail premise is 300 m², except that:
 - i) retail store premises may have a minimum net floor area of 93 m² provided the combined total net floor area of all retail premises, with net floor areas less than 300 m² shall not exceed 2,500 m².
- g) Supermarket:
 - i) Maximum number - one (1).
 - ii) Shall only be located within a retail store premise.
 - iii) Shall only be located in the retail store premise with a first storey gross floor area greater than 4,500 m².
- h) Outdoor storage is not permitted.
- i) Garden centre for the outdoor storage, display and sales of merchandise, is permitted subject to the following provisions:
 - i) Shall only be associated with the retail store premise with a total first storey gross floor area greater than 4,500 m².
 - ii) Maximum area - 700 m².
 - iii) Minimum setback from any lot line - 14 metres.
- j) Maximum exterior side yard parking area depth provisions do not apply.
- k) Loading spaces are not required for any building with a gross floor area less than 3,500 m².

7.374 JADE-KENNEDY DEVELOPMENT CORPORATION (SOUTH UNIONVILLE SQUARE) EAST SIDE OF KENNEDY ROAD BETWEEN CASTAN AVENUE AND SOUTH UNIONVILLE AVENUE
(By-law 2009-66)

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Notwithstanding any other provisions of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *374 on the Schedules of this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.374.1 Additional Permitted Uses

- a) One (1) supermarket;
- b) Car washes;
- c) Hotels; and
- d) Nightclubs.

7.374.2 Special use provisions

- a) The special provision that permits uses only in the first storey of an apartment or office building does not apply.
- b) The special provision that permits uses only in an office building does not apply.
- c) Multiple-unit buildings are permitted only within 30 metres of the streetline of Unity Gardens Drive.
- d) Apartment buildings may only locate within 70 metres of the Kennedy Road and South Unionville Avenue streetlines.
- e) For the purposes of this by-law all dwelling units in a multiple-unit building may be accessed directly from the outside.
- f) Maximum number of multiple dwellings - 28
- g) Maximum number of apartment dwellings – 480 253
- h) Car washes are only permitted within a parking garage.

7.374.3 Zone standards

Only the following specific zone standards apply:

- a) minimum required yard adjoining any street - 0 metres;
- b) minimum required building height - 9 metres;
- c) maximum permitted building height - 18 metres.
 - (i) Except within 70 metres of the Kennedy Road and South Unionville Avenue streetlines – 34 44 metres; and,
- d) maximum floor space index (FSI) – 2.

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7.374.4 Special Parking Provisions

- a) Apartment dwellings - a minimum of one (1) parking space per dwelling unit plus 0.20 parking spaces per unit for visitors.

7.375 EMK CONSTRUCTION AND TREELAWN CONSTRUCTION LTD. - 19T-06007 - PART OF LOT 23, CONCESSION 4

(By-law 2009-95)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *375 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.375.1 Zone Standards

The following specific zone standards apply:

- a) Maximum driveway width on lots not accessed by a lane: 3.5 metres; and
b) Maximum garage width on lots not accessed by a lane: 3.5 metres.

7.376 EMK CONSTRUCTION AND TREELAWN CONSTRUCTION LTD. - 19T-06007 - PART OF LOT 23, CONCESSION 4

(By-law 2009-95)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *376 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.376.1 Zone Standards

The following specific zone standards apply:

- a) Minimum required front yard: 7.5 metres;
b) Minimum required rear yard: 10.0 metres;
c) Minimum required side yard: 1.8 metres; and
d) Maximum building height: 10.0 metres.

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7.376.2 Special Site Provisions

The following additional provisions apply:

- a) Minimum lot area: 0.12 hectares
- b) Maximum lot coverage: 33%

7.377 EMK CONSTRUCTION AND TREELAWN CONSTRUCTION LTD.- 19T-06007 - PART OF LOT 23, CONCESSION 4 (By-law 2009-95)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *377 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.377.1 Special Site Provisions

The following, additional provisions apply:

- a) Minimum lot area: 0.09 hectares;
- b) One detached private garage is permitted in the easterly side yard having a gross floor area not exceeding 36.0 m²; and
- c) Detached accessory buildings are not permitted in any yard abutting the public park.

7.378 EMK CONSTRUCTION AND TREELAWN CONSTRUCTION LTD.- 19T-06007 - PART OF LOT 23, CONCESSION 4 (By-law 2009-95)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *378 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.378.1 Zone Standards

The following specific zone standards apply:

- a) Minimum required rear yard: 3.0 metres

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7.378.2 Special Site Provisions

The following additional provisions apply:

- a) Minimum lot area: 0.1 hectares;
- b) One detached private garage is permitted in the easterly side yard having a gross floor area not exceeding 36.0 m²; and
- c) Detached accessory buildings are not permitted in any yard abutting the public park.

7.379 1696913 ONTARIO INC. 19TM-95075 - PHASE II, PART OF LOT 25, CONCESSION 3

(By-law 2009-108)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *379 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.379.1 Only Uses Permitted

The following are the only uses permitted:

- a) Townhouse dwellings

7.379.2 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required exterior side yard -1.8m;
- b) Maximum height - 12.0m;
- c) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane;
- d) Rear yard provisions for main building with attached private garage:
 - i) Minimum required rear yard - 5.8m; and
 - ii) Maximum required rear yard - 6.5 m.
- e) In the case of a lot where any part of the rear lot line is curved or at an angle greater than 90 degrees to the interior side lot line, any portion of the main building with attached private garage may be, located farther than 6.5 metres from the rear lot line, provided the portion or point of the main building with attached

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private garage closest to the rear lot line is no more than 6.5 metres from the rear lot line;

- f) Minimum area of outdoor amenity space - 22.5m²;
- g) The outdoor amenity area above an attached private garage may be used as a portion of the outdoor amenity space
- h) A deck and associated stairs is permitted to encroach into the outdoor amenity space
- i) Provisions for Parking Pads
 - i) Minimum width of a parking pad - 2.6m;
 - ii) Minimum interior side yard - 0.0m on one side and 0.8m on the other side;
 - iii) Minimum exterior side yard- 1.8m; and
 - iv) Parking Pads may be located in the required rear yard setback area.
- j) Porches may encroach into the required interior side yard a distance of not more than 50% of the required interior side yard;
- k) For the purpose of this section, a lot that abuts a lane shall be deemed to abut a street; and
- l) For the purposes of this section, the lot line that abuts the buffer area shall be deemed the front lot line.

7.380 RESERVED

7.381 RESERVED

7.382 RESERVED

7.383 STOLLERY POND CRESCENT (LOT 11, 19TM-03004), PART OF LOT 20, CONCESSION 5 (FRANCIS STIVER HOUSE)
(By-law 2010-106)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *383 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.383.1 Only Permitted Uses

The following uses are the only uses permitted:

- a) A single detached dwelling unit; or

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b) A personal service shop.

7.383.2 Zone Standards

The following specific zone standards apply:

- a) Minimum required Front Yard 4 metres;
- b) Minimum north Side Yard 10 metres;
- c) Minimum south Side Yard 6 metres;
- d) Minimum west Side Yard 10 metres; and
- e) Minimum Rear Yard 10 metres.

7.383.3 Prohibited Uses

The following uses are prohibited:

- a) A shoe repair establishment, a dry cleaning depot, a dry cleaning establishment or similar service establishment.
- b) No buildings, structures, architectural elements including but not limited to asphalt, brickwork, concrete stonework or any other private infrastructure is permitted within 3.0 metres of any Open Space One (OS1) zone boundary.

7.384 GARAGE ZONE STANDARDS FOR R2 ZONE, ANGUS GLEN WEST VILLAGE (PHASE 2)

(By-law 2010-106)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *384 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.384.1 Zone Standards

The following specific zone standards apply:

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- a) Maximum garage width in the front or exterior side yard - 9 metres; and
- b) Maximum driveway width in the front or exterior side yard - 9 metres.

7.385 REAR YARD SETBACKS FOR LOTS ABUTTING OPEN SPACE ONE (OS1) ZONE BOUNDARY, ANGUS GLEN WEST VILLAGE - (PHASE 2)
(By-law 2010-106)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *385 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.385.1 Prohibited Uses

The following uses are prohibited:

- a) No buildings, accessory structures, architectural elements including but not limited to asphalt, brickwork, concrete stonework or any other private infrastructure is permitted within 3.0 metres of any Open Space One (OS1) zone boundary.

7.385.2 Special Site Provisions

The following additional provisions apply:

- a) Minimum required Rear Yard abutting Open Space One (OS1) zone boundary - 3.0 metres.

7.386 SIDE YARD SETBACK FOR LOTS ABUTTING OPEN SPACE ONE (OS1) ZONE BOUNDARY, ANGUS GLEN WEST VILLAGE - (PHASE 2)
(By-law 2010-106)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *386 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.386.1 Prohibited Uses

The following uses are prohibited:

- ~~b) a) No *buildings*, accessory structures, architectural elements including but not limited to asphalt, brickwork, concrete stonework or any other private infrastructure is permitted within 3.0 metres of any Open Space One (OS1) zone boundary.~~

7.386.2 Special Site Provisions

The following additional provisions apply:

- ~~b) a) Minimum required *Side Yard* abutting Open Space One (OS1) zone boundary - 3.0 metres.~~

7.387 ZONE STANDARDS FOR R4 STANDARDS, ANGUS GLEN WEST VILLAGE (PHASE 2) **(By-law 2010-106)**

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *387 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.387.1 Additional Permitted Uses

The following additional uses are permitted:

- ~~a) *Townhouse Dwellings*~~

7.387.2 Prohibited Uses

The following uses are prohibited:

- ~~a) No *buildings, structures*, architectural elements including but not limited to asphalt, brickwork, concrete stonework or any other private infrastructure is permitted within 3.0 metres of any Open Space One (OS1) zone boundary.~~

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7.387.3 Zone Standards

The following specific zone standards apply:

- a) Maximum number of dwelling units in an *apartment building* – 252; and
- b) Maximum number of *storeys* of an *apartment building* – 8.

7.387.4 Special Site Provisions

The following additional provisions apply:

- a) Minimum setback from the Open Space One (OS1) zone boundary - 7.5 metres; and
- b) Mechanical features, such as structures containing the equipment necessary to control an elevator are not deemed to be an additional *storey*.

7.388 RESIDENTIAL LOTS SOUTH OF DONALD COUSENS PAUKWAY, CORNELL (By-law 2009-195)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *388 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.388.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *rear yard* - 12.3 metres;
- b) Detached *private garages* and any *storey* above the first *storey* of a detached *private garage* shall be set back a minimum of 5.3 metres from the main building on the lot.

7.388.2 Special Site Provisions

The following additional provisions apply:

- a) The northerly *lot line* is deemed to be the *front lot line*;

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- b) No buildings or structures are permitted within 2.0 metres of the northerly lot line'.
- c) The minimum width of a parking space shall be 2.5 metres where the parking space is located on a parking pad between a private garage and a side lot line created by a Hydro Transformer Notch.

7.389 RESIDENTIAL LOTS NORTH OF SADDLEBROOK DRIVE, CORNELL (2009-195)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *389 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.389.1 Special Site Provisions

The following additional provisions apply:

- a) Maximum Setback From Rear Lot Line for Detached Private Garages - no maximum;
- b) The minimum width of a parking space shall be 2.5 metres where the parking space is located on a parking pad between a private garage and a side lot line created by a Hydro Transformer Notch.

7.390 MAJORWOOD DEVELOPMENTS 19T-02015 - PART OF LOT 21, CONCESSION 3 (By-law 2009-155)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *390 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

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7.390.1 Only uses permitted

The following uses are the only uses permitted:

- a) Townhouse Dwellings

7.390.2 Zone Standards

The following specific zone standards apply:

- a) Minimum lot depth - 26.0 m;
- b) Minimum required front yard - 3.5 m;
- c) Maximum lot coverage for detached garages - 20%;
- d) Maximum width of attached or detached private garage - 6.1 m;
- e) Minimum required rear yard - 0.6 m;
- f) Maximum required rear yard - 7.5 m;
- g) A detached private garage may share a common wall with an attached private garage on an abutting lot, and no setback from the interior side lot line is required on that side of the lot;
- h) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane;
- i) Minimum setback for a detached private garage from the main building on a lot - 5.0 m;
- j) Minimum required setback of porch or landing from front lot line - 1.5 m;
- k) Minimum required setback of porch stairs or landing stairs from front lot line - 0.75 m;
- l) Minimum required setback of porch, porch stairs, landing or landing stairs from exterior side lot line - 0.75 m;
- m) An underground cold cellar may also encroach into the required yard, provided an underground cold cellar is located entirely underneath the porch, porch stairs, landing or landing stairs;
- n) Provisions for outdoor amenity space:
 - i) Minimum area of outdoor amenity space - 27 sq. m;
 - ii) A deck and associated stairs is permitted to encroach into the outdoor amenity space.

7.391 MAJORWOOD DEVELOPMENTS 19T-02015 - PART OF LOT 21,
CONCESSION 3
(By-law 2009-155)

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Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *391 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.391.2 Zone Standards

The following specific zone standards apply:

- a) Minimum required front yard - 3.0 m;
- b) Minimum required setback of porch or landing from front lot line - 1.0 m; and
- c) Minimum required setback of porch stairs or landing stairs from front lot line - 0.25 m.

7.392 MAJORWOOD DEVELOPMENTS 19T-02015 - PART OF LOT 21, CONCESSION 3

(By-law 2009-155)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *392 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.392.1 Zone Standards

The following specific zone standards apply:

- a) Minimum required front yard- 4.5 m (2) (3).

7.393 GREENSBOROUGH NORTH

(By-law 2010-120)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *393 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.393.1 Zone Standards

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The following specific zone standards apply:

- a) On a wide shallow lot not accessed by a lane, with a lot frontage of 12.2 metres to 13.29 metres, the maximum:
 - i) Garage width - 5.5 metres
 - ii) Driveway width - 5.5 metres
- b) Minimum required front yard - 3.0 metres.

7.394 CERTAIN LOTS AND BLOC WEST OF DELRAY DRIVE AND NORTH OF ALFRED PATTERSON, PLAN 19TM-02013, PHASE 3-(By-law 2010-118) AND CERTAIN PART LOTS ON PLAN 19TM-06009 (By-law 2010-120)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *394 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.394.1 Special Site Provisions

The following additional provisions shall apply:

- a) Size of Porches
Porches are subject to the development standards that were in effect prior to January 18, 2005.
- b) Encroachments of Architectural Features and Balconies
The following provisions shall apply for window bays:
 - i) Window bays are not required to be cantilevered; and
 - ii) There is no maximum width.
- c) Encroachment of Porches and Underground Cellars
Porches and underground cellars are subject to the development standards that were in effect prior to January 18, 2005.

7.395 BLOCK 325, PLAN 19TM-06009
(By-law 2010-120)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *395 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically

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7.395.1 Zone Standards

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The following specific zone standards apply:

- a) Minimum required front yard - 3.0 metres;
- b) Minimum required exterior side yard - 3.0 metres;
- c) Minimum required interior side yard - 1.2 metres;
- d) Minimum required rear yard- 1.2 metres;
- e) Private garages (attached or detached) are subject to the following:
 - i) minimum setback from the rear lot line - 1.2 metres
 - ii) minimum setback from an interior side lot line - 1.2 metres
 - iii) minimum setback from the exterior side lot line – 13 metres
 - iv) minimum setback from the front lot line - 3.0 metres
 - v) the wall of an attached or detached private garage that contains- the opening for motor vehicle access shall be set back a minimum of 3.0 metres from the front lot line that is crossed by a driveway that accesses the private garage.

7.395.2 Special Site Provisions

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The following additional provisions shall apply:

- a) The Bitola Drive lot line shall be deemed to be the front lot line; and
- b) An attached or detached private garage may be located in any yard.

7.396 THROUGH LOTS ON THE WEST SIDE OF DELRAY DRIVE

(By-law 2010-118)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted with the symbol*396 on the Schedule 'A' to this By-law. All other provisions of this By-law, unless

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specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.396.1 Zone Standards

The following specific zone standards apply to *through lots*:

- a) *single detached dwellings* with an attached or detached *private garage* are permitted and are subject to the following specific zone standards:
 - i) Maximum *driveway* width - 6.1 metres;
 - ii) Maximum *garage* width - 6.1 metres;
 - iii) Minimum required *rear yard* - 4.5 metres;
 - iv) For a *single detached dwelling* with a detached *private garage* the following provisions apply:
 - a) no maximum setback to the *rear lot line* shall apply to a detached *private garage*; and
 - b) no minimum setback between a detached *private garage* and the *main building* on the *lot* shall apply.
 - v) An *outdoor amenity space* shall be provided and shall be subject to the following regulations:
 - a) The *outdoor amenity space* shall have a minimum area of 40 square metres;
 - b) Balconies and roofed porches shall not encroach into the required *outdoor amenity space*; and
 - c) Decks and associated stairs may encroach into the required *outdoor amenity space*.

7.396.2 Special Site Provisions

The following additional provisions shall apply:

- a) the Delray Drive street line shall be deemed to be the *front lot line*;
- b) The *street* adjoining the rear lot line shall be deemed to be a public *lane*; and
- c) *Motor vehicle* access shall only be from a public *lane*.

7.397 LOTS WITH A SIDE LOT LINE SEPARATED FROM THE DONALD COUSENS PARKWAY AND MAJOR MACKENZIE DRIVE BY AN OPEN

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SPACE ZONE LOTS 74, 86, 100, 101, 253, 254, 294 AND 295, PLAN 19TM-06009

(By-law 2010-120)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *397 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.397.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *front yard* - 3.0 metres;
- b) Minimum required *rear yard* - 7.0 metres; and
- c) A *private garage* is permitted to be within or attached to the *main building*.
- d) An attached one-storey *private garage* shall be located no closer than 0.6 metres from the *rear lot line*, provided a minimum *rear yard* of 7.5 metres is provided between the *main building* and the *rear lot line* across at least 50% of the width of the *lot*.

7.398 CROWN OF MARKHAM INC. (PHASE 1)

SINGLE DETACHED RESIDENTIAL EAST OF WOODBINE BY-PASS AND NORTH OF ANTHONY ROMAN AVENUE

(By-law 2009-164)

Notwithstanding any other provisions of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *398 on the Schedules to this By-law. All other provisions of the by-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.398.1 Zone Standards

The following specific zone standards apply:

- a) Minimum *lot frontage* - 11 m.
- b) Provisions for *outdoor amenity space*:
 - i) Minimum area of *outdoor amenity space* - 40 sq. m.

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- ii) Minimum additional area of landscaped open space to be provided in a location adjacent to the *dwelling unit* and contiguous with the *outdoor amenity space* - 10 sq. m.

7.399 ZONE STANDARDS FOR R2 STANDARDS, ANGUS GLEN WEST VILLAGE (PHASE 2)
(By-law 2010-106)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *399 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.399.1 Zone Standards

The following specific zone standards apply:

- a) Minimum *front yard* setback is 8.0 metres; and
- b) Maximum setback to the wall of the attached *private garage* that contains the opening for *motor vehicle* access is 11.5 metres.

7.399.2 Special Site Provisions

The following additional provisions apply:

- a) The *private garage* must be setback 1.0 m behind the *main wall* closest to the front property line.

7.400 VETMAR LIMITED 19TM-07001, PART OF LOT 27 &28, CONCESSION 3 19TM-07001
(By-law 2009-207)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *400 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.400.1 Only Uses Permitted

The following are the only uses permitted:

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- a) Semi-detached dwellings

7.400.2 Zone Standards

The following specific zone standards apply:

- a) Minimum lot frontage for semi-detached dwellings - 8.0 metres per unit;
- b) If two semi-detached dwellings are located on a corner lot, the minimum combined lot frontage is 18.5 metres; and
- c) Maximum height - 12.0m.

7.401 VETMAR LIMITED 19TM-07001, PART OF LOT 27 & 28, CONCESSION 3 19TM-07001 (By-law 2009-207)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *40I on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.401.1 Only Uses Permitted

The following are the only uses permitted:

- a) Townhouse dwellings

7.401.2 Zone Standards

Only the following specific Zone Standards apply:

- a) Maximum number of dwelling units - 19
- b) Minimum frontage - 6.0 metres per unit, 7.5 metres for an end unit
- c) No main building shall be located further than 22 metres from the front lot line
- d) Minimum front yard setback - 3.0 metres
- e) For the purposes of this section there is no rear lot line
- f) Minimum required interior side yard - 1.2 metres

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- g) Minimum required *exterior side yard* - 2.4 metres
- h) Maximum *height* - 12.0 metres
- i) A *private garage* is permitted to be within or attached to the *main building*
- j) Maximum garage width - 3.5 metres
- k) Provisions for *Parking Pads*
- l) Minimum width of a *parking pad* - 2.6m
- m) *Porches* may encroach into the required *interior side yard* a distance of not more than 50% of the required *interior side yard*
- n) For the purpose of this section, properties that abut a buffer area shall be deemed to abut a *street*
- o) For the purposes of this section, the *lot line* that abuts the buffer area shall be deemed *the front lot line*;
- p) *Driveways* that cross the front lot line to access the dwelling unit are not permitted.

7.402 VETMAR LIMITED 19TM-07001, PART, OF LOT 27 & 28, CONCESSION 3 19TM -07001
(By-law 2009-207)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *402 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.402.1 Only Uses Permitted

The following are the only uses permitted:

- a) *Townhouse dwellings*

7.402.2 Zone Standards

The following specific zone standards apply:

- a) Minimum *lot frontage* for end units on a *corner lot* -9.0 metres;
and
- b) Maximum *height* - 12.0 metres.

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7.403 VETMAR LIMITED 19TM-07001, PART OF LOT 27 &28, CONCESSION 3
19TM-07001
(By-law 2009-207)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *403 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.403.1 Only Uses Permitted

The following are the only uses permitted:

- a) Apartment dwellings;
- b) Art galleries;
- c) Bake shops;
- d) Business offices;
- e) Community centres;
- f) Commercial fitness centres;
- g) Convenience retail stores;
- h) Day nurseries;
- i) Financial institutions;
- j) Home occupations;
- k) Libraries;
- l) Medical offices;
- m) Multiple dwellings;
- n) Non-profit fitness centres;
- o) Personal service shops;
- p) Private clubs;
- q) Private home daycare;
- r) Repair shops;
- s) Restaurants;
- t) Restaurants, take-out;
- u) Retail stores;
- v) Schools, commercial;
- w) Supermarkets; and
- x) Townhouse dwellings.

7.403.2 Zone Standards

Only the following specific zone standards apply:

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- a) Minimum lot frontage - 19.2 metres;
- b) Minimum required front yard - 1.8 metres;
- c) Minimum required exterior side yard - 1.8 metres;
- d) Minimum required interior side yard - 0.0 metres;
- e) Minimum required rear yard - 3.0 metres;
- f) Minimum landscaped open space - 25%; and
- g) Maximum building height - 20.0 metres.

7.403.3 Special Site Provisions

The following additional provisions apply:

- a) Residential dwelling units are prohibited on the first storey in any building within 10 metres of "Street H" as outlined on Schedule 'A' hereto.
- b) For the purposes of this section, for the Community Amenity (CA-1) blocks on the south west side of street 'I', the lot line that abuts 'Street H' as outlined on Schedule 'A' hereto, shall be deemed the front lot line.

7.404 LOTS ABUTTING THE EAST SIDE OF MINGAY AVENUE SOUTH OF MAJOR MACKENZIE DRIVE **(By-law 2010-71)**

Notwithstanding any provisions in this by-law, the provisions in this section shall apply to those lands denoted by the symbol *404 on Schedule 'A' attached to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.404.1 Zone Standards

Only the following specific zone standards shall apply to semi-detached lots:

- a) Minimum lot frontage - 7.5m per unit
- b) Minimum lot depth - 30.0 metres
- c) Minimum required front yard - 0.6 metres
- d) Maximum permitted encroachment by architectural features such as sills, belt course, cornices, eaves, chimney breasts, pilasters, roof overhangs and window bays, into the

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- ~~required/rear yard - 0.3 metres~~
- ~~e) Maximum permitted encroachment into the minimum required front yard by a main wall, underground cellar, porch, and stairs accessing a porch - zero~~
- ~~f) Minimum required rear yard - 13.2 metres, except that the minimum rear yard for a one storey portion and attached garage is 0.6 metres~~
- ~~g) Detached private garages shall be set back a minimum of 6.0 metres from the main building on the lot.~~
- ~~h) Minimum required setback from the rear lot line for a detached private garage - 0.6 metres~~
- ~~i) Maximum permitted encroachment by architectural features such as sills, belt course, cornices, eaves, chimney breasts, pilasters and roof overhangs, into the setback required from the rear lot line for a private garage - 0.3 metres~~
- ~~j) Maximum driveway width - 6.4 metres~~
- ~~k) Maximum garage width - 6.4 metres~~
- ~~l) Maximum height of any portion of the building or structure located within 13.2 metres of the rear lot line - 5.0 metres~~
- ~~m) Attached private garages are also subject to the following:~~
 - ~~i) An outdoor amenity space shall be provided and shall be subject to the following regulations:~~
 - ~~a) The outdoor amenity space shall have a minimum area of 35 square metres and a minimum dimension of 7.0 metres on one side;~~
 - ~~b) No part of the required outdoor amenity space shall be located further than 14.5 metres from the rear lot line;~~
 - ~~c) Balconies and porches shall not encroach into the required outdoor amenity space; and~~
 - ~~d) Decks and associated stairs may encroach into the required outdoor amenity space.~~
- ~~n) Decks are subject to Section 6.2.1.~~
- ~~o) Other detached accessory buildings are subject to Section 6.4.~~

7.404.2 Special Site Provisions

The following specific provisions shall apply:

- ~~a) The Mingay Avenue streetline shall be deemed to be the front lot line.~~
- ~~b) Motor vehicle access to a lot shall only be from a public street adjoining the rear lot line.~~

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**7.405 DRIVEWAY AND GARAGE WIDTH FOR SINGLE DETACHED DWELLINGS,
WISMER COMMONS**

(By-law 2009-211)

Notwithstanding any provisions of this by-law, the provisions in this section shall apply to those lands denoted by the symbol *405 on Schedule "A" to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.405.1 Zone Standards

The following zone standards shall apply to wide shallow lots not accessed by a lane and with a lot frontage greater than 12.19 metres and less than 13.29 metres:

- a) Maximum width of private garage - 5.3 metres; and
- b) Maximum width of driveway - 5.8 metres.

**7.406 TOWNHOUSE BLOCKS FRONTING ONTO BUR OAK AVENUE EAST OF
MINGAY AVENUE, WISMER COMMONS**

(By-law 2009-211)

Notwithstanding any provisions of this by-law, the provisions in this section shall apply to those lands denoted by the symbol *406 on Schedule 'A' to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.406.1 Zone Standards

The following zone standards shall apply:

- a) Minimum required rear yard for the main building - 13.0 metres

7.406.2 Special Site Provisions

The following additional provisions apply:

- a) Minimum required interior side yard for a detached private garage - 0.3 metres on one side and 0.0 metres on the other side; and

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- b) Notwithstanding provision a) above, a detached *private garage* may share a common wall with one other detached *private garage* on an abutting *lot* and no setback from the *interior side lot line* is required on that side of the *lot*.

7.407 TOWNHOUSE BLOCKS EAST OF NINTH LINE, CORNELL

(By-law 2009-195)

Notwithstanding any provisions of this by-law, the provisions in this section shall apply to those lands denoted by the symbol *407 on the schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.407.1 Special Site Provisions

The following additional provisions apply:

- a) The westerly *lot line* is deemed to be the *front lot line*;
- b) The minimum width of a *parking space* shall be 2.5 metres where the *parking space* is located on a *parking pad* between a private garage and a *side lot line* created by a Hydro Transformer Notch.

7.408 LOTS NORTH OF 16th AVENUE, CORNELL

(By-law 2009-195)

Notwithstanding any provisions of this by-law, the provisions in this section shall apply to those lands denoted by the symbol *408 on die schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.408.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *rear yard* - 12.3 metres;
- b) Detached *private garages* and any *storey* above the first *storey* of a detached *private garage* shall be set back a minimum of 5.3 metres from the main building on the lot.

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7.408.2 Special Site Provisions

The following additional provisions apply:

- a) The southerly lot line is deemed to be the front lot line;

7.409 CORNELL CENTRE - LANDS NORTH OF HIGHWAY 7 AND WEST OF CORNELL CENTRE BOULEVARD (RESIDENTIAL THREE)

(By-law 2011-175)

Notwithstanding any other provision of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol "409 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.409.1 Permitted Uses

The following are the only uses permitted:

- i) Apartment dwellings; and
- ii) Multiple unit dwellings.

7.409.2 Zone Standards

Only the following specific zone standards shall apply:

- a) Minimum yard for all buildings and structures from a street line - 3.0 metres;
- b) Minimum floor space index of all buildings on lands zoned R3*409 - 1.5;
- c) Minimum required yard to a lot line of a building or structure located entirely below grade - 0 metres;
- d) Minimum number of storeys – 4; and
- e) Maximum number of storeys – 6.

7.409.3 Special Site provisions

The following site provisions apply:

- a) For the purposes of this by-law, multiple unit dwellings can have all the dwelling units accessed directly from the outside.
- b) Any ornamental roof construction features including towers, steeples or cupolas, shall not be included in the calculation of

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storeys. Mechanical features, including their screening and structures containing the equipment necessary to control an elevator, are permitted to project a maximum of 5.0 metres above the highest point of the roof surface, regardless of the number of storeys of the building.

7.409.4 Special Parking Provisions

The following provisions shall apply:

- a) Parking spaces required for uses on lands zoned R3*409 may be provided on lands zoned R3*410 provided that they are located on an adjoining lot or block and not separated by a public street.

7.410 CORNELL CENTRE - LANDS NORTH OF HIGHWAY 7, WEST OF CORNELL CENTRE BOULEVARD (RESIDENTIAL THREE HERITAGE BUILDING)

(By-law 2011-175)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *410 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, shall continue to apply to the lands subject to this exception.

7.410.1 Permitted Uses

The following are the only uses permitted:

- i) In a R3*410 (H3) zone category:
 - a) One single detached dwelling;
 - b) Home occupations; and
 - c) School, private.
- ii) In a R3*410 zone category:
 - a) One single detached dwelling;
 - b) Day nurseries;
 - c) Home occupations; and
 - d) School, private.

7.410.2 Zone Standards

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Only the following specific zone standards shall apply:

- a) Minimum required setback from a *streetline* -20 metres;
- b) Maximum *height* -10 metres;
- c) Minimum width of landscaping adjacent the *main wall* of a *building* - 10 metres;
- d) Minimum required setback to a *lot line* of a *building or structure* located entirely below grade - 0 metres; and
- e) Maximum gross floor area - 280 m².

7.410.3 Special Site Provisions

The following additional provisions apply:

- a) *Drive-through service facilities* are not permitted.

7.410.4 Special Parking Provisions

- a) The parking spaces required for uses on lands zoned R3*410 may be provided on lands zoned R3*409 provided that they are located on an adjoining *lot* or block and not separated by a *public street*.

7.411 CORNELL CENTRE - LANDS AT THE NORTHWEST CORNER OF HIGHWAY 7 AND CORNELL CENTRE BOULEVARD (COMMUNITY AMENITY TWO) - HIGH DENSITY - MIXED USE

(By-law 2011-175)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *411 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this Section, shall continue to apply to the lands subject to this exception.

7.411.1 Permitted Uses

The following are the only uses permitted:

- a) *Apartment dwellings*;
- b) *Private home daycare*;
- c) *Retail stores*;
- d) *Personal service shops*;
- e) *Business offices*;
- f) *Medical Offices*;
- g) *Financial Institutions*;

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- h) Private and commercial schools;
- i) Restaurants;
- j) Take out restaurants;
- k) Art galleries;
- l) Libraries;
- m) Museums; and
- n) Repair shops.

7.411.2 Zone Standards

Only the following specific zone standards shall apply:

- a) Minimum number of storeys – 8;
- b) Maximum number of storeys – 12;
- c) Minimum floor space index - 2.5;
- d) Maximum setback from the Highway 7 streetline - 4.5 metres; and
- e) Minimum setback from a streetline other than Highway 7-3.0 metres.

7.411.3 Special Site Provisions

The following additional provisions shall apply:

- a) The following uses are only permitted in the first storey and second storey:
 - i) Retail stores;
 - ii) Personal service shops;
 - iii) Business offices;
 - iv) Medical Offices;
 - v) Financial Institutions;
 - vi) Private and commercial schools;
 - vii) Restaurants;
 - viii) Take out restaurant;
 - ix) Art galleries;
 - x) Libraries;
 - xi) Museums; and
 - xii) Repair shops.
- b) Dwelling units shall not occupy more than 45% of the gross floor area of the ground floor of an apartment building.
- c) Maximum gross floor area for a retail premises - 500 m²
- d) Maximum gross floor area for retail and personal service

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shops - 1,020 m².

- e) Maximum gross floor area for all restaurants - 150 m².
- f) 50% of the road adjacent to the north lot line of the lands subject to this provision shall be included in the calculation of floor space index.
- g) The wall of any storey above the second storey, facing Highway 7, shall be located a minimum of 1.0 metre and a maximum of 3.0 metres farther from the Highway 7 streetline than the main wall of the first and/or second storey.
- h) Drive-through service facilities associated with any use are not permitted. The provisions of this exception shall apply collectively to the lands zoned CA2*411 notwithstanding any future division into more than one lot.
- i) The minimum storey requirement shall not apply to building connections, such as podium or roof top terraces.
- j) Any ornamental roof construction features including towers, steeples or cupolas, shall not be included in the calculation of storeys. Mechanical features, including their screening and structures containing the equipment necessary to control an elevator, are permitted to project a maximum of 5.0 metres above the highest point of the roof surface, regardless of the number of storeys of the building.

7.411.4 Special Parking Provisions

The following parking provisions apply:

- a) One bedroom unit - 1 parking space per dwelling unit.
- b) Two and three bedroom units 1.12 parking spaces per dwelling unit.
- c) Each building shall provide a minimum of 85 parking spaces designated for visitor and non-residential uses, including 0.2 parking spaces per unit for visitor parking.
- d) For the purposes of this by-law, the shopping centre parking calculation shall not be used.

7.412 NEIGHBOURHOOD COMMERCIAL

(By-law 2010-35)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *412 on the Schedule

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to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.412.1 Additional Permitted Uses

The following additional uses are permitted:

- a) Gas bar;
- b) Motor vehicle service station; and
- c) Restaurant.

7.412.2 Prohibited Uses

The following uses are prohibited:

- a) Outdoor storage; and
- b) Drive-through service facility.

7.412.3 Zone Standards

The following specific Zone Standards apply:

- a) Maximum lot area - 2.0 hectare;
- b) Minimum lot frontage - 0 metres;
- c) Minimum required yard from the Major Mackenzie Drive streetline - 6.0 metres;
- d) Minimum required yard from the Donald Cousens Parkway streetline - 3.0 metres
- e) Minimum required yard from the easterly lot line - 1.5 metres;
- f) Minimum required yard from the northwest streetline adjacent to the intersection of Major Mackenzie Drive and Donald Cousens Parkway -12.0 metres;
- g) Minimum width of landscaping abutting all lot lines, except for the easterly lot line - 3.0 metres;
- h) Minimum width of landscaping abutting the easterly lot line- 1.5 metres;
- i) Minimum required distance of parking spaces from all lot lines, except for the easterly lot line - 6.0 metres; and
- j) Maximum front yard - 0 metres.

7.412.4 Special Site Provisions

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The following additional provisions apply:

- a) The maximum *net floor area* of any individual *premises* shall be 300 square metres; and
- b) An *accessory retail store* is permitted within a *gas bar building* provided the maximum *net floor area* for the *accessory retail store* does not exceed 120 square metres.

7.413 TO INCORPORATE LANDS INTO THE DESIGNATED AREA OF THIS BY-LAW

(By-law 2010-15)

7.413.1 Zone Standards

The following specific zone standards apply:

- a) Minimum *lot frontage* for *single detached* dwellings on a *lot* not accessed by a *lane* - 9.0 metres;
- b) Minimum *lot frontage* for *semi-detached* dwellings on a *lot* not accessed by a *lane* - 7.8 metres; and
- c) Minimum *garage* width for *single detached* dwellings on a *wide-shallow lot* with a *frontage* of less than 10.7 m - 3.5 m.

7.414 MONARCH CORPORATION - CATHEDRAL TOWN SOUTH SUBDIVISION PHASE II - PART OF LOT 22, CONCESSION 3

(By-law 2010-17)

Notwithstanding any other provision of this By-law the provisions in this section shall apply to those lands denoted by the symbol *414 on Schedule 'A' to this By-law. All other provisions of this By-law, unless, specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.414.1 Only Uses Permitted

The following are the only uses permitted:

- a) *Townhouse dwellings*

7.414.2 Zone Standards

The following specific *Zone Standards* apply:

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- a) Maximum height - 12.0m;
- b) Minimum lot frontage - 6.0 metres per unit on an interior lot, 7.5 metres for an end unit on an interior lot and on a corner lot;
- c) For the purposes of this section, the lot line that abuts Street 'B' shall be deemed the front lot line;

**7.415 MONARCH CORPORATION - CATHEDRAL TOWN SOUTH SUBDIVISION
PHASE II - PART OF LOT 22, CONCESSION 3**

(By-law 2010-17)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *415 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.415.1 Zone Standards

The following specific Zone Standards apply:

- a) Maximum driveway and garage width on a lot not accessed by a lane - 6.1m;

**7.416 MONARCH CORPORATION - CATHEDRAL TOWN SOUTH SUBDIVISION
PHASE II - PART OF LOT 22, CONCESSION 3**

(By-law 2010-17)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *416 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.416.1 Zone Standards

The following specific zone standards apply:

- a) Special Provisions 7.198.2 b), d), j), k), l) and 7.198.3 a) shall not apply;
- b) Minimum lot depth - 24.0 m;
- c) Rear yard provisions for main building with attached private garage:
 - i) Minimum required rear yard - 0.6 m;

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- ii) Maximum rear yard - 7.5 m;
- d) Provisions for outdoor amenity space:
 - i) Minimum area of outdoor amenity space - 27 sq. m;
 - ii) A flat roof of an attached private garage may be used as the required outdoor amenity space.

7. 417 NEIGHBOURHOOD COMMERCIAL

(By-law 2010-35)

Notwithstanding any other provisions of this By-law the provisions in this Section shall apply to those lands denoted by the symbol *417 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.417.1 Additional Permitted Uses

The following additional use is permitted:

- a) Restaurant

7.417.2 Prohibited Uses

The following uses are prohibited:

- a) Outdoor storage; and
- b) Drive-through service facility.

7.417.3 Zone Standards

The following specific Zone Standards apply:

- a) Maximum lot area - 2.0 hectares;
- b) Minimum lot frontage - 0 metres;
- c) Minimum required yard from the Major Mackenzie Drive streetline - 6.0 metres;
- d) Minimum required yard from the Donald Cousens Parkway streetline - 3.0 metres;
- e) Minimum required yard from the easterly lot line - 6.0 metres;
- f) Minimum required yard from the westerly lot line - 1.5 metres;
- g) Minimum width of landscaping abutting all lot lines, except for the westerly lot line - 3.0 metres;

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- h) Minimum width of *landscaping* abutting the westerly *lot line* - 1.5 metres;
- i) Minimum required distance of *parking spaces* from all *lot lines*, except for the westerly lot line - 6.0 metres; and
- j) Maximum front yard - 0 metres.

7.417.4 Special Site Provisions

The following additional provision applies:

- a) The maximum *net floor area* of any individual *premises* shall be 300 square metres, except that one *retail store* with a maximum *net floor area* of 1450 square metres is permitted.

7.418 PART OF LOT 8, PLAN 2196, AND MUNICIPALLY KNOWN AS 251 AND 271 HELEN AVENUE AND THE NORTHERN PORTION OF THE ABUTTING VACANT LOT TO THE EAST

(By-law 2010-38)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by symbol *418 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section continue to apply to the lands subject to this Section.

7.418.1 Zone Standards

The following specific zone standards apply as shown on Schedules 'A' and 'B':

- a) minimum LOT FRONTAGE Lots 1 and 2 15m
- b) minimum LOT FRONTAGE Lots 3 and 4 11.5m
- c) minimum LOT FRONTAGE Lots 5-10 10m
- d) minimum LOT FRONTAGE Lot 11 12m
- e) minimum LOT DEPTH 43m

7.418.2 Special Site Provisions

The following additional provisions apply:

- a) The maximum number of lots permitted within the area covered by this By-law, as shown on Schedule 'A' shall be 11.

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**7.419 MATTAMY (ROBINSON CREEK) LIMITED (19TM-03008, PHASE 3) PART
OF LOT 16, CONCESSION 7**

(By-law 2010-45)

Notwithstanding any other provision of this By-law, the provision in this Section shall apply to those lands denoted by the symbol *419 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.419.1 Zone Standards

The following specific zone standards apply:

- a) The maximum garage width and driveway width on a *wide shallow lot* with a frontage of 13.1 metres and not accessed by a lane - 5.8 metres; and
- b) Minimum lot depth of a *wide shallow lot* - 25 metres.

7.420 CORNELL ROUGE

(By-law 2010-67)

Notwithstanding any other provisions of this By-law, the following provisions in this section shall apply to the lands denoted by the symbol *420 on the Schedules to this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

7.420.1 Permitted Uses:

The following is the only permitted use:

- a) One *place of worship*

7.420.2 Zone Standards

The following specific zone standards apply:

- a) Minimum width of *landscaped open space* adjacent to the *front lot line* - 6.0 metres;
- b) Minimum width of *landscaped open space* adjacent to all other *lot lines* - 3.0 metres; and

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7.420.3 Special Site Provisions

The following specific site provisions shall apply:

- a) The north *lot line* is deemed to be the *front lot line*.
- b) *Buildings* may encroach a maximum of 3.0 metres into the required *landscaped open space* adjacent to the *front lot line*.
- c) No *parking areas* or *driveways* shall be permitted between the *building* and the *front lot line*.

7.421 DANVEST WISMER INVESTMENTS LTD. AND DOVCOM REALTY INC.

(By-law 2010-109)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *421 on Schedules 'A1' and 'A2' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.421.1 Zone Standards for Residential Two and Residential Two-Special Zones

The following specific zone standards apply:

- a) Minimum required *interior side yard* on a *lot* where a the *interior side lot line* abuts a *lane* - 1.2 metres;
- b) Minimum *interior side lot line* for a *driveway* that crosses the *front lot line*- 0.3 metres; and
- c) Minimum *lot depth* of a *wide shallow lot* - 24.5 metres.

7.421.2 Zone Standards for Residential Two - Lane Access Zones

The following specific zone standards apply:

- a) Minimum *parking space* width on a *parking pad* - 2.65 metres.

7.422 NORTHEAST CORNER OF McCOWAN ROAD AND BUR OAK AVENUE, WISMER COMMONS

(By-law 2010-69)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *422 on the Schedule to this By-law. All other provisions of this By-law, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.422.1 Zone Standards

The following specific Zone Standards apply:

- a) Minimum required *front yard* - 4.5 metres;
- b) Minimum required *rear yard* - 2.0 metres;
- c) Minimum required *exterior side yard* - 2.0 metres;
- d) Minimum required *interior side yard* - 7.0 metres;
- e) Maximum *height* - 14 metres; and
- f) Minimum required *lot frontage* - not applicable.

7.422.2 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding any further division or partition of lands subject to this Section, all lands zoned R2*422 shall be deemed to be one lot for the purposes of this By-law.
- b) The Bur Oak Avenue *streetline* is deemed to be the *front lot line*.
- c) The *main wall* of a *dwelling unit* shall be set back a minimum of 6.0 metres from the centerline of a private road.
- d) The *main wall* of an attached *private garage* that contains the opening for motor vehicle access shall be set back a minimum of 8.6 metres from the centerline of a private road.
- e) Maximum driveway width for townhouse units -3.5 metres.
- f) Maximum garage width for townhouse units - 3.5 metres.
- g) Maximum number of dwelling units – 47.
- h) Detached accessory buildings are not permitted.
- i) Parking spaces for the physically disabled shall not be required.

7.423 SOUTHEAST CORNER OF McCOWAN ROAD AND BUR OAK AVENUE, WISMER COMMONS

(By-law 2010-151)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *423 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

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7.423.1 Zone Standards

The following additional specific Zone Standards apply:

- a) Minimum required *lot frontage* - 4.25 metres;
- b) Minimum required *front yard* - 3.0 metres;
- c) Maximum permitted *front yard* - 15.0 metres;
- d) Minimum required *rear yard* - 6.0 metres;
- e) Maximum permitted *rear yard* - 14.0 metres; and
- f) Maximum *height* - 14.0 metres.

7.423.2 Special Site Provisions

The following additional provisions apply:

- a) The north property line, abutting Bur Oak Avenue is deemed to be the *front lot line*.
- b) The *main wall* of an attached *private garage* that contains the opening for motor vehicle access shall be set back a minimum of 6.0 metres from the *rear lot line*.
- c) An opening for a door in a wall facing the rear *lot line* used to access the *dwelling unit* shall be set back no further than 2.0 metres from the *main wall* of an attached *private garage*.
- d) Maximum *driveway width* for *townhouse units* - 3.0 metres.
- e) Maximum *garage width* for *townhouse units* - 3.5 metres.
- f) Maximum number of units – 30.

7.424 GREENSBOROUGH NORTH - 19TM-06009 - NORTHWEST CORNER OF BITOLA DRIVE AND PELISTER DRIVE

(By-law 2010-170)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol 424 on Schedule 'A' to this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.424.1 Zone Standards

The following specific zone standard applies:

- a) Minimum required rear yard - 1.2 metres.

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**7.425 CEDARDALE MARKHAM INC. SOUTHEAST CORNER OF HIGHWAY 48
AND CASTLEMORE AVENUE MIXED USE - HIGH DENSITY
DEVELOPMENT AND COMMERCIAL RETAIL**
(By-law 2011-173)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol MJC*425 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.425.1 Prohibited Uses

The following uses are prohibited:

- a) *Places of worship*

7.425.2 Additional Permitted Uses

The following additional uses are permitted:

- a) *Apartment dwellings;*
- b) *Multiple dwellings; and*
- c) *Townhouse dwellings.*

7.425.3 Zone Standards

The following specific zone standards apply:

- a) *Minimum lot frontage (Highway 48) -130 metres;*
- b) *Minimum lot area - 1.8 hectares;*
- c) *Maximum residential floor space index (FSI) – 2;*
- d) *Maximum non-residential floor space index (FSI) - 0.3;*
- e) *Maximum height of apartment building - 70 metres;*
- f) *Maximum number of storeys – 20;*
- g) *Maximum number of dwelling units – 500;*
- h) *Maximum residential gross floor area - 50,000 m²;*
- i) *Maximum non-residential gross floor area - 4,800 m²;*
- j) *Maximum number of surface parking spaces – 162;*
- k) *Maximum front yard along Highway 48 – 20 metres;*
- l) *Minimum landscaped open space along Highway 48 - 4.5 metres;*

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- ~~m) Minimum landscaped open space along Anderson Avenue - 6 metres;~~
- ~~n) Minimum landscaped open space along Castlemore Avenue - 0 metres;~~
- ~~o) Minimum landscaped open space along the south property line - 0 metres;~~
- ~~p) The main wall of any storey above the first storey shall be setback a minimum of 5 metres from the main wall of the first storey along Highway 48, and a minimum of 7 metres along Castlemore Avenue;~~
- ~~q) Minimum exterior side yard along Castlemore Avenue - 0 metres; and~~
- ~~r) Minimum interior side yard - 5 metres.~~

7.425.4 Special Site Provisions

The following additional provisions shall apply:

- ~~a) For the purposes of this by-law the Highway 48 property line shall be deemed the front lot line.~~
- ~~b) Parking for residential uses shall be provided at a rate of:
 - ~~(i) 1.1 parking space per apartment-dwellings;~~
 - ~~(ii) 2 parking spaces per townhouse dwellings; and~~
 - ~~(iii) 0.2 visitor parking space per dwelling unit.~~~~
- ~~c) Maximum depth of parking area between the main building and Highway 48-12 metres.~~
- ~~d) The underground parking garage or structure can encroach into the required yards or a maximum of 0.6 metres from any property line.~~
- ~~e) For the purposes of this by-law, the shopping centre parking rate shall not be used.~~
- ~~f) Restaurants that have a combined total net floor area of less than 240 square metres shall provide 1 parking space per 30 square metres of net floor area.~~
- ~~g) Access ramps are permitted to encroach into landscaped open space areas.~~

7.426 CERTAIN PART LOTS ON PLAN 19TM-02013, PHASE 3

(By-law 2010-118)

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Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted with the symbol *426 on Schedule 'A2' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.426.1 Special Site Provisions

The following additional provisions shall apply:

- a) Size of Porches
Porches are subject to the development standards that were in effect on January 18, 2005.
- b) Encroachment of Architectural Features and Balconies
Architectural features and balconies are subject to encroachment provisions that were in effect on January 18, 2005
- c) Encroachment of Porches and Underground Cellars
Porches and underground cellars are subject to encroachment provisions that were in effect on January 18, 2005.

7.427 CEDARDALE MARKHAM INC.

(By-law 2011-173)

Southeast corner of Highway 48 and Castlemore Avenue Open Space One (OS1) Zone Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *427 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.427.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) Public park.

7.427.2 Zone Standards

The following specific zone standards shall apply:

- a) Minimum area of the OS 1 zone - 0.2 hectares.

7.427 3 Special Site Provisions

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The following special site provisions shall apply:

- a) For the purposes of this By-law, a *Public Park* includes land and outdoor amenity space, owned and maintained by a private entity, to which the public has access, and which may have an underground parking garage associated with the adjacent residential and commercial/ retail development.

7.428 NORTHWEST CORNER OF 16TH AVENUE AND ALENXANDER LAWRIE AVENUE

(By-law 2010-135)

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Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *428 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, continue to apply.

7.428.1 Uses Permitted

The following shall be the only permitted uses:

- i) One (1) *Place of worship* ii) One (1) *Day nursery*.

7.428.2 Zone Standards

The following specific zone standards apply:

- a) Minimum *INTERIOR SIDE YARD* - 6.0 metres;
- b) Minimum *LANDSCAPED OPEN SPACE*:
- i) abutting the *FRONT LOT UNE* - 6.0 metres;
- ii) abutting the *EXTERIOR SIDE LOT UNE* - 3.0 metres;
- iii) abutting the *INTERIOR SIDE LOT LINE* - 4.5 metres; and
- iv) abutting the *REAR LOT LINE* - 4.5 metres.

7.428.3 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding any future division and partition of lands, the provisions of exception *428 shall continue to apply to the lands denoted by the symbol *428 as it existed on the date of the passing of this By-law amendment.

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- b) For the purposes of this By-law, the south LOT LINE 16th Avenue shall be deemed to be the FRONT LOT LINE.
- c) The building existing on Part 5 of Plan 65R-26001 on the date of the passing of this By-law may only be used for office use accessory to the PLACE OF WORSHIP.
- d) The permitted DAY NURSERY shall be located within the PLACE OF WORSHIP building.

7.429 RESERVED

7.430 RESERVED

7.431 RESERVED

7.432 CORNELL COMMUNITY

(By-law 2010-108)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *432 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.432.1 Only Uses Permitted

The following uses are the only uses permitted:

- a) Townhouse dwelling units.

7.432.2 Zone Standards

The following specific zone standards apply:

- a) Minimum rear yard - 0.6 metres.
- b) Minimum setback for a detached private garage from the main building on the lot - 5.0 metres.

7.432.3 Special Site Provisions

The following additional provisions shall apply:

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- a) A private garage is permitted to be attached to the main building, if the lot is accessed by a lane, subject to the following:
 - i) a minimum lot frontage of at least 7.0 metres; and,
 - ii) a minimum lot depth of 27.0 metres.
 - iii) an outdoor amenity space shall be provided and shall be subject to the following regulations:
 - 1. the outdoor amenity space shall have a minimum area of 25 square metres and, a minimum dimension of 3.5 metres on one side.

7.433 CROWN OF MARKHAM COMMUNITY AMENITY AREA 19TM-09002, PART OF LOT 23, CONCESSION 3
(By-law 2011-165)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *433 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.433.1 Only Uses Permitted

The following are the only uses permitted:

- a) Apartment dwellings;
- b) Art galleries;
- c) Bake shops;
- d) Business offices;
- e) Community centres;
- f) Commercial fitness centres;
- g) Convenience retail stores;
- h) Day nurseries;
- i) Financial institutions;
- j) Home occupations;
- k) Libraries;
- l) Medical offices;
- m) Multiple dwellings;
- n) Non-profit fitness centres;
- o) Personal service shops;

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- ~~p) Private clubs;~~
- ~~q) Private home daycare;~~
- ~~r) Repair shops;~~
- ~~s) Restaurants;~~
- ~~t) Restaurants, take-out;~~
- ~~u) Retail stores;~~
- ~~v) Schools, commercial;~~
- ~~w) Supermarkets; and~~
- ~~x) Townhouse dwellings.~~

7.433.2 Zone Standards

Notwithstanding the standards outlined on Table B7, only the following specific zone standards apply:

- a) Minimum required row yard - 3.0 metres;
- b) Minimum required exterior side yard - 3.0 metres;
- c) Minimum required interior side yard - 0.0 metres; and
- d) Maximum building height - 14.0 metres.

7.433.3 Special Site Provisions

The following additional provisions apply:

- a) Residential dwelling units are prohibited on the first storey in any building.
- b) Maximum number of dwelling units: 78
- c) For the purposes of this section, the lot line that abuts High Street as outlined on Schedule 'A' hereto, shall be deemed the front lot line.
- d) For the purposes of this section, all dwelling units within a multiple unit building can be accessed directly from the outside.

7.434 MINIMUM PARKING REQUIREMENTS FOR APARTMENT DWELLINGS

(By-law 2011-46, January 25/11)

Notwithstanding any other provision of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *434 on the Schedules to this By-law. All provisions, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.434.1 Special Parking Provision:

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The following parking provision applies:

Apartment dwellings: 1.2 parking spaces per dwelling unit plus 0.1 parking spaces per dwelling unit for visitors (including guest suites)

7.435 INTERNAL LOTS ACCESSED BY A ROAD

(By-law 2011-48, January 25/11)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *435 on the schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.435.1 Zone Standards

The following specific zone standards apply:

- a) Minimum lot frontage - 6.0m; and
- b) Minimum lot frontage for an end unit on a corner lot - 8.4m.

7.435.2 Special Site Provision

The following additional provisions apply:

No part of the main wall of the first storey facing the front lot line shall be located farther than 6.5 metres from the front lot line. For the purposes of this Special Provision, the wall and/or foundation of a covered porch above established grade and facing the front lot line may be considered part of the main wall of the building.

In the case of a lot where any part of the front lot line is curved, any portion of the main wall facing the front lot line may be located farther than 6.5 metres from the front lot line, provided the portion or point of the main wall closest to the front lot line is no more than 6.5 metres from the front lot line.

7.436 INTERNAL LOTS ACCESSED BY A REAR LANE

(By-law 2011-48, January 25/11)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *436 on the schedule to this By-law. All other provisions of this By-law, unless specifically

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modified/amended by this section, continue to apply to the lands subject to this Section.

7.436.1 Zone Standards

The following specific zone standards apply:

- a) Minimum lot frontage - ~~4.0m~~ 3.9m
- b) Minimum lot frontage for an end unit on a corner lot - 6.4m;
- c) Minimum required front yard - 3.0m; and
- d) Minimum required rear yard - 5.8m.
- e) Maximum height – 12.0m

7.436.2 Special Site Provision

The following additional provisions apply:

- a) For the purposes of this by-law, all lots are deemed to be wide shallow lots; and
- b) A private garage is permitted to be within or attached to the main building.

7.437 LOTS ADJACENT TO MAJOR MACKENZIE DRIVE AND McCOWAN ROAD ACCESSED BY A REAR LANE

(By-law 2011-48, ~~January 25/11~~)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *437 on the schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.437.1 Zone Standards

The following specific zone standards apply:

- a) Minimum lot frontage - ~~4.0m~~ 3.9m
- b) Minimum lot frontage for an end unit on a corner lot - 6.4m;
- c) Minimum required front yard - 0.6m;
- d) Minimum required rear yard - 5.8m;
- e) Minimum building setback from a daylighting triangle abutting McCowan Road - 0.6m; and

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- f) Sills, cornices, eaves and roof overhangs may be located no closer than 0.1 metres from a daylighting triangle abutting McCowan Road.
- g) Maximum height – 12.0m

7.437.2 Special Site Provision

The following additional provisions apply:

- a) For the purposes of this by-law, all lots are deemed to be wide shallow lots;
- b) A private garage is permitted to be within or attached to the main building; and
- c) The rear lot line shall be deemed to be abutting a lane.

7.438 MILLIKEN DEVELOPMENT CORPORATION - PART OF 31, 67 & 73 OLD KENNEDY ROAD AND 4550 & 4576 STEELES AVENUE

(By-law 2011-87, April 5/11 amended by By-law 2012-237, November 13/12)

Notwithstanding any other provision of this By-law, the provisions of this section shall apply to those lands denoted by the symbol *438 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.438.1 For the purpose of this exception:

- (i) The following definitions shall apply:

(a) FLOOR AREA, GROSS:

Means the aggregate of the floor areas of a building above or below established grade, but excluding car parking areas within the building, vestibules, stairwells, elevator shafts, service/mechanical rooms and penthouses, common washrooms, garbage/recycling rooms, staff locker and lunch rooms, resident lockers, communal laundry rooms, loading areas, rooftop recreational uses, and any space with a ceiling height of less than 1.8 metres and any part of a basement that is unfurnished, is used solely for storage purposes and is not accessible to the general public.

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(b) LONG TERM CARE FACILITY:

Means a premises regulated through the Ministry of Health and Long Term Care, or any successor, that provides accommodation for people requiring a broad range of 24 hour health care, personal care and support care within a supervised and secured setting and where common facilities for the preparation and consumption of food are provided and, common lounges, recreation rooms, medical care facilities and personal services, may also be provided.

(c) ROOFTOP RECREATIONAL USES:

Means uses that serve recreational functions and which are located on the roof of a six or eight storey building, accessory to a RETIREMENT HOME or LONG TERM CARE FACILITY and used solely by residents and their guests.

(ii) Parcels A and B are shown on Schedule B attached hereto."

(i) The following definitions shall apply:

(a) LOT FRONTAGE:

Lot frontage is the horizontal distance between the interior side and/or exterior side lot lines, with such distance being measured perpendicularly to the line joining the mid-point of the front lot line with the mid-point of the rear lot line at a point on that line 60 metres from the front lot line.

(b) LONG TERM CARE FACILITY:

Means a provincially regulated premise that provides accommodation for people requiring a broad range of 24 hour health care, personal care and support care within a supervised and secure setting and where common facilities for the preparation and consumption of food are provided and, common lounges, recreation rooms, medical care facilities and personal services, may also be provided.

(ii) BUILDINGS 2A, 2B, 4A and 4B are shown on Schedule 8.9, attached hereto.

7.438.2 Prohibited Uses

The following uses are prohibited:

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- (a) Motels;
- (b) Hotels; and
- (c) Apartment dwellings.

7.438.3 Only Permitted Uses

The following institutional uses are the only permitted uses:

- (a) A provincially regulate retirement home;
- (b) A provincially regulated long term care facility and,
- (c) Accessory uses associated with the permitted uses above.

7.438.4 Zone Standards

(a) For the purpose of this By-law Sun Yat-Sen Avenue is considered the FRONT LOT LINE.

(b) For the purpose of this By-law Sun Yat-Sen Avenue is considered a PUBLIC STREET.

(c) Minimum LOT FRONTAGE – 130 metres

(d) Minimum LOT AREA – 0.6 ha

(e) Maximum number of STOREYS for Parcel A – 6 STOREYS except:

(i) Between 11 and 14.5 metres of the north LOT LINE – 4 STOREYS

(ii) Between 14.5 and 19 metres of the north LOT LINE – 5 STOREYS

(iii) Between 14.5 and 19 metres of the north LOT LINE but located between 60 metres and 80 metres from the west property boundary as shown on Schedule B measured from the intersection of the west property boundary and the rear LOT LINE – 6 STOREYS

(iv) ROOFTOP RECREATIONAL USES are not considered a STOREY provided they do not occupy more than 35% of the roof area and do not exceed a height of 5 metres

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(f) Maximum number of STOREYS for Parcel B – 8

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STOREYS except:

- (i) Within 45 metres of the west property boundary as shown on Schedule B – 24 STOREYS
- (ii) ROOFTOP RECREATIONAL USES are not considered a STOREY provided they do not occupy more than 35% of the roof area and do not exceed a height of 5 metres

(g) Maximum FLOOR SPACE INDEX:

- (i) Parcel A – 3.0
- (ii) Parcel B – 5.75

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(h) Minimum width of LANDSCAPING:

- (i) Adjacent to an existing or future PUBLIC STREET – 3 metres
- (ii) Adjacent to the north LOT LINE of Parcel A – 11 metres
- (iii) Abutting the east building wall for Parcel A – 2 metres

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(i) MINIMUM REQUIRED YARDS:

(i) For lands within Parcel A on Schedule B:

(a) REAR YARD

- i. for portions that are 4 STOREYS or less – 11 metres
- ii. for portions that are 5 STOREYS – 14.5 metres
- iii. for portions that are 6 or more STOREYS – 19 metres
- iv. for portions that are 6 STOREYS located between 60 metres and 80 metres of the west property boundary shown on Schedule B measured from the intersection of the west property boundary and the rear LOT LINE – 14.5 metres

(b) EAST YARD – 2 metres

(c) FRONT YARD – 3 metres

(d) WEST YARD – 7 metres

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- (ii) For lands within Parcel B of Schedule B:
- (a) FRONT YARD – 3 metres
 - (b) EAST YARD – 3 metres
 - (c) REAR YARD:
 - i. for portions that are 24 STOREYS - 10 metres
 - ii. for portions that are 8 STOREYS - 21 metres
 - iii. for portions that are 4 STOREYS – 22 metres
 - iv. for portions that are 1 STOREY - 16 metres
 - v. for portions that are 8 STOREYS located between 118 metres and 152 metres from the west property boundary shown on Schedule B as measured from the intersection of the west property boundary and the rear LOT LINE – 0 metres
 - (d) WEST YARD – 10 metres
- (iii) Underground parking garages are not subject to the MINIMUM REQUIRED YARDS restrictions, and any passageways/connections between underground parking garages contained within Parcel A and B may be connected below a PUBLIC STREET which bisects Parcel A and B as shown on Schedule B”

~~Minimum lot frontage – 44 metres~~

~~Minimum lot area – 0.6 ha~~

~~Maximum number of storeys – as identified on Schedule 8.9, attached:~~

~~(i) The following additional provisions apply to buildings 4A and 4B, as identified on Schedule 8.9:~~

~~(a) Maximum number of STOREYS between 9 and 14.5 metres of the north LOT LINE – 4; and~~

~~(b) Maximum number of STOREYS between 14.5 and 19 metres of the north LOT LINE – 6.~~

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- ~~(d) Maximum FLOOR SPACE INDEX (FSI):~~
~~(i) Lands north of Thelma Avenue (Buildings 4A and 4B) 3.0; and~~
~~(ii) Lands south of Thelma Avenue (Buildings 2A and 2B) 4.8.~~
- ~~(e) Minimum width of LANDSCAPING:~~
~~(i) adjacent to Thelma Avenue 3m;~~
~~(ii) adjacent to Midland Avenue 3m; and~~
~~(iii) Lands north of Thelma Avenue:~~
~~adjacent to north LOT LINE 3 m; and~~
~~adjacent to north LOT LINE & within 65 metres from Midland Avenue 8m~~
- ~~(f) MINIMUM REQUIRED YARDS are outlined on Schedule 8.9, attached.~~

7.438.5 Special Site Provisions

- ~~(a) Individual units within the RETIREMENT HOME(S) may contain kitchenettes with cooktops provided that the RETIREMENT HOME(S) contain common facilities for the preparation and consumption of food and that such common facilities are separately located within each of the BUILDINGS.~~
- ~~(b) ACCESSORY USES are permitted provided they:~~
~~(i) Are located within the first three STOREYS of the BUILDING;~~
~~(ii) Do not occupy more than 5% of the total BUILDING GROSS FLOOR AREA~~
~~(iii) Are intended for use by the BUILDING occupants and their guests only~~
- ~~(c) LOADING AREAS and parking ramps for the lands within Parcel A shall not be located within 14 metres of the north LOT LINE.~~
- ~~(d) LOADING SPACES and parking ramps for lands within Parcel B may encroach within the MINIMUM REQUIRED YARD.~~

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(e) Canopies and public art may encroach within the MINIMUM REQUIRED YARD abutting the FRONT LOT LINE

(f) Minimum OUTDOOR AMENITY SPACE at grade:

(i) Parcel A – 1,200 m²

(ii) Parcel B – 1,000 m²

The following additional provisions apply:

(a) Individual units within the RETIREMENT HOME(S) north and south of Thelma (Building 2A, 2B and 4B) may contain kitchenettes with cooktops provided that the RETIREMENT HOME(S) contain common facilities for the preparation and consumption of food and that such common facilities are separately located within each of the BUILDINGS, 2A, 2B and 4B.

One below grade, six metre wide access driveway and pedestrian walkway, connecting the underground parking garages of the seniors development north and south of Thelma Avenue, is permitted with a zero metre MINIMUM REQUIRED YARD to the LOT LINE immediately abutting Thelma Avenue.

ACCESSORY USES are permitted provided they are:

(i) Located within the first three STOREYS of the BUILDING;

(ii) Do not occupy more than 5% of the total BUILDING GROSS FLOOR AREA; and

(iii) Intended for use by BUILDING occupants only.

(d) LOADING AREAS and parking ramps for the lands north of Thelma (Buildings 4A and 4B) shall not be located within 14 metres of the north LOT LINE.

(e) LOADING AREAS and underground parking ramps may encroach into the MINIMUM REQUIRED YARDS, as outlined on Schedule 8.9, attached.

(f) The MINIMUM REQUIRED YARD for any residential DWELLING UNIT located within the FIRST STOREY of any BUILDING is 4 metres.

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~~(g) The minimum distance separation between BUILDINGS 2A and 2B and BUILDINGS 4A and 4B, as shown on Schedule 8.9, shall apply to the FIRST STOREY portion of the BUILDINGS only.~~

~~(h) Minimum OUTDOOR AMENITY SPACE at grade:~~

~~(i) Lands north of Thelma Avenue (Building 4A & 4B) - 90m²; and~~

~~(ii) Lands south of Thelma Avenue (Building 2A & 2B) - 370 m².~~

~~(i) An outdoor second STOREY deck is permitted within the MINIMUM REQUIRED YARD provided the deck is a minimum of:~~

~~(i) 10 metres from the north LOT LINE for the lands north of Thelma Avenue; and~~

~~(ii) 6 metres from the south LOT LINE for the lands south of Thelma Avenue.~~

7.438.6 Special Parking Provisions

The following parking provisions apply:

~~(a) Minimum required number of parking spaces for a RETIREMENT HOME - 0.4 per unit plus 0.25 per unit for visitor parking~~

~~Minimum required number of parking spaces for a LONG TERM CARE FACILITY - 0.5 per bed.~~

7.439 NORTH WEST CORNER OF 16TH AVENUE AND STONBRIDGE DRIVE **(By-law 2011-56, February 8/11)**

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~~Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *439 on the schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.~~

7.439.1 Only Uses Permitted

The following use is the only use permitted:

~~a) Single detached dwellings.~~

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7.439.2 Zone Standards

The following specific zone standards apply:

- a) Minimum lot frontage - 12.0m;
- b) Minimum required rear yard - 7.5m;
- c) Minimum required westerly interior side yard on Block 91, Plan 65M-3168 - 4.0m; and
- d) Minimum width of a private lane - 8.5m.

7.439.3 Special Site Provision

The following additional provisions apply:

- a) lot frontage is on a private lane.

7.440 FRONT ACCESS TOWNHOUSE DWELLINGS BETWEEN MAJOR MACKENZIE DRIVE AND DONALD COUSENS PARKWAY, GREENSBOROUGH **(By-law 2011-122)**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *440 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.440.1 Zone Standards

The following specific zone standards apply:

- a) The development standards for conventional lots apply regardless of lot depth.
- b) Minimum lot frontage for a townhouse dwelling - 6.0 metres;
- c) Minimum required front yard on a lot not accessed by a lane - 3.0 metres;
- d) Minimum required exterior side yard - 1.8 metres;
- e) Minimum required rear yard - 7.0 metres;
- f) Minimum required interior side yard abutting a lane shall be 1.2 metres;
- g) Maximum building height- 13 metres.

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**7.441 FRONT ACCESS SEMI DETACHED AND TOWNHOUSE DWELLINGS
BETWEEN MAJOR MACKENZIE DRIVE AND DONALD COUSENS
PARKWAY, GREENSBOROUGH**
(By-law 2011-122)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *441 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.441.1 Zone Standards

The following specific zone standards apply:

- (a) The development standards for conventional lots apply regardless of lot depth.
- (b) Minimum lot frontage per unit for a townhouse dwelling - 5.5 metres;
- (c) Minimum required front yard on a lot not accessed by a lane - 3.0 metres;
- (d) Minimum required exterior side yard - 1.8 metres;
- (e) Minimum required rear yard - 7.0 metres;
- (f) Minimum required interior side yard abutting a lane shall be 1.2 metres;
- (g) Maximum building height - 13 metres.

**7.442 PUBLIC LANE ACCESSED TOWNHOUSE DWELLINGS BETWEEN
MAJOR MACKENZIE DRIVE AND DONALD COUSENS PARKWAY,
GREENSBOROUGH**
(By-law 2011-122)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *442 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.442.1 Additional Permitted Uses

The following additional uses permitted:

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- (a) A private garage is permitted to be within or attached to the main building.

7.442.2 Zone Standards

The specific zone standards apply:

- (a) Minimum lot frontage for townhouse dwelling
(i) interior lot - 4.5 metres;
(ii) end unit interior lot - 5.7 metres; and
(iii) end unit corner lot - 6.3 metres.
(b) Minimum required rear yard - 5.8 metres;
(c) Minimum required exterior side yard - 1.8 metres; and
(d) Maximum building height - 13.0 metres.

7.443 CONDOMINIUM BLOCK, SOUTH OF MAJOR MACKENZIE DRIVE, WEST OF DELRAY DRIVE, GREENSBOROUGH **(By-law 2011-122)**

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *443 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.443.1 Additional Permitted Uses

The following additional uses are permitted:

- (a) A private garage is permitted to be within or attached to the main building.

7.443.2 Zone Standards

The following specific zone standards apply:

- (a) Maximum front yard shall not apply;
(b) Minimum required exterior side yard - 1.8 metres;
(c) Maximum exterior side yard shall not apply;
(d) Minimum required rear yard - 1.8 metres;
(e) Minimum landscaped open space provisions shall not apply;

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- (f) Maximum building height - 15.0 metres;
- (g) Minimum setback to an R2 zone boundary -7.0 metres; and
- (h) Minimum number of parking spaces - 1.0 per dwelling unit.

7.443.3 Special Site Provisions

The following additional provisions apply:

- (a) Where a lot has access from a lane and does not have frontage on a public street the north lot line shall be deemed to be the front lot line.
- (b) For the purposes of this by-law a multiple unit building means a building containing three or more dwelling units, with the dwelling units accessed by a common corridor system and/or entrance, but not including a triplex, a fourplex, a townhouse building or an apartment building.
- (c) No provision of this By-law shall prevent the further division of the lands denoted by the symbol *443 on the schedules to this By-law except that required parking must be located on the same lot as the building structure or use requiring the parking.
- (d) The requirement for no less than 25% of the wall of the first storey facing the front lot line shall be located any further than 5.1 metres from the front lot line shall not apply.

7.444 CONDOMINIUM BLOCK, NORTH OF DONALD COUSENS PARKWAY, EAST OF DELRAY DRIVE, GREENSBOROUGH (By-law 2011-122)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *444 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.444.1 Additional Permitted Uses

The following additional uses are permitted:

- (a) A private garage is permitted to be within or attached to the main building.

7.444.2 Zone Standards

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The following specific *zone* standards apply:

- (a) Maximum *front yard* shall not apply;
- (b) Maximum *exterior side yard* shall not apply;
- (c) Minimum required *exterior side yard* -1.8 metres;
- (d) Minimum required *rear yard*- 1.8 metres;
- (e) Minimum *landscaped open space* provisions shall not apply;
- (f) Maximum *building height* - 15.0 metres; and
- (g) Minimum number of *parking spaces* - 1.0 per *dwelling unit*.

7.444.3 Special Site Provisions

The following additional provisions apply:

- (a) Where a lot has access from a *lane*, and does not have frontage on a *public street*, and abuts a park, the north *lot line* shall be deemed to be *the front lot line*.
- (b) For the purposes of this by-law a *multiple unit building* means a *building* containing three or more *dwelling units*, with all of the *dwelling units* accessed directly from the outside, but not including a *triplex*, a *fourplex*, a *townhouse building* or an *apartment building*.
- (c) No provision of this By-law shall prevent the further division of the lands denoted by the symbol *444 on the schedules to this By-law, except that required parking must be located on the same lot as the *building* structure or use requiring the parking.
- (d) The requirement for no less than 25% of the wall of their *storey* facing *the front lot line* shall be located any further than 5.1 metres from *the front lot line* shall not apply.

7.445 CONDOMINIUM BLOCK, NORTH OF DONALD COUSENS PARKWAY, WEST OF DELRAY DRIVE, GREENBOROUGH (By-law 2011-122)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *445 on the Schedules to this By-law. All other provisions of this By-law, unless

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specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.445.1 Additional Permitted Uses

The following additional uses are permitted:

- (a) A private garage is permitted to be within or attached to the main building.

7.445.2 Zone Standards

The following specific zone standards apply:

- (a) Maximum front yard shall not apply;
- (b) Minimum exterior side yard - 1.8 metres;
- (c) Maximum exterior side yard shall not apply;
- (d) Minimum required rear yard - 1.8metres;
- (e) Minimum landscaped open space provisions shall not apply;
- (f) Maximum building height - 15.0 metres;
- (g) Minimum setback to the R2 zone boundary - 7.0 metres; and
- (h) Minimum number of parking spaces – 1.0 per dwelling unit.

7.445.3 Special Site Provisions

The following site-specific provisions apply:

- (a) For the purposes of this by-law a multiple unit building means a building containing three or more dwelling units, with all of the dwelling units accessed directly from the outside, but not including a triplex, a fourplex, a townhouse building or an apartment building.
- (b) No provision of this By-law shall prevent the further division of the lands denoted by the symbol *445 on the schedules to this By-law, except that required parking must be located on the same lot as the building structure or use requiring the parking.
- (c) The requirement for no less than 25% of the wall of the first storey facing the front lot line shall be located any further than 5.1 metres from the front lot line shall not apply.

7.446 PUBLIC LANE ACCESSED TOWNHOUSE DWELLINGS BETWEEN MAJOR MACKENZIE DRIVE AND DONALD COUSENS PARKWAY, GREENSBOROUGH

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(By-law 2011-122)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *446 on the Schedules to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.446.1 Special Site Provisions

The following additional provisions apply:

- (a) Maximum number of *townhouse building* dwelling units - 9.

7.447 ANAGNI HOMES LIMITED - THE UPPER VILLAGE - PART A

(By-law 2011-130)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *447 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.447.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *Apartment dwellings*; and
b) *Multiple dwellings*.

7.447.2 Prohibited Uses

The following uses are prohibited:

- a) *Places of worship*.

7.447.3 Zone Standards

The following specific zone standards apply:

Mixed Use - High Density Development:

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- a) The maximum height of any building or structure – 77 metres;
- b) Maximum number of storeys – 20;
- c) Maximum number of dwelling units – 215;
- d) Maximum required yard for all buildings and structures from the Highway 48 lot line - 18 metres;
- e) Maximum required yard for all buildings and structures from the Edward Jeffrey's Avenue lot line - 17 metres;
- f) Minimum required yard for the 6th storey of the main building from the Edward Jeffreys Avenue lot line – 20 metres;
- g) Minimum required yard for the 7th to 20th storeys of the main building from the Edward Jeffreys Avenue lot line - 27 metres;
- h) Minimum landscaped open space along Highway 48 – 3 metres;
- i) Minimum landscaped open space along Edward Jeffreys Avenue - 3 metres;
- j) Maximum floor space index (FSI) - 2.0;
- k) Maximum number of surface parking spaces – 55;
- l) Maximum gross floor area - 20,000 square metres; and
- m) Minimum gross floor area of non-residential uses – 760 square metres.

7.447.4 Special Site Provisions

The following site-specific provisions shall apply:

- a) Required parking for residential uses shall be calculated at 1.1 parking space per dwelling unit plus 0.1 visitor parking space per dwelling unit.
- b) Required parking for non-residential uses shall be calculated at a ratio of 1 parking space for every 30 square metres of net floor area.
- c) Mechanical venting shall be permitted to encroach into the required landscaped open space.
- d) Any residential floor area on the same level as, or adjacent to the rooftop mechanical room, shall not be considered a storey, provided that the floor area of the residential use is less than 50% of the floor area for that level and does not increase the number of dwelling units within the overall development.
- e) The underground parking garage is permitted to encroach into the required yards, but is not permitted to encroach into any required landscaped open space or park/open space areas.
- f) The combined total floor space index (FSI) for all of the lands outlined on Schedule 'A' and subject to site specific exceptions

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*447, *448 and *449 shall not exceed 2.0.

7.448 ANAGNI HOMES LIMITED - THE UPPER VILLAGE- PART B

(By-law 2011-130)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *448 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.448.1 Additional Permitted Uses

The following additional uses are permitted:

- a) *Apartment dwellings; and*
- b) *Multiple dwellings.*

7.448.2 Prohibited Uses

The following uses are prohibited: a) *Places of worship*

7.448.3 Zone Standards

The following specific zone standards shall apply:

Mixed Use-High Density Development:

- a) *Maximum height of any building or structure – 71 metres;*
- b) *Maximum number of storeys – 18;*
- c) *Maximum number of dwelling units – 218;*
- d) *Maximum required yard for all buildings and structures from the Highway 48 lot line - 21 metres;*
- e) *Minimum required yard from the north lot line – 15 metres;*
- f) *Minimum required yard from the west lot line – 4.5 metres;*
- g) *Minimum landscaped open space along Highway 48 - 5 metres;*
- h) *Maximum floor space index (FSI) - 2.0;*
- i) *Maximum number of surface parking spaces – 45;*
- j) *Maximum gross floor area - 19,000 square metres; and*
- k) *Minimum gross floor area of non-residential uses - 604 square metres.*

7.448.4 Special Site Provisions

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The following site-specific provisions shall apply:

- a) Required parking for residential uses shall be calculated at 1.1 *parking space per dwelling unit* plus 0.2 visitor *parking space per dwelling unit*.
- b) Required parking for non-residential uses shall be calculated at a ratio of 1 *parking space* for every 30 square metres of *net floor area*.
- c) Any residential *floor area* on the same level as, or adjacent to the rooftop mechanical room shall not be considered a *storey* provided that the residential *floor area* is less than 50% of the *floor area* for that level, and does not increase the number of *dwelling units* within the overall development.
- d) The underground parking garage is permitted to encroach into required *yards*, but is not permitted to encroach into required *landscaped open space* or park/ open space areas.

The combined total *floor space index (FSI)* for all of the lands outlined on Schedule 'A' and subject to site specific exceptions *447, 448 and *449 shall not exceed 2.0.

7.449 ANAGNI HOMES LIMITED - MANSARD GATES - PART C TOWNHOUSE DEVELOPMENT AND ALBERT WIDEMAN HOUSE

(By-law 2011-130)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *449 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.449.1 Prohibited Uses

The following uses are prohibited:

- a) *Places of worship*

7.449.2 Zone Standards

- a) Maximum number of townhouse dwellings – 47;
- b) Maximum *height*- 13 metres;
- c) Maximum number of *storeys* for the *townhouse dwellings* — 3;
- d) Minimum required east *interior side yard* - 6.5 metres;
- e) Minimum required west *interior side yard* - 7 metres;

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- f) Minimum required north exterior yard - 1.2 metres;
- g) Maximum gross floor area of the heritage house -200 square metres;
- h) Maximum gross floor area of the detached garage - 42 square metres;
- i) Minimum landscaped open space along Edward Jeffreys Avenue - 3 metres; and
- j) Minimum required exterior yard along Edward Jeffreys Avenue - 3 metres.

7.449.3 Special Site Provisions

The following additional provisions apply:

- a) Notwithstanding any further division or partition of lands subject to this Section, all lands zoned R2*449 shall be deemed to be one lot for the purposes of this By-law.
- b) Enclosed porches and stairs are permitted to encroach a maximum of 2.5 metres into the Edward Jeffreys required exterior yard and landscaped open space.
- c) The combined total floor space index (FSI) for all of the lands outlined on Schedule 'A' and subject to site specific exceptions *447, *448 and *449 shall not exceed 2.0.

7.450 BLOCK 409, PLAN 65M-3853 SOUTH WEST CORNER OF THE BOX GROVE BY-PASS AND 14TH AVENUE WOODEN SPIRE ESTATES INC.

(By-law 2011-127)

Notwithstanding any other provisions of this By-law, the provisions in this section shall apply to those lands denoted by the symbols *233*450 on the Schedules to this By-law. All other provisions of this by-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.450.1 Additional Permitted Use:

The following additional use is permitted:

- a) Medical Office.

7.450.2 Special Site Provision:

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- a) The aggregate gross leasable floor area devoted to medical offices shall be limited to a maximum of 440 m².

7.451 CROWN OF MARKHAM 19TM-09002, PART OF LOT 23, CONCESSION

3 19TM-09002

(By-law 2011-165)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *451 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.451.1 Only Uses Permitted

The following are the only uses permitted:

- a) Townhouse dwellings; and
b) Home Occupations.

7.451.2 Zone Standards

Only the following specific zone standards apply:

- a) Minimum required setback to any lot line - 3.0 metres; and
b) Maximum height -13.0 metres.

7.452 CROWN OF MARKHAM NORTHWEST TOWNHOUSE BLOCK 19TM-09002, PART OF LOT 23, CONCESSION 3

(By-law 2011-165)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *452 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section:

7.452.1 Special Site Provisions

The following additional provisions apply:

- a) Maximum number of dwelling units: 31; and
b) Minimum number of commercial parking spaces associated with

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the non-residential uses on High Street: 27.

**7.453 CROWN OF MARKHAM SOUTHWEST TOWNHOUSE BLOCK 19TM-09002,
PART OF LOT 23, CONCESSION 3**

(By-law 2011-165)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *453 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section:

7.453.1 Special Site Provisions

The following additional provisions apply:

- a) Maximum number of dwelling units: 32;
- b) Minimum number of commercial parking spaces associated with the non residential uses on High Street: 26; and
- c) Maximum number of dwelling units in townhouse building: 9.

7.454 CROWN OF MARKHAM NORTHEAST TOWNHOUSE BLOCK 19TM-09002, PART OF LOT 23, CONCESSION 3

(By-law 2011-165)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *454 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section:

7.454.1 Special Site Provisions

The following additional provisions apply:

- a) Maximum number of dwelling units: 29; and
- b) Minimum number of commercial parking spaces associated with the non-residential uses on High Street: 30.

7.455 CROWN OF MARKHAM SOUTHEAST TOWNHOUSE BLOCK 19TM-09002, PART OF LOT 23, CONCESSION 3

(By-law 2011-165)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *455 on the

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Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section:

7.455.1 Special Site Provisions

The following additional provisions apply:

- a) Maximum number of dwelling units: 29; and
- b) Minimum number of commercial parking spaces associated with the non-residential uses on High Street: 28.

7.456 UPPER UNIONVILLE RESIDENTIAL LANDS

(By-law 2011-177)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *456 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.456.1 Additional Permitted Uses

The following additional use is permitted:

- a) Schools, Public.

7.456.2 Zone Standards

The following specific zone standards apply:

- a) Lots Not Accessed by a Lane are subject to the following specific zone standards:
 - i) Minimum required front yard - 3.0 metres;
 - ii) Minimum setback of accessory buildings and structures from the rear lot line on lots with rear yard stormwater infiltration trenches - 1.2 metres
- b) Lots With Single Detached Dwellings Where a Driveway Crosses The Front Lot Line are subject to the following

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specific zone standards:

- i) On a wide shallow lot, the minimum lot frontage shall be 10.4 metres;
- ii) On a wide shallow lot with a lot frontage of less than 12.2 metres, the maximum:
 - Garage width - 3.5 metres;
- iii) On a wide shallow lot with a lot frontage of 12.2 metres or greater, the maximum:
 - Garage width - 6.1 metres;
- iv) On a conventional lot with a lot frontage of 11.6 metres or greater, the maximum:
 - Garage width-6.1 metres;
- v) Minimum required rear yard - 7.0 metres;
- c) Lots With Single Detached Dwellings Where A Driveway Crosses The Exterior Side Lot Line are subject to the following specific zone standards:
 - i) Maximum garage width - 6.1 metres;
 - ii) Minimum required rear yard - 0.6 metres;
- d) Lots With Semi-Detached Dwellings are subject to the following specific zone standards:
 - i) Minimum lot frontage on a wide shallow lot—
 - 8.0 metres on an interior lot;
 - 9.2 metres per unit on a corner lot; and
 - 17.2 metres if two semi-detached dwellings are located on a corner lot;
 - ii) Minimum required rear yard on a lot with a driveway crossing the front lot line - 7.0 metres;
 - iii) On a lot with a driveway crossing the front lot line, the maximum:
 - Garage width -3.5 metres;
- e) Lots With Townhouse Dwellings With A Driveway Crossing The Front Lot Line are subject to the following specific zone standards:
 - i) Minimum required rear yard - 7.0 metres;
 - ii) Maximum garage width - 3.5 metres;
- f) Lots With Semi-Detached or Townhouse Dwellings With A Driveway Crossing The Exterior Side Lot Line are subject to the following specific zone standards:
 - i) Maximum garage width - 6.1 metres;
 - ii) Minimum required rear yard - 0.6 metres.
- g) Lots With Townhouse Dwellings Accessed by a Lane are

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subject to the following specific zone standards:

i) Minimum lot frontage -

- 4.0m per unit on an interior lot;
- 5.2m per end unit on an interior lot; and,
- 6.4m per end unit on a corner lot.

h) Public Schools are subject to the following specific zone standards:

i) Minimum required front yard- 4.5m;

ii) Minimum required exterior side yard - 4.5m;

iii) Minimum required interior side yard - 7.5m;

iv) Minimum required rear yard - 7.5m; and

v) Maximum height - 15.0m.

7.456.3 Special Site Provisions

The following Special Site Provisions apply:

a) Lots Not Accessed by a Lane are subject to the following additional provisions:

i) Where any part of the front lot line is curved or in the case of a lot where at least one interior side lot line is not perpendicular to the front lot line, any portion of the main wall facing the front lot line may be located farther than 6.0 metres from the front lot line, provided the portion or point of the main wall closest to the front lot line is no more than 6.0 metres from the front lot line;

ii) A window bay, with or without foundations, may encroach into a minimum required interior or rear yard provided it extends no more than 1.0 metre into the minimum required yard and is no more than 3.0 metres wide;

iii) A window bay, with or without foundations, may encroach into a minimum required front or exterior yard provided it encroaches no more than 1.0 metre into the minimum required yard and is no more than 3.0 metres wide. The width of a window bay may be increased to 4.0 metres if a porch does not abut the main wall of the dwelling unit,

iv) Architectural features, such as sills, belt cornices, eaves, roof overhangs may encroach into the minimum required front yard and/or exterior side yard but in no case shall the architectural feature be located closer than

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- 0.1 metres to the front lot line and/or exterior side lot line'.
- iv) Stairs and landings are permitted to encroach into the minimum required front yard and/or exterior side yard, but in no case shall the stairs or landings be located closer than 0.6 metres to the front lot line and/or exterior side lot line.
- b) Lots With Single Detached Dwellings Where a Driveway Crosses The Front Lot Line are subject to the following additional provisions:
- i) On a lot with a private garage within the rear yard, the minimum driveway width shall be 2.75 metres;
- ii) The minimum setback from an interior side lot line for driveways shall be 0.3 metres;
- c) Lots With Townhouse Dwellings Accessed by a Lane are subject to the following additional provisions:
- i) The provision that requires no less than 25% of the wall of the first storey facing the front lot line shall be located any further than 5.1 metres from the front lot line shall not apply;
- ii) Minimum required rear yard for a main building if the private garage is detached - 12.5 metres;
- iii) Minimum required rear yard for a main building if the private garage is attached or within the main building - 0.6 metres;
- iv) The minimum building setback from a daylighting triangle abutting either Kennedy Road or 16 Avenue shall be 0.6 metres;
- v) Sills, cornices, eaves, and roof overhangs may be located no closer than 0.1 metres from a daylighting triangle abutting either Kennedy Road or 16 Avenue;
- vi) No maximum setback from the rear lot line shall apply for a detached private garage;
- vii) Maximum permitted lot coverage for a detached private garage -22%;
- viii) a) If a detached private garage is located on the lot, covered porches, with or without foundations, may encroach a maximum of 1.8 metres into the required

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- 6.0 m setback area between the *private garage* and the *main building* of the *lot*.
- b) *Unenclosed stairs associated with a covered porch* may encroach an additional 1.8 metres into the required 6.0 m setback area between the *private garage* and the *main building* on the *lot*.
- ix) The standards for conventional lots shall be used regardless of *lot* depth;
- x) A *private garage* is permitted to be within or attached to the *main building* if the *lot* is accessed by a *lane*;
- xi) A window bay, with or without foundations, may encroach into a required *interior* or *rear yard* provided it extend no more than 1.0 metre into the required *yard* and be no more than 3.0 metres wide;
- xii) A window bay, with or without foundations, may encroach into a required *front* or *exterior yard* provided it extends no more than 1.0 metre into the required *yard* and be no more than 3.0 metres wide. The width of the window bay can be increased to 4.0 metres if a *porch* does not abut the *main wall* of the *dwelling unit*;
- xiii) Architectural features, such as sills, belt cornices, eaves, roof overhangs may encroach into the required *front yard* and/or *exterior side yard* provided no part of such architectural features are located closer than 0.1 metres to the *front lot line* and/or *exterior side lot line*; and
- xiv) Stairs are permitted to encroach into the required *front yard* and/or *exterior side yard* provided no part of the stairs is located closer than 0.1 metres to the *front lot line* and 0.6 metres to the *exterior side lot line*.

7.457 TOWNHOUSES SEPARATED FROM KENNEDY ROAD BY A LANDSCAPE OR SERVICING BLOCK

(By-law 2011-177)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *457 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.457.1 Zone Standards

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The following specific *zone* standards apply:

- a) Maximum *building height* for a main *building* -12.5 metres.

7.457.2 Special Site Provisions

The following additional provisions apply:

- a) The *lot* is deemed to have *frontage* on a public road; and
- b) The westerly *lot line* shall be deemed to be the *front lot line*.

7.458 TOWNHOUSES SEPARATED FROM 16TH AVENUE BY A LANDSCAPE OR SERVICING BLOCK

(By-law 2011-177)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *458 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.458.1 Zone Standards

The following specific *zone* standards apply:

- a) Maximum *building height* for a main *building* -12.5 metres.

7.458.2 Special Site Provisions

The following additional provisions apply:

- a) The *lot* is deemed to have frontage on a public road;
- b) The southerly *lot line* shall be deemed to be the *front lot line*.

7.459 REDUCED REAR YARD

(By-law 2011-177)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *459 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to

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this Section.

7.459.1 Zone Standards

The following specific zone standard applies:

- a) minimum required rear yard - 6.0 metres.

7.460 BETHESDA LUTHERN CEMETERY

(By-law 2011-177)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *460 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.460.1 Additional Permitted Uses

The following additional use is permitted:

- a) A cemetery.

7.461 ELIMINATION OF MAXIMUM SETBACK OF MAIN WALL

(By-law 2011-177)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *461 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.461.1 Special Site Provisions:

The following additional provisions apply:

- a) The provision that requires no part of the main wall of the first storey facing the front lot line shall be located farther than 6.0 metres from the front lot line. For the purposes of this Special Provision, the wall and/or foundation of a covered porch above established grade and facing the front lot line may be considered part of the main wall of the building shall not apply.

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7.462 RESERVED

7.463 NORTHWEST OF THE CATHEDRAL OF THE TRANSFIGURATION - PART OF LOT 23, CONCESSION 3

(By-law 2011-201, October 4/11)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *463 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.463.1 Only Uses Permitted

The following are the only uses permitted:

- a) *Townhouse dwellings.*

7.463.2 Zone Standards

The following specific zone provisions apply:

- a) *Minimum lot frontage - N/A;*
- b) *Minimum required front yard - 3.0 metres;*
- c) *Minimum required rear yard - 3.0 metres;*
- d) *Minimum required interior side yard - 2.2 metres; and*
- e) *Minimum separation between Townhouse end units - 2.4 metres.*

7.463.3 Special Parking Provisions

- a) *Minimum number of visitor parking spaces – 20.*

7.463.4 Special Site Provisions

The following additional provisions apply:

- a) *Maximum number of Townhouse dwelling units – 88;*
- b) *For the purposes of this section, the southerly lot line abutting Pope John Paul II Square/Anthony Roman Avenue shall be deemed the front lot line;*
- c) *Vehicular access shall only be permitted from a lane or private street;*
- d) *A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane or private street;*
- e) *Maximum garage and driveway width for Townhouse dwellings - 3.5 metres; and*

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- f) Notwithstanding any other provisions of this By-law or By-law 28-97, the minimum length of a required *driveway/parking pad* is 5.6 metres.

7.464 NORTH OF THE CATHEDRAL OF THE TRANSFIGURATION PART OF LOT 23, CONCESSION 3

(By-law 2011-201, ~~October 4/11~~)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *464 on the Schedule to this By-law. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.464.1 Only Uses Permitted

The following are the only uses permitted:

- a) *Apartment dwellings*

7.464.2 Zone Standards

The following specific zone provisions apply:

- a) Minimum *required front yard* - 1.0 metre;
b) Minimum required *interior side yard* - 3.0 metres;
c) Minimum required *rear yard* - 6.0 metres; and
d) Maximum *height*- 24.0 metres.

7.464.3 Special Parking Provisions

- a) Minimum number of *parking spaces* – 242.

7.464.4 Special Site Provisions

The following additional provisions apply:

- a) Maximum number of *Apartment dwelling units* - 186;
b) For the purposes of this section, an architectural feature, *balcony* and/or *porch* can project to 0.1 metres from the *front lot line*;
c) For the purposes of this section, stairs and/or landings used to

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access the *main building* are permitted to fully encroach into the required *front yard, interior side yard, exterior side yard* and *rear yard*:

- d) For the purposes of this section, the easterly *lot line* abutting Prince Regent Street shall be deemed the *front lot line*; and
- e) Zone provisions H and I from Table B6 shall not apply.

7.465 CORNELL COMMUNITY

(By-law 2011-208, November 8/11)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *465 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.465.1 Special Site Provisions:

The following additional provisions apply:

- a) *Porches* may encroach into the required setback area between the detached *private garage* and the *main building* on the *lot* provided:
 - i) the *porch* does not project more than 2.5 metres from the rear *main wall* of the dwelling into the required setback area between the detached private garage and the *main building* on the *lot*.
 - ii) the maximum width of a *porch* in the required setback area between the detached *private garage* and the *main building* on the lot is 4.0 metres; and
 - iii) the *porch* may encroach into the required *outdoor amenity space*.

7.466 FINEWAY PROPERTIES (By-law 2011-219)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *466 on the Schedule of this By-law. All other provisions of the By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

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7.466.1 Only Uses Permitted

The following uses are the only permitted uses:

- a) Financial Institution with a Drive Through Service Facility

7.466.2 Zone Standards

The following specific zone standards apply

- a) Minimum landscaped open space adjacent to the rear lot line – 3 metres.
- b) Minimum landscaped open space adjacent to the south lot line – 3 metres.
- c) Minimum height – not applicable
- d) Maximum height – 10 metres

7.466.3 Special Site Provisions

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The following additional provisions apply.

- a) The provision requiring a financial institution to be only located on the first storey of an apartment building or on any floor of an office building shall not apply.
- b) A loading space is not required.

7.467 1839314 Ontario Limited - Townhouse development with lane access
(By-law 2012-63, March 20/12)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *467 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.467.1 Only Permitted Uses

The following uses are permitted:

- a) Townhouse dwellings
- b) Home occupations

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7.467.2 Zone Standards

The following specific zone standards apply:

- a) Maximum height - 14 metres
- b) Minimum front yard - 1.2 metres
- c) Minimum rear yard - 5.8 metres
- d) Minimum side yard for end units - 1.2 metres
- e) Minimum lot frontage per unit - 5 metres
- f) Minimum exterior side yard - 2.4 metres
- g) Maximum garage width - 3.5 metres
- h) Maximum driveway width - 3.5 metres
- i) Minimum lot depth - 21 metres

7.467.3 Special Site Provisions

The following special site provisions shall apply:

- a) The main wall of an attached private garage, that contains the opening for motor vehicle access, shall be set back a minimum of 6 metres from the rear lot line.
- b) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane.
- c) Outdoor amenity space and deck may be located on the roof of an attached garage.

7.468 1839314 Ontario Limited- Townhouse development

(By-law 2012-63, March 20/12)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *468 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

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7.468.1 Only Permitted Uses

The following uses are permitted:

- a) Townhouse dwellings
- b) Home occupations

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7.468.2 Zone Standards

The following specific zone standards apply:

- a) Maximum *height* - 14 metres
- b) Minimum *front yard* - 5 metres
- c) Minimum *rear yard* for end units - 4.8 metres
- d) Minimum *rear yard* for interior units - 6 metres
- e) Minimum *lot frontage* per unit - 5.4 metres
- f) Minimum *side yards* for end units - 1.5 metres
- g) Minimum *lot depth* - 24 metres

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7.469 Open Space Zone – Matrundola Woodlot

(By-law 2012-63, March 20/12)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *469 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

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7.469.1 Zone Standards

The following specific zone standards shall apply:

- a) Minimum *lot area* - 0.8 hectares

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7.470 Cornerstone Community Church

(By-law 2011-245, Dec 13/11))

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *470 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.470.1 Permitted Uses:

The Following uses are permitted

- a) *Place of Worship*

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7.470.2 The following additional uses are only permitted accessory to a Place of Worship

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- a) Assembly Hall
- b) Business Office
- c) A Dwelling Unit

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7.470.3 Special Site Provisions

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The following additional provision applies:

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- a) Buildings containing more than one use are permitted.
- b) The requirement that no less than 80% of the wall of the first storey facing the front lot line to be located no further than 6.0 metres from the front lot line shall not apply to the subject lands.

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7.471 Parking Area Cornerstone Community Church
(By-law 2011-245, December 13/11).

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Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *471 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

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7.471.1 Only Uses Permitted:

The Following uses are the only uses permitted:

- a) Parking Area

7.471.2 Special Site Provision

The following additional provision applies:

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- a) A Parking Area is only permitted in association with a Place of Worship on lands zoned CA1*470.

7.472 AMICA (SWAN LAKE) CORPORATION- 6380 16TH AVENUE (PHASE 2)

(2012-112, May 15/12)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by symbol *472 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.472.1 Only Permitted Uses

The following uses are the only permitted uses:

- a) Retirement Home
- b) Business and Medical Offices
- c) Personal Service Shops
- d) Retail Stores
- e) Restaurants

7.472.2 Zone Standards

The following specific zone standards shall apply:

- | | |
|---|----------------------------|
| <u>a) Maximum number of storeys</u> | <u>3</u> |
| <u>b) Maximum height</u> | <u>13m</u> |
| <u>c) Maximum number of suites including dwelling units</u> | <u>120</u> |
| <u>d) Minimum interior west side yard</u> | <u>0m</u> |
| <u>e) Minimum front yard</u> | <u>12m</u> |
| <u>f) Minimum exterior side yard</u> | <u>0.2m</u> |
| <u>g) Maximum gross floor area</u> | <u>11,000m²</u> |

7.472.3 Special Parking Provisions

The following parking provisions shall apply:

- a) Parking for residential uses for both residents and visitors shall be provided at a rate of 0.6 spaces per unit.

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- b) Parking for the *Retirement Home* on those lands to which *472 applies can be provided on those lands to which exceptions *2 and *479 apply on the Schedule 'A' attached to this By-law, and shall be in addition to any parking required for uses developed on lands to which *2 and *479 apply.
- c) Parking for non-residential uses shall be in accordance with By-law 28-97, as amended.

7.472.4 Special Site Provisions

The following site provisions shall apply:

- a) Non-residential uses shall only be provided on the ground floor of a multi-storey building or within a one-storey building.

7.473 OPEN SPACE ZONE

(2012-112, May 15/12)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *473 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.473.1 Special Site Provisions

The following special site provisions apply:

- a) For the purposes of this By-law, the definition of a *public park* shall include any area of land under public or private ownership, and for which there is a public access easement conveyed to the *public authority*, that is designed and maintained for recreation purposes.

7.474 RESERVED

7.475 WISMER COMMONS COMMUNITY

(By-law 2012-127, May 29/12)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *475 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically

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modified/amended by this Section, continue to apply to the lands subject to this Section.

7.475.1 Zone Standards

The following specific zone standards apply:

- a) Minimum lot frontage – 6.0 metres
- b) Maximum garage door width – 3.0 metres
- c) Maximum driveway width – 3.0 metres

7.476 RESERVED

7.477 Special Site Provisions – 1839314 Ontario Limited- Major Commercial/ Townhouse development (By-law 2012-63, March 20/12)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply only to those lands denoted by symbol *477 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

- a) In the MJC*448 / R2*468 (H2) *477 zone, the MJC *448 uses are permitted subject to the MJC *448 development standards.
- b) In the MJC * 448 (H1)/ R2 *468*477 zone, the R2 *468 uses are permitted subject to the R2 * 468 development standards.”

7.478 WISMER COMMONS COMMUNITY

(By-law 2012-107, May 15/12)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *478 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.478.1 Zone Standards

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The following zone standards shall apply to *wide shallow lots* not accessed by a *lane* and with a *lot frontage* of greater than 12.19 metres and up to 13.29 metres:

- a) Maximum width of *private garage* – 5.5 metres
- b) Maximum width of *driveway* – 5.5 metres

7.479 AMICA (SWAN LAKE) CORPORATION- 6360 16TH AVENUE (PHASE 1)
(2012-112, May 15/12)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *479 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.479.1 Zone Standards

The following specific zone standards shall apply:

- a) Minimum *interior east side yard* 0m
- b) Minimum *rear yard* 0m

7.479.2 Special Parking Provisions

The following parking provisions shall apply:

- a) A maximum of eleven (11) surface *parking spaces* can encroach onto abutting land owned by the Town of Markham to the north. These *parking spaces* may be included in the total number of *parking spaces* provided.
- b) Parking for both residents and visitors shall be provided at a rate of 0.6 spaces per unit.
- c) Parking for the *Retirement Home* on those lands to which *479 applies can be provided on those lands to which exception *472 applies on the Schedule 'A' attached to this By-law, and shall be in addition to any parking required for uses developed on lands to which *472 applies.

7.480 RESERVED

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7.481 WISMER COMMONS COMMUNITY

(By-law 2012-127, May 29/12)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted by the symbol *481 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.481.1 Zone Standards

The following specific zone standards apply:

- a) Minimum rear yard setback – 5.8 metres
- b) No part of the main wall of the 2nd or 3rd storey facing the rear lot line shall be located closer than – 7.5 metres
- c) Minimum required exterior side yard – 2.2 metres
- d) Maximum height – 12 metres

7.481.2 Special Site Provisions

The following additional provisions apply:

- a) A private garage is permitted to be within or attached to the main building, if the lot is accessed by a lane.

7.482 RESERVED

7.483 Lots 34 to 83, Blocks 84 to 87, Plan 19TM-02009, Phase 3b and Part 5,

Plan 65R-30147

(By-law 2012-155, June 26 & 27/12)

Notwithstanding any other provisions of this By-law, the provisions in this Section shall apply to those lands denoted with the symbol *483 on Schedule 'A' to this By-law. All other provisions of this By-law, unless specifically modified/amended by this Section, continue to apply to the lands subject to this Section.

7.483.1 Zone Standards

The following specific zone standards apply to wide shallow lots not accessed by a lane and with a lot frontage of 12.19 metres to 13.29 metres:

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- (a) Maximum width of *private garage* – 5.5 metres
- (b) Maximum width of *driveway* – 5.5 metres.

7.484 Stargrande Custom Homes – Townhouse Development

(By-law 2012-259)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *484 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

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7.484.1 Zone Standards

The following zone standards shall apply:

- a) Maximum number of *townhouse dwellings* – 160
- b) Maximum number of *semi-detached dwellings* – 2
- c) Maximum *height* – 13.5m
- d) Minimum required *rear yard* setback – 5.1m
- e) Minimum required *interior side yard* setback – 1.2m
- f) Minimum required *front yard* setback – 2m
- g) Minimum *exterior side yard* setback – 0.6m
- h) Minimum number of *visitors parking spaces* – 41

7.484.2 Special Site Provisions

The following additional provisions shall apply:

- a) Notwithstanding any further division or partition of lands subject to this Section, all lands zoned R2*484 shall be deemed to be one lot for the purposes of this By-law.
- b) Stairs, porches and balconies are allowed to encroach into any required yard but are not permitted to be located closer than 0.6m from any lot line.
- c) For the purpose of this By-law, *townhouse buildings* can include *dwelling units* each of which has an independent entrance at grade to the front, but not the rear of the *building*.

7.485 RESERVED

7.486 1839314 ONTARIO LIMITED - HIGH DENSITY MIXED USE BUILDING

(By-law 2012-183, September 12/12)

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Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *486 on the Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply.

7.486.1 Permitted Uses

The following additional uses are permitted:

- a) Apartment dwellings

7.486.2 Zone Standards

The following zone standards shall apply:

- a) Minimum lot area – 0.4 ha
- b) Maximum number of storeys – 18
- c) Maximum height of the main building – 52m
- d) Maximum number of dwelling units – 220
- e) Maximum number of guest suites – 2
- f) Maximum gross floor area – 18,000 m²
- g) Minimum gross floor area for non-residential uses – 600 m²
- h) Maximum required yard from the Highway 48 lot line to the 1st storey of the main building – 18m
- i) Minimum required yard from Orca Drive to the 1st storey of the main building – 16m
- j) Minimum required yard from the north lot line:
 - i) Main building up to and including the 8th storey – 10.5m
 - ii) Main building 9th storey to 14th storey inclusive – 17.5m
 - iii) Main building 15th storey to 18th storey inclusive – 18.5m
- k) Minimum required yard from the south lot line:
 - i) Main building up to and including the 7th storey – 16m
 - ii) Main building 8th storey to 14th storey inclusive – 29m
 - iii) Main building 15th storey to 18th storey inclusive – 31m
- l) Minimum width of landscaped open space on Highway 48 – 3m

7.486.3 Special Site Provisions

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The following special site provisions shall apply:

- a) Balconies are permitted to project 1.7m into the required yards.
- b) The mechanical penthouse is permitted to have a maximum height of 10m above the 18th storey of the main building.
- c) Maximum area of the mechanical penthouse – 400 m²
- d) Any ornamental roof construction features including towers, steeples or cupolas, shall not be included in the calculation of storeys. Mechanical features, including their screening and structures containing the equipment necessary to control an elevator, are permitted to project a maximum of 5.0 metres above the highest point of the roof surface, regardless of the number of the storeys of the building.
- e) The minimum landscaped open space shall not apply.
- f) The minimum width of landscaping adjacent to the interior and rear lot lines shall not apply.

7.486.4 Special Parking Provisions

The following special site provisions shall apply:

- a) Required parking for residential uses shall be calculated at 1.1 parking spaces per dwelling unit.
- b) Required parking for visitor uses shall be calculated at 0.2 parking spaces per dwelling unit.
- c) Required parking for non-residential uses shall be calculated at 1 per 30 m².

7.487 South of 16th Avenue, west of Donald Cousens Parkway – Cornell Rouge Development Corp. (By-law 2012-188, October 3/12)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *487 on the Schedule of this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

7.487.1 Special Site Provisions

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The following additional provisions apply:

- a) The floor of any porch that is located between the main wall and a *streetline* shall extend at least 1.1 metres towards the *streetline* from the main wall that abuts the *porch*. Windows, stairs, columns, piers and/or railings associated with the porch are permitted to encroach within this area.

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7.488 South of 16th Avenue, west of Donald Cousens Parkway. —
Cornell Rouge Development Corp.
(By-law 2012-188, October 3/12)

Notwithstanding any other provision of this By-law, the provisions in this section shall apply to those lands denoted by the symbol *488 on the Schedule of this By-law. All other provisions, unless specifically modified/amended by this section, continue to apply to the lands subject to this Section.

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7.488.1 Special Site Provisions

The following additional provisions apply:

- a) Minimum setback for detached *private garages* from rear lot line – 5.4 metres.

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7.489 St. Mary and St. Samuel The Confessor Coptic Orthodox Church
(By-law 2012-265)

Notwithstanding any other provision of this By-law, the provisions in this Section shall apply to those lands denoted by symbol *489 on Schedule 'A' to this By-law. All other provisions, unless specifically modified or amended by this Section, shall continue to apply:

7.489.1 Only Uses Permitted

The following are the only uses permitted:

- a) Place of worship
b) Day Nursery

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7.489.2 Zone Standards

The following zone standards shall apply:

- a) Minimum LOT AREA – 1.1 ha
- b) Minimum LOT FRONTAGE – 80m
- c) Minimum required INTERIOR SIDE YARD –
 - i) North Side – 18m
 - ii) South Side – 1.5m
- d) Minimum required REAR YARD – 40m
- e) Minimum width of LANDSCAPED OPEN SPACE
adjacent to the:
 - i) EAST LOT LINE – 5m
 - ii) WEST LOT LINE – 1.5m
 - iii) SOUTH LOT LINE – 1.5m
- f) Maximum HEIGHT
 - i) Place of Worship – 20m
 - ii) Day Nursery – 9m
- g) Maximum GROSS FLOOR AREA
 - i) Place of Worship – 3,000 m²
 - ii) Day Nursery - 460 m²

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SECTION 8 SPECIAL MAPPING

The maps contained in this Section for the By-law are to be read in conjunction with the Schedules identified in Section 1.2 of this By-law and the applicable section contained in Section 7.0 of this By-law.

8.1 MAPPING ASSOCIATED WITH SECTION 7.1.2

Schedule 8.1 is to be read in conjunction with Sections 7.1.2 of this By-law.

8.2 MAPPING ASSOCIATED WITH SECTION 7.167(b)

Schedule 8.2 is to be read in conjunction with Section 7.167.2(b).

8.3 MAPPING ASSOCIATED WITH SECTION 7.167(c)

Schedule 8.2 is to be read in conjunction with Section 7.167.2(c).

8.4 MAPPING ASSOCIATED WITH SECTION 7.168

Schedule 8.3 is to be read in conjunction with Sections 7.168.2(b) and (c) of this By-law.

8.5 MAPPING ASSOCIATED WITH SECTION 7.169

Schedule 8.3 is to be read in conjunction with Section 7.169.2(d) of this By-law.

8.6 MAPPING ASSOCIATED WITH SECTION 7.170

Schedule 8.5 is to be read in conjunction with Section 7.170.2(c) of this By-law.

8.7 MAPPING ASSOCIATED WITH SECTION 7.187

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Schedule 8.5 is to be read in conjunction with Section 7.187.4 (b) and (c) of this By-law.

8.8 MAPPING ASSOCIATED WITH SECTION 7.188

Schedule 8.5 is to be read in conjunction with Section 7.188.3 (b) and (c) of this By-law.

~~8.9 MAPPING ASSOCIATED WITH SECTION 7.438~~

~~Schedule 8.9 is to read in conjunction with Section 7.438 of this By-law.~~

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**SECTION 9
ENACTMENT**

| This By-law read a first and second time this 25th day of ~~June~~, 1996

This By-law read a third and final time and passed this 25th day of June, 1996.

MAYOR DON COUSENS

MAYOR

BOB PANIZZA

CLERK