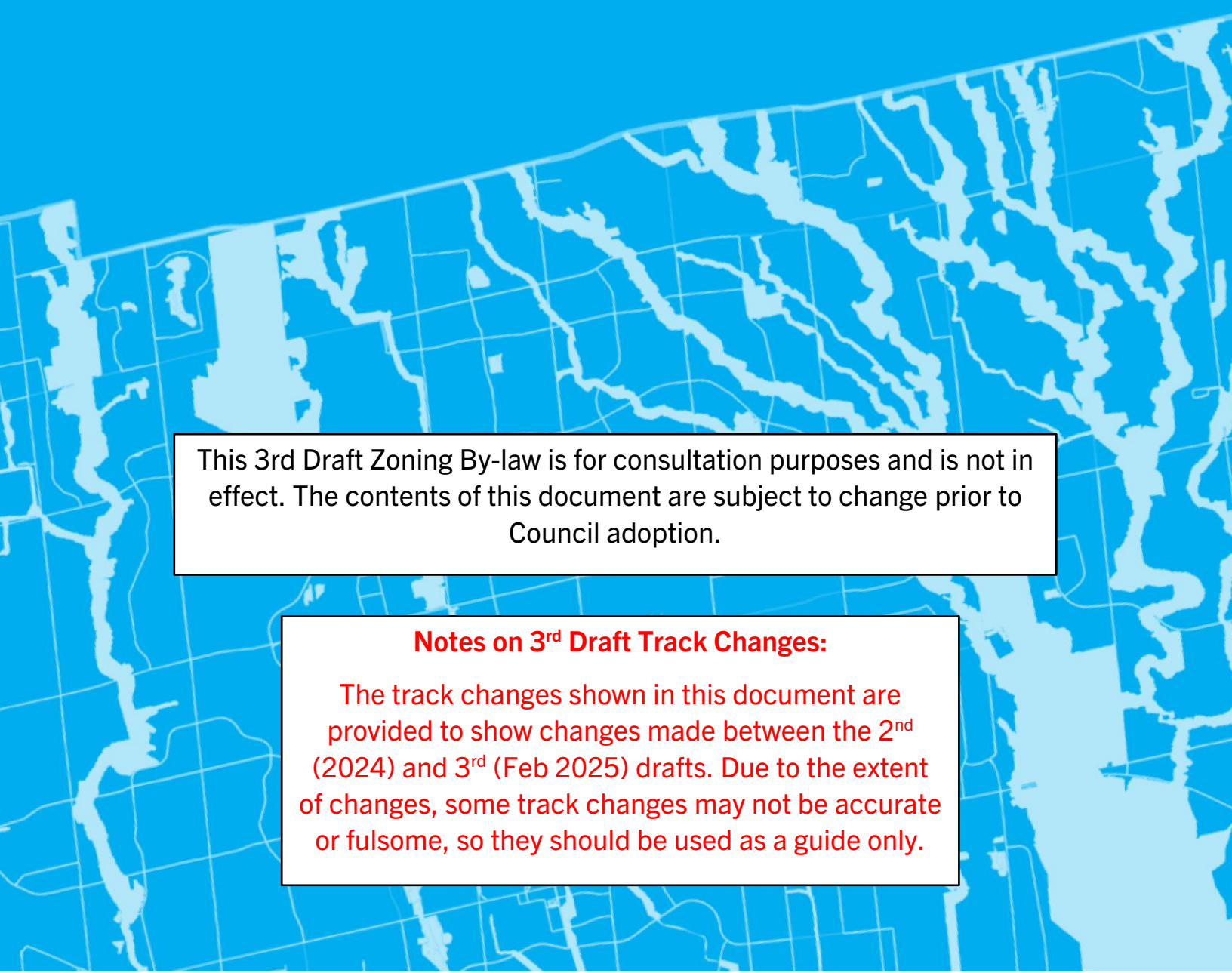




# BRAMPTON

## ZONING BY-LAW

3rd Draft | April 2025



This 3rd Draft Zoning By-law is for consultation purposes and is not in effect. The contents of this document are subject to change prior to Council adoption.

### **Notes on 3<sup>rd</sup> Draft Track Changes:**

The track changes shown in this document are provided to show changes made between the 2<sup>nd</sup> (2024) and 3<sup>rd</sup> (Feb 2025) drafts. Due to the extent of changes, some track changes may not be accurate or fulsome, so they should be used as a guide only.





# BRAMPTON




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# Chapter 1: Administration and Interpretation

## Section 1.1: Title

- .1 This By-law may be referred to as the Comprehensive Zoning By-law or the City of Brampton Comprehensive Zoning By-law.

## Section 1.2: Application

- .1 This By-law applies to all lands within the City of Brampton, except within certain lands excluded from this By-law, as specifically shown on Schedule A.
- .2 No lands shall be used, and no building or structure shall be erected, located, used or altered, nor shall the use of any building, structure or lot be changed, in whole or in part, except in compliance with the provisions of this By-law.

*Note: This new Zoning By-law excludes certain lands in the City. Lands in the Downtown Brampton Major Transit Station Area and the Main Street North Development Permit System area are not subject to this Zoning By-law. Their inclusion will be considered at a future date.*

## Section 1.3: Administration

### 1.3.A Administrator

- .1 This By-law shall be administered by the Commissioner of Planning, Building and Growth Management or the successor and such other person or persons as appointed by by-law or resolution of Council.

### 1.3.B Inspection

- .1 Where the administrator of this By-law has reason to believe that any person has used land or erected or used any building or structure in contravention of this By-law, a designated employee of the City so authorized may enter and inspect the land or building or structure.

### 1.3.C Penalty

- .1 Every person who contravenes any provision of this By-law is guilty of an offence and on conviction is liable to fines in accordance with the City's by-laws.

### 1.3.D Severability

- .1 A decision of any court or tribunal with competent jurisdiction that any specific portion of this By-law is invalid or is not in effect does not affect the validity or enforceability of any other portion of this By-law.

## Section 1.4: Non-Conformity and Non-Compliance

### 1.4.A Legal Non-Conforming Uses

- .1 Nothing in this By-law applies to prevent the use of any land, building or structure for any purposes prohibited by this By-law if such land, building or structure was lawfully used for such purpose on the day of the passing of this By-law, so long as it continues to be used for that purpose.
- .2 Nothing in this By-law applies to prevent the erection or use for a purpose prohibited by this By-law of any building or structure for which a permit has been issued under subsection 8 (1) of the *Building Code Act* prior to the day of the passing of the By-law, so long as the building or structure when erected is used and continues to be used for the purpose for which it was erected and provided the permit has not been revoked under subsection 8 (10) of that Act.

*Note: The requirements for legal non-conformity and legal-non-compliance address those situations where a use, building or structure was established legally before this new By-law comes into effect, but they no longer meet the updated requirements of this new By-law. These uses, buildings and structures are permitted to continue and may be altered in accordance with these provisions.*

### 1.4.B Legal Non-Complying Buildings, Structures and Other Features

- .1 Nothing in this By-law shall prevent the repair or renovation of a legally non-conforming building or structure or other feature which was erected prior to the date of the passing of this By-law, provided that such repair or renovation shall not:
- .a Cause this provisions of this By-law with which the existing building or structure does not comply to be contravened to a greater extent;
  - .b Cause non-compliance with any other provisions of this By-law.
- .2 Where a use is permitted, a building, structure or other feature erected prior to the date of the passing of this By-law was used for a purpose permitted by this by-law, but not complying with the minimum or maximum requirements of this By-law relating to such building, structure, feature or the lot upon which it is located, may be occupied, reconstructed, repaired, renovated, altered or enlarged, provided:

- .a Those provisions of the by-law which the existing building, structure, lot, or feature does not comply to be contravened to a greater extent; or
- .b Cause non-compliance with any other provisions of this By-law.

#### 1.4.C Non-Compliance Due to Public Expropriation or Land Acquisition

- .1 Notwithstanding anything to the contrary in this By-law, no building, structure, lot, yard, parking area, stacking space, stacking lane, driveway, or landscaped open space, or portion thereof, shall be deemed to be in contravention of the provisions of this By-law if said building or feature would comply with this By-law if not for a contravention caused by a legal expropriation or other land acquisition by a public authority.

### Section 1.5: Compliance with Other Legislation, By-laws and Regulations

- .1 This By-law shall not be effective to reduce or mitigate any restrictions lawfully imposed by a governmental authority having jurisdiction to make such restrictions.
- .2 Compliance with this By-law does not represent compliance with any other lawfully imposed requirements, by-laws, legislation, or regulations imposed by a governmental authority having jurisdiction.

*Note: The Zoning By-law does not incorporate requirements from other City by-laws or other applicable legislation or regulations. Users should contact the City to help confirm if other laws or requirements will affect a development project.*

### Section 1.6: Lots in More than One Zone

- .1 Where a lot is subject to more than one zone, the permitted uses, accessory uses, and regulations for each zone apply to the portion of the lot within the respective zone.

*Note: Most lots are located in a single zone, but some lots will be located in multiple zones (split zoning). The requirements of each zone will apply to each portion of the lot separately.*

### Section 1.7: Transition

#### 1.7.A Building Permits

- .1 Nothing in this By-law shall prevent the erection of a building or structure or the use of any building or structure in accordance with a building permit application submitted prior to the date of passing of this By-law, provided the building permit is in accordance with all applicable zoning by-laws that affected the lot before this By-law came into effect.

*Note: The Transition provisions of Section 1.7 allow recent and ongoing building permits and certain planning applications to proceed to a conclusion and construction, if approved, without the need to comply with this new By-law. If you have an application in process, please contact the City to confirm the applicability of transition clauses to your project.*



- .2 This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with clause .1 of this subsection.

#### **1.7.B Planning Applications**

- .1 Nothing in this By-law shall prevent the erection of a building or structure in accordance with any minor variance, site plan, consent, part lot control application, plan of subdivision or plan of condominium that has been submitted and deemed complete by the City or approved or conditionally approved by the relevant approval authority before the passing of this By-law, provided the application complies with all applicable zoning by-laws that affected the lot before this By-law came into effect.
- .2 Nothing in this By-law shall prevent the acceptance and approval of a minor variance application in the context of the in-effect zoning as it read on the day before the day of passing of this By-law, provided such minor variance pertains to a site plan, consent, part lot control application, plan of subdivision or plan of condominium that is granted transition in accordance with Section 1.7.B. Once the minor variance is approved in accordance with Section 45 of the Planning Act, nothing in this By-law shall prevent issuance of the building permit and erection of any building or structure in accordance with the approved minor variance.
- .3 This By-law is deemed to be modified to the extent necessary to permit a building or structure that is erected in accordance with clauses .1 and .2 above.

#### **1.7.C Scope of Transition Provisions**

- .1 The relief granted by Sections 1.7.A and 1.7.B shall only apply to those uses, buildings and structures contemplated by the permit, application, or approval as they were generally illustrated in the application materials that are eligible for transition, at the discretion of the Director, Development Services or their designate. The relief shall not apply with respect to any other permits, applications or constructions works made after the effective date of this By-law, except a minor variance application that is submitted in relation to a transitioned application, as referred to in Section 1.7.B.2.

#### **1.7.D Lapse of Transition Provisions**

- .1 The transition provisions shall lapse as follows:

- .a Three years after the date of adoption of this By-law for any building permit application that is granted transition by Section 1.7.A.
- .b Three years after the date of adoption of this By-law for any planning application that has been approved or conditionally approved and is granted transition under Section 1.7.B.
- .c Five years after the date of adoption of this By-law for any complete planning application that is granted transition in accordance with Section 1.7.B.

## Section 1.8: Establishment of Zones

- .1 This By-law establishes the following zones and places all lands subject to this By-law in one or more of the zones established in Table 1.8.1 through 1.8.7 inclusive and shown on Schedule A. For convenience in referring to groups of zones in this By-law, the zones are organized into categories as indicated by the Table captions.

**Table 1.8.1 – Residential Zones**

Zone Name	Zone Symbol
Residential Estate	RE
Residential Hamlet	RH
Residential First Density	R1
Residential First Density – Fourplexes	R1A
Residential First Density – Mature Neighbourhood	R1M
Residential Second Density – Townhouses	R2
Residential Second Density – Stacked Townhouses	R2A
Residential Second Density – Greenfield Mixed Density	R2G
Residential Second Density – Mature Neighbourhood	R2M
Residential Third Density – Low Rise	R3L
Residential Third Density – Mid Rise	R3M
Residential Third Density – High Rise	R3H

**Table 1.8.2 – Commercial Zones**

Zone Name	Zone Symbol
Local Commercial	LC

Zone Name	Zone Symbol
General Commercial	GC
Highway Commercial	HC
Office Commercial	OC
Recreational Commercial	RC

Table 1.8.3 – Mixed Use Zones

Zone Name	Zone Symbol
Mixed Use Low Rise	ML
Mixed Use Mid Rise	MM
Mixed Use High Rise	MH
Mixed Use Office Low Rise	MLO
Mixed Use Office Mid Rise	MMO
Mixed Use Office High Rise	MHO

Table 1.8.4 – Employment Zones

Zone Name	Zone Symbol
General Employment	GE
Prestige Employment	PE

Table 1.8.5 – Institutional Zones

Zone Name	Zone Symbol
General Institutional	I1
Major Institutional	I2

Table 1.8.6 – Park, Open Space and Natural System Zones

Zone Name	Zone Symbol
Park	P
Open Space	OS
Natural System	NS

Table 1.8.7 – Other Zones

Zone Name	Zone Symbol
Agricultural	A
Utility and Transportation	UT
Future Development	FD

## Section 1.9: Schedules

### 1.9.A Schedule A – Zone Map

- .1 The zones and their boundaries are shown on Schedule A which forms part of this By-law.

### 1.9.B Explanation of Zone Symbols on Schedule A

- .1 A zone label shown on Schedule A is comprised of a zone symbol as set out in Section 1.8 and may consist of other text and symbols as described in this section.
- .2 Where a zone symbol contains a hyphen followed by a number as a suffix (e.g., “-10”), the provisions of the corresponding Exception Zone of this By-law, contained in Chapter 12, shall apply to those lands.
- .3 Where a zone symbol is preceded by the symbol “H” or (H), the following provisions shall apply:
- .a The only permitted uses, buildings and structures shall include those uses, buildings and structures that were legally existing when the holding symbol was applied to those lands by by-law.
  - .b The holding symbol shall be lifted only in accordance with the provisions for lifting the holding symbol as stated in the applicable by-law.
  - .c Upon lifting the holding symbol, the permitted uses, lot and building requirements of the applicable zone shall apply.
  - .d Where the lands are subject to an Exception Zone that contains provisions for permitted uses or provisions for lifting the holding symbol, the Exception Zone shall take precedence over clauses .a through .c above.
- .4 Where a Holding (H) symbol is shown on Schedule A to this By-law as being applicable to any zone in a Protected Major Transit Station Area (as delineated on Schedule F) and there is no Exception zone

*Note: The draft zone map (Schedule A) along with the other maps described in this section are available for viewing on the City’s website:*

**(to add link)**

#### **Note: Zone Code Example:** **(H)R1-435**

*“(H)” is a prefix indicating that Holding requirements apply (see 1.9.B.3).*

*“R1” is the zone symbol, corresponding to a zone described in Chapters 5-11 of this document. The zone establishes permitted uses and most lot and building requirements. Other requirements of this By-law shall also apply, such as the General Provisions of Section 3.*

*“-435” is a suffix indicating that an Exception zone applies. The Exception zones are found in Chapter 12. The number shown in the suffix corresponds to the applicable subsection under Chapter 12.*



or site-specific by-law providing the conditions for lifting the Holding symbol, the following shall apply to remove the Holding symbol:

- .a The only permitted uses, buildings and structures shall include those uses, buildings and structures that were legally existing prior to the date of adoption of this By-law.
- .b The Holding symbol shall not be lifted until a Neighbourhood Park or Community Hub as required by Brampton Plan has been conveyed gratuitously within the area subject to the Holding symbol, to the satisfaction of the Commissioner of Community Services.
- .c Upon lifting the Holding symbol, the permitted uses, lot and building requirements of the applicable zone shall apply.

#### **1.9.C Schedule B – Building Height Requirements**

- .1 Schedule B to this By-law identifies minimum and maximum building height requirements on certain lands. Where these requirements are shown, the building height shall be in accordance with the requirement shown and shall take precedence over any stated requirement in the applicable zone. Where no requirement is shown, the requirements in the zone shall apply.

#### **1.9.D Schedule C – Floor Space Index Requirements**

- .1 Schedule C to this By-law identifies minimum and maximum floor space index requirements on certain lands. Where these requirements are shown, the floor space index shall be in accordance with the requirement shown and shall take precedence over any stated requirement in the applicable zone. Where no requirement is shown, the requirements in the zone shall apply.

#### **1.9.E Schedule D – Lot Width Requirements**

- .1 Schedule D to this By-law identifies minimum lot width requirements on certain lands. Where these requirements are shown, the minimum lot width shall be in accordance with the requirement shown and shall take precedence over any stated requirement in the applicable zone. Where no requirement is shown, the requirements in the zone shall apply.

**1.9.F Schedule E – Active Frontage Requirements**

- .1 Schedule E to this By-law identifies active frontage requirements on certain lands. Where these requirements are shown, the provisions of Section 7.2.B shall apply.

**1.9.G Schedule F – Protected Major Transit Station Area Boundaries and Requirements**

- .1 The Protected Major Station Area Boundaries and Requirements are shown on Schedule F, which forms part of this By-law. Schedule F – Protected Major Station Area Boundaries and Requirements is specifically referenced by certain provisions of this By-law.

**1.9.H Schedule G – Parking Regulation Areas**

- .1 The Parking Regulation Areas, referred to in Chapter 4 of this By-law, are shown on Schedule G which forms part of this By-law.

**1.9.I Schedule H – Driveway Regulation Area**

- .1 The Driveway Regulation Area, as referred to by Section 5.2.I of this By-law, are shown on Schedule H which forms part of this By-law.

**1.9.J Schedule I – Lester B. Pearson International Airport Operating Area Overlay**

- .1 The Lester B. Pearson International Airport Operating Area Overlay is shown on Schedule I, which forms part of this By-law. In the areas subject to this overlay, the provisions of Section 3.8 apply.

**1.9.K Schedule J – Downtown Floodplain Overlay**

- .1 The Downtown Floodplain Overlay is shown on Schedule J, which forms part of this By-law. In the areas subject to this overlay, the provisions of Section 3.5 apply.

**1.9.L Schedule K – Corridors and Boulevards**

- .1 The Corridors and Boulevards are shown on Schedule K, which forms part of this By-law. The application of Schedule K – Corridors and Boulevards is specifically referenced by certain provisions of this By-law.

## Section 1.10: Interpretation of Schedules

The following provisions shall apply with respect to the interpretation of a zone boundary, the boundary of an overlay, and the boundary or feature of any regulation area referenced in this By-law, as shown on any Schedule to this By-law:

- .1 Where the boundary or feature is indicated as following a public street, public lane, or railway, the boundary shall be the centre line of such public street, public lane or railway.
- .2 Where the boundary or feature is indicated as approximately following lot lines shown on a registered plan of subdivision or of lots registered in the Land Registry Office, the boundary shall follow such lot lines.
- .3 Where a street, lane, railroad or railway right-of-way, hydro corridor, or watercourse is included on the Schedules, said street, lane, railroad or railway right-of-way, hydro corridor, or watercourse shall, unless otherwise indicated, be included in the zone, overlay, or Parking Regulation Area of the abutting property on either side thereof.
- .4 Where provisions .1 through .3 do not apply, where the boundary or feature is deemed by the administrator of this By-law as being intended to follow the location or boundary of environmental features or their buffers, future roads, future lot lines, or otherwise is intended to follow a feature shown in any adopted, approved or conditionally approved development plan or associated approved study, the boundary shall be deemed to follow said feature.
- .5 Last, where none of the above provisions apply, the boundary or feature shall be scaled from the Schedule.

## Section 1.11: Appendices

- .1 Any appendix, as may be referred to by this By-law, does not form an operative component of the By-law and is provided for convenience purposes only. Any features shown on an appendix are approximated and subject to change.

*Note: This By-law utilizes and refers to several appendices for supportive contextual information only. The appendices as referred to by this By-law are not operative as they are administered and updated by other agencies.*

## Section 1.12: Interpretation of By-law Text

### 1.12.A Defined Terms

- .1 Wherever a term appears in the text of this By-law in “**bold**” letters, the term is intended to have the meaning set out for it in Chapter 2.

Wherever a term appears in the text of this By-law in regular font, it is intended to have the meaning ordinarily attributed to it in the English language. When a verb is defined, the definition applies to all tenses of the verb.

### 1.12.B Interpretation of Permitted Use Tables

- .1 In this By-law, a use is only permitted if it is explicitly permitted, and any other use shall not be permitted. Accessory uses shall be subject to Section 3.1 of this By-law.
- .2 A use permitted if it is listed in the corresponding zone of the applicable permitted use table and only if the use meets all requirements of this By-law.

### 1.12.C Words and Abbreviations

- .1 In this By-law, unless that context requires otherwise:
  - .a Words used in the singular number include the plural; and
  - .b Words used in the plural include the singular number
- .2 In this By-law, the word “shall” is mandatory.
- .3 In this By-law, “m” means metres.
- .4 In this By-law, “ha” means hectares.
- .5 In this By-law, “m<sup>2</sup>” means square metres.
- .6 In this By-law, unless the context requires otherwise:
  - .a the word “used” shall include the meaning “designed to be used” and “arranged to be used”; and,
  - .b the word "occupied" shall include the meaning "designed to be occupied" and "arranged to be occupied".

### 1.12.D Conflicts

- .1 Where there is conflict between any provisions of this By-law that apply to a circumstance, then the more restrictive provision shall apply.

### 1.12.E Operative Parts and Convenience Features

- .1 In this By-law, all of the text, tables and provisions thereto, and the schedules referenced in this By-law form the operative parts of this By-law.

*Note: These margin notations are provided for convenience only and are not operative statements. The final by-law will incorporate some illustrations to help visually describe certain concepts, but these illustrations will not be operative parts of this By-law, unless the illustration is specifically referred to in the text.*



- .2 In this By-law, any illustration or notation is provided for the purposes of convenience only and does not form a part of this By-law, unless the illustration or notation is explicitly referenced in the operative text of this By-law.

#### **1.12.F Reference to Legislation or Public Authorities**

- .1 Any reference to legislation, regulations or the names of any public authorities shall be deemed to incorporate any amendments or successor legislation or public authority.

#### **1.12.G Measurement of Yards**

- .1 Where this By-law requires a minimum yard, the yard shall be measured from the applicable lot line abutting the yard to the nearest part of the building or structure on the lot.
- .2 Where this By-law requires a maximum yard, the yard shall be measured from the applicable lot line abutting the yard to the nearest part of the building or structure on the lot.

### **Section 1.13: Allowance for Construction-Related Margin of Error**

- .1 Where a building permit has been lawfully issued and not revoked and where a constructed building or structure has been found to be in contravention of any minimum or maximum requirement for height, setbacks, or any parking space or parking aisle requirements by no more than 0.03 m, said building or structure shall be deemed to comply with the applicable requirement of this By-law.

## Chapter 2: Definitions

### A

**Accessory:** shall mean a use, building or structure which is incidental, subordinate and exclusively devoted to the principal use of the lot and buildings thereon, located on the same lot.

**Active Frontage:** shall mean a portion of a building that is required to be used for non-residential purposes as specified by this By-law, and faces a street. Areas where active frontage is required by this By-law are shown on Schedule E.

**Additional Residential Unit:** shall mean a self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, that either forms part of the same building as the principal dwelling, or is located within a separate detached building on the same lot as the principal dwelling (see garden suite).

**Agricultural Use:** shall mean the use of land, buildings or structures for the growing of crops, including, biomass, and horticultural crops; raising of livestock; raising of other animals or food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry etc., but shall exclude any use deemed manufacturing, processing, or assembly.

**Ancillary Use:** shall mean a use that is secondary and smaller than other principal uses but is not accessory to the principal use.

**Artisan Studio:** shall mean premises used for making, study or instruction of clothing/apparel, artwork, jewellery, photography, household crafts, tailoring, and similar endeavours and which may include incidental retail sales of goods that are produced on the premises.

**Attached:** shall mean, when used in reference to a building or part thereof, a building which is structurally supported by and partly or wholly dependent upon another building for enclosure.

### B

**Balcony:** shall mean an unenclosed attached platform projecting from the face of a wall that is only directly accessible from within a building with no direct exterior access to grade and may be surrounded by a balustrade, partial wall, or railing, where required.

*Note: The definitions in Section 2 provide essential meaning to many of the terms used in this By-law. The definitions create specific clarity around the meaning of certain uses, or the way of measuring certain aspects of a lot or building. The reader should always read the definitions in conjunction with the provisions of the By-law. The final version of this By-law will be updated to include helpful illustrations to support the reader's understanding of some of the more complex definitions.*

**Banquet Hall:** shall mean a building or portion of a building used for the assembly of persons primarily for the consumption of food and beverages on the premises.

**Basement:** means one or more storeys of a building located below the first storey.

**Bicycle Parking Space:** shall mean an area used exclusively for the parking of bicycles.

**Bicycle Parking Space, Long Term:** shall mean secure bicycle parking that is located within a building, bike locker, or shelter, and intended for use by building tenants or occupants, and is provided with controlled access.

**Bicycle Parking Space, Short Term:** shall mean any bicycle space other than a long term bicycle space and intended for use by visitors and is publicly accessible.

**Bicycle Parking Space, Stacked:** shall mean a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.

**Boat or Recreational Vehicle Sales and Service:** shall mean premises where boats, recreational vehicles, travel trailers, trailers are kept for sale, lease or rent and which include services related to the maintenance and repair of these vehicles.

**Boulevard:** means a public street that is identified as a Boulevard on Schedule K to this By-law.

**Broadcasting or Filming Studio:** shall mean premises used for filming, recording and transmitting radio, television, film or other similar media content.

**Building:** shall mean any structure, whether temporary or permanent, used or erected for the shelter, accommodation or enclosure of persons, animals, materials or equipment, but shall not include a house trailer or mobile home.

**Build-to Zone:** shall mean an area in which a main wall of a building is required to be located.

**Build-to Zone Percentage:** shall mean the minimum percentage of the build-to zone in which a main wall of a building is required to be located.

**Building, Main:** shall mean the building(s) in which the principal purpose for which the lot is used is carried on and excludes any accessory buildings and accessory structures.

**Building Supply Depot:** shall mean premises used primarily for the wholesale of building and construction materials and supplies.

# C

**Carport:** shall mean an accessory building or structure or part thereof, whether or not it is attached to another building or structure, the perimeter of which is at least 40% unenclosed and which is used for the parking or storage of vehicles. A space shall not be considered a carport if the enclosure is created by the walls of the principal building, such as the upper storey located above a private driveway and leading to a private garage.

**Catering Service:** shall mean premises used primarily for food preparation, which is delivered for off-site consumption and does not include consumption by patrons on the premises.

**Cemetery:** shall mean premises used for the interment of human remains and includes a mausoleum, columbarium or other structure intended for the interment of human remains.

**Child Care Centre:** shall mean premises used for the temporary care and supervision of children and licensed by the Province.

**City:** shall mean the Corporation of the City of Brampton.

**Clerestory Window:** shall mean a window positioned above eye level from the interior space. Clerestory windows shall be deemed to consist of windows no greater than 0.6 m in height and positioned at least 1.8 m above the floor.

**College or University:** shall mean a public college or university approved by the Province for providing post-secondary level education or trades, and includes accessory dormitories, administrative offices and commercial uses.

**Common Amenity Area:** shall mean a common amenity area designed for active or passive recreation for the exclusive use and benefit of the residents/tenants in a residential building or development. Common amenity areas shall include outdoor and indoor recreation spaces such as a common gyms and social spaces which are available to residents of the development and not intended for private use or semi-private use, such as party rooms which are privately booked and not regularly available to all residents. Common amenity areas shall exclude landscaped open space that does not contain active or passive recreational areas.

**Community Centre:** shall mean premises used for public activities of a social, cultural, educational or recreational nature, and includes an arena, public place of assembly, indoor recreational facilities, community education courses, outdoor recreational fields, and which may include an accessory restaurant or other incidental sale of food and beverages principally for consumption on the premises, and is owned and operated by or on behalf of a public authority.



**Community Garden:** shall mean lands used for gardening vegetables, flowers or other produce and operated by residents for non-commercial purposes.

**Commercial Campsite:** shall mean premises used for a camp, for camping, or for a camp meeting, including individual campsites, recreational facilities, and common areas, and is conducted as a commercial business.

**Commercial Parking Lot or Garage:** shall mean a parking area or parking structure that is used for the temporary storage of motor vehicles for remuneration.

**Commercial Recreation:** shall mean a premises used for providing entertainment to patrons for remuneration, and without limiting the generality of the foregoing, includes a bowling alley, billiard or pool room, miniature golf, golf simulation, bingo hall, indoor paintball facility, indoor rock-climbing facility, indoor commercially operated recreational courts/rinks/fields, indoor gaming facility, and which may also include accessory retail or restaurant uses. For the purposes of this By-law, commercial recreation shall exclude any other use explicitly defined by this By-law such as a theatre, health or fitness centre, golf course, driving range, or a recreational use operated by a public authority.

**Commercial Service and Repair:** shall mean a building or part thereof used for the repair, servicing, refinishing, or altering of articles or things including incidental sales as an accessory use. Without limiting the generality of the foregoing, commercial service and repair may include watch repair, bicycle repair, service and repair of computers/electronics, custodial services, publishing/printing/photocopying services, furniture repair or refinishing, small household appliance repair, small-scale woodworking, and major household appliance repair but does not include a motor vehicle repair shop, a motor vehicle service station or a heavy equipment sales and service shop.

**Common Element Condominium Roadway:** shall mean a right-of-way intended for vehicular and pedestrian access and that is maintained by a condominium corporation in accordance with Provincial legislation.

**Conservation Use:** shall mean the use of land, water, and/or structures for the protection, stewardship, management, and conservation of the natural environment. Conservation may also include accessory low impact scientific educational activities and passive recreation activities that have no negative impacts on the conservation use, as well as structures managed by a public authority used for managing the natural heritage system and natural hazards, such as flood and erosion control.

**Contractor's Establishment:** shall mean premises used for the temporary storage or maintenance of equipment and includes the regular place of business of a tradesperson or contractor.

**Convenience Retail Store:** shall mean a retail store with a gross floor area that does not exceed 200 m<sup>2</sup> or as otherwise restricted by this By-law.

**Convention Centre:** shall mean a place of assembly consisting of meeting rooms and assembly areas that is used for hosting events and guests.

**Corridor:** means a public street that is identified on Schedule K to this By-law as a Corridor.

**Courier or Taxi Service:** means premises used for temporary storage and dispatch of taxis and commercial delivery vehicles including an accessory office but does not include commercial transport trucks.

**Crematorium:** shall mean premises used for the purposes of cremating human remains and is licenced in accordance with the requirements of the Province.

## D

**Data Storage Facility:** shall mean premises used principally for the storage and operation of digital data storage or processing.

**Daylight Triangle or Rounding:** shall mean an area of land that has been incorporated into the public right-of-way and provides the function of a sight triangle.

**Deck:** shall mean an attached or freestanding unenclosed platform or series of platforms, 0.6 metres or greater above ground level, which is located on the same level as or lower than the first storey of the building associated with the platform, with direct access to the ground, but shall not include a landscaped deck.

**Detached:** when used in reference to a building, shall mean a building which is not dependent on any other building for structural support or enclosure.

**Development Agreement:** shall mean an executed agreement entered into by one or more property owner(s) and a public authority in accordance with the Planning Act, in relation to an approval or conditional approval of a site plan, plan of subdivision, plan of condominium, part-lot control exemption, minor variance, or consent application.

**Drive-Through:** shall mean any structure or portion thereof from which business is transacted, or is capable of being transacted, directly with customers located in a motor vehicle during such business transaction.

**Driveway:** shall mean a surface used to provide vehicular access from a street or lane to a parking area, parking space, loading space, parking structure or a private garage. A driveway is permitted to be used for tandem parking spaces in certain circumstances as permitted by this By-law.

**Driving Range:** shall mean premises containing golf driving ranges and which may include accessory retail sales but does not include a golf course.

**Drop Awning:** shall mean a retractable awning used to provide shade and shelter from the elements and is not a permanent fixed roof structure.

**Drugless Practitioner:** shall mean a drugless practitioner as defined by the Drugless Practitioners Act.

**Dry Cleaning and Laundry Distribution Station:** shall mean premises used for the purpose of receiving and distributing articles or goods or fabrics to be dry-cleaned, dry-dyed, cleaned or pressed off the premises.

**Dry Cleaning and Laundry Establishment:** shall mean premises where dry cleaning, dry-dying, cleaning or pressing of articles or fabrics is carried on.

**Dwelling:** shall mean a building or portion of a building that consists of one or more dwelling units.

**Dwelling, Apartment:** shall mean a building containing 5 or more apartment dwelling units which have a common entrance from the street level, and the occupants of which have the right to use common areas.

**Dwelling, Back-to-Back Townhouse:** shall mean a building containing four or more dwelling units, separated vertically by common walls, including a rear common wall, that do not have rear yards, and each entrance is accessed directly from the outside the building.

**Dwelling, Back-to-Back Stacked Townhouse:** shall mean a back-to-back townhouse dwelling in which units are also stacked vertically.

**Dwelling, Cluster Townhouse:** shall mean a townhouse dwelling in which each unit is not located on its own lot and where each dwelling unit does not have individual access from a public street.

**Dwelling, Duplex:** shall mean a building that is divided horizontally into 2 dwellings units which are either accessed directly from an entrance outside the building or from a common entrance. A duplex dwelling is not a principal dwelling that contains an additional residential unit.

**Dwelling, Fourplex:** shall mean a dwelling containing 4 dwelling units.

**Dwelling, Linked:** shall mean dwelling units that are attached solely below grade and are completely detached above grade.

**Dwelling, Live-Work Townhouse:** shall mean a townhouse dwelling where commercial uses may be provided within the ground floor.

**Dwelling, Podium Townhouse:** shall mean a townhouse dwelling that is attached to an apartment dwelling, mixed-use building, non-residential building, or a permitted above-grade parking structure via a common rear wall and where the units do not have individual private garages.

**Dwelling, Lane-Based Townhouse:** shall mean a street townhouse dwelling in which the individual dwelling units are accessed by a rear lane.

**Dwelling, Semi-Detached:** shall mean a building that is divided vertically into 2 separate principal dwelling units, where the two principal dwelling units share a common wall which is not less than 10 m<sup>2</sup> and extends from the ground level to the roofline, and which may be a garage wall.

**Dwelling, Detached:** shall mean a detached residential building containing one principal dwelling unit.

**Dwelling, Stacked Townhouse:** shall mean a townhouse dwelling where dwelling units are separated both horizontally and are also stacked vertically, and where all dwelling units have a private access via an exterior entrance.

**Dwelling, Street Townhouse:** shall mean a townhouse dwelling where each dwelling unit is located on its own lot with frontage on a public street and where each dwelling unit has an independent entrance to the front and rear yard immediately abutting the front and rear wall of the unit.

**Dwelling, Townhouse:** shall mean a building that is divided vertically above established grade into 3 or more principal dwelling units where each dwelling unit is attached to another dwelling unit by a common wall, which may be a garage wall, not less than 10 m<sup>2</sup> in area from the ground level to the roofline of the wall.

**Dwelling, Triplex:** shall mean a detached building containing 3 dwelling units where at least 2 units are divided horizontally, and each dwelling unit is accessed directly from an entrance outside the building or from a common entrance. A triplex dwelling is not a principal dwelling that contains an additional residential unit.

**Dwelling Unit:** shall mean one or more habitable rooms designed or capable of being used together as an individual, self-contained housekeeping unit that is intended for use as a residence, consisting of cooking, sleeping and sanitary facilities, and which encompasses all or a portion of a building.

**Dwelling Unit, Apartment:** shall mean a dwelling unit that is contained within an apartment dwelling or in combination with non-residential uses in a mixed-use building.

## E

**Electric Vehicle Ready Parking Space:** shall mean an unobstructed rectangular area, exclusive of any parking aisle or driveway, for the temporary parking of a motor vehicle designed and equipped with an energized outlet that is clearly marked and identified for electric vehicle

charging, and allows for the future installation of electric vehicle supply equipment (EVSE). The energized outlet shall meet Section 86 of the Electrical Safety Code and is capable of providing Level 2 charging or higher.

**Emergency Services:** shall mean a building or place operated by a public authority for the purpose of providing emergency health care or protection services, and / or emergency housing, and shall include fire, police, ambulance/paramedics, temporary shelters, and may include associated maintenance of vehicles and other accessory uses.

**Energized Outlet:** shall mean a connected point in an electrical wiring installation at which current is taken to supply utilization equipment for electric vehicle charging.

**Energy Generation Facility:** shall mean premises used for generating electricity, including a cogeneration facility, but does not include centralized heating or local district energy facilities that do not sell electricity to a wider area.

**Erect:** shall mean to build, construct, reconstruct, alter or relocate and, without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining, structurally altering any existing building or structure by an addition, removal, enlargement or extension.

**Established Grade:** shall mean the average finished 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 each outer corner of the building or structure.

**Existing:** shall mean lawfully existing as of the date of passing of this By-law.

## F

**Fairground:** shall mean premises where fairs, circuses and exhibitions and associated amusements, attractions and activities are held, and includes associated preparation and service of food and beverages for consumption on the premises.

**Financial Service:** shall mean premises principally used for financial transactions and where financial consultations occur, and without limiting the foregoing, includes a bank, trust company office, credit union, tax or financial consultation service.

**First Storey:** means the storey that has its floor closest to grade and its ceiling more than 1.8 m above grade.



**Floodplain:** shall mean those lands which are subject to flooding under regulatory storm conditions, as determined by the conservation authority having jurisdiction.

**Floor Area, Gross:** shall mean the aggregate of the area of all floors in a building, whether at, above, or below established grade, measured from the exterior of the outside walls, but excluding any parts of the building used for mechanical equipment relating to the operation or maintenance of the building, stairwells or elevators.

**Floor Plate:** shall mean the total horizontal gross floor area of the storey, excluding exterior balconies and terraces.

**Floor Space Index:** shall mean the ratio of gross floor area of a building divided by the lot area on which the building is situated, excluding any storeys that are below grade and excluding any portion of a parking structure.

**Front Wall:** shall mean any main wall, excluding the wall of a private attached garage, that directly faces a street line and abuts a front yard or exterior side yard.

**Funeral Home:** shall mean premises used for the provision of funeral and memorial services to the general public, including the temporary interment of human remains under the supervision of a Provincially authorized or licenced person, as well as the storage, display and sale of funeral supplies, but does not include a crematorium.

## G

**Garage, Private:** shall mean an enclosed structure used or capable of being used principally for the parking and storage of one or more vehicles and accessory and exclusively devoted to the associated dwelling unit(s).

**Garden Centre:** shall mean premises used for the display and retail sale of plants, gardening supplies and related goods or materials, and may include outside display and sales areas.

**Garden Centre, Seasonal:** shall mean a garden centre operated on a seasonal or temporary basis as set out in this by-law in association with a permitted retail use.

**Garden Suite:** shall mean a detached additional residential unit.

**Garden Trellis:** shall mean a lattice structure consisting of frames or bars and used as a support for plants to grow and is not otherwise enclosed.

**Glazing:** shall mean an area of a wall that is covered by transparent glass providing visibility into the building as well as any doors. The calculation of

glazing over a wall surface shall include any doors and necessary framing of the windows and doors but does not include any other materials, spandrel panels, signage, articulation or treatment of the wall.

**Golf Course:** shall mean a premises operated for playing golf, including accessory driving range, miniature golf, pro-shop, golf instruction, putting greens, simulators, club houses which may or may not include accessory facilities for preparing and serving food and beverages such as a snack bar, restaurant, banquet hall, etc. and other accessory buildings, structures and uses associated with maintaining and operating the golf course.

**Ground Floor:** shall mean the first storey of a building.

**Ground Floor Height:** shall mean the height of the ground floor, measured from highest elevation of the floor to the lowest elevation of the ceiling of the ground floor.

## H

**Habitable Room:** shall mean any portion of a dwelling unit used or capable of being used for the purpose of living, sleeping, cooking, or eating.

**Habitable Space:** shall mean any portion of an accessory building or structure used or capable of being used for sleeping, cooking (with plumbing) sanitary facilities (with plumbing), etc. but shall exclude outdoor living areas, including patio and lounge furniture.

**Hammerhead:** shall mean a portion of a residential driveway that is designed for vehicles to turn around or to be parked, but is not required to provide access to parking spaces or a private garage.

**Hazardous Lands:** means property or lands that could be unsafe for development due to naturally occurring processes.

**Hazardous Site:** means property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

**Hazardous Substance:** means substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Hazardous Waste:** shall mean wastes that include:

- .1 “Severely Toxic Waste” shall mean commercial chemical products or manufacturing intermediates defined as Severely Toxic Waste

under O.Reg. 347 of the Environmental Protection Act, however it shall not include Pharmaceutical Waste.

- .2 “Hazardous Waste Chemicals or Manufacturing Intermediaries” shall mean hazardous wastes that include: Hazardous Industrial Waste, Acute Hazardous Waste Chemicals, Hazardous Waste Chemicals, Ignitable Waste, Corrosive Waste, Reactive Waste and Leachate Toxic Waste; but does not include: Medical, Veterinary or Pathological Waste, Severely Toxic Waste, Radioactive Waste and PCB Waste as defined by O.Reg. 347 of the Environmental Protection Act.
- .3 “Medical, Veterinary or Pathological Waste” shall mean any waste items generated through medical treatment, such as parts of the human body, including tissues and bodily fluids, or any part of the carcass of an animal, and includes Pharmaceutical Waste.
- .4 “PCB Waste” shall mean PCB Waste as defined by O.Reg. 362 of the Environmental Protection Act, such as PCB equipment, PCB liquid or PCB material but excluding decontaminated PCB material or equipment, or equipment with PCB at levels below the definition of PCB waste in Provincial regulations.
- .5 “Radioactive Waste” shall mean waste is required to be licensed to permit handling under the federal Nuclear Safety and Control Act.

**Hazardous Waste Processing:** shall mean a Waste Disposal Use that manages or prepares hazardous waste for subsequent reuse or disposal, that handles hazardous waste, either solid or liquid, that is defined as hazardous waste by O.Reg. 347 of the Environmental Protection Act, but shall not include the thermal degradation of hazardous waste, nor shall it include mechanical sterilization.

**Hazardous Waste Transfer Use:** shall mean a Waste Disposal Use used for the purpose of transferring hazardous waste as defined by O.Reg. 347 of the Environmental Protection Act, from one vehicle to another for transport to another Waste Disposal Use. Some limited degree of processing (e.g., compaction) of the waste may take place at a Hazardous Waste Transfer Use.

**Health or Fitness Centre:** shall mean premises in which exercise equipment and related facilities are provided for use by patrons and which may include group exercise and training, and the incidental retail sale of fitness accessory merchandise and , food and beverage sales.

**Heavy Equipment Sales and Service:** shall mean the sale, lease, renting and service and repair of heavy equipment such as farm equipment, farm vehicles, commercial or industrial manufacturing or processing equipment or machinery, or construction equipment.

**Height:** shall mean the vertical distance between the established grade, and:

- .1 in the case of a flat roof, the highest point of the roof surface;
- .2 in the case of a mansard roof, the deck line; or
- .3 in the case of a peaked, gabled, hip or gambrel roof, the mean height level between eaves and ridge.

**Home-Based Child Care:** shall mean a child care business operated within a dwelling unit and in accordance with the Childcare and Early Years Act, or its successor.

**Home Occupation:** shall mean a business or undertaking conducted for gain or profit within a dwelling unit or an accessory building, but shall not include the repair and servicing of motor vehicles or internal combustion engines or other uses as prohibited by this By-law.

**Hospital:** shall mean any public or private institution intended for the emergency and long-term treatment of patients in accordance with Provincial legislation, and which may include associated research and development, education and other related accessory uses devoted to the care and service of patients, staff and visitors.

**Hotel:** shall mean premises used for the temporary accommodation of guests in furnished rooms, with or without any cooking facilities, recreational amenities exclusively intended for use by guests or staff, and accessory retail uses, accessory restaurants, and an accessory convention centre.

**Infrastructure:** shall mean the buildings, structures, and corridors forming the foundation for development including water lines, wastewater lines, oil and gas distribution mains, telecommunications lines and other cabled services, transit and transportation corridors, local and district electricity distribution and transmission lines, and local electrical power lines, but shall not include an energy generation facility or renewable energy system.

**In-ground waste storage structure:** shall mean an in-ground structure used for the temporary storage of waste/refuse and consisting of sealed container(s) with lockable lids.

**Intermodal Shipping Container:** shall mean an enclosed metal structure designed to facilitate the transportation of goods by several different means of transportation, and shall include shipping containers, seacans, transport truck trailers, and straight truck boxes and similar prefabricated metal storage units.

## J

## K

**Kennel:** shall mean a place, whether enclosed or not, where cats, dogs, or other household pets are kept for the purposes of raising, breeding, boarding, training, or selling and which may include an outdoor run or outdoor play area for the pets.

## L

**Landscaped Deck:** shall mean a deck or similar structure less than 0.6 m above ground level used in the same manner as landscaped open space.

**Landscaped Open Space:** shall mean an unoccupied area of land which is used for soft landscaping elements such as the growth, maintenance and conservation of grass, flowers, trees and shrubs, vegetation or vegetable gardening, and maintained to allow the permeation of water into the ground. Landscaped open space shall exclude any part of a driveway, parking space, loading space, parking aisle, curb, retaining wall, or any area covered by a building or structure.

**Landscaped Strip:** shall mean a strip of land used and maintained for growing grass, vegetation, trees, and which may include fences, noise attenuation walls, retaining walls or similar structures. Where required abutting any rear lot line or interior side lot line, a landscaped strip shall be required to include opaque screening through fences or landscaping with a minimum height of 1.0 m. Driveways, bicycle paths, and walkways shall be permitted to cross a landscaped strip.

**Landscaping, Soft:** shall mean an unoccupied area of land which is used only for permeable landscaping elements capable of supporting the growth of vegetation and which largely permits the infiltration of water and which is not suitable for parking by a motor vehicle. Soft landscaping shall not include areas covered by gravel, river rock, artificial grass, or similar materials.

**Lane:** shall mean a right-of-way which affords only a secondary means of access to abutting lots and which is not intended for general circulation of traffic, and does not include a street.

**Level 2 Charging:** shall mean a Level 2 electric charging level as defined by SAE International's J1772 standard, as amended.

**Library:** shall mean a premises for the collection of printed, electronic, and pictorial material and resources for public use for the purposes of study, reference, and recreation, and which may include accessory meeting rooms, activity areas, studio space, art displays and galleries, community theatres, cafeteria, and space for associated recreational uses.

**Loading Space:** shall mean an unobstructed area of land used or intended for use by the parking of one motor vehicle while such vehicle is being loaded or unloaded.

**Lodging House:** shall mean a detached dwelling in which residential accommodation is provided, or is intended to be provided in which each lodger does not have access to all of the habitable areas of the building and consists of more than 4 lodging units; or a detached dwelling in which lodging is provided for more than 4 persons with or without meals. An individual lodging unit is not a self-contained dwelling unit but is connected to common areas.

**Lodging Unit:** shall mean a room with sleeping facilities supplied to a lodger or lodgers for the use of such person(s).

**Lot:** shall mean a parcel of land which fronts on or abuts a street and that is legally conveyable in accordance with the *Planning Act* or otherwise defined in exceptions zones forming part of this By-law.

**Lot Area:** shall mean the total horizontal area enclosed within the lot lines of a lot, excluding any area on the lot that is zoned NS. In the case of a corner lot having a street line rounding or daylight rounding at the corner with a radius of 7.5 m or less, the lot area shall be calculated as if the lot lines were produced to their point of intersection.

**Lot, Corner:** shall mean a lot situated at the intersection of two or more streets, or at the intersection of two parts of the same street and provided the interior angle of intersection of not more than 135 degrees.

**Lot Coverage:** shall mean the percentage the lot covered by buildings as measured to the outer face of walls and columns, but excluding any soffits and overhangs such as eaves and gutters. For greater clarity, lot coverage shall not include any driveways, paved areas, patios, parking spaces, parking aisles, swimming pools, decks, or walkways, except for those covered by a building or structure.

**Lot Depth:** shall mean the straight-line distance from the mid-point of the front lot line to the mid-point of the rear lot line of the same lot. Where the side lot lines converge towards a point and there is no rear lot line, the lot depth shall be the straight-line distance from the mid-point of the front lot line to the point where the side lot lines converge.

**Lot, Interior:** shall mean a lot other than a corner lot.



**Lot, Line:** shall mean any boundary of any lot.

**Lot Line, Exterior Side:** shall mean the longer lot line which abuts a street on a corner lot.

**Lot Line, Front:** shall mean the line that divides a lot from the street, provided that in a case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that abuts a street shall be deemed to be the exterior side lot line.

**Lot Line, Interior Side:** shall mean a lot line other than a front, rear or exterior side lot line.

**Lot Line, Rear:** shall mean the lot line opposite to and farthest from the front lot line.

**Lot Width:** shall mean the least distance, measured in a straight line, between the side lot lines, where the side lot lines are parallel, and:

- .1 where such lot lines are not parallel but converge towards the front lot line, the lot width shall be the straight-line distance between two points, one on each side lot line, each 6 metres back from the front lot line, or
- .2 where such lot lines are not parallel but converge towards the rear lot line, the lot width shall be the straight-line distance between two points, one on each side lot line, each 15 metres back from the front lot line, or
- .3 in the case of a corner lot having a street line rounding at the corner with a radius of 7.5 metres or less, the lot width of such lot shall be calculated as if the lot lines were produced to their point of intersection.

**Lot, Through:** shall mean a lot bounded on 2 opposite sides by streets, provided however that if any lot qualifies as being both a corner lot and a through lot, such lot shall be deemed to be a corner lot for the purposes of this By-law.

## M

**Main Wall:** shall mean a primary structural exterior front, rear, or side wall as part of a building, including any essential structural elements, but excluding any permitted, non-structural projections and excluding any portion of the wall used as a private attached garage.

**Manufacturing, Processing or Assembly:** shall mean premises for the assembly, fabrication, processing, producing, packaging, cleaning alteration or treatment of raw materials or previously produced materials into new

products, materials, food, or merchandise, and included associated storage of input materials and produced materials and which may include ancillary retail sales of produced merchandise in accordance with the provisions of this By-law. For the purposes of this By-law, manufacturing, processing or assembly includes an indoor vertical farming use involving hydroponic growth of produce but does not include other agricultural uses or a slaughterhouse.

**Mechanical Sterilization:** shall mean the destruction of microbes in medical, veterinary and pathological waste through the use of high pressure steam.

**Medical Office or Clinic:** shall mean premises where a licensed medical doctor, dentist or other licensed medical drugless practitioner provides services with respect to the diagnosis, treatment and examination of patients, but does not include any overnight accommodation.

**Medical Laboratory:** shall mean premises for the medical or forensic testing, experimentation or analysis of biological material.

**Micro Manufacturing:** shall mean a building or part thereof used for small-scale manufacturing or production of goods which are also sold and/or consumed on the premises, and which may include shipment for sale at other locations. Without limiting the generality of the foregoing, a micro manufacturing use shall include a micro-brewery or micro-winery.

**Model Home:** shall mean a building or part thereof used temporarily for display purposes and may include a temporary sales office that is used for the sale of homes within the associated plan of subdivision or development, and which is not occupied as a residential use.

**Motor Vehicle Dealership:** shall mean a building or place used for the display, sale or rental of motor vehicles.

**Motor Vehicle Impound Yard:** shall mean premises operated by or under an agreement with a public authority for the storage of motor vehicles, which have been seized pursuant to the power of the public authority and may include a collision reporting centre.

**Motor Vehicle, Oversized:** shall mean any motor vehicle having a height greater than 2.6 metres or overall length greater than 6.7 metres or combination of both. External attachments to the vehicle are included in the measurement of height and length.

**Motor Vehicle Repair Shop:** shall mean a building or structure used for the repair and servicing of motor vehicles, including restoration of interior components and rebuilding, wrapping, restoration, modification and painting of the exterior, but shall not include a motor vehicle dealership, motor vehicle impound yard, or a motor vehicle service station or any activities associated with a salvage yard.

**Motor Vehicle Service Station:** shall mean premises principally used for the retail sale of fuel for motor vehicles and accessory retail sales and which may include an accessory motor vehicle washing facility, accessory detailing, accessory retail, or accessory restaurant uses in accordance with the permitted uses and requirements of this By-law.

**Motor Vehicle Washing Facility:** shall mean a building or place containing facilities for washing motor vehicles either through production line methods which may include a conveyor system or similar mechanical devices, detailing service, or a self-service operation.

**Museum or Gallery:** shall mean premises where paintings, sculptures, works of art, or exhibits of scientific or cultural interest are exhibited or sold.

## N

**Night Club:** shall mean a commercial business wholly contained in a building whose principal service is the provision of music entertainment and/or live performances, which may include areas for dancing, and whose secondary function is the service food or beverages. A night club does not include a restaurant or a theatre and does not form part of those uses.

**Non-Complying:** shall mean the lot, building, structure or other feature which is described as such is being used for a purpose permitted in the zone in which it is located, but does not comply with one or more of the other requirements and restrictions of the zone or the general provisions of this By-law.

**Non-Conforming:** shall mean that the lot, building or structure which is described as such is being used for a purpose not permitted in the zone in which the use is located.

**Non-Hazardous Solid Waste Processing Use:** shall mean a Waste Disposal Use that manages or prepares waste for subsequent reuse or disposal. Non-hazardous Solid Waste Processing Use typically include material recovery facilities (MRFs) and compost facilities (i.e., for municipal waste). The waste handled at a Non-hazardous Waste Solid Processing Use is not liquid industrial waste and is not hazardous waste, both as defined by O. Reg. 347 of the *Environmental Protection Act*.

**Non-Hazardous Solid Waste Transfer:** shall mean a Waste Disposal Use used for the purpose of transferring waste from one vehicle to another for transport to another Waste Disposal Use. Some limited degree of processing (e.g., compaction) of the waste may take place at a Non-hazardous Solid Waste Transfer Use. The waste handled at a Non-hazardous Solid Waste Transfer Use is not liquid industrial waste and is not

hazardous waste, both as defined by O. Reg. 347 of the *Environmental Protection Act*.

**Non-Residential:** shall mean a use that contains no dwelling units or common areas used in conjunction with dwelling units.

## O

**Office:** shall mean any building or part thereof used by an agency, business or organization where administrative, clerical and professional service practices are carried out, but shall exclude a medical office or clinic as separately defined in this By-law.

**Organizational Club:** shall mean premises used by a social, recreational, professional development club of members and their guests and includes facilities associated with the organizational activities of the club and associated preparation of food and beverages for consumption on the premises, but does not include a restaurant or any retail use.

**Outdoor Market:** shall mean an unenclosed area where opened spaces, stalls, tents, similar structures or open areas are used for the retail sale of goods, articles, agricultural products, and which may include incidental preparation of food and products, but does not include any display or sale of motor vehicle parts, heavy equipment or building materials.

**Outside Display and Sales:** shall mean an accessory outdoor area that is used for the display of products or services sold, leased or rented in conjunction with a permitted commercial use on the same lot.

**Outside Storage:** shall mean the storage of goods, materials, any shipping containers, machinery or vehicles including oversized motor vehicles that are not actively engaged in loading and unloading of goods and materials in conjunction with a business located within a building or structure on the same lot. For greater certainty, outside storage shall not include materials that are displayed as part of an outside display and sales area.

## P

**Parking Aisle:** shall mean a component of a parking area used to provide vehicular access to parking spaces.

**Parking Area:** shall mean an area of land used by parking spaces and parking aisles but does not include a driveway.

**Parking Space:** shall mean an area used for the parking of one motor vehicle.

**Parking Space, Angled:** shall mean a parking space that is accessed by a motor vehicle at an angle of up to 90 degrees.

**Parking Space, Parallel:** shall mean a parking space that is accessed by a motor vehicle at an angle that does not exceed 15 degrees.

**Parking Space, Visitor:** shall mean a parking space for the exclusive use of visitors to a lot or building.

**Parking Structure:** shall mean a building or structure used in whole or in part for the temporary parking of at least 4 motor vehicles, but excludes a private garage.

**Passive Recreation:** shall mean activity characterized by low intensity outdoor pastimes including but not limited to non-motorized trails and natural heritage areas requiring minimal modification of the land surface. Passive recreation may include associated structures and features such as a trail, benches, boardwalk, or gazebo.

**Permeable Surface:** shall mean an area of land utilizing soft landscaping or hard landscaped elements which permit the infiltration of water and shall not include artificial grass.

**Person:** shall mean any association, partnership, corporation, municipal corporation, agent or trustee and the heirs, successors, assigns, executors, administrators or other legal representatives of a person to whom the context can apply according to law.

**Personal Service Shop:** shall mean an establishment wherein a personal service is provided to patrons, and, without limiting the generality of the foregoing, includes a hairdressing/beauty shop, day spa, a dressmaker shop, tattoo parlour, dry cleaning and laundry distribution station, coin laundry/laundromat, massage therapy, pet grooming, travel agency, interior decorator business, picture framing, a shoe repair shop, a tailor, a photo studio or similar use and which may include incidental accessory sales of articles related to the service.

**Pet Day Care:** shall mean a facility where dogs, cats and other domestic pets are kept and cared for temporarily and during the majority of the pet's stay the pets are socializing and playing with other pet(s), bathing, grooming or other similar treatment, but does not include a kennel or veterinary clinic as defined in this By-law and includes no overnight boarding.

**Pharmaceutical Waste:** shall mean a waste that is derived from medicines, pharmaceuticals and instruments used to administer medicines or pharmaceuticals.

**Place of Worship:** shall mean premises primarily used for faith-based spiritual purposes wherein people assemble for religious worship, and which may include instruction or teaching, fellowship, recreation, and community

outreach activities that are provided for charitable or social purposes and not for commercial gain or profit. Accessory uses or facilities to a place of worship shall include, but not be limited to classrooms for religious instruction, nursery or daycare facilities, assembly areas related to faith-based activities, kitchens and eating areas, fellowship halls, recreation facilities and administrative offices related to the place of worship, and a residential unit in accordance with this By-law.

**Podium:** shall mean the lower portion of a building and as specifically defined by the provisions this By-law.

**Point of Intersection:** shall mean the point where two street lines intersect with one another. On any corner lot, where the street line is curved, the point of intersection shall be determined by projecting each street line from the point where they begin to curve to the point where the projected street lines join.

**Porch:** shall mean an attached unenclosed platform, with or without a foundation and/or basement with direct access to the ground.

**Power Generation (Fuel Combustion) Use:** shall mean a facility that, by means of combustion of a fuel, converts thermal energy to electricity through a series of turbines and generators. This excludes centralized heating plants and localized district energy facilities that do not sell power to the provincial electrical distribution system.

**Privacy Screen:** shall mean a constructed barrier or feature with a maximum of two vertical sides or segments, that is affixed to, and designed to obscure sightlines and provide privacy for, a patio, porch, deck, landscaped deck or balcony.

**Private Street:** shall mean an easement or private right-of-way used by motor vehicles to provide individual primary motor vehicle access to individual freehold lots and is privately maintained by an owner or a condominium corporation.

**Public Authority:** shall mean the Corporation of the City of Brampton, The Regional Municipality of Peel, the Crown in Right of Ontario, and the Crown in Right of Canada, and any board, commission, committee or any body or company established or exercising any power or authority under a statute of Ontario or Canada.

**Public Park:** shall mean an area, surface, place, installation or device, which is designed and used principally for outdoor active recreational purposes by the general public. Without limiting the generality of the foregoing, a public park shall include a picnic area, passive recreation uses, community garden, tennis court, soccer field, baseball field, volleyball court, pickleball court, basketball court, cricket pitch, skating rink, hiking or cycling trails, skateboard park, swimming pool, horseshoe pit, bocce court, lawn bowling



court, croquet pitch and shuffleboard court and associated bleachers, washrooms, change rooms and related accessory uses. A public park shall not include commercial recreation or a community centre.

**Public Street:** shall mean a road, avenue, highway, thoroughfare, parkway, bridge or place owned by the Corporation of the City of Brampton, the Regional Municipality of Peel, or the Crown in Right of Ontario, and designed and intended for use by the general public for the passage of motor vehicles.

**Public Use:** shall mean uses that are owned or leased by a public authority for community, recreational, administrative, educational, cultural, health care, protection, waste disposal, utility or other governmental purposes, and includes accessory uses to public use.

## Q

**Quonset Hut:** shall mean a building or structure made of corrugated steel, plastic or fabric covering or any combination of steel, plastic, fabric and concrete, having a semi-circular or rounded peak cross-section, which may or may not include end walls.

## R

**Rail Main Line:** shall mean a rail line operated and maintained by a rail company and identified for convenience purposes on Appendix A to this By-law.

**Rail Spur Line:** shall mean a secondary railway track that is not a rail main line and includes rail spur lines on private property. For convenience purposes, rail spur lines are shown on Appendix A to this By-law.

**Recreational Facility:** shall mean an area, surface, place, installation or device, which is designed and used, for active recreational pursuits. A recreational facility may include, but shall not be limited to, a tennis court, ice skating rink, horseshoe pit, bocce court, lawn bowling court, pickleball court, croquet pitch, and shuffleboard court.

**Recreational Vehicle:** shall mean a motorhome, motorized camper, boat, personal watercraft, snowmobile or similar vehicle, but excludes a travel trailer as separately defined herein.

**Residential Care Home:** shall mean a building or place offering supervised living accommodation that may include associated support services, accessory uses and amenities, and:

- .1 Is licensed or funded under Federal or Provincial legislation;

- .2 Is for persons requiring semi-independent or supervised group living arrangements; and
- .3 Is for more than 10 residents, exclusive of staff.

**Restaurant:** shall mean premises where food and/or beverages are prepared and offered for sale to the public for consumption either on or off the premises, and shall include a take-out restaurant with fewer than 11 seats, a convenience restaurant (with or without a drive-through, but only where a drive-through is permitted by this By-law) and a dining room restaurant.

**Restaurant Patio:** shall mean an outdoor seating or lounging area used in association with, and accessory to, a restaurant.

**Research and Development:** shall mean premises where scientific research, technical research, prototype development, or product testing, is conducted.

**Reserve:** shall mean a strip of land owned by a public authority for the purpose of preventing legal access from adjoining lands.

**Retail:** shall mean premises where goods or materials are kept and sold, leased, rented to the general public and excludes uses otherwise specifically defined by this By-law.

**Rooftop Mechanical Equipment:** shall mean mechanical and structural equipment located on the roof of any building, and used in association with electrical, plumbing, HVAC, elevators, and similar systems essential to the operation or maintenance of the building. and for the purposes of this By-law, shall also include an enclosed stairway that provides access to the rooftop and a mechanical penthouse that encloses such structures.

## S

**Sales Tent:** shall mean a temporary structure or associated outdoor area that is used for outside display and sales and retail transactions and is accessory to a retail use on the same lot.

**Salvage Yard:** shall mean a place where land is used for the outside handling or storage of used goods and materials intended for reclamation, resale and/or disposal purposes. Without limiting the generality of the foregoing, a salvage yard includes uses such as auto wreckers and scrap metal dealers.

**School, Commercial:** shall mean premises where instruction or training in specialized skills or general knowledge is provided for compensation including recreational instruction and tutoring, but does not include a commercial motor vehicle school, an elementary or secondary school, or a college or university.

**School, Commercial Motor Vehicle:** shall mean premises where the instruction or training in the operation of trucks, motor vehicles, and heavy equipment, is provided.

**School, Elementary:** shall mean a public or private school that is Provincially approved to provide instruction based on the Provincial curriculum principally for kindergarten to grade 8 students.

**School, Secondary:** shall mean a public or private school that is Provincially approved to provide instruction based on the Provincial curriculum principally for grade 9 to grade 12 students.

**Self Storage Facility:** shall mean a building or part thereof in which individual units or defined spaces are rented, leased or sold to the general public for the purposes of providing indoor storage space for temporary or permanent use, and which may include accessory retail sales, but shall not include a warehouse.

**Semi-circular Driveway:** shall mean a driveway that is connected between two accesses points from the same street serving a single residential lot.

**Setback:** shall mean the distance between a lot line and the nearest wall of any building or structure, measured perpendicular to the lot line, and as indicated in the context in which the term is applied.

**Single Room Occupancy Housing:** shall mean a form of multi-tenant housing, consisting of single room housing units accessed by common hallways in which some or all common amenities are shared by residents, including common dining, kitchen, recreation/living, and washroom facilities. The single room occupancy housing may be located in a stand alone building or integrated into a mixed-use building.

**Sight Triangle:** shall mean a portion of land that is maintained for the purpose of providing an unencumbered sight visibility area for pedestrians and vehicles and does not include a daylight triangle.

**Stacking Space:** shall mean a portion of a lane used for queueing motor vehicles that are awaiting or receiving service from a drive-through or another automotive service.

**Step Back:** shall mean an additional required setback for the upper storeys of a building, relative to the lower storeys of the building. The step back is measured from the wall face of the lower storeys to the wall face of the upper storeys.

**Storey:** shall mean that portion of a building between a floor surface and the ceiling or roof that is above it, and with a height of at least 1.8 m. A basement as defined in this By-law is not considered a storey.

**Street:** means a public street or a private street.

**Street Line:** shall mean any lot line abutting a public street.

**Structure:** shall mean anything that is erected, built, or constructed, or requires location on the ground or attachment to something having location on the ground, and which shall include a statue, monument, cenotaph or similar ornamental or commemorative landscape feature having a height of more than 1.8 m but shall not include a fence or privacy screen.

**Supportive Housing Residence Type 1:** shall mean a single dwelling unit in a residential dwelling of any kind that is licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides a group living arrangement under responsible supervision, commonly referred to as a group home. A Supportive Housing Residence Type 1 shall not include a Supportive Housing Residence Type 2 or have any correctional purpose.

**Supportive Housing Residence Type 2:** shall mean a single dwelling unit that is licensed, approved or funded under Federal or Provincial statute for the accommodation of 3 to 10 residents, exclusive of staff, that provides housing and rehabilitation for persons on probation, parole, early or re-release, or any other form of executive, judicial or administrative release from a penal institution, sometimes referred to as a group home for correctional purposes. A Supportive Housing Residence Type 2 shall not include a Supportive Housing Residence Type 1.

**Surface Parking:** shall mean any parking space/parking area including parking aisles, that is located on the finished ground surface and is not contained or otherwise enclosed in a building or structure, including an above-ground or below-ground parking structure.

**Swimming Pool:** shall mean any structure, basin, chamber or tank containing or capable of containing an artificial body of water intended for swimming, wading, diving or recreational bathing, and having, when filled, a water depth of 0.6 m or more at any point.

## T

**Tandem Parking:** shall mean an arrangement of parking spaces oriented in the same direction of travel, in which one or more of the spaces do not have access to a parking aisle and are accessible only through other parking spaces.

**Temporary Tent:** shall mean a temporary tent or other non-permanent structure set up and used to shelter persons and things in association with a private event and shall not include any commercial activities.

**Temporary Sales Tent:** shall mean a non-permanent structure set up and used to shelter persons and things and is used in conjunction with a

commercial use for the sale and display of goods and merchandise associated with the business.

**Temporary Sales Office:** shall mean a building or part thereof used for display purposes a sales office that is used for the sale of homes within the associated plan of subdivision or development, and which is not occupied as a residential use.

**Theatre:** shall mean an entertainment facility including cinemas, live performances and concerts are provided and which may include incidental retail or food/beverage sales for consumption on the premises, but does not include a night club.

**Thermal Degradation:** shall mean a Waste Disposal Use that treats non-hazardous waste and Hazardous Waste by thermal means, including incineration, gasification, pyrolysis or plasma arc treatment, and includes:

- .1 “Thermal Degradation (Energy from Waste) Use” shall mean a Waste Disposal Use that treats non-hazardous waste by Thermal Degradation and is accompanied by the generation of electricity, in which case the waste is used as a fuel source for the production of energy and/or heat. It shall not include the thermal degradation of hazardous wastes.
- .2 “Thermal Degradation (Non-Energy Producing) Use” shall mean a Waste Disposal Use designed and operated for the degradation or destruction of non-hazardous waste by Thermal Degradation. For the purposes of this category, Thermal Degradation of waste shall not include the generation of electricity. It shall not include the Thermal Degradation of Hazardous Wastes.
- .3 “Thermal Degradation (Hazardous Waste) Use” shall mean a Waste Disposal Use that treats hazardous waste by Thermal Degradation. Thermal Degradation shall not include mechanical sterilization.”

**Transit Station:** shall mean premises used for the temporary parking of transit buses, railcars or other transit vehicles which are engaged in the pickup and drop-off of passengers and transferring of passengers, and includes accessory uses such as convenience retail and food storage and structures to provide amenities to passengers.

**Transportation Depot:** shall mean premises used for parking, storage and/or dispatch of commercial motor vehicles and transport trucks, including incidental maintenance, dispensing of truck fuel, truck weighing facilities, washing facilities, and including intermodal facilities.

**Travel Trailer:** shall mean a trailer that is used or intended to be used for short-term or seasonal occupancy and is or is intended to be located or parked on a site for a temporary or seasonal period.

## U

**Unenclosed:** shall mean open to the air on one or more sides of the structure, excluding required guard panels and rails.

**Urban Park:** shall mean a publicly accessible outdoor area providing passive recreational and social gathering opportunity, and which may include privately owned, publicly accessible spaces.

**Use:** shall mean:

- .1 when used as a noun, the purpose for which a lot or building or structure or any combination thereof, is designed, arranged, intended, occupied or maintained; and
- .2 when used as a verb, anything that is done or permitted by the owner or occupant of any land, building or structure directly or indirectly or by or through any trustee, tenant, servant or agent acting for or with the knowledge or consent of such owner or occupant for the purpose of making use of the said land, building or structure.

## V

**Vertical or Indoor Farm:** shall mean a building used for the indoor production, cultivation and processing of agricultural crops and produce. The use shall not include raising, keeping, or harvesting of livestock.

**Vertical Clearance:** shall mean the space between the ground level or floor surface to the height of the nearest obstruction.

**Veterinary Clinic:** shall mean premises used for the medical or surgical treatment of pets and animals, and which does not include overnight boarding, except for the accommodation of pets and animals undergoing medical treatment and under the supervised care of a veterinarian or employee of the veterinarian. A veterinary clinic shall not include an outside run.

## W

**Warehouse:** shall mean a building or part thereof used to store goods, equipment, merchandise or materials but does not include the display of



merchandise for sale, rental, or lease but excludes a waste disposal use or a self-storage facility.

**Waste Disposal Use:** shall mean:

- .1 any land upon, into, in or through which, or building or structure in which, waste is deposited, disposed of, handled, stored, transferred, treated or processed, and,
- .2 any operation carried out or machinery or equipment used in connection with the depositing, disposal, handling, storage, transfer, treatment or processing referred to in clause (a); and,
- .3 notwithstanding clauses .1 and .2, it does not include any product, returned to a manufacturer or supplier of the product for reprocessing, repackaging or resale for any reason, including that the product, substance or organism is:
  - .a defective or otherwise not usable for its original purpose,
  - .b or in surplus quantities but still usable for its original purpose.
- .4 notwithstanding clause .3, it does not apply to severely toxic waste, hazardous waste chemicals or manufacturing intermediaries, radioactive waste, or PCB waste; and,
- .5 notwithstanding clauses .1 and .2, it does not include the temporary storage of spent or surplus material inputs or by-products of a manufacturing use that are temporarily stored at a manufacturing facility until such time as they are removed from the facility for disposal.

**Waste Processing Station:** shall mean a facility that receives, stores and/or processes waste materials for the purpose of creating new products or materials within an enclosed building unless it is owned or operated by the Regional Municipality of Peel on lands where outside storage is permitted.

**Waste Storage Enclosure:** shall mean a structure used to visually screen and eliminate odour impacts from waste, recycling and compost bins.

**Waste Transfer Station:** shall mean a facility where waste materials are collected for shipment and may be sorted and/or prepared for transportation within a storage bin or enclosed building.

**Workshop:** shall mean a premises used for the design and custom production of goods and articles, including custom woodworking, clothing articles, signs, jewelry, antique refinishing, custom metalworking, and similar products.

## X

## Y

**Yard:** shall mean an open portion of the land on the same lot with the main building or structure, unoccupied and unobstructed except as specifically permitted in this By-law and located between any building and a lot line.

**Yard, Exterior Side:** shall mean a yard extending from the front yard to the rear lot line between the exterior side lot line and the nearest wall of any main building on the lot.

**Yard, Front:** shall mean a yard extending across the full width of a lot between the front lot line and the nearest wall of any main building on the lot.

**Yard, Interior Side:** shall mean a yard, other than an exterior side yard, extending from the front yard to the rear yard of a lot between an interior side lot line and the nearest wall of any main building on the lot.

**Yard, Rear:** shall mean:

- .1 in the case of an interior lot, a yard extending across the full width of the lot between the rear lot line and the nearest wall of any main building on the lot; or
- .2 in the case of a corner lot, a yard extending from a side lot line to an exterior side yard, and between the rear lot line and the nearest wall of any main building on the lot.

**Yard, Side:** shall mean an interior side yard or an exterior side yard.

## Z

**Zone:** shall mean an area of land designated for certain uses, and subject to lot and building requirements, as set out in this By-law.

# Chapter 3: General Provisions

## Section 3.1: Accessory Uses, Buildings and Structures

### 3.1.A General

- .1 In this By-law, where a use is permitted, any use which is accessory to the principal permitted use shall also be permitted.
- .2 Unless explicitly permitted by this By-law, habitable space shall not be permitted within any accessory building or structure.
- .3 Notwithstanding Section 3.1.A.1, where a specified accessory use is identified in the permitted use regulation tables for any zone, the permission of that accessory use and associated buildings and structures shall be restricted in accordance with the permitted use tables. This shall include:
  - .a Accessory offices;
  - .b Drive-throughs and motor vehicle washing facilities;
  - .c Home occupations;
  - .d Outside storage;
  - .e Outside display and sales;
  - .f Restaurant patios;
  - .g Seasonal garden centres and temporary sales tents; and
  - .h Any other accessory use specifically indicated in the permitted use tables contained in Chapters 4 through 10.

### 3.1.B Accessory Buildings and Structures in Non-Residential Zones

In all zones except the Residential Zones, the following provisions shall apply to any accessory buildings or structures:

- .1 The height of an accessory building or structure shall not exceed the greater of 4.5 m or the maximum building height in the applicable zone.
- .2 The accessory building or structure shall be located at least 3.0 m from any lot line. Notwithstanding this provision, where the lot abuts any Residential, Mixed Use, Institutional, Natural System, Park, or Open Space Zone, the minimum setback shall be the

*Note: The General Provisions of this By-law apply to all zones. However, the applicability of the requirements in Chapter 3 will depend on the specific project, as not all requirements will be relevant to every proposed development or project. The reader should confirm the applicable requirements from Chapter 3 in addition to the zone requirements.*

*Note: Requirements for accessory uses, buildings and structures are contained here as well as in the applicable zone requirements. Section 5.2.A, for example, includes specific requirements for accessory uses, buildings and structures in the Residential Zones.*

minimum required building setback as stated in the applicable zone.

- .3 Accessory buildings and structures shall not be permitted within any front yard or exterior side yard. This restriction shall not apply to the Utility and Transportation zone.
- .4 Notwithstanding the provisions above, and notwithstanding the restrictions in any exception zone in Chapter 12, an accessory structure in the form of a statue, monument or similar ornamental or commemorative landscape feature shall be permitted in any yard, provided that:
  - .a The structure does not exceed a height of 4.5 m.
  - .b The base of the structure does not exceed an area of 15.0 m<sup>2</sup> and the body of the structure does not extend beyond perimeter of the base.
  - .c The structure is not closer than 1.5 m to any lot line, except where the lot line abuts a Residential or Open Space zone, the minimum setback shall be equal to the height of the structure.

## Section 3.2: Uses, Buildings and Structures Permitted in All Zones

### 3.2.A Uses, Buildings and Structures Permitted in All Zones

The following uses, buildings and structures shall be permitted in all zones and are not subject to the requirements of this By-law:

- .1 A public use including an accessory use thereto owned or leased by the Corporation of the City of Brampton is permitted in all zoning categories and is not subject to requirements and restrictions applicable to any zone.
- .2 A public use providing emergency health care service or protection, including accessory uses thereto, owned or leased by the Region of Peel (including Peel Regional Police) is permitted in all Agricultural, Industrial, Institutional, Central Mixed Use and Commercial zone categories and is subject only to the landscaping and outside storage requirements and restrictions applicable to the zone category in which the use is located and to the following requirements and restrictions:
  - .a The minimum yard (all yards) shall be 1.0 m.
  - .b Notwithstanding .a, the minimum yard abutting any Residential zone shall be 4.5 m.

*Note: Certain uses, buildings and structures are allowed in any zone and not subject to the requirements of this By-law. This includes some public uses, certain infrastructure, and other minor structures and features as described in this section.*

- .3 Temporary uses, buildings and structures associated with construction in progress on the same lot, provided:
  - .a a building permit has been issued where a building permit is required for the work being undertaken; and
  - .b the uses, buildings and structures associated with construction in progress are temporary and shall be removed at such time as construction activities are finished or have been discontinued for more than 120 days.
- .4 Conservation uses.
- .5 Trails, walkways and similar passive recreational features and associated structures.
- .6 Temporary uses, buildings or structures associated with filming and multimedia content creation.
- .7 Electric vehicle charging structures and associated electrical utilities, excluding any associated parking space which shall be subject to the provisions of this By-law.
- .8 Soft landscaping landform features and permeable surfaces, including but not limited to bioswales, rain gardens and infiltration trenches are permitted in all zones and not subject to requirements of this By-law.
- .9 Notwithstanding any other provision of this By-law, the requirements of this By-law shall not apply to the use of any land, or the erection or use of any building or structure by a public authority or a private company that is regulated by a public authority for the purpose of an energy generation facility, infrastructure, telecommunications or communication infrastructure, wayside pit, wayside quarry, or any structure required for the purpose of flood control or shoreline erosion mitigation, subject to the following provisions:
  - .a Other than an electric power transmission line, the size, height, coverage and yard regulations required for the zone in which such land, building, structure, plant, or equipment is located shall be complied with except for a facility less than 1.0 m<sup>2</sup> in area and 2.0 m in height, which may be located not less than 3.0 m from a public street and 1.5 m from any other property line;
  - .b No goods, material or equipment may be stored in the open in a Residential or Mixed-use Zone or in a yard abutting a Residential or a Mixed-use Zone;

- .c Any parking and loading regulations prescribed for these uses shall be complied with;
- .d Areas not used for parking, driveways or storage shall be landscaped; and,
- .e All electric power facilities of hydro utility providers legally existing on the date of enactment of this By-law shall be deemed to comply with the requirements and restrictions pertaining to the applicable zone.

### Section 3.3: Provisions for Uses Permitted in More than One Zone Category

The following provisions apply to specific uses where they are permitted by this By-law. The requirements of this Section shall be read in conjunction with all other requirements of this By-law. Where there is conflict, the more restrictive requirements shall apply.

#### 3.3.A Community Garden

Where permitted by this By-law, a community garden shall be in accordance with the following provisions:

- .1 In any Residential Zone where the community garden is the principal use of the lot, any buildings and structures associated with the community garden shall be in compliance with the setbacks for the main building requirements of the zone. Where the community garden is an accessory use on a residentially zoned lot, the buildings and structures associated with the use shall be in accordance with the applicable requirements for accessory buildings and structures.
- .2 In any zone other than a Residential Zone, any buildings and structures associated with the community garden shall be in accordance with the lot and building requirements of the applicable zone.
- .3 A community garden shall not include any retail use, except that a temporary outdoor market may be used to sell or trade the produce grown on the premises, provided the market does not exceed 60 days in any calendar year, and provided the temporary outdoor market is located no closer than 3.0 m from any lot line and does not include any permanent structures.

*Note: Certain uses are permitted across several different zone categories, and are subject to special restrictions. Section 3.3 provides special requirements for these uses. These requirements build upon the applicable zone requirements. All requirements would have to be met. The zones indicate where these uses are permitted.*



### 3.3.B Drive Throughs and Motor Vehicle Washing Facilities

Where permitted by this By-law, a drive-through associated with any use or a motor vehicle washing facility shall be in accordance with the following provisions:

- .1 Notwithstanding the permitted uses of this By-law, a drive-through or motor vehicle washing facility shall not be permitted:
  - .a within 90 m of any Boulevard as shown on Schedule F, which shall be measured from any lot line abutting the Boulevard right-of-way; and
  - .b within any Protected Major Transit Station Area as shown on Schedule G.
- .2 The minimum number of stacking spaces per drive-through, gas pump, bay or structure providing service shall be in accordance with Table 3.3.B.1.

**Table 3.3.B.1 – Minimum Stacking Spaces**

Use	Minimum Number of Stacking Spaces
Restaurant	10
Retail	3
Automatic motor vehicle washing facility (no stacking shall be required for a self-service motor vehicle washing facility)	8 (each facility)
Financial establishment	4
Gas bar	1 (each gas pump)
Any other commercial use providing service to patrons while they remain in their motor vehicle	3 (each service window/bay)

- .3 The minimum dimensions of a stacking space shall be 3.0 m by 5.5 m.
- .4 Minimum required stacking spaces shall be arranged in a continuous lane without interruptions from aisles, through lanes, parking spaces, driveways, or loading spaces.
- .5 Minimum required stacking spaces shall be measured as follows:
  - .a Stacking spaces associated with any restaurant or retail use shall be measured from a point that is located 2.0 m beyond the middle of the drive-through window used to receive goods.

- .b Stacking spaces associated with a financial institution shall be measured from a point located 2.0 m beyond the middle of the drive-through bank machine.
- .c Stacking spaces associated with a motor vehicle washing facility or a use where the patron drives the motor vehicle into a vehicular bay shall be measured from a point that is 2.0 m from the entrance to the service bay.
- .d Stacking spaces associated with a gas bar shall be measured from a point that is located 0.3 m beyond the middle of the gas pump.
- .6 No part of a drive-through shall be located within 30.0 m of any Residential zone, Mixed Use zone, Institutional zone, Park zone, or Open Space zone.
- .7 No part of a drive-through or stacking space shall be located within a parking area or driveway.
- .8 No part of a drive-through or stacking space shall be located within the front yard or exterior side yard.

### 3.3.C Home Occupations

Where permitted by this By-law, a home occupation shall be subject to the following provisions:

- .1 In any single detached dwelling, semi-detached dwelling, linked dwelling, street townhouse dwelling, or cluster townhouse dwelling, a home occupation shall be permitted as accessory to each dwelling unit in accordance with the following:
  - .a A maximum of one home occupation is permitted per dwelling unit.
  - .b The home occupation shall be operated by the residents occupying the associated dwelling unit, plus a maximum of one employee who does not reside in the associated dwelling unit.
  - .c A home occupation shall occupy a maximum of 25% of the gross floor area of the dwelling unit, and not exceeding 50 m<sup>2</sup>. This area shall be measured to encompass areas devoted to the home occupation use and shall not comprise other common areas such as hallways and washrooms which are not specifically used for the home occupation. The calculation shall also include all areas above and below grade that are used for the home occupation.

*Note: Two types of home occupations are contemplated in this By-law. Section 3.3.C.2 allows 'home offices' in conjunction with any dwelling unit. Section 3.3.C.1 allows a broader range of home occupation types in conjunction with certain types of dwelling units, such as single detached dwellings, which have more space and direct access to the street.*

- .d A home occupation is permitted within the dwelling unit, or within an attached or detached garage.
- .e The home occupation use shall be carried out entirely within an enclosed building.
- .f The home occupation and dwelling shall meet the applicable minimum parking requirement of this By-law.
- .g The sale of goods to customers on the premises shall be limited to items that are prepared within the area associated with the home occupation, or are goods that are directly related to the home occupation.
- .h The home occupation shall have a maximum number of 2 clients or students at a time.
- .i A home-based child care use shall be permitted as a home occupation, in accordance with Provincial legislation. A home-based daycare shall not be subject to the restriction of the number of clients under .h and the restriction on enclosure under .e. but shall meet Provincial requirements.
- .j Music or dance instruction shall only be permitted within a single detached dwelling and shall not be permitted to be located within a garage.
- .k The home occupation shall not include any of the following:
  - .i Repair, modification, or servicing of motor vehicles;
  - .ii The preparation, processing, manufacturing, storing, handling, displaying, distribution or transportation of food for the purpose of sale or for resale at other locations;
  - .iii Operation or storage of heavy machinery;
  - .iv A medical office except that a home occupation for a drugless medical practitioner shall be permitted;
  - .v Any associated outside storage;
  - .vi The manufacturing, sale or service of any explosives, fuels, firearms, or otherwise hazardous or explosive substances; and
  - .vii Any use, which from its nature of operation, creates a nuisance or is liable to become a nuisance by the creation of noise, vibration, or by reason of the emission of gas, fumes, dust, glare or odour.

- .2 A home occupation in the form of a home office shall be permitted in any type of dwelling unit, subject to the following requirements:
  - .a The home occupation use shall be limited to a home office use.
  - .b The home office shall be limited to 15% of the gross floor area of the associated dwelling unit.
  - .c No persons shall be employed in the home office that does not reside in the dwelling.
  - .d The home office shall not include any clients, students, or visitors.
  - .e No exterior signage is permitted.
  - .f No goods, wares or merchandise shall be offered or exposed for sale or kept for sale on the premises.
  - .g The home office shall not create a nuisance by the creation of noise, vibration, objectionable odour.

### **3.3.D Lodging Houses**

Where permitted by this By-law, a lodging house shall be in accordance with the following provisions:

- .1 A lodging house shall be permitted only in a single detached dwelling and is permitted to encompass all or part of the dwelling.
- .2 A minimum separation distance of 305 m shall be maintained between a lodging house and another lodging house.
- .3 A lodging house shall comply with the requirements of the Lodging House Licensing By-law.

### **3.3.E Micro Manufacturing**

Where permitted by this By-law, micro manufacturing shall be in accordance with the following provisions:

- .1 A micro manufacturing use shall have an associated retail and/or restaurant component.
- .2 Any proposed accessory retail shall be included in the calculation of total retail gross floor area for the purposes of meeting any applicable maximum amount of retail uses, as may be required by this By-law.

### 3.3.F Motor Vehicle Impound Yard

Where permitted by this By-law, a motor vehicle impound yard shall be in accordance with the following provisions:

- .1 The motor vehicle impound yard shall include a permanent building on the site.
- .2 The minimum lot area shall be 1,800 m<sup>2</sup>.
- .3 A motor vehicle impound yard shall be permitted only within lands that are located in the area bounded by Queen Street, Highway 410 Steeles Avenue and Kennedy Road.
- .4 Notwithstanding the permitted uses of this By-law, a motor vehicle impound yard shall not be permitted:
  - .a within 90 m of any Boulevard as shown on Schedule K, which shall be measured from any lot line abutting the Boulevard right-of-way; and
  - .b within any Protected Major Transit Station Area as shown on Schedule F.
- .5 A minimum of 5 parking spaces shall be provided on the site. These parking spaces shall be maintained separately from the areas used for impounded motor vehicles.
- .6 The outside storage area used for impounded motor vehicles shall be in accordance with the requirements for outside storage in Section 8.2.E, except that:
  - .a A minimum 3.0 m wide landscaped strip shall be provided abutting any public street; and
  - .b The motor vehicle impound yard shall be screened from view from any public street and any adjacent lot where outside storage is not permitted by an opaque fence that is at least 2.0 m in height.

### 3.3.G Motor Vehicle Service Station

Where permitted by this By-law, a motor vehicle service station shall be in accordance with the following provisions:

- .1 No portion of a gas bar canopy or gas pump shall be located closer than 6.0 m from any rear lot line or interior side lot line and 15.0 m from any residential, institutional, mixed-use or open space zone.
- .2 No portion of a gas bar canopy or gas pump shall be located closer to the front lot line and exterior lot line than the principal building.

- .3 No underground or above ground storage tanks for fuel shall be permitted in any required yard that abuts any residential or mixed-use zone.
- .4 Any gas bar shall also meet the applicable stacking space requirements of Section 3.3.B.
- .5 Notwithstanding any other provision of this By-law, no dwelling unit shall be permitted on the same lot as the motor vehicle service station.

### **3.3.H Outside Display and Sales**

Where permitted by this By-law, outside display and sales shall be in accordance with the following provisions:

- .1 Outside display and sales shall be permitted as an accessory use only and there shall be a principal building on the lot.
- .2 No portion of outside display and sales shall be permitted within any required landscaped strip or minimum required landscaped open space.
- .3 The maximum height of an outside display and sales area shall be 3.0 m.
- .4 The maximum lot coverage of an outside display and sales area shall be the lesser (more restrictive) of:
  - .a 10%; or
  - .b 25% of the gross floor area of the related principal commercial use.
- .5 Section 3.3.H.4 shall not apply to an outside display and sales area associated with a motor vehicle dealership, boat or recreational vehicle sales and service, or garden centre.

### **3.3.I Place of Worship**

Where permitted by this By-law, a place of worship shall be in accordance with the following provisions:

- .1 Notwithstanding the lot and building requirements of the applicable zone, a place of worship shall be in accordance with the requirements in Table 3.3.I.1.
- .2 Where any lot and building requirements are not specified in Table 3.3.I.1, the requirements of the zone shall apply.

- .3 The parking requirements for places of worship in accordance with Chapter 4 of this By-law shall apply.
- .4 A maximum of one accessory residential dwelling unit shall be permitted in conjunction with a place of worship provided the lot and building meet the minimum requirements of this section. The residential dwelling unit shall be permitted and shall:
- .a meet the minimum setbacks and requirements of the applicable zone;
  - .b contain a maximum of 5 guest rooms; and
  - .c provide a minimum of 8 m<sup>2</sup> of outdoor landscaped open space that is exclusively available for use by the resident(s) of the accessory residential dwelling unit.
- .5 Where abutting any Residential or Park zone, a minimum landscape strip with a width of at least 3.0 m shall be provided on any interior side lot line and rear lot line.

Table 3.3.I.1 – Place of Worship Lot and Building Requirements

	In Any Residential Zone Where a Place of Worship is Permitted	In Any R3 Zone Where a Place of Worship is Permitted	In Any Commercial or Mixed-Use zone where a Place of Worship is Permitted	In Any Other Zone where a Place of Worship is Permitted
Minimum Lot Area	8,000 m <sup>2</sup>	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone
Minimum Lot Width	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone
Minimum Front Yard	4.5 m	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone
Minimum Interior Side Yard	3.0 m	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone
Minimum Exterior Side Yard	3.0 m	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone
Minimum Rear Yard	7.5 m	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone
Minimum Landscaped Strip Width	3.0 m abutting all lot lines	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone



	In Any Residential Zone Where a Place of Worship is Permitted	In Any R3 Zone Where a Place of Worship is Permitted	In Any Commercial or Mixed-Use zone where a Place of Worship is Permitted	In Any Other Zone where a Place of Worship is Permitted
Maximum and Minimum Height	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone	In accordance with the applicable zone
Maximum Gross Floor Area	500 m <sup>2</sup>	500 m <sup>2</sup>	No requirement	No requirement

### 3.3.J Restaurant Patio

Where permitted by this By-law, a restaurant patio shall be in accordance with the following provisions:

- .1 A restaurant patio shall be permitted within any portion of any yard, provided it is no closer than 3.0 m to any lot line.
- .2 Notwithstanding the provisions above, a restaurant patio shall be permitted up to 0.0 m of any front lot line or exterior side lot line in any mixed-use zone.
- .3 Notwithstanding the provisions above, a restaurant patio shall not extend beyond the lot line onto an abutting street without the prior written consent of the municipality having jurisdiction over the street.
- .4 A restaurant patio shall be enclosed with a decorative fence that is no less than 1.2 m in height.
- .5 No portion of a restaurant patio shall be closer than 10.0 m to any R1 or R2 zone or subzone.
- .6 A restaurant patio shall not be permitted within any sight triangle.

### 3.3.K Seasonal Garden Centre and Temporary Sales Tent

Where permitted by this By-law, any seasonal garden centre and any temporary sales tent shall be in accordance with the following provisions:

- .1 The seasonal garden centre or temporary sales tent shall be prohibited within any required minimum yard setback.
- .2 The height of any associated tent or structure shall be in accordance with the maximum height contained in the zone provisions.

- .3 No additional parking shall be required for a temporary sales tent, provided it operates for no more than 120 days in any calendar year.
- .4 The seasonal garden centre or temporary sales tent is permitted to be located within any part of a parking area, provided it does not result in deficiencies in the required parking provision greater than 10% of the applicable minimum number of parking spaces.

### Section 3.4: Conservation Authority Regulation Limit

- .1 On any lands subject to the Conservation Authority Regulation Limit, as administered by the applicable Conservation Authority, a permit may be required from the applicable Conservation Authority prior to issuance of a building permit in accordance with the *Building Code Act* and the *Conservation Authorities Act*, and applicable regulations.
- .2 Notwithstanding any provision of this By-law, in any lands located in the Conservation Authority Regulation Limit as determined by the Conservation Authority, the following uses shall be prohibited in hazardous lands and hazardous sites as determined by the City in consultation with the applicable Conservation Authority:
  - .a Institutional uses including hospitals, residential care homes, retirement homes, child care centres and any public or private schools;
  - .b Essential emergency service facilities including fire, police, ambulance stations and electrical substations; and
  - .c Uses associated with disposal, manufacture, treatment or storage of hazardous substances.

*Note: The Conservation Authority should be contacted regarding any projects within their Regulation Limit, as a permit may be required prior to receiving a building permit from the City for the proposed works. The Regulation Limit is administered by the Conservation Authority.*

### Section 3.5: Floodplain Overlays (Schedule C)

#### 3.5.A Provisions Applicable to All Downtown Floodplain Overlay Areas

- .1 Notwithstanding any other provision of this By-law, on any lands subject to any Downtown Floodplain Overlay, as shown on Schedule J, the following provisions shall apply:
  - .a Residential uses and hotels constructed shall provide an emergency pedestrian access from the building to lands situated at or above the Regulatory Storm Flood elevation as established by the Toronto and Region Conservation Authority. Such emergency pedestrian access shall be above the Regulatory Storm Flood elevation in its entirety.
  - .b All buildings and structures shall be floodproofed to the level of the Regulatory Storm Flood elevation and dry passive floodproofing of new buildings or structures may be required. Where it has been demonstrated to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority that it is technically impractical to flood proof a building or structure to the Regulatory Flood level, floodproofing must be to the highest level technically

feasible. However, the minimum floodproofing level shall be to the 1:350 storm elevation, as determined by the Toronto and Region Conservation Authority.

- .c All buildings and structures shall locate primary building system controls, such as service units and panels, at or above the Regulatory Storm Flood elevation.
- .d No dwelling units, or any portion of the suites associated with hotels shall be constructed below the Regulatory Storm Flood elevation.
- .e The following uses shall not be permitted:
  - .i hospital;
  - .ii residential care home;
  - .iii child care centre;
  - .iv elementary school;
  - .v secondary school;
  - .vi essential emergency services, including fire, police (except for a neighbourhood-serving police station that is not designed or intended to serve an essential function during an emergency event such as flooding and not exceeding 464 m<sup>2</sup> in gross floor area), ambulance stations and electrical substations; and,
  - .vii uses associated with the disposal, manufacturing, treatment or storage of hazardous substances.

### **3.5.B Downtown Floodplain Overlay Area 1**

- .1 Notwithstanding any other provision of this By-law, on any lands subject to Downtown Floodplain Overlay Area 1, as indicated on Schedule J, the following provisions shall apply:
  - .a The maximum total number of residential units permitted to be constructed within all lands subject to Downtown Floodplain Overlay Area 1 after May 7, 2014 shall be 900.
  - .b The maximum total gross floor area of non-residential uses permitted within all lands subject to Downtown Floodplain Overlay Area 1 shall be 41,000 m<sup>2</sup>.

### **3.5.C Downtown Floodplain Overlay Area 2**

- .1 Notwithstanding any other provision of this By-law, on any lands subject to Downtown Floodplain Overlay Area 2, as indicated on Schedule J, the following provisions shall apply:
  - .a The maximum total number of residential units permitted to be constructed within all lands subject to Downtown Floodplain Overlay Area 2 after May 7, 2014 shall be 185.
  - .b The maximum total gross floor area of non-residential uses permitted within all lands subject to Downtown Floodplain Overlay Area 2 shall be 45,000 m<sup>2</sup>.

### **3.5.D Downtown Floodplain Overlay Area 3**

- .1 Notwithstanding any other provision of this By-law, on any lands subject to Downtown Floodplain Overlay Area 3, as indicated on Schedule J, the following provisions shall apply:
  - .a No residential dwelling units that did not exist on the date of passing of this By-law shall be permitted.
  - .b The maximum gross floor area of non-residential uses permitted within all lands subject to Downtown Floodplain Overlay Area 3, including any hotels subject to Section 3.5.D.1.c shall be 88,000 m<sup>2</sup>.
  - .c The total amount of gross floor area of any new or expanded hotels shall not exceed 150 suites and 11,000 m<sup>2</sup> of gross floor area within all lands subject to Downtown Floodplain Overlay Area 3.
  - .d Notwithstanding Section 3.5.A.1, development abutting Main Street and/or Queen Street is permitted to be floodproofed and provide entrances and ground floor finished floor elevations to the 1 in 350 year storm elevation. Entrances to below-grade parking structures shall be dry passively floodproofed in accordance with Section 3.5.A.1.

### **3.5.E Downtown Floodplain Overlay Area 4**

- .1 Notwithstanding any other provision of this By-law, on any lands subject to Downtown Floodplain Overlay Area 4, as indicated on Schedule J, the following provisions shall apply:
  - .a No additional dwelling units shall be permitted unless safe access to lands outside of the Downtown Floodplain Regulation Area can be achieved from the building. Such

access shall be over lands entirely above the Regulatory Storm elevation as established by the Toronto and Region Conservation Authority.

- .b All residential habitable space within or added to an existing dwelling shall be floodproofed to the Regulatory Storm Flood elevation.

### Section 3.6: Frontage on Road or Street

- .1 No person shall erect any building or structure on any lot unless:
  - .a the lot upon which such building or structure is to be erected fronts upon a public street;
  - .b the lot will have frontage on a public street that will be assumed by a public authority, pursuant to an approved development agreement with a public authority;
  - .c the building or structure is part of a plan of condominium and the lot has direct access to a public street;
  - .d the lot is legally tied to a common element condominium that has or will have frontage on a common element condominium roadway which has or will have direct access to a public street, or there is access to the public street via another common element condominium roadway, in accordance with a development agreement with a public authority; or
  - .e the lot otherwise has access to a private street as was legally existing on the day of passing of this By-law.
- .2 Notwithstanding the provisions of this section, a lot used principally for infrastructure, trails, or conservation uses shall not require frontage.

### Section 3.7: Height Exceptions

- .1 Any maximum height requirement of this By-law shall not be applicable to the following structures and building components, and further, the following structures shall not be counted towards achieving any minimum height requirement specified in this By-law:
  - .a A spire, minaret or similar structure associated with a place of worship.
  - .b Elevator enclosures.

*Note: This By-law provides maximum height requirements in most zones, which will limit the height of buildings in the zone. However, certain structures and building components are not subject to the maximum height requirements, as described in Section 3.7.*

- .c Flag poles, television or radio antennae, ventilators,
  - .d Silos.
  - .e Clock towers.
  - .f A chimney associated with a dwelling unit, provided the associated structure does not exceed 2.0 m in height above the maximum permitted building height in the applicable zone.
  - .g A chimney or smokestack associated with any non-residential use.
  - .h Buildings and structures associated with transit stations, public works yards, or emergency services.
  - .i Infrastructure maintained by a public authority.
  - .j Skylights and solar panels and associated structures up to 0.3 m in height.
  - .k A water tank and water / cooling towers.
  - .l An accessory building associated with a permitted agricultural use.
- .2 Height exemptions and other requirements for rooftop mechanical equipment shall be in accordance with Section 3.14.
  - .3 The minimum building height requirements in this By-law shall not apply to a transit station or infrastructure.

### **Section 3.8: Lester B. Pearson International Airport Operating Area Overlay (Schedule I)**

- .1 Notwithstanding any other provision of this By-law, on any lands subject to the Lester B. Pearson International Airport Operating Area overlay, as shown on Schedule I, the following uses shall be prohibited:
  - .a any type of residential dwelling unit;
  - .b residential care home;
  - .c child care centre;
  - .d hospital; and
  - .e elementary or secondary school.
- .2 Notwithstanding clause .1, a residential dwelling, a child care centre, a hospital, a residential care home, an elementary or



secondary school that was legally existing on the day the date of adoption of this By-law shall be a permitted use in accordance with the lot and building requirements of the applicable zone.

- .3 For lands located north of Steeles Avenue, no building or structure shall be higher than 9.0 m above established grade if the building or structure is located within 178 m east of the easterly limits of Torbram Road.

### Section 3.9: Mix of Uses

- .1 Where more than one use is permitted in the applicable zone, the lot may be used for any combination of the permitted uses, except as otherwise specified in this By-law.
- .2 Where any land or building is used for more than one purpose, all provisions of this By-law relating to each use shall be complied with.

*Note: Where a zone permits multiple uses, those uses can generally be combined on a lot flexibly, including in the same building. However, this by-law includes some restrictions on how certain uses may be combined, as stated in the general provisions or in the zone requirements.*

### Section 3.10: Model Homes and Temporary Sales Offices

- .1 Model homes and temporary sales offices shall be permitted in accordance with the following requirements:
  - .a the land is located within a proposed plan of subdivision or condominium that has been draft approved or is subject to a site plan that has received approval within the meaning of the *Planning Act* and the lands have been zoned to permit the associated development;
  - .b the model homes will comply with the requirements of this By-law with respect to the applicable zone and shall not be occupied for residential use until such time as the plan of subdivision or condominium has been registered within the meaning of the *Planning Act*; and
  - .c the number of model homes does not exceed 10% of the proposed number of lots within the applicable plan of subdivision, Site Plan, or plan of condominium.

### Section 3.11: Number of Buildings Per Lot

- .1 Except where specifically prescribed in an applicable zone, this By-law shall not restrict the number of permitted buildings on one lot, provided all requirements of the By-law are complied with for each building.

- .2 Notwithstanding Section 3.11.1, a maximum of one detached dwelling, semi-detached dwelling, linked dwelling, triplex dwelling, duplex dwelling, fourplex dwelling, or street townhouse dwelling is permitted per lot. This shall not apply to restrict the creation of any additional residential unit as may be permitted by this By-law.

### Section 3.12: Permitted Yard Encroachments

- .1 Every part of any minimum yard as required by this By-law shall be open and unobstructed by any building or structure from the ground to the sky except by:
- .a accessory structures or components inclusive of drop awnings, clothes lines or poles, flag poles, garden trellises, fences, retaining walls, signs and other structures where they are specifically permitted in this By-law;
  - .b landscaped decks, provided they are not located higher than 0.6 m above grade; and
  - .c the structures listed in Table 3.13.1 which are permitted to project into the minimum yards indicated for the distances specified.

*Note: This By-law typically requires minimum yards to be established, in which buildings and structures are not permitted. The permitted yard encroachments of Section 3.12 provide some exceptions to this, including allowing certain building components and features to encroach into the required yards for greater flexibility.*

**Table 3.13.1 – Permitted Yard Encroachments in All Zones**

Structure	Yard Where an Encroachment is Permitted	Maximum Encroachment
Sills, belt courses, cornices, gutters, pilasters, eaves, parapets or canopies	Any yard	0.6 m
Barrier-free access ramp	Any yard	Unrestricted, but no closer than 0.6 m from any lot line
Access stairs that are above grade, landings, stoops or fire escapes associated with the main building	Any yard	Unrestricted, but no closer than 0.5 m from any lot line
The covered entryway for a second unit, with or without a foundation, not exceeding 3.5 m in width and length, or any landing or stairs providing entry into a second unit at grade	Exterior side, interior side or rear yards	Unrestricted, but no closer than 0.6 m from any lot line
Fireplace or chimney not exceeding 2 m in width	Interior side, exterior side or rear yards	1 m, but no closer than 0.6 m from any lot line
Windows bays, with or without a foundation, up to a maximum width of the lesser (more restrictive) of 40% of	Front, rear, interior, and exterior side yards	1 m, but no closer than 1.2 m from any lot line

Structure	Yard Where an Encroachment is Permitted	Maximum Encroachment
the dwelling unit width, or 4.0 m. A window bay shall also have a maximum depth of 1.0 m.		
Structures associated with parkade ventilation	Front, rear, interior, and exterior side yards	Unrestricted, but no closer than 0.6 m from any lot line
Balconies and decks, including any associated access stairs	Front yard (back-to-back townhouse and back-to-back stacked townhouse dwellings only)	1.8 m, but no closer than 0.6 m from any lot line
	Exterior side yard or interior side yard	1.8 m, but no closer than 0.6 m from any lot line
	Rear yard	3.5 m, but no closer than 0.6 m from any lot line
Drop awning in any Mixed-Use zone	Front yard or exterior side yard	Unrestricted (0.0 m from the front and exterior side lot lines)
	Interior side yard or rear yard	3.0 m, but no closer than 0.6 m from any lot line
Drop awning in any zone except a Residential or Mixed-Use zone	Front yard or exterior side yard	Unrestricted, but no closer than 0.6 m from the front or exterior side lot line
	Interior side yard or rear yard	3.0 m, but no closer than 0.6 m from any lot line
Unenclosed, roofed porches, with or without a foundation, not exceeding one storey in height	Front, rear and exterior side yards	1.8 m, but no closer than 0.6 m from any lot line

### Section 3.13: Reserves

- .1 Any front yard, rear yard or side yard that is separated from a street by a reserve of less than 1 metre in width, owned by the City of Brampton, the Regional Municipality of Peel, or the Province of Ontario, shall be deemed to directly abut that street for the purposes of this By-law, except where the context of a specific section requires otherwise.
- .2 Any reserves of 1 metre or less owned by the City of Brampton, the Regional Municipality of Peel, or the Province of Ontario, may be considered as part of the required minimum front yard, rear yard or side yard but shall not be considered with respect to meeting any other requirement of this By-law.

### Section 3.14: Rooftop Mechanical Equipment

- .1 Any rooftop mechanical equipment that is less than 0.5 m in height shall not be subject to the maximum height requirements of this By-law.
- .2 Rooftop mechanical equipment shall not be included in the determination of meeting any minimum height requirement of this By-law.
- .3 Notwithstanding Section 3.14.1, rooftop mechanical equipment used to house an elevator or similar structure shall not be subject to the maximum height requirements of this By-law, provided the height of any rooftop mechanical equipment does not exceed 6.0 m.
- .4 Any part of rooftop mechanical equipment that exceeds 2.0 m in height shall be located at least 4.0 m from the edge of the roof.
- .5 The total coverage of rooftop mechanical equipment that exceeds 2.0 m in height shall not exceed 35% of the roof area on which the equipment is situated.

### Section 3.15: Setbacks from Provincial Highways

- .1 Notwithstanding any other provision of this By-law, the minimum required setback for any building or structure from any Provincial 400-Series Highway right-of-way inclusive of any on-ramps and off-ramps shall be 14.0 m.

### Section 3.16: Setbacks from Rail Lines

- .1 The minimum required setback for any building or structure from a lot line abutting any rail main line shall be 30.0 m.
- .2 The minimum required setback for any building or structure from a lot line abutting any rail spur line shall be in accordance with the following:
  - .a For any permitted use which utilizes the rail spur line for loading/unloading, this setback shall be 0.0 m.
  - .b 15.0 m in all other cases.
- .3 For convenience purposes, the rail main lines and rail spur lines are shown on Appendix A.

### **Section 3.17: Setbacks from the TransCanada Pipeline Corridor**

- .1 The minimum required setback for any building or structure from the edge of the TransCanada pipeline right-of-way shall be 7.0 m.
- .2 The minimum required setback for any parking area or loading area including any associated parking spaces, bicycle parking spaces, and any associated aisle or driveway to the edge of the TransCanada pipeline corridor shall be 7.0 m.
- .3 The setback requirements of this section shall apply to all above and below grade buildings and structures.
- .4 For convenience purposes, the TransCanada pipeline corridor is shown on Appendix B.

### **Section 3.18: Sight Triangles**

- .1 On any corner lot, where no daylight triangle or rounding is provided, a sight triangle as defined by this By-law shall be required to be provided and maintained with the minimum dimensions of 5.0 m by 5.0 m measured from the projected point of intersection of the lot lines abutting the streets and by joining those two points creating a triangular area.
- .2 No landscaping, planting, tree, or any type of structure greater than 0.8 m in height shall be permitted within any portion of a required sight triangle.
- .3 No part of a driveway or parking area shall be permitted within a required sight triangle.
- .4 No building setback shall be required to a sight triangle unless otherwise specified in this By-law.

### **Section 3.19: Through Lots**

- .1 One of the front yards of a through lot shall be designated by the authorized person(s) designated to administer this By-law under Section 1.3 as the rear yard.

### **Section 3.20: Waste Storage**

- .1 In any zone, waste shall be stored within a fully enclosed building or within a waste storage enclosure or underground storage structure in accordance with the following provisions:

- .a A waste storage enclosure shall be screened by a wall or fence, or alternatively waste shall be stored in an underground storage structure.
- .b The waste storage enclosure or underground storage structure shall not be permitted in the front yard or the required minimum exterior side yard.
- .c The waste storage enclosure or underground storage structure shall be located at least 3.0 m from any interior side lot line or rear lot line.
- .d No part of a waste storage enclosure shall be permitted within any required landscaped strips.
- .e A waste storage enclosure or in-ground waste storage structure shall be located at least 15.0 m from any lot line abutting any Residential, Institutional, Park or Open Space zone.

# Chapter 4: Parking and Loading Standards

## Section 4.1: Parking Space Requirements

### 4.1.A Parking Ratios

- .1 No person shall erect, enlarge, or change the use of a lot, building, or structure unless parking spaces are provided and maintained in accordance with the minimum and maximum parking space requirements contained in Table 4.1.1.
- .2 This By-law places all lands subject to this By-law into Parking Regulation Areas shown on Schedule B. In accordance with Table 4.1.1, minimum and maximum parking supply requirements are calculated using the ratios listed for the applicable Parking Regulation Area. For the purposes of this By-law, the following nomenclature may be used:
  - .a Parking Regulation Area 1 or PRA1;
  - .b Parking Regulation Area 2 or PRA2; and
  - .c Parking Regulation Area 3 or PRA3.
- .3 Where the calculation of minimum or maximum parking spaces in accordance with Section 4.1 and Table 4.1.1 results in a fraction, the required number of parking spaces shall be rounded up to the next highest whole number.
- .4 Where there are multiple uses on the lot, the requirements of Table 4.1.1 shall apply cumulatively to each use on the lot.

**Table 4.1.1 – Minimum and Maximum Parking Space Requirements (see Schedule B for Parking Regulation Areas)**

Use	PRA1 Min	PRA1 Max	PRA2 Min	PRA2 Max	PRA3 Min	PRA3 Max
Residential Uses						
Detached Dwelling Linked Dwelling, Semi-Detached Dwelling, Street Townhouse Dwelling, Lane-Based Townhouse Dwelling	-	-	2 per dwelling unit	-	2 per dwelling unit	-
Duplex Dwelling, Triplex Dwelling	-	2 per dwelling unit	1 per dwelling unit	-	1.5 per dwelling unit	-
Additional Residential Unit	-	-	0 for the first Additional Residential	-	0 for the first Additional Residential	-



Use	PRA1 Min	PRA1 Max	PRA2 Min	PRA2 Max	PRA3 Min	PRA3 Max
			Unit, 1 for the second Additional Residential Unit		Unit, 1 for the second Additional Residential Unit	
Cluster Townhouse Dwelling, Podium Townhouse Dwelling, Back-to-Back Townhouse Dwelling	-	2 per dwelling unit (no maximum for Visitor Parking)	1.2 per dwelling unit plus 0.20 per dwelling unit for Visitor Parking	-	1.2 per dwelling unit plus 0.20 per dwelling unit for Visitor Parking	-
Stacked Townhouse Dwelling, Stacked Back-to-Back Townhouse Dwelling	-	2 per dwelling unit (no maximum for Visitor Parking)	1 per dwelling unit plus 0.20 per dwelling unit for Visitor Parking	-	1 per dwelling unit plus 0.20 per dwelling unit for visitor parking	-
Fourplex Dwelling	-	2 per dwelling unit (no maximum for Visitor Parking)	1 per dwelling unit	-	1 per dwelling unit plus 1 Visitor Parking space	-
Live-Work Townhouse Dwelling	-	4 per dwelling unit	2 per dwelling unit plus 2 visitor parking space per unit	-	2 per dwelling unit plus 2 visitor parking space per unit	-
Lodging House	-	2 per lodging house	2 per lodging house	-	2 per lodging house	-
Apartment Dwelling	-	2 per dwelling unit (no maximum for visitor parking)	0.75 per dwelling unit plus 0.15 per dwelling unit for Visitor Parking	-	1 per dwelling unit plus 0.20 per dwelling unit for visitor parking	-
Single Room Occupancy Housing	-	1 per bedroom	0.20 per bedroom plus 0.04 per bedroom for visitor parking	-	0.25 per bedroom plus 0.05 per bedroom for visitor parking	-
Supportive Housing Residence (Type 1/2)	-	-	2 plus 0.20 per bedroom or guest room	-	2 plus 0.20 per bedroom or guest room	-
<b>Commercial and Employment Uses</b>						
Banquet Hall, Convention Centre, Restaurant, Commercial Recreation	-	10 per 100 m <sup>2</sup> of gross floor area	7.5 per 100 m <sup>2</sup> of gross floor area	-	10 per 100 m <sup>2</sup> of gross floor area	-
Restaurant Patio	-	-	-	-	-	-

Use	PRA1 Min	PRA1 Max	PRA2 Min	PRA2 Max	PRA3 Min	PRA3 Max
Motor Vehicle Repair, Motor Vehicle Washing Facility, Motor Vehicle Dealership, Motor Vehicle Service Station, Motor Vehicle Impound Yard, Boat or Recreational Vehicle Sales and Service	-	-	5 per 100 m <sup>2</sup> of gross floor area, exclusive of vehicle storage and display areas	-	5 per 100 m <sup>2</sup> of gross floor area, exclusive of vehicle storage and display areas	-
Office, Medical Office or Clinic, Organizational Club, Catering Service, Broadcasting or Filming Studio, Data Storage Facility, Building Supply Depot, Garden Centre, Personal Service Shop, Dry Cleaning and Laundry Distribution Station, Artisan Studio, Financial Service, Pet Day Care, Retail, Convenience retail, Commercial Service and Repair, Heavy Equipment Sales and Service, Museum or Art Gallery, Commercial School	-	3 per 100 m <sup>2</sup> of gross floor area	2.25 per 100 m <sup>2</sup> of gross floor area	-	3 per 100 m <sup>2</sup> of gross floor area	-
Transportation Depot, Workshop, Warehouse, Self Storage Facility	-	0.5 per 100 m <sup>2</sup> of gross floor area	0.5 per 100 m <sup>2</sup> of gross floor area	-	0.5 per 100 m <sup>2</sup> of gross floor area	-
Hotel	-	1 per guest room (maximum parking for other associated uses apply, as stated in this table)	0.5 per guest room, plus parking requirement for non- ancillary commercial use	-	0.5 per guest room, plus parking requirement for non- ancillary commercial use	-
Theatre	-	4 per 100 m <sup>2</sup> of gross floor area	3 per 100 m <sup>2</sup> of gross floor area	-	4 per 100 m <sup>2</sup> of gross floor area	-
Driving Range, Golf Course	-	-	1 space per hole/tee plus 3 per 100 m <sup>2</sup>	-	1 space per hole/tee plus 3 per 100 m <sup>2</sup>	-

Use	PRA1 Min	PRA1 Max	PRA2 Min	PRA2 Max	PRA3 Min	PRA3 Max
			of gross floor area for club house or accessory uses		of gross floor area for club house or accessory uses	
Child Care Centre, Veterinary Clinic, Kennel, Research and Development	-	2.5 per 100 m <sup>2</sup> of gross floor area	2.5 per 100 m <sup>2</sup> of gross floor area	-	2.5 per 100 m <sup>2</sup> of gross floor area	-
Funeral Home	-	7.5 per 100 m <sup>2</sup> of gross floor area	7.5 per 100 m <sup>2</sup> of gross floor area	-	7.5 per 100 m <sup>2</sup> of gross floor area	-
Health or Fitness Centre	-	5 per 100 m <sup>2</sup> of gross floor area	1.5 per 100 m <sup>2</sup> of gross floor area	-	2 per 100 m <sup>2</sup> of gross floor area	-
Contractor's Establishment, Micro Manufacturing, Manufacturing or Processing or Assembly, Vertical or Indoor Farm	-	1 per 100 m <sup>2</sup> of gross floor area	1 per 100 m <sup>2</sup> of gross floor area	-	1 per 100 m <sup>2</sup> of gross floor area	-
Home Occupation	-	-	-	-	1 per any home occupation receiving clients	-
Energy Generation Facility, Salvage Yard, Hazardous Waste Processing	-	-	2 per 100 m <sup>2</sup> of gross floor area	-	2 per 100 m <sup>2</sup> of gross floor area	-
Outdoor Market	-	-	-	-	-	-
Development consisting of 5 or more commercial or industrial units on the same lot		5 per 100 m <sup>2</sup> of gross floor area	2.25 per 100 m <sup>2</sup> of gross floor area	-	3 per 100 m <sup>2</sup> of gross floor area	
Any other Commercial or Employment Use	-	5 per 100 m <sup>2</sup> of gross floor area	2.25 per 100 m <sup>2</sup> of gross floor area	-	3 per 100 m <sup>2</sup> of gross floor area	-
Community & Institutional Uses						
Community Garden, Urban Park	-	-	-	-	-	-
Place of Worship	-	15 per 100 m <sup>2</sup> of gross floor area	7.5 per 100 m <sup>2</sup> of gross floor area	-	10 per 100 m <sup>2</sup> of gross floor area	-
Community Centre, Museum or Gallery	-	1 per 100 m <sup>2</sup> of gross floor area	0.75 per 100 m <sup>2</sup> of gross floor area	-	1 per 100 m <sup>2</sup> of gross floor area	-

Use	PRA1 Min	PRA1 Max	PRA2 Min	PRA2 Max	PRA3 Min	PRA3 Max
Residential Care Home	-	-	0.33 per dwelling unit or bed	-	0.33 per dwelling unit or bed	-
Fairground	-	2 per 100 m <sup>2</sup> of fairground area	2 per 100 m <sup>2</sup> of fairground area	-	2 per 100 m <sup>2</sup> of fairground area	-
Cemetery	-	4 per 1000 m <sup>2</sup> of cemetery area	3 per 1000 m <sup>2</sup> of cemetery area	-	4 per 1000 m <sup>2</sup> of cemetery area	-
Public or Private Elementary School	-	3 per 100 m <sup>2</sup> of gross floor area	1 per 100 m <sup>2</sup> of gross floor area	-	1 per 100 m <sup>2</sup> of gross floor area	-
Public or Private Secondary School	-	5 per 100 m <sup>2</sup> of gross floor area	1.5 per 100 m <sup>2</sup> of gross floor area	-	1.5 per 100 m <sup>2</sup> of gross floor area	-
College or University	-	5 per 100 m <sup>2</sup> of gross floor area	1.5 per 100 m <sup>2</sup> of gross floor area	-	1.5 per 100 m <sup>2</sup> of gross floor area	-
Other Community Use	-	1 per 100 m <sup>2</sup> of gross floor area	0.75 per 100 m <sup>2</sup> of gross floor area	-	1 per 100 m <sup>2</sup> of gross floor area	-

#### 4.1.B Parking Spaces to be Provided on the Same Lot

- .1 The minimum required number of parking spaces in accordance with Section 4.1.A shall be provided on the same lot as the use, building or structure in which the use is located.

#### 4.1.C Shared Parking Spaces

- .1 Notwithstanding Table 4.1.1, on any lot where parking spaces are required to be provided on a lot for both residential visitor parking and for non-residential uses, the minimum number of total required parking spaces for both residential visitor parking and non-residential uses shall be the greater of the minimum residential visitor parking requirement or the minimum parking spaces required for the non-residential uses as required by Table 4.1.1.

*Note: Where a mix of uses is provided on the same lot, the shared parking provision allows for fewer parking spaces to be provided, recognizing that they will be shared by different uses at different times of the day.*

### Section 4.2: General Parking Space and Parking Area Requirements

#### 4.2.A Minimum Parking Space Dimensions

- .1 An angled parking space shall be maintained as an unobstructed rectangular area measuring not less than 2.7 m in width and 5.4 m in length.

- .2 A parallel parking space shall be an unobstructed rectangular area measuring not less than 2.7 m in width and 6.5 m in length, the long side of which is parallel to an aisle.
- .3 Notwithstanding the provisions above, a parking space that is located within a parking structure shall be permitted to be partially encroached by a structure in accordance with the following provisions:
  - .a The encroachment is a utility box, electric vehicle supply equipment, column, wall, HVAC equipment, fence or similar structure.
  - .b The encroachment does not exceed 1.0 m<sup>2</sup> in area.
  - .c The parking space is designated as a parking space that is suitable for compact vehicles within common parking areas.
- .4 A required minimum parking space shall have a minimum height clearance of 2.0 m.

#### **4.2.B General Parking Aisle and Driveway Requirements**

- .1 The minimum distance between any driveway and a point of intersection of projected street lines shall be 6.0 m.
- .2 Every parking space shall have access via a parking aisle or from a driveway that is maintained as an unobstructed area designed to provide access to parking spaces.
- .3 Notwithstanding Section 4.2.B.2, tandem parking spaces shall be permitted where parking spaces are allowed on any driveway or in a private garage. Tandem parking spaces shall only be permitted within a parking area including any parking structure where the parking spaces are legally tied to the same dwelling unit.
- .4 Notwithstanding Section 4.2.B.2, up to 50% of required parking spaces provided in conjunction with a motor vehicle repair shop are permitted to be tandem.
- .5 The minimum width of a driveway providing access to a parking area shall be a minimum width of 3.0 m for one-way traffic, and a minimum width of 6.0 m for two-way traffic.
- .6 The minimum width of a parking aisle shall be in accordance with Table 4.2.1.

Table 4.2.1 – Minimum Parking Aisle Width

Angle of Parking	Minimum Parking Aisle Width
Up to 50 degrees	4.0 m
50 degrees to 70 degrees	5.5 m
70 degrees and up to and including 90 degrees	6.6 m

#### 4.2.C Landscaped Strips Required in Parking Areas

- .1 Where any surface parking area is provided on a lot in any zone, landscaped strips shall be provided as follows:
  - .a Where the parking area is located in a rear or interior side yard abutting any Residential, Open Space, Park or Institutional zone, a landscaped strip shall be required with a minimum width of 3.0 along the rear or interior side lot line.
  - .b Where the parking area is located in a yard abutting a street, a landscaped strip having a minimum width of 4.5 m shall be provided along the street lot line.

### Section 4.3: Parking Structures

- .1 Any portion of an above-grade parking structure shall be subject to the lot and building requirements that are applicable to the main buildings on the lot and any applicable requirements of the zone.
- .2 The minimum setback of an underground parking structure shall be 0.0 m from any lot line. Any vehicular or pedestrian entrance providing access to an underground parking structure shall be subject to the lot and building requirements of the zone in which the parking structure is located.

### Section 4.4: Electric Vehicle Parking Provisions

- .1 Electric vehicle ready parking spaces shall be provided in accordance with Table 4.4.1. These requirements shall only apply to new gross floor area, new dwelling units, and new buildings that did not legally exist on the date of passing of this By-law.
- .2 Notwithstanding Table 4.4.1, where any non-residential development is required to provide 10 parking spaces or less, no electric vehicle charging equipment shall be required.
- .3 Where the calculation of minimum electric vehicle parking spaces in accordance with Section 4.5.A results in a fraction, the required

minimum number of electric vehicle parking spaces shall be rounded up to the next highest whole number.

**Table 4.4.1 – Minimum Number of Required Electric Vehicle Ready Parking Spaces**

Uses and Building Types	Minimum Number of Electric Vehicle Ready Parking Spaces
Detached Dwelling Linked Dwelling Semi-detached Dwelling Triplex Dwelling Fourplex Dwelling Back-to-back Townhouse Cluster Townhouse Lane-based Townhouse Live-work Townhouse Podium Townhouse Stacked Townhouse and Street Townhouse, where there is a private garage associated with the dwelling unit	1.0 of the required resident/occupant parking spaces for each dwelling unit; and 10% of the total required visitor parking spaces or 1.0 space, whichever is greater.
Apartment Dwelling Stacked Townhouse Dwelling Stacked Back-to-Back Townhouse Dwelling Triplex Dwelling, Fourplex Dwelling Cluster Townhouse where resident parking is provided in a common parking area including a parking structure, and there are no private garages	20% of the total required resident parking spaces or 1.0 space, whichever is greater; and 10% of the total required visitor parking spaces or 1.0 space, whichever is greater
Any non-residential uses	20% of the total required parking spaces, or 1.0 space, whichever is greater

## Section 4.5: Bicycle Parking Requirements

### 4.5.A Required Number of Bicycle Parking Spaces

- .1 No person shall erect, enlarge, or change the use of a lot, building, or structure unless the number of bicycle parking spaces is provided in accordance with Table 4.5.1. These requirements shall only apply to new gross floor area, new dwelling units, and new buildings that did not legally exist on the date of passing of this By-law.
- .2 Where the calculation of minimum bicycle parking spaces in accordance with Section 4.5.A results in a fraction, the required minimum number of bicycle parking spaces shall be rounded up to the next highest whole number.
- .3 Notwithstanding the requirements of Table 4.5.1, development consisting of fewer than 10 dwelling units and or less than 1,000



m<sup>2</sup> of gross floor area of non-residential uses shall be exempt from providing bicycle parking spaces.

- .4 Where there are multiple uses on the lot, the requirements of Table 4.5.1 shall apply cumulatively to each use on the lot.

**Table 4.5.1 – Minimum Bicycle Parking Requirements**

Use	Minimum Required Bicycle Parking Spaces	
	Long-Term Bicycle Parking Spaces	Short-Term Bicycle Parking Spaces
<b>Residential Uses</b>		
Any type of dwelling unit where there is no associated private garage	<b>PRA1 and PRA2:</b> 0.7 per dwelling unit <b>PRA3:</b> 0.4 per dwelling unit	0.1 per dwelling unit
<b>Non-Residential Uses</b>		
Public or Private Elementary or Secondary School	<b>PRA1:</b> None <b>PRA2 and PRA3:</b> None	2 per classroom (no requirement shall apply to portable classrooms)
College or University	<b>PRA1, PRA2, and PRA3:</b> 0.2 per 100 m <sup>2</sup> of gross floor area	0.5 per 100 m <sup>2</sup> of gross floor area
Office Medical Office or Clinic Museum or Art Gallery	<b>PRA1:</b> 0.5 per 100 m <sup>2</sup> of gross floor area <b>PRA2 and PRA3:</b> None	0.5 per 100 m <sup>2</sup> of gross floor area
Retail Financial institution Personal service shop Artisan studio Pet day care Restaurant Financial service Commercial recreation Banquet hall Convention centre Theatre Health or fitness centre Hotel Organizational club	<b>PRA1:</b> 0.33 per 100 m <sup>2</sup> of gross floor area <b>PRA2 and PRA3:</b> None	0.33 per 100 m <sup>2</sup> of gross floor area
Hospital	<b>PRA1, PRA2, and PRA3:</b> 0.1 per 100 m <sup>2</sup> of gross floor area	0.33 per 100 m <sup>2</sup> of gross floor area
Place of worship Community centre Library Funeral home Museum or gallery	<b>PRA1:</b> 0.33 per 100 m <sup>2</sup> of gross floor area <b>PRA2 and PRA3:</b> None	0.33 per 100 m <sup>2</sup> of gross floor area

Use	Minimum Required Bicycle Parking Spaces	
	Long-Term Bicycle Parking Spaces	Short-Term Bicycle Parking Spaces
Micro manufacturing Commercial school Manufacturing processing or assembly Vertical or indoor farm Research and development	<b>PRA1:</b> 0.2 per 100 m <sup>2</sup> of gross floor area <b>PRA2 and PRA3:</b> None	0.2 per 100 m <sup>2</sup> of gross floor area
Other uses not listed in this table	No requirement	No requirement

#### 4.5.B Location of Bicycle Parking

- .1 Bicycle parking shall be located on the same lot as the use for which it is required.
- .2 Required bicycle parking spaces shall not be located in a dwelling unit, storage locker, or on a balcony.
- .3 Long-term bicycle parking spaces shall be contained within an enclosed building or an enclosed structure including a bicycle locker.
- .4 Short-term bicycle parking spaces and long-term bicycle parking spaces are permitted to be located in any required minimum yard but shall not be closer than 0.6 m to any lot line.
- .5 Short-term bicycle parking spaces shall be accessible by an unobstructed walkway or pathway that is connected to the public street.
- .6 Where four or more short-term bicycle parking spaces are provided outdoors in any yard, each space must contain a parking rack or similar structure that allows the bicycles to be securely attached.

#### 4.5.C Bicycle Parking Space Dimensions

- .1 A maximum of 50% of the required bicycle parking spaces shall be permitted to be vertical spaces, and the rest shall be horizontal bicycle parking spaces.
- .2 All required bicycle parking spaces shall be accessible by an unobstructed aisle with a width of at least 1.5 m.
- .3 The minimum dimensions for bicycle parking spaces shall be in accordance with Table 4.5.2.

Table 4.5.2 – Bicycle Parking Space Dimensions

Type of Bicycle Parking Space	Minimum Dimensions	
Horizontal Bicycle Parking Space	Width (m)	0.6
	Length (m)	1.8
	Vertical Clearance (m)	2.0
Vertical Mounted Bicycle Parking Space	Width (m)	0.5
	Length (m)	1.6
	Vertical Clearance (m)	2.0
Stacked Bicycle Parking Space	Vertical Clearance (m)	1.2

## Section 4.6: Loading Requirements

- .1 No person shall erect, enlarge, or change the use of a lot, building, or structure unless the number of loading spaces is provided in accordance with Table 4.6.1.
- .2 A loading space is not required where the use is not explicitly listed in Table 4.6.1.
- .3 The minimum dimensions of any Type 1 and Type 2 loading space shall be in accordance with the requirements of Table 4.6.2.
- .4 A loading space shall be accessible by a driveway or parking aisle that is at least 6.0 m in width from the street or lane to the loading space.
- .5 No part of a loading space shall be permitted in:
  - .a Any front yard;
  - .b Any required minimum yard; and
  - .c Within any parking space or parking aisle.
- .6 Loading spaces shall be provided on the same lot as the associated uses.

Table 4.6.1 – Minimum Loading Space Dimensions

Type of Loading Space	Minimum Width	Minimum Length	Vertical Clearance
Type 1 Loading Space	3.0 m	9.0 m	3.25 m
Type 2 Loading Space	3.5 m	12.0 m	4.25 m

Table 4.6.2 Minimum Loading Space Requirements

Gross Floor Area (m <sup>2</sup> ) or Number of Dwelling Units	Minimum Number of Type 1 Loading Spaces	Minimum Number of Type 2 Loading Spaces
<b>Retail, hotel, and restaurant uses</b>		
Less than 500	-	-
500 to 2,300	1 Type 1 loading space	-
Over 2,300 up to 7,500	-	1 Type 2 loading space
Over 7,500 up to 15,000	-	2 Type 2 loading spaces
Over 15,000	-	3 Type 2 loading spaces
<b>Office and medical clinic or office uses</b>		
Over 500 and up to 5,000	1 Type 1 loading space	-
Over 5,000	-	1 Type 2 loading space
<b>Residential Uses</b>		
Between 30 and 200 apartment dwelling units in the building	-	1 Type 2 loading space
More than 200 apartment dwelling units in the building	1 Type 1 loading space	1 Type 2 loading space
<b>Manufacturing, assembly, or processing, transportation depot, vertical or indoor farm, or a warehouse use</b>		
Over 500 and up to 2,000	1 Type 1 loading space	-
Over 2,000	-	1 Type 2 loading space

# Chapter 5: Residential Zones

Table 5.1 – List of Residential Zones

Residential Zones	Zone Symbol
Residential Estate	RE
Residential Hamlet	RH
Residential First Density	R1
Residential First Density – Fourplexes	R1A
Residential First Density – Mature Neighbourhood	R1M
Residential Second Density – Townhouses	R2
Residential Second Density – Stacked Townhouses	R2A
Residential Second Density – Greenfield Mixed Density	R2G
Residential Second Density – Mature Neighbourhood	R2M
Residential Third Density – Low Rise	R3L
Residential Third Density – Mid Rise	R3M
Residential Third Density – High Rise	R3H

## Section 5.1: Requirements for the Residential Zones

### 5.1.A Permitted Uses

In any Residential zone, no person shall use a lot, or erect, alter or use a building or structure for any purpose except for the uses permitted in accordance with Table 5.1.1.

**Key** P Permitted Use

Table 5.1.1 – Residential Zone Permitted Uses

Uses	RE	RH	R1, R1M	R1A	R2, R2M	R2A	R2G	R3L	R3M	R3H	Use- Specific Standards
<b>Residential Uses</b>											
Apartment Dwelling								P	P	P	
Additional Residential Units	P	P	P	P	P		P				
Back-to-Back Townhouse Dwelling						P	P				
Back-to-Back Stacked Townhouse Dwelling						P					

Uses	RE	RH	R1, R1M	R1A	R2, R2M	R2A	R2G	R3L	R3M	R3H	Use- Specific Standards
Cluster Townhouse Dwelling					P		P				
Detached Dwelling	P	P	P	P			P				
Duplex Dwelling			P	P			P				
Fourplex Dwelling				P		P	P				
Lane-Based Townhouse Dwelling					P		P				
Linked Dwelling			P	P			P				
Podium Townhouse Dwelling									P	P	
Semi-Detached Dwelling			P	P			P				
Single Room Occupancy Housing								P	P	P	
Stacked Townhouse Dwelling						P					
Street Townhouse Dwelling					P		P				
Supportive Housing Residence Type 1	P	P	P	P	P	P	P	P	P	P	
Supportive Housing Residence Type 2							P	P	P	P	
Triplex Dwelling			P	P	P		P				
<b>Community Uses</b>											
Child Care Centre								P	P	P	
Place of Worship	P	P	P	P	P	P	P	P	P	P	
Urban Park					P	P	P	P	P	P	
Residential Care Home								P	P	P	
<b>Commercial Uses</b>											
Convenience Retail						P	P	P	P	P	Section 4.2.F
Dry Cleaning and Laundry Distribution Station						P	P	P	P	P	Section 4.2.F
Medical Office or Clinic						P	P	P	P	P	Section 4.2.F
Personal Service Shop						P	P	P	P	P	Section 4.2.F
Restaurant						P	P	P	P	P	Section 4.2.F
<b>Specified Accessory Uses</b>											
Home Occupation	P	P	P	P	P	P	P	P	P	P	Section 2.3.C

Regulations to Table 5.1.1:

(1) None.

### 5.1.B Lot Requirements

Lots, buildings, and structures shall be in accordance with **Table 5.1.2** for all Residential Estate, Residential Hamlet, First Density, and Second Density Zones, and in accordance with **Table 5.1.3** for all Third Density Residential Zones.

**Table 5.1.2 – Residential Zone Lot Requirements (RE, RH, R1 and R2 Zones)**

	RE	RH	R1	R1A	R1M	R2	R2M	R2A	R2G
<b>Single Detached, Duplex, Triplex, Linked, and other uses not listed below</b>									
Corner Lot Area (min. sq. m.)	1350	1350	225	225	225	-	-	-	225
Interior Lot Area (min. sq. m.)	1350	1350	210	210	210	-	-	-	210
Corner Lot Width (min. m.)	45	30	9.5, and subject to Note 1	9.5, and subject to Note 1	12	-	-	-	9.5
Interior Lot Width (min. m.)	45	30	8.5, and subject to Note 1	8.5, and subject to Note 1	9	-	-	-	8.5
<b>Semi-Detached Dwelling</b>									
Lot Area per semi-detached unit (min. sq. m.)	-	-	170	170	170	-	-	-	170
Corner Lot Width per semi-detached unit (min. m.)	-	-	9.5	9.5	9.5	-	-	-	9.5
Lot Width per semi-detached unit (min. m.)	-	-	6.8	6.8	6.8	-	-	-	6.8
<b>Lane-Based Single or Semi-detached Dwelling</b>									
Corner Lot Area (min. sq. m.)	-	-	225	-	-	-	-	-	225
Interior Lot Area (min. sq. m.)	-	-	210	-	-	-	-	-	210
Interior Lot Width (min. m.)	-	-	7.5	-	-	-	-	-	7.5
Corner Lot Width (min. m.)	-	-	8.5	-	-	-	-	-	8.5

	RE	RH	R1	R1A	R1M	R2	R2M	R2A	R2G
<b>Fourplex Dwelling</b>									
Corner Lot Area (min. sq. m.)	-	-	-	540	-	-	-	450	450
Interior Lot Area (min. sq. m.)	-	-	-	450	-	-	-	360	360
Corner Lot Width (min. m.)	-	-	-	18	-	-	-	15	15
Interior Lot Width (min. m.)	-	-	-	15	-	-	-	12	12
<b>Street Townhouse Dwelling</b>									
Corner Lot Area (min. sq. m.)	-	-	-	-	-	150	150	-	150
Interior Lot Area (min. sq. m.)	-	-	-	-	-	135	135	-	135
Corner Lot Width (min. m.)	-	-	-	-	-	6.5	6.5	-	6.5
Interior Lot Width (min. m.)	-	-	-	-	-	5.5	5.5	-	5.5
<b>Lane-Based Townhouse Dwelling</b>									
Corner Lot Area (min. sq. m.)	-	-	-	-	-	100	100	-	100
Interior Lot Area (min. sq. m.)	-	-	-	-	-	100	100	-	100
Corner Lot Width (min. m.)	-	-	-	-	-	6.0	6.0	-	6.0
Interior Lot Width (min. m.)	-	-	-	-	-	4.5	4.5	-	4.5
<b>Cluster Townhouse Dwelling</b>									
Lot Area per dwelling unit (min. sq. m.)	-	-	-	-	-	135	135	-	135
Lot Width (min. m.)	-	-	-	-	-	24	24	-	24
Dwelling Unit Width (min. m.)	-	-	-	-	-	5.5	5.5	-	5.5
<b>Back-to-Back Townhouse Dwelling</b>									
Lot Area per dwelling unit (min. sq. m.)	-	-	-	-	-	-	-	135	135
Lot Width where units are part of a condominium development and not on individual parcels (min. m.)	-	-	-	-	-	-	-	24	24
Dwelling Unit Width (min. m.)	-	-	-	-	-	-	-	6.5 per unit	6.5 per unit
<b>Back-to-Back Stacked and</b>									



	RE	RH	R1	R1A	R1M	R2	R2M	R2A	R2G
<b>Stacked Townhouse Dwelling</b>									
Lot Area (min. sq. m.)	-	-	-	-	-	-	-	900	-
Dwelling Unit Width where there is an attached Private Garage (min. m.)	-	-	-	-	-	-	-	6.5 per unit	-
Dwelling Unit Width where there is no attached Private Garage (min. m.)	-	-	-	-	-	-	-	4.5 per unit	-
Lot Width (min. m.)	-	-	-	-	-	-	-	24	-

Regulations to Table 5.1.2:

- (1) Where the lot width is shown on Schedule D to this By-law, the minimum lot width shall be in accordance with the zone symbol.

**Table 5.1.3 – Residential Zone Lot Requirements (R3 Zones)**

	R3L	R3M	R3H
Lot Area (min. sq. m.)	540	1200	2500
Lot Area, where abutting R1, RE, RH or R2 zones or subzones (min. sq. m.)	540	1200	3500
Lot Width (min. m.)	18	24	35

Regulations to Table 5.1.3

- (1) None.

### 5.1.C Building Location

Buildings and structures shall be in accordance with **Table 5.1.4** for all First Density and Second Density Residential Zones, and in accordance with **Table 5.1.5** for all Third Density Residential Zones.

**Table 5.1.4 – Residential Zone Building Location Requirements (RE, RH, R1, and R2 Zones)**

	RE	RH	R1	R1A	R1M	R2	R2A	R2M	R2G
<b>Single Detached, Duplex, Triplex, Linked, and other uses not listed below</b>									
Front Yard (min. m.)	12	7.5	4.5	4.5	6	3	3	4.5	4.5
Rear Yard – except where abutting an OS or P zone (min. m.)	12	12	7	7	25% of lot depth	6	7	25% of lot depth	7
Rear Yard – abutting an OS or P zone (min. m.)	12	12	6	6	25% of lot depth	6	6	25% of lot depth	6
Exterior Side Yard (min. m.)	7.5	7.5	3	3	6	3	3	4.5	3
Interior Side Yard (min. m.)	7.5	7.5	0.6, and subject to Note (1)	0.6, and subject to Note (1)	1.2, and subject to Note (2)	1.2	1.2	1.2, and subject to Note (2)	0.6, provided the total interior side yards is min. 1.8
<b>Semi-Detached Dwelling</b>									
Front Yard (min. m.)	12	7.5	4.5	4.5	-	-	-	-	4.5
Rear Yard (min. m.)	12	12	7.5	7.5	-	-	-	-	7.5
Exterior Side Yard (min. m.)	7.5	7.5	4.5	4.5	-	-	-	-	4.5
Interior Side Yard where dwelling units are attached (min. m.)	-	-	0	0	-	-	-	-	0
Interior Side Yard otherwise (min. m.)	-	-	0.6, and subject to Note (1)	0.6, and subject to Note (1)	-	-	-	-	0.6, provided total interior side yards is min. 1.8
<b>Lane-Based Single Detached, Semi-Detached Dwellings</b>									

	RE	RH	R1	R1A	R1M	R2	R2A	R2M	R2G
Front Yard (min. m.)	-	-	3	3	-	-	-	-	3
Rear Yard (min. m.) – where there is no attached private garage	-	-	9	9	-	-	-	-	9
Rear Yard (min m.) – attached private garage	-	-	1	1	-	-	-	-	1
Exterior Side Yard (min. m.)	-	-	3	3	-	-	-	-	3
Interior Side Yard where dwelling units are attached (min. m.)	-	-	0	0	-	-	-	-	0
Interior Side Yard in other cases (min. m.)	-	-	0.6, and subject to Note (1)	0.6, and subject to Note (1)	-	-	-	-	0.6
<b>Fourplex Dwelling</b>									
Front Yard (min. m.)	-	-	-	4.5	-	-	4.5	-	4.5
Rear Yard (min. m.)	-	-	-	7.5	-	-	7.5	-	7.5
Exterior Side Yard (min. m.)	-	-	-	4.5	-	-	4.5	-	4.5
Interior Side Yard (min. m.)	-	-	-	1.2	-	-	1.2	-	1.2
<b>Street Townhouse Dwelling</b>									
Front Yard (min. m.)	-	-	-	-	-	3	-	4.5	3
Rear Yard (min. m.)	-	-	-	-	-	6	-	7	6
Exterior Side Yard (min. m.)	-	-	-	-	-	3	-	3	3
Interior Side Yard Where Units are attached (min. m.)	-	-	-	-	-	0	-	0	0
Interior Side Yard (min. m.)	-	-	-	-	-	1.2	-	1.2	1.2
<b>Lane-Based Townhouse Dwelling</b>									
Front Yard (min. m.)	-	-	-	-	-	3	-	4.5	3
Rear Yard to a dwelling with an attached private garage (min. m.)	-	-	-	-	-	1	-	1	1

	RE	RH	R1	R1A	R1M	R2	R2A	R2M	R2G
Rear Yard to a dwelling with no attached private garage (min. m.)	-	-	-	-	-	9	-	9	9
Exterior Side Yard (min. m.)	-	-	-	-	-	3	-	3	3
Interior Side Yard Where Units are attached (min. m.)	-	-	-	-	-	0	-	0	0
Interior Side Yard (min. m.)	-	-	-	-	-	1.2	-	1.2	1.2
<b>Cluster Townhouse Dwelling</b>									
Front Yard (min. m.)	-	-	-	-	-	4.5	-	4.5	4.5
Rear Yard (min. m.)	-	-	-	-	-	4.5	-	4.5	4.5
Exterior Side Yard (min. m.)	-	-	-	-	-	3	-	3	3
Interior Side Yard (min. m.)	-	-	-	-	-	1.2	-	1.2	1.2
Separation Between Buildings containing Dwelling Units (min. m.)	-	-	-	-	-	2.4	-	2.4	2.4
<b>Back-to-Back Townhouse Dwelling</b>									
Front Yard (min. m.)	-	-	-	-	-	-	4.5	-	4.5
Rear Yard for units on individual lots where they are attached (min. m.)	-	-	-	-	-	-	0	-	0
Rear Yard for condominium development on one lot (min. m.)	-	-	-	-	-	-	4.5	-	4.5
Exterior Side Yard (min. m.)	-	-	-	-	-	-	3	-	3
Interior Side Yard for units on individual lots where they are attached (min. m.)	-	-	-	-	-	-	0	-	0
Interior Side Yard for units on individual lots in other cases (min. m.)	-	-	-	-	-	-	1.2	-	1.2
Separation Between Buildings containing	-	-	-	-	-	-	2.4	-	2.4

	RE	RH	R1	R1A	R1M	R2	R2A	R2M	R2G
Dwelling Units (min. m.)									
<b>Back-to-Back Stacked and Stacked Townhouse Dwelling</b>									
Front Yard (min. m.)	-	-	-	-	-	-	4.5	-	-
Rear Yard (min. m.)	-	-	-	-	-	-	4.5	-	-
Exterior Side Yard (min. m.)	-	-	-	-	-	-	4.5	-	-
Interior Side Yard (min. m.)	-	-	-	-	-	-	3	-	-

Regulations to Table 5.1.4:

- (1) On any lot where the minimum width is shown in the zone symbol on Schedule D and is less than 12.5 m, the minimum side yard shall be 0.6 m and the total amount of the interior side yards shall be at least 1.8 m. Where the minimum lot width is shown on Schedule A as being at least 12.5 m and no more than 15.8 m, the interior side yard shall be 1.2 m and 0.6 m on any corner lot abutting an interior lot. Where the minimum lot width is shown on Schedule A as being at least 15.8 m, the minimum interior side yard shall be 1.2 m.
- (2) The minimum interior side yard shall be 1.2 m, except that where the dwelling height is greater than 1 storey, the minimum interior side yard shall be 1.8 m.

**Table 5.1.5 – Residential Zone Building Location Requirements (R3 Zones)**

	R3L	R3M	R3H
<b>Minimum Front Yard</b>			
Minimum Front Yard (min. m.)	3	3	3
Minimum Front Yard where there are dwelling units accessible directly from the street (min. m.)	4.5	4.5	4.5
<b>Minimum Exterior Side Yard</b>			
Minimum Exterior Side Yard (min. m.)	3	3	3
<b>Build-to Zone</b>			
Required Build-to Zone in the Front Yard	Minimum front yard up to a maximum depth of 7.5 m from the front lot line	Minimum front yard up to a maximum depth of 7.5 m from the front lot line	Minimum front yard up to a maximum depth of 7.5 m from the front lot line
Required Build-to Zone in the Exterior Side Yard	Minimum exterior side yard up to a maximum depth of 7.5 m from the	Minimum exterior side yard up to a maximum depth of 7.5 m from the	Minimum exterior side yard up to a maximum depth of 7.5 m from the

	R3L	R3M	R3H
	exterior side lot line	exterior side lot line	exterior side lot line
<b>Build-to Zone Percentage</b>			
Min. Length of the Front Lot Line, excluding any required minimum interior side yard	50%	50%	50%
Min. Length of the Exterior Side Lot Line, excluding any required minimum interior side yard	50%	50%	50%
<b>Rear Yard</b>			
Minimum Rear Yard where abutting an R1, R2, RE or RH zone or subzone (min. m.)	7.5	10	10
Minimum Rear Yard where abutting an OS or P zone (min. m.)	6	6	6
Minimum Rear Yard in all other cases (min. m.)	7.5	7.5	7.5
<b>Interior Side Yard</b>			
Minimum Interior Side Yard where adjacent to a Mixed-Use Zone or R3 Zone (min. m.) and where there are no windows	0	0	0
Minimum Interior Side Yard – where abutting any R1, R2, RE or RH zone or subzone and where there are windows (min. m.)	7.5	7.5	7.5
Minimum Interior Side Yard – all other cases (min. m.)	3	3	3
<b>Upper Storey Setbacks and Restrictions</b>			
Rear Lot Line Setback – 5th storey and above, where abutting an OS or P zone (min. m.)	-	6	6
Rear Lot Line Setback and Interior Side Lot Line Setback – above the 12th storey where abutting an R1, R2, RE or RH zone or subzone (min. m.)	-	-	30
Rear Lot Line and Interior Side Lot Line Setback – 5th to 12th storeys in other cases (min. m.)	N/A	10	10
Rear Lot Line Setback and Interior Side Lot Line Setback – 13th to 30th storeys in other cases (min. m.)	-	-	12.5
Rear Lot Line Setback and Interior Side Lot Line Setback – above the 30th storey in other cases (min. m.)	-	-	15

	R3L	R3M	R3H
Maximum Horizontal Length of a Building – 5 <sup>th</sup> storey and above (m)	-	80	80
<b>Building Separation (see Note 1)</b>			
Minimum Horizontal Separation of Buildings on the Same Lot, 1st to 4th storeys (min. m.)	-	15	15
Minimum Horizontal Separation of Buildings on the Same Lot, 5th to 12th storeys (min. m.)	-	20	20
Minimum Horizontal Separation of Buildings on the Same Lot, 12th to 30th storeys (min. m.)	-	-	25
Minimum Horizontal Separation of Buildings on the Same Lot, above the 30th storey (min. m.)	-	-	30

Regulations to Table 5.1.5:

- (1) Notwithstanding the horizontal separation requirements, no separation shall be required where there are walls without windows, and a 7.5 m separation shall be permitted where a blank wall faces a wall with windows.

### 5.1.D Building Height and Form

Building height and form shall be in accordance with **Table 5.1.6** for all Residential Estate, Residential Hamlet, First Density and Second Density Residential Zones, and in accordance with **Table 5.1.7** for all Third Density Residential Zones.

**Table 5.1.6 – Residential Zone Building Height and Form Requirements (RE, RH, R1, and R2 Zones)**

	RE	RH	R1	R1A	R1M	R2	R2A	R2M	R2G
Building Height (max m., max. storeys)	11 m, 3 storeys	8.7 m, 2 storeys	11 m, 3 storeys	11 m, 3 storeys	8.5 m, 2 storeys	11 m, 3 storeys	11 m, 3 storeys	10.6 m, 3 storeys	11.6 m, 3 storeys

Regulations to Table 5.1.6:

- (1) None

**Table 5.1.7 – Residential Zone Building Height and Form Requirements (R3 Zones)**

	R3L	R3M	R3H
Minimum Building Height within Protected Major Transit Station Areas (min m., min storeys)	7.5 m, 2 storeys	13.5 m, 4 storeys	40.5 m, 13 storeys
Minimum Building Height, other cases (min m.)	7.5 m, 2 storeys	10.5 m, 3 storeys	10.5 m, 3 storeys
Maximum Building Height (max m., max storeys)	13.5 m, 4 storeys	37.5 m, 12 storeys	61.5 m, 20 storeys
Minimum Floor Space Index within Protected Major Transit Station Areas	0.25	0.5	2.5
Minimum Ground Floor Height for all uses (min. m.)	4.5	4.5	4.5
Building Step Back for all storeys above the 3 <sup>rd</sup> storey, where facing a street line (min. m.)	-	2.5	3
Building Step Back for all storeys above the 3 <sup>rd</sup> storey, for rear elevations (min. m.)	-	2.5	2.5
Maximum Floor Plate for all storeys above the twelfth storey (max. sq. m.)	-	-	800

Regulations to Table 5.1.7:

- (1) None



### 5.1.E Landscaped Open Space

Site and landscaping shall be in accordance with **Table 5.1.8** for all Residential Estate, Residential Hamlet, First Density and Second Density Residential Zones, and in accordance with **Table 5.1.9** for all Third Density Residential Zones.

**Table 5.1.8 – Residential Zone Landscaped Open Space Requirements (RE, RH, R1 and R2 Zones)**

	RE	RH	R1	R1A	R1M	R2	R2A	R2M	R2G
Front Yard Landscaped Open Space – all cases except rear lane configuration (min. %)	70	70	25	25	50	25	25	35	25
Front Yard Landscaped Open Space – rear lane configuration (min. %)	-	-	70	-	-	70	-	25	

Regulations to Table 5.1.8:

- (1) None

**Table 5.1.9 – Residential Zone Landscaped Open Space Requirements (R3 Zones)**

	R3L	R3M	R3H
Landscaped Open Space – in a Protected Major Transit Station Area as shown on Schedule F (min. %)	10	10	10
Landscaped Open Space – outside of any Protected Major Transit Station Area as shown on Schedule F (min. %)	20	20	20
Interior Side Lot Line Landscaped Strips where abutting any R1 or R2 zone or I1 zone (min. width in m.)	3	3	3
Rear Lot Line Landscaped Strips where abutting any R1 or R2 zone or subzone or I1 zone (min. width in m.)	3	3	3

	R3L	R3M	R3H
Surface Parking Area Location	Restricted to the rear yard only	Restricted to the rear yard only	Restricted to the rear yard only

Regulations to Table 5.1.9:

- (1) None

## Section 5.2: General Regulations for Residential Zones

### 5.2.A Accessory Buildings and Structures in Residential Zones

In any Residential Zone, accessory buildings and structures excluding detached private garages or carports, detached additional residential units, and swimming pool enclosures shall be subject to the following provisions:

- .1 A maximum of 2 accessory buildings shall be permitted on a lot.
- .2 Any accessory building or structure that is attached to the main dwelling shall not be subject to the provisions of this subsection but shall be subject to the yard and setback requirements in the applicable zone.
- .3 An accessory building or structure is prohibited to be constructed in any part of the front yard, the required minimum exterior side yard, or in the minimum required interior side yard specified in the applicable zone.
- .4 An accessory building or structure shall be subject to the following minimum setback requirements:
  - .a Where the accessory building or structure is located in the rear yard, it shall be located at least 0.6 m from all lot lines.
  - .b Where the accessory building or structure is located in the interior side yard, it shall be located at least 3.0 m behind the front wall of the main building.
  - .c Notwithstanding the requirements above, the minimum setback for an accessory building or structure in the rear yard shall be 1.2 m from the closest lot in any RE or RH zone.
- .5 Habitable space shall be prohibited within any accessory building or structure except where specifically allowed by this By-law.
- .6 No accessory building or structure shall be constructed upon any easement.

- .7 A Quonset hut, intermodal shipping container or transport trailer shall not be used as an accessory building or structure in any Residential zone.
- .8 The maximum height of an accessory building or structure in any Residential Zone shall be in accordance with Table 5.2.A.1.

**Table 5.2.A.1 – Maximum Height for Accessory Buildings and Structures in any Residential Zone**

Zone	Maximum Height
Any Residential zone, except Residential Estate	3.0 m
Residential Estate zone	4.0 m

- .9 Notwithstanding Table 5.2.A.1, one open-sided shade structure, gazebo or pergola shall be permitted on a deck, porch or balcony, provided that:
  - .a the height of the open-sided shade structure, gazebo or pergola does not exceed 3.0 metres in height when measured from the walking surface of the deck, landscaped deck, porch or balcony;
  - .b the structure is open to the air and not screened within at least 40% of the perimeter of the structure;
  - .c the structure is no greater than 10 m<sup>2</sup> in area.
- .10 The gross floor area of accessory buildings and structures on a lot in any Residential Zone shall be subject to the requirements of Table 5.2.A.2. These requirements shall not apply to any garden suite or detached private garage.

**Table 5.2.A.2 – Maximum Gross Floor Area for Accessory Buildings and Structure in any Residential Zone**

Zone	Maximum Gross Floor Area Per Accessory Building	Maximum Combined Gross Floor Area for All Accessory Buildings on the Lot
All Residential Zones, except a Residential Estate Zone	15.0 m <sup>2</sup>	20.0 m <sup>2</sup>
Residential Three Zones	No requirement	No requirement

### 5.2.B Additional Residential Unit

Where permitted by this By-law, additional residential units shall be in accordance with the following provisions:

- .1 An additional residential unit shall only be permitted on the same lot as a principal detached dwelling, linked dwelling, a semi-

detached dwelling, or a townhouse dwelling where the principal dwelling is contained on an individual lot.

- .2 A maximum of 2 additional residential units are permitted per residential lot which may include either:
  - .a One attached additional residential unit and one garden suite in accordance with the requirements of this Section; or
  - .b Two attached additional residential units.
- .3 An additional residential unit shall not be permitted within or on the same lot as a lodging house or supportive housing residence.
- .4 A lot containing any additional residential unit shall have a maximum of one driveway, including a semi-circular driveway connected between two access points.
- .5 An additional residential unit shall not be permitted within a Natural System Zone or Open Space Zone or otherwise as prohibited by this By-law.
- .6 In addition to the parking required for the principal dwelling unit, one additional parking space shall be provided on lots containing more than one additional residential unit and all required parking spaces shall be located on the same lot.
- .7 No additional parking space is required for a lot containing only one additional residential unit.
- .8 Notwithstanding the provisions of Section 4.2, each parking space on a residential lot used in conjunction with an additional residential unit shall be not less than 2.6 metres in width and 5.4 metres in length.
- .9 Tandem parking spaces shall be permitted.
- .10 An additional residential unit shall be subject to the applicable Registration By-law.
- .11 The following requirements shall apply to attached additional residential units:
  - .a Where the principal entrance to an attached additional residential unit is provided through a door located in the side yard or rear yard, the following shall apply:
    - .i An unobstructed pedestrian path of travel having a minimum width of 1.2 metres shall be provided along any portion of the yard extending from the front wall of the building to the door used as the principal entrance

to an attached additional residential unit unless the principal entrance to the attached additional residential unit has direct unobstructed access having a minimum width of 1.2 metres from a public street or private lane at the rear of the property.

- .ii A minimum landing area or landscaped deck of 0.9 m by 0.9 m shall be provided in front of the door and shall be unobstructed and used for entry into the unit.
- .b An above grade side door meeting the minimum 1.2 metre path of travel requirement used as the principal entrance to an attached additional residential unit may be accessed by a landing or landscaped deck less than 0.6 metres above ground level. Steps shall be provided at both the front and rear of the landing as may be necessary to provide pedestrian access from the front yard to the rear yard.
- .12 Any entrance or secondary egress to/from an additional residential unit shall not be located within a pool enclosure.
- .13 A garden suite shall also be in accordance with the following requirements:
  - .a A garden suite shall only be permitted in the rear yard or interior side yard of a lot containing a principal dwelling.
  - .b The gross floor area shall not exceed 100 m<sup>2</sup> where the garden suite is in conjunction with a single detached dwelling, and 50 m<sup>2</sup> in all other cases.
  - .c The minimum rear yard setback shall be 1.2 m, except that 3.0 m shall be required for any portion of the building that is above 3.0 m in height.
  - .d The minimum interior side yard setback shall be 1.2 m, except that 3.0 m shall be required for any portion of the building that is above 3.0 m in height.
  - .e The minimum separation distance between any wall of the garden suite and any main wall of the principal dwelling shall be 4.0 m.
  - .f The height of a garden suite shall not exceed:
    - .i 7.5 m or the height of the principal building, whichever is less, on a lot in a Residential Hamlet, or Residential Estate zone; and

- .ii 6.0 metres or the height of the principal building, whichever is less, on a lot with a single detached dwelling, and 4.5 m on a lot with a townhouse or semi-detached dwelling.
- .g A garden suite shall be permitted above a detached garage including a rear lane garage, provided:
  - .i The overall height of the building containing the detached garage and garden suite does not exceed 7.5 m or the height of the principal dwelling, whichever is less.
  - .ii There are no windows, other than clerestory windows, facing adjacent residential lots within 3.0 m of the interior side lot line or rear lot line.
  - .iii A minimum interior side yard setback of 0.0 m shall be permitted where the garden suite is attached to another additional residential unit on a common vertical wall above a private garage that is attached to another private garage on a separate lot.
  - .iv The detached garage and garden suite shall be accessed by a door on the ground floor and interior stairs leading to the garden suite. Access stairs exterior to the garage shall not be permitted.
- .h Further encroachments into the required minimum rear yard set out in subsection 5.2.B.13.c or into the building separation distance set out in subsection 5.2.B.13.e shall be permitted for a garden suite as follows:
  - .i Maximum 0.6 m to a maximum width of 3.0 m for a window bay without foundation;
  - .ii Maximum 0.5 m for eaves, cornices, gutters, chimneys, pilasters or parapets; and
  - .iii Maximum 0.9 m for an open sided, roofed porch or deck.
- .i Balconies and roof top patios including any deck or similar structure above a garage or a garden suite shall not be permitted.
- .j A minimum 1.2 m wide unobstructed pedestrian path of travel shall be provided along any portion of the yard extending from the front wall of the principal dwelling to the main entrance of the garden suite, unless the garden suite

has direct unobstructed access having a minimum width of 1.2 m from a public street or private lane at the rear of the property. The path of travel shall also not cross into or be obstructed by a pool enclosure or any other accessory structure.

- .k A garden suite is permitted within an intermodal shipping container that has been converted to a habitable dwelling unit.

### **5.2.C Common Amenity Area Requirements**

- .1 Common amenity area(s) shall be provided for any apartment dwelling units, cluster townhouse dwelling, stacked townhouse dwelling units, podium townhouse dwelling, back-to-back townhouse dwelling and stacked back-to-back townhouse dwelling in accordance with this Section.
- .2 The minimum common amenity area requirement shall be 5.0 m<sup>2</sup> per dwelling unit. Notwithstanding Section 5.2.C.1, a proposed development consisting of less than new 8 dwelling units on a lot shall not be required to provide amenity area.
- .3 The required minimum common amenity area shall be located on the same lot as the associated dwelling units.
- .4 The minimum common amenity area shall include at least one contiguous outdoor area of a minimum 50 m<sup>2</sup> of amenity area with a minimum width of at least 5.0 m.
- .5 The minimum common contiguous outdoor amenity area required by Section 5.2.C.4 shall be located at grade.
- .6 Private amenity areas and spaces including private balconies and other areas accessed by individual units shall not be included in the calculation of common amenity area requirements.

### **5.2.D Attached Private Garage and Carport Requirements**

The following provisions are applicable to any attached private garage and carport, and are not applicable to a parking area or parking structure:

- .1 The requirements of this section shall only apply to attached private garages. An attached private garage shall be subject to the requirements of the zone and this subsection, whichever is more restrictive.

- .2 Where a garage or carport is attached to a dwelling unit, it shall not be considered an accessory building and shall be subject to the requirements of the applicable zone and any other requirements of this By-law applicable to attached garages or carports.
- .3 A garage door or carport opening shall be setback from any street line at least 6.0 m.
- .4 A garage door or carport opening shall have a maximum clearance height of 4.0 m.
- .5 The garage door opening shall be located at least 1.0 m further from the street line than the main wall of the principal dwelling.
- .6 On any lot with a width less than 12 m, the maximum width of any attached private garage shall be 60% of the width of the associated dwelling, except that in no case shall an attached private garage be required to be less than 3.1 m in width.
- .7 On any lot with a width equal to or greater than 12.0 m, the maximum width of any attached private garage shall be 50% of the width of the associated principal dwelling.
- .8 For dwellings that are 6.0 m or less in width, the interior space of an attached private garage shall have a rectangular area not less than 2.9 m by 6.1 m with no more than a two-step encroachment into the minimum length wise and a one step encroachment into the minimum width wise.
- .9 For dwellings that are greater than 6.0 m in width, the interior space of an attached private garage shall have a rectangular area not less than 3.1 m by 6.1 m with no more than a two-step encroachment length wise and a one step encroachment width wise.
- .10 No parking shall be permitted on any part of a lot except within a parking space.

#### **5.2.E Above Grade Entrances**

- .1 An at or above grade door located on a side wall of a single detached, semi-detached, or townhouse dwelling shall only be permitted when:
  - .a the side yard within which the door is located has a minimum width of 1.2 m extending from the front wall of the dwelling up to and including the door; or



- .b the side yard within which the door is located has a minimum width of 1.2 m extending from the rear wall of the dwelling up to and including the door, provided that a continuous side yard width of not less than 1.2 m is provided on the opposite side of the dwelling.
- .2 Any steps or landings for a side entrance shall have a minimum setback of 0.9 m to an interior side lot line or the required interior side yard setback, whichever is less.

#### **5.2.F Below Grade Stairs and Windows**

- .1 For any single detached, semi-detached, duplex dwelling, townhouse dwelling or triplex dwelling, exterior stairways constructed below the established grade shall not be located in a required side yard or front yard.
- .2 Notwithstanding section 5.2.F.1, for a single detached dwelling, with or without an additional residential unit, exterior stairways constructed below the established grade shall be permitted in a required interior side yard, provided that a continuous side yard width of not less than 1.2 m is provided on the opposite side of the dwelling and a minimum setback of 0.3 m to the below grade stairway is maintained.
- .3 A below grade window shall not be permitted where the interior side yard is less than 1.2 metres.

#### **5.2.G Commercial Uses in the Residential Zones**

- .1 Other than a home occupation, any permitted commercial uses in the Residential zones in accordance with Section 5.1.A shall be in accordance with the following:
  - .a Each unit does not exceed 200 m<sup>2</sup> in gross floor area;
  - .b Commercial uses are located within the ground floor only; and
  - .c the total combined gross floor area shall not exceed 10% of the gross floor area of the residential uses, whichever is less.
- .2 Permitted commercial uses shall not include any drive-through facility, restaurant patio, outside display and sales, or outside storage.

**5.2.H Detached Private Garages or Carports**

- .1 A maximum of one detached private garage or carport shall be permitted on any lot in a Residential zone.
- .2 A detached private garage or carport shall only be permitted where there is no attached private garage or carport.
- .3 A detached private garage shall not be permitted in any part of the front yard.
- .4 A detached private garage shall not be permitted in the required minimum exterior side yard.
- .5 A detached private garage or carport shall be located no closer than 1.0 m to the main building on the lot.
- .6 A detached private garage shall be located at least 1.0 m further from the street line than the main wall of the principal dwelling.
- .7 The maximum gross floor area of a detached private garage or carport in a Residential zone, exclusive of any permitted additional residential unit, shall be the lesser (more restrictive) of:
  - .a 80.0 m<sup>2</sup>; or
  - .b 15% of the lot area.
- .8 The interior dimensions of a detached private garage or carport shall have a minimum rectangular area of 2.9 m by 5.5 m.
- .9 The maximum height of a detached private garage or carport is 4.5 m. This shall exclude any portion of the building that is associated with a permitted additional residential unit.
- .10 A detached private garage or carport shall be located no closer than 0.6 m to any interior side lot line and 0.6 m from any rear lot line.
- .11 Notwithstanding 5.2.H.10, a detached private garage or carport shall be permitted to be attached to a detached private garage or carport on an abutting lot in any Residential zone. Where this is the case, the detached private garage or carport shall be permitted to have a minimum interior side yard setback or minimum rear yard setback of 0.0 m where applicable to permit the attachment, provided they share one common wall along the common lot line and are constructed as one building.
- .12 The opening of a detached private garage shall be located at least 6.0 m from the exterior side lot line or front lot line from which it

receives access. This shall not apply to a detached private garage accessed by a rear lane.

- .13 A Quonset hut, intermodal shipping container or transport trailer shall not be used as a detached garage or carport in any Residential Zone.

#### **5.2.1 Driveway Requirements for the Residential Zones**

- .1 The applicable requirements of Section 4.2.B shall also apply to driveways in Residential zones, in addition to the requirements of this section.
- .2 Where parking spaces are required or provided on an individual lot located in the Driveway Regulation Area shown on Schedule H in any Residential zone except in any R3 zone, the following requirements shall apply:
  - .a For lots with a lot width less than 17.0, the maximum driveway width shall be 6.0 m.
  - .b For lots with a lot width equal to or greater than 17.0 m, the maximum driveway width shall be 8.5 m.
  - .c For lots with a detached rear yard garage, the maximum driveway width shall be 3.0 m.
  - .d Notwithstanding these requirements, a driveway may be wider than the requirements above, provided all of the following is met:
    - .i The width of the driveway does not exceed the width of the garage door;
    - .ii The driveway is tapered such that the width does not exceed the width stated in .a and .b (as applicable) at any point beyond 6.0 m from the garage door or carport opening; and
    - .iii The driveway does not exceed 50% of the area of the yard in which the driveway is located.
- .3 Where parking spaces are required or provided on an individual lot on a residential zone except within an R3, RE or RH zone, and not subject to section 5.2.1.2 above, a driveway shall have a minimum width of 3.0 m and a maximum width of:
  - .a 4.9 m on lots having a width less than 8.23 m;

- .b 5.5 m on lots having a width equal to and greater than 8.23 m but less than 9.14 m;
  - .c 7.0 m on lots having a width equal to and greater than 9.14 metres but less than 15.24 metres;
  - .d 7.32 metres, or the width of the garage, whichever is greater, on lots having a width equal to and greater than 15.24 metres but less than 18.3 metres;
  - .e 9.14 metres, or the width of the garage, whichever is greater, on lots having a width equal to and greater than 18.3 metres;
  - .f 6.71 metres, or the width of the garage, whichever is greater, for driveways on the exterior side lot line on any lot; and
  - .g and in no case shall the Residential Driveway intersect with the side lot lines of the lot projected towards the street.
- .4 Where parking spaces are required or provided on a lot in any RE or RH zone, the following restrictions shall apply:
- .a the minimum width of a driveway shall be 3.0 metres; and
  - .b the width of the driveway shall not exceed 50 percent of the width of the lot.
- .5 A walkway or path of travel shall be permitted to be part of the driveway and shall be subject to the maximum driveway width requirements of this section. Notwithstanding this, a walkway or path of travel that is located no closer than 1.0 from the edge of the driveway shall be permitted and not subject to the maximum driveway width, provided that the area between the driveway and path of travel shall be landscaped open space and shall not be used for parking.
- .6 For the purposes of this By-law, driveway width shall be measured perpendicular to the intended path of travel along the driveway and the requirements for minimum and maximum width shall extend uniformly across the entire length of the driveway. A walkway or path of travel shall be permitted to be part of the driveway and is included in the maximum driveway width.
- .7 Notwithstanding the requirements of this section, driveways in any R2 or R3 zone providing access to a common parking area and not an individual dwelling unit shall be in accordance with the applicable requirements of Section 4.2.
- .8 A driveway shall be directly provided from the street line to the private garage entrance or parking space, except where a

hammerhead or a semi-circular driveway are provided and permitted in accordance with this section.

- .9 Landscaped open space shall be provided and maintained in accordance with the following:
- .a A landscaped open space area with a minimum width of 0.6 m shall be provided abutting both interior side lot lines (or rear lot line where the driveway is provided from the exterior side lot line) on a lot. Notwithstanding, where the interior side lot lines converge towards the street, less than 0.6 m may be provided within 3.0 m of the front lot line.
  - .b Notwithstanding .a, only one such area shall be required for a semi-detached dwelling.
  - .c A landscaped open space area at a minimum width of 3.0 m abutting the front lot line and exterior lot line where any permitted hammerhead is located.
- .10 A hammerhead shall only be permitted on a lot provided that:
- .a The lot has a minimum width of 15.0 m.
  - .b The lot has a minimum depth of 45.0 m.
  - .c The maximum width of the hammerhead is 3.7 m, measured perpendicular to the intended path of travel on the hammerhead.
  - .d The hammerhead does not extend further than 4.5 m from the driveway, measured along the path of travel on the hammerhead to the edge of the driveway.
  - .e The hammerhead is located no closer than 3.0 m from any front lot line and exterior side lot line.
- .11 A maximum of one driveway entrance is permitted per lot, except that a semi-circular driveway connecting two driveway entrances here a shall be permitted, provided that:
- .a The lot has a minimum frontage of at least 21.0 m.
  - .b The access points shall only be located from one street line.
  - .c The driveway coverage does not exceed 50% of the applicable yard.
  - .d The width of the driveway measured perpendicular to the intended path of travel along the driveway does not exceed 8.5 m.

- .e The minimum separation between the two driveway entrances shall be 6.0 m.

#### **5.2.J Fences and Privacy Screens**

- .1 In any Residential zone, a fence shall be subject to the following maximum height requirements:
  - .a A maximum of 1.2 m in height in any part of the front yard;
  - .b A maximum of 2.2 m in height in any other yard;
  - .c Notwithstanding provision .b above, a maximum of 2.5 m where the lot line abuts a Commercial, Mixed Use, Institutional, or Employment Zone;
  - .d Fences shall also be subject to the requirements of Section 3.18 for sight triangles.
- .2 Notwithstanding the restrictions of clause .1 above, a privacy screen shall be permitted on any patio, porch, deck or balcony subject to the following:
  - .a a privacy screen shall not exceed a maximum height of 1.8 m measured from the walking surface of the deck, landscaped deck, porch or balcony patio;
  - .b an individual side or segment of screening shall not project more than 2 metres from the wall of the dwelling or the depth of the walking platform to which it is affixed, whichever is less, and
  - .c a privacy screen affixed to a landscaped deck shall have a minimum setback of 0.6 metres from any lot line.

#### **5.2.K Holding (H) Provision for Development of 4-10 Dwelling Units on a Lot in any Residential Zone**

- .1 In any Residential zone, any development consisting of more than 4 dwelling units and up to 10 dwelling units on any individual lot and not subject to a Site Plan approval process shall be deemed to be subject to a Holding (H) symbol, which shall not be removed in accordance with Section 36 of the Planning Act until such time as the following matters are addressed to the satisfaction of the Commissioner or designate:
  - .a A grading and drainage plan has been approved by the administrator of this By-law or their designate;

- .b A concept plan showing suitable access and demonstrating compliance with City development standards;
- .c A landscape and tree preservation plan has been approved by the administrator of this By-law or their designate; and
- .d All other City by-laws and the requirements of this By-law are complied with for the proposed development.

#### **5.2.L Setbacks where Dwellings are Attached**

- .1 Notwithstanding any requirement of this By-law, where dwelling units are attached as may be permitted by this By-law, no setback shall be required for the dwelling units or a private garage along the common lot line where there is a common wall. The applicable setback in the zone shall apply where there is no common wall.
- .2 The requirements for accessory buildings and structures shall continue to apply as required by this By-law, except that an unenclosed deck is permitted to encroach to 0 m for that portion of the lot line where the dwelling units are attached. Where a deck is provided along the common lot line, a privacy screen or opaque fence shall be provided along the lot line to a height of at least 1.8 m above the deck's elevation.

#### **5.2.M Supportive Housing Residence Type 1 and Type 2**

Where permitted by this By-law, a supportive housing residence type 1 or supportive housing residence type 2 shall be in accordance with the following provisions:

- .1 A supportive housing residence type 1 or supportive housing residence type 2 shall be located in a dwelling unit, including an individual dwelling unit within a building consisting of a combination of residential and non-residential uses.
- .2 Where not located within a mixed-use building as referred to in provision .1 above, a supportive housing residence type 1 or supportive housing residence type 2 use shall occupy the entire dwelling.
- .3 A supportive housing residence type 1 or supportive housing residence type 2 shall not be permitted in a dwelling that contains additional residential unit(s).

#### **5.2.N Swimming Pools and Recreation Facilities**

Swimming pools other recreation facilities shall be in accordance with the following provisions:

- .1 An uncovered swimming pool or recreational facility shall be permitted only within the rear yard, interior side yard or exterior side yard of a lot.
- .2 A swimming pool or recreational facility shall be located no closer than 3.0 m to the exterior side lot line and 1.2 m to any other lot line.
- .3 An uncovered swimming pool or recreational facility shall be located no closer than 1.2 m to any easement.
- .4 The setback provisions of this subsection shall be measured to the nearest part of the edge of the structure containing water or the edge of any part of the recreational facility that is used for the recreational purpose, and shall not include any accessory patio, deck or landscaping.
- .5 A building or structure that covers a swimming pool may be located only in the side or rear yard of a lot, provided that it is:
  - .a no closer than 1.2 metres to a side lot line or a rear lot line;
  - .b no closer to a street than the required minimum front yard depth or the minimum exterior side yard width for the main building;
  - .c no greater than 23 m<sup>2</sup> in gross floor area and 4 metres in height on a lot in a RE Zone or on a lot in an A zone where the lot area is 2 hectares or less; and
  - .d no greater than 15 m<sup>2</sup> gross floor area and 3 metres in height on a lot in all other Residential Zones.

#### **5.2.0 Temporary Tents, Garage and Yard Sales**

A temporary tent or a garage or yard sale use shall be in accordance with the following provisions:

- .1 A garage or yard sale shall be permitted on a temporary basis in any Residential zone, in accordance with the following provisions:
  - .a The use is carried out for no more than 4 consecutive days and no more than 7 days within any calendar year.
  - .b The use is permitted within any part of the front yard, the exterior side yard or within any attached private garage.
  - .c The use is located no closer than 0.6 m to any lot line.
- .2 A temporary tent shall be permitted in any residential zone, provided:



- .a The minimum lot width is at least 9.0 m and the minimum rear yard depth is at least 7.5 m.
- .b The temporary tent is only permitted within the rear yard.
- .c The temporary tent is no closer than 1.0 m to any lot line.
- .d The temporary tent is used for no more than 3 consecutive days and no more than 7 days within any calendar year.

### **5.2.P Townhouses**

All townhouse typologies shall be in accordance with the following requirements:

- .1 Any townhouse dwelling with a private rear yard shall have direct pedestrian access from the front yard to the rear yard, without having to pass through a habitable room.
- .2 There shall be a maximum of 8 attached principal street townhouses and cluster townhouses in one row per building, excluding any permitted additional residential units.

### **5.2.Q Oversized Motor Vehicles in Residential Zones**

- .1 An oversized motor vehicle shall not be parked in any part of an exterior side yard or front yard, including any driveway therein, except in accordance with the requirements of this section.
- .2 The temporary parking of a maximum of 1 oversized motor vehicle is permitted within a driveway in a residential zone where parking is permitted, provided:
  - .a The oversized motor vehicle does not utilize a minimum required parking space or obstruct access to a required parking space; and
  - .b The oversized motor vehicle is a maximum of 7 m in length and does not exceed 2.7 m in height.

### **5.2.R Trailers and Recreational Vehicles in Residential Zones**

- .1 Except as permitted in this section, a person shall not park or store a travel trailer or recreational vehicle or any other type of trailer, in any part of an exterior side yard or in the front yard, including any part of the driveway therein, of any lot in a residential zone.
- .2 Recreational vehicles and travel trailers are permitted to be parked, stored in any part of a private garage provided the minimum required parking is maintained.

- .3 A maximum of one recreational vehicle not exceeding 7.0 m in length and 2.7 m in height is permitted to be stored on the lot in any part of the rear yard or in the interior side yard, but not closer than 0.6 m to the rear lot line and no closer than 1.8 m to the interior side lot line.
- .4 A maximum of one recreational vehicle is permitted to be temporarily stored on any part of a driveway, or up to two recreational vehicles that are set upon a trailer that is designed to transport the recreational vehicles, provided:
  - .a The length of the recreational vehicle or trailer does not exceed 7.0 m in length, 3.0 m in width and 2.7 m in height, except that where the driveway is at least 20.0 m in length, the length of the recreational vehicle or trailer is permitted to be a maximum of 12.0 m and the height is permitted to be a maximum 3.0 m.
  - .b The recreational vehicle or trailer is not parked or stored on the driveway for more than a total of 90 days in any calendar year.
  - .c The recreational vehicle or trailer is not parked or stored for more than 45 consecutive calendar days.
  - .d The recreational vehicle or trailer does not use a minimum required parking space, obstruct access to a required parking space, and does not extend into the public right-of-way.

#### **5.2.S Waste Storage – Townhouses**

- .1 Notwithstanding any other provision of this By-law, for any street townhouse dwelling with a private attached garage, a covered garbage enclosure shall be permitted to encroach into the minimum front yard by 1.5 m. On a corner lot, this enclosure is permitted to encroach into the minimum required exterior side yard by 1.5 m.

# Chapter 6: Commercial Zones

Table 6.1 – List of Commercial Zones

Commercial Zones	Zone Symbol
Local Commercial	LC
General Commercial	GC
Highway Commercial	HC
Office Commercial	OC
Recreational Commercial	RC

## Section 6.1: Requirements for the Commercial Zones

### 6.1.A Permitted Uses

In any Commercial Zone, no person shall use a lot, or erect, alter or use a building or structure for any purpose except for the uses permitted in accordance with Table 6.1.1.

**Key** P Permitted Use

Table 6.1.1 – Permitted Uses in Commercial Zones

Uses	LC	GC	HC	OC	RC	Use-Specific Standards
<b>Commercial Uses</b>						
Artisan Studio	P	P	P		P	See Note 1 (LC Zone)
Banquet Hall			P			
Boat or Recreational Vehicle Sales and Service		P	P			
Catering Service	P	P	P			
Commercial Campsite					P	
Commercial Parking Lot or Garage	P	P	P		P	
Commercial Recreation		P			P	
Commercial School	P	P	P			
Commercial Service and Repair		P	P			
Convenience Retail Store	P	P	P		P	
Courier or Taxi Service		P	P			

Uses	LC	GC	HC	OC	RC	Use-Specific Standards
Driving Range					P	
Dry Cleaning and Laundry Distribution Station	P	P	P			
Financial Service	P	P		P		See Note 1 (LC Zone)
Funeral Home		P				
Garden Centre		P	P			
Golf Course					P	
Health or Fitness Centre	P	P				
Hotel			P			
Micro Manufacturing		P	P		P	Section 2.3.E
Motor Vehicle Dealership		P	P			
Motor Vehicle Repair		P	P			
Motor Vehicle Service Station		P	P			Section 2.3.G
Motor Vehicle Washing Facility		P	P			Section 2.3.B
Museum or Gallery	P	P				
Office		P		P		
Organizational Club		P	P			
Outdoor Market	P	P				
Personal Service Shop	P	P				See Note 1 (LC Zone)
Pet Day Care	P	P				
Restaurant	P	P	P			See Note 1 (LC Zone)
Retail	P	P				See Note 1 (LC Zone)
Self Storage Facility			P			
Theatre		P				
Veterinary Clinic	P	P	P			
<b>Community and Other Uses</b>						
Community Garden	P					Section 2.3.A
Conservation Use	P	P	P	P	P	
Child Care Centre	P	P	P		P	

Uses	LC	GC	HC	OC	RC	Use-Specific Standards
Medical Office or Clinic	P	P	P	P		
Place of Worship	P	P	P			Section 2.3.I
Urban Park	P	P	P	P	P	
Supportive Group Home Residence Type 2		P	P			
Transit Station	P	P	P	P	P	
<b>Specified Accessory Uses</b>						
Drive-Through		P	P			Section 2.3.B
Outside Display and Sales	P	P	P			Section 2.3.H
Restaurant Patio	P	P	P		P	Section 2.3.J
Seasonal Garden Centre or Sales Tent		P	P		P	Section 2.3.K

Regulations to Table 6.1.1:

- 1) The size of this use is limited in the LC zone in accordance with Section 6.2.B.

### 6.1.B Lot Requirements

Table 6.1.2 – Commercial Zone Lot Requirements

	LC	GC	HC	OC	RC
Lot Area (min. sq. m.)	900	900	2000	2000	2000
Lot Width (min. m.)	20	20	30	30	30

### 6.1.C Building Location

Table 6.1.3 – Commercial Zone Building Location

	LC	GC	HC	OC	RC
Front Yard (min. m.)	3	3	4.5	3	7.5
Rear Yard, where abutting any Residential or Institutional zone (min. m.)	9	9	15	9	9
Rear Yard, all other cases (min. m.)	6	6	6	6	10
Exterior Side Yard (min. m.)	4.5	3	6	4.5	7.5
Interior Side Yard, where abutting any Residential or Institutional Zone (min. m.)	9	9	9	9	9

	LC	GC	HC	OC	RC
Interior Side Yard, all other cases (min. m.)	3	3	3	3	3
Build-to Zone, Build-to Zone Percentage, and Surface Parking Restrictions	Restricted by Section 5.2.D	Restricted by Section 5.2.D	-	Restricted by Section 5.2.D	-

Regulations to Table 6.1.3:

- (1) None.

### 6.1.D Building Height and Form

**Table 6.1.4 – Commercial Zone Building Height and Form**

	LC	GC	HC	OC	RC
Building Height (max. m. and max. storeys)	11 m, 3 storeys	11 m, 3 storeys	11 m, 3 storeys	11 m, 3 storeys	8.5 m, 2 storeys

Regulations to Table 6.1.4:

- (1) None.

### 6.1.E Site and Landscaping

**Table 6.1.5 – Commercial Zone Site and Landscaping**

	LC	GC	HC	OC	RC
Landscaped Open Space (min. %)	15	15	15	20	25
Front Lot Line Landscaped Strips (min. m.)	1.5	1.5	3	1.5	-
Exterior Side Lot Line Landscaped Strips (min. m.)	1.5	1.5	3	-	-
Interior Side Lot Line Landscaped Strips, where abutting a Residential, Mixed-Use, Institutional, Park or Open Space Zone (min. m.)	3	3	3	-	-
Rear Lot Line Landscaped Strips, where abutting a Residential, Mixed-Use, Institutional, Park or Open Space Zone (min. m.)	3Error! Reference source not found.	3	3	-	-

Regulations to Table 6.1.5:

- (1) None.

## Section 6.2: General Regulations for Commercial Zones

### 6.2.A Accessory Buildings and Structures

- .1 Accessory buildings and structures in commercial zones shall be in accordance with Section 3.1.B.

### 6.2.B Restriction on Unit Size in the LC Zone

- .1 Any retail, restaurant, artisan studio, financial service, or personal service use shall be limited to 1,500 m<sup>2</sup> per store or unit in the LC Zone.

### 6.2.C Supportive Housing Residence Type 2

- .1 Where permitted by this By-law, a supportive housing residence type 2 shall be in accordance with the following provisions:
  - .a A supportive housing residence type 2 shall be located in a dwelling unit, including a single dwelling unit within a building consisting of a combination of residential and non-residential uses.
  - .b Where not located within a mixed use building as referred to in provision .1 above, a supportive housing residence type 2 use shall occupy the entire dwelling.

### 6.2.D Build-to Zone and Surface Parking Requirements (LC, GC, and OC Zones)

- .1 In any LC, GC or OC Zone, buildings and surface parking shall be in accordance with the following provisions:
  - .a A build-to zone shall be required, defined as the minimum required front yard of the zone and to depth of 7.5 m from the minimum front yard setback.
  - .b The minimum build-to zone percentage shall be 50% of the length of the front line, excluding the width of any required minimum interior side yard.
  - .c Surface parking shall only be permitted in the rear yard and interior side yard.
  - .d Landscaped strips associated with surface parking areas shall be in accordance with Section 4.2.C.

# Chapter 7: Mixed-Use Zones

Table 7.1 - List of Mixed-Use Zones

Mixed-Use Zones	Zone Symbol
Mixed-Use Low Rise	ML
Mixed-Use Low Rise – Office	MLO
Mixed-Use Mid Rise	MM
Mixed-Use Mid Rise – Office	MMO
Mixed-Use High Rise	MH
Mixed-Use High Rise – Office	MHO

## Section 7.1: Requirements for the Mixed-Use Zones

### 7.1.A Permitted Uses

In any Mixed-Use Zone, no person shall use a lot, or erect, alter or use a building or structure for any purpose except for the uses permitted in accordance with Table 7.1.1.

**Key**     P Permitted Use

Table 7.1.1 – Permitted Uses in Mixed-Use Zones

Uses	ML	MM	MH	MLO, MMO, MHO	Use-Specific Standards
<b>Residential</b>					
Apartment Dwelling	P	P	P	P	
Live-Work Townhouse Dwelling	P	P	P	P	
Podium Townhouse Dwelling	P	P	P	P	
Single Room Occupancy Housing	P	P	P	P	
Supportive Housing Residence Type 1	P	P	P	P	Section 2.3.L
Supportive Housing Residence Type 2	P	P	P	P	Section 2.3.L
<b>Civic and Institutional</b>					
College or University				P	
Community Centre	P	P	P		



Uses	ML	MM	MH	MLO, MMO, MHO	Use-Specific Standards
Child Care Centre	P	P	P	P	
Elementary or Secondary School	P	P	P	P	
Medical Office or Clinic	P	P	P	P	
Public Park	P	P	P	P	
Residential Care Home	P	P	P	P	
Place of Worship	P	P	P	P	Section 2.3.I
Urban Park	P	P	P	P	
<b>Commercial</b>					
Banquet Hall		P	P	P	
Catering Service	P	P	P	P	
Commercial School	P	P	P	P	
Commercial Recreation		P	P	P	
Commercial Service and Repair	P	P	P	P	
Convenience Retail	P	P	P	P	
Convention Centre		P	P	P	
Dry Cleaning and Laundry Distribution Station	P	P	P	P	
Financial Service	P	P	P	P	
Funeral Home		P	P	P	
Health or Fitness Centre	P	P	P	P	
Hotel		P	P	P	
Micro Manufacturing	P	P	P	P	Section 2.3.E
Museum or Gallery	P	P	P	P	
Restaurant	P	P	P	P	
Organizational Club		P	P	P	
Outdoor Market	P	P	P	P	
Personal Service Shop	P	P	P	P	
Pet Day Care	P	P	P	P	

Uses	ML	MM	MH	MLO, MMO, MHO	Use-Specific Standards
Retail	P	P	P	P	
Theatre		P	P	P	
Transit Station	P	P	P	P	
Veterinary Clinic	P	P	P	P	
<b>Business Uses</b>					
Artisan Studio	P	P	P	P	
Broadcasting or Filming Studio				P	
Data Storage Facility				P	
Manufacturing, Processing or Assembly				P	
Medical Laboratory				P	
Office	P	P	P	P	
Research and Development				P	
<b>Specified Accessory Uses</b>					
Home Occupation	P	P	P	P	Section 2.3.C
Outside Display and Sales	P	P	P	P	Section 2.3.H
Restaurant Patio	P	P	P	P	Section 2.3.J

Regulations to Table 7.1.1:

- (1) None.

### 7.1.B Lot Requirements

**Table 7.1.2 – Mixed-Use Zone Lot Requirements**

	ML, MLO	MM, MMO	MH, MHO
<b>All Permitted Uses, Except as Specified Below</b>			
Lot Area for 0 – 4 storeys (min sq. m.)	600	600	600
Lot Area for 5 – 12 storeys (min sq. m.)	1200	1200	1200
Lot Area for 13 or more storeys, where abutting any R1 or R2 zone or subzone (min sq. m.)	3000	3000	3000

	ML, MLO	MM, MMO	MH, MHO
Lot Area for 13 or more storeys, all other cases (min sq. m.)	2500	2500	2500
Lot Width for 0 – 4 storeys (min. m.)	18	18	18
Lot Width for 5 – 12 storeys (min. m.)	24	24	24
Lot Width for 13 or more storeys (min. m.)	35	35	35
<b>Live-Work Townhouse Dwellings on Individual Lots</b>			
Lot Area (min. sq. m.)	100	-	-
Interior Lot Width (min. m.)	6	-	-
Corner Lot Width (min. m.)	9	-	-

Regulations to Table 7.1.2:

- (1) None.

### 7.1.C Building Location

**Table 7.1.3 – Mixed-Use Zone Building Location**

	ML, MLO	MM, MMO	MH, MHO
<b>Minimum Front Yard</b>			
Minimum Front Yard (min. m.)	3	3	3
Minimum Front Yard where there are dwelling units accessible directly from the street (min. m.)	4.5	4.5	4.5
<b>Minimum Exterior Side Yard</b>			
Minimum Exterior Side Yard (min. m.)	3	3	3
<b>Build-to Zone</b>			
Front Yard	Minimum front yard up to a maximum depth of 7.5 m from the front lot line	Minimum front yard up to a maximum depth of 7.5 m from the front lot line	Minimum front yard up to a maximum depth of 7.5 m from the front lot line
Exterior Side Yard	Minimum exterior side yard up to a maximum depth of 7.5 m from the exterior side lot line	Minimum exterior side yard up to a maximum depth of 7.5 m from the exterior side lot line	Minimum exterior side yard up to a maximum depth of 7.5 m from the exterior side lot line
<b>Build-to Zone Percentage</b>			

	ML, MLO	MM, MMO	MH, MHO
Length of the Front Lot Line, excluding any required minimum interior side yard (min.)	50%	60%	70%
Length of the Exterior Side Lot Line, excluding any required minimum interior side yard (min.)	50%	60%	70%
<b>Rear Yard</b>			
Minimum Rear Yard where abutting an R1, R2, RE or RH zone (min. m.)	7.5	10	10
Minimum Rear Yard where abutting an OS or P zone (min. m.)	6	6	6
Minimum Rear Yard in all other cases (min. m.)	7.5	7.5	7.5
Other Requirements	Refer Section 7.2.H	Refer Section 7.2.H	Refer Section 7.2.H
<b>Interior Side Yard</b>			
Minimum Interior Side Yard where adjacent to a Mixed-Use Zone or R3 Zone – where there are no windows (min. m.)	0	0	0
Minimum Interior Side Yard – where abutting any R1, R2, RE, or RH zone or subzone and where there are windows (min. m.)	7.5	7.5	7.5
Minimum Interior Side Yard – all other cases (min. m.)	3	3	3
<b>Upper Storey Setbacks and Restrictions</b>			
Rear Lot Line Setback – 5th storey and above, where abutting an OS or P zone (min. m.)	-	6	6
Rear Lot Line Setback and Interior Side Lot Line Setback – above the 12th storey where abutting an R1, R2, RE or RH zone or subzone (min. m.)	-	-	30
Rear Lot Line and Interior Side Lot Line Setback – 5th to 12th storeys in other cases (min. m.)	N/A	10	10
Rear Lot Line Setback and Interior Side Lot Line Setback – 13th to 30th storeys in other cases (min. m.)	-	-	12.5
Rear Lot Line Setback and Interior Side Lot Line Setback – above the 30th storey in other cases (min. m.)	-	-	15
Maximum Horizontal Length of a Building – 5 <sup>th</sup> storey and above (m)	-	80	80

	ML, MLO	MM, MMO	MH, MHO
<b>Building Separation (See Note 1)</b>			
Minimum Horizontal Separation of Buildings on the Same Lot, 1st to 4th storeys (min. m.)	-	15 (see note 1)	15 (see note 1)
Minimum Horizontal Separation of Buildings on the Same Lot, 5th to 12th storeys (min. m.)	-	20 (see note 1)	20 (see note 1)
Minimum Horizontal Separation of Buildings on the Same Lot, 12th to 30th storeys (min. m.)	-	-	25 (see note 1)
Minimum Horizontal Separation of Buildings on the Same Lot, above the 30th storey (min. m.)	-	-	30 (see note 1)

Regulations to Table 7.1.3:

- (1) Notwithstanding the horizontal separation requirements, no separation shall be required where there are walls without windows, and a 7.5 m separation shall be permitted where a blank wall faces a wall with windows.

### 7.1.D Building Height and Form

**Table 7.1.4 – Mixed-Use Zone Building Height and Form**

	ML, MLO	MM, MMO	MH, MHO
Minimum Building Height within Protected Major Transit Station Areas as shown on Schedule F and where there is frontage on a Primary Urban Boulevard as shown on Schedule K (min m., min storeys)	7.5 m, 2 storeys	13.5 m, 4 storeys	40.5 m, 13 storeys
Minimum Building Height in all Other Cases (min m., min storeys)	7.5 m, 2 storeys	11 m, 3 storeys	25.5 m, 8 storeys
Maximum Building Height – where this frontage on a Primary Urban Boulevard (max. m., max. storeys)	15 m, 4 storeys	38.5 m, 12 storeys	91.5 m, 30 storeys
Minimum Density within Protected Major Transit Station Areas as shown on Schedule G (min. Floor Space Index)	0.25	0.5	2.5
Minimum Ground Floor Height (min. m.)	4.5	4.5	4.5
Building Step Back where facing a street line (min. m.)	No requirement	Section 7.2.D.1 applies	Section 7.2.D.2 applies
Building Step Back for all storeys above the 4 <sup>th</sup> storey, rear elevations where abutting any R1	No requirement	2.5	2.5

	ML, MLO	MM, MMO	MH, MHO
or R2 zone or any OS or P zone (min. m.)			
Maximum Floor Plate	No requirement	No requirement	Section 7.2.D.3 applies

Regulations to Table 7.1.4:

- (1) None.

### 7.1.E Site and Landscaping

**Table 7.1.5 – Mixed-Use Zone Site and Landscaping**

	ML, MLO	MM, MLO	MH, MHO
Parking Area Location	Restricted by Section 7.2.E	Restricted by Section 7.2.E	Restricted by Section 7.2.E
Interior Side Lot Line Landscaped Strips where abutting any R1 or R2 zone or subzone or I1 zone (min. width in m.)	3	3	3
Rear Lot Line Landscaped Strips where abutting any R1 or R2 zone or subzone or I1 zone (min. width in m.)	3	3	3
Minimum Landscaped Open Space (%)	10%	10%	10%

Regulations to Table 7.1.5

- (1) None.

## Section 7.2: General Regulations for Mixed-Use Zones

### 7.2.A Accessory Buildings and Structures

In Mixed-Use Zones, the following provisions shall apply to any accessory buildings or structures:

- .1 The requirements of Section 3.1.B shall apply to accessory buildings and structures in the Mixed-Use Zones.

### 7.2.B Active Use Frontage Requirements

In the Mixed-Use Zones, the following provisions shall apply with respect to the permitted uses:

- .1 Where a lot is shown on Schedule E to be subject to the Active Use Frontage Requirements, non-residential uses are required to be located in the ground floor of the building as follows:
  - .a Where the 75% Active Frontage Requirement is shown, non-residential uses shall occupy at least 75% of the building's frontage where it faces the street line shown.
  - .b Where the 50% Active Frontage Requirement is shown, non-residential uses shall occupy at least 50% of the building's frontage where it faces the street line shown.
  - .c Where any active Frontage Requirement is shown, the wall of the ground floor that is facing the street line shown shall incorporate a minimum glazing of 50% of the surface area of the ground floor wall.

### 7.2.C Common Amenity Area Requirements

- .1 Minimum common amenity areas shall be required for dwelling units in any Mixed-Use Zone in accordance with the provisions of Section 5.2.C.
- .2 Minimum common amenity areas shall not be located in any part of the rear yard.

### 7.2.D Upper Storey Building Step Back and Maximum Floor Plate Requirements

- .1 In the MM and MMO zones, a minimum building step back of 2.5 m shall be required where a building is facing a street line, applicable to any portion of the building that is above the podium. For the purposes of this requirement, the minimum and maximum height of the podium shall be:

- .a A minimum of 2 storeys; and
  - .b The maximum podium height shall be the lesser of a maximum of 80% of the width of the adjacent street right-of-way, or 6 storeys. Where the lot abuts multiple streets, the larger street right-of-way shall be applicable for the purposes of identifying the maximum podium height.
- .2 In the MH and MHO zones, a minimum building step back of 3.0 m shall be required where a building is facing a street line, applicable to any portion of the building that is above the podium. For the purposes of this requirement, the minimum and maximum height of the podium shall be:
- .a A minimum of 3 storeys; and
  - .b The maximum podium height shall be the lesser of a maximum of 80% of the width of the adjacent street right-of-way, or 6 storeys. Where the lot abuts multiple streets, the larger street right-of-way shall be applicable for the purposes of identifying the maximum podium height.
- .3 A maximum floor plate requirement of 800 m<sup>2</sup> shall apply to any portion of a building that is above the 12<sup>th</sup> storey.

#### **7.2.E Restriction on the Combination of Certain Uses with Residential Uses**

- .1 Notwithstanding the permitted uses in the Mixed-Use Zones, the following uses shall not be permitted to be combined with residential uses in the same building:
- .a Manufacturing, Processing or Assembly;
  - .b Medical Laboratory; and
  - .c Veterinary clinic.

#### **7.2.F Restriction on Permitted Uses in the Mixed-Use Low, Mid, and High-Rise Office Zones (MLO, MMO, MHO)**

In any Mixed-Use Low Rise Office, Mixed-Use Mid Rise Office, or Mixed-Use High Rise Office Zone, the following provisions shall apply with respect to permitted uses:

- .1 Residential uses, places of worship, and residential care homes shall be permitted but only if the combined gross floor area dedicated to office uses is 10% or more of the total gross floor area of the building.



### **7.2.G Parking Area and Garage Restrictions**

In the Mixed-Use Zones, the following provisions shall apply to any parking areas:

- .1 Surface parking areas shall only be permitted in the rear yard.
- .2 Above-ground parking structures in any mixed-use zone shall not be located within 15.0 m of the street line of any Boulevard or Corridor, as shown on Schedule K to this By-law.
- .3 Above-ground parking structures in any mixed-use zone shall be integrated within a principal building and shall not be permitted as a stand-alone structure.
- .4 Private garages for dwelling units are prohibited to face a public street in any Mixed Use Zone except where they are provided in a rear lane configuration.

### **7.2.H Rear Yard Setback (North side of Queen Street)**

On lands zoned Mixed Use and located on the north side of Queen Street and located between Hansen Road and Highway 410, the following requirements shall apply:

- .1 A minimum 18.0 m rear yard setback shall be required from any R1M zone boundary to any building or structure.

# Chapter 8: Employment Zones

Table 8.1 – List of Employment Zones

Employment Zones	Zone Symbol
General Employment	GE
Prestige Employment	PE

## Section 8.1: Requirements for the Employment Zones

### 8.1.A Permitted Uses

In any Employment Zone, no person shall use a lot, or erect, alter or use a building or structure for any purpose except for the uses permitted in accordance with Table 8.1.1.

**Key**     P Permitted Use

Table 8.1.1 – Permitted Uses in Employment Zones

Uses	GE	PE	Use-Specific Standards
<b>Employment Uses</b>			
Artisan Studio	P	P	
Broadcasting or Filming Studio	P	P	
Building Supply Depot	P		
Catering Service	P	P	
Commercial Motor Vehicle School	P		
Commercial School	P	P	
Commercial Service and Repair	P	P	
Contractor's Establishment	P	P	
Courier or Taxi Service	P		
Crematorium	P		
Data Storage Facility	P	P	
Dry Cleaning and Laundry Establishment	P	P	
Emergency Services	P	P	

Uses	GE	PE	Use-Specific Standards
Energy Generation Facility	P		
Hazardous Waste Transfer Use	P		Section 7.2.F
Hazardous Waste Processing	P		Section 7.2.H
Heavy Equipment Sales and Service	P		
Manufacturing, Processing or Assembly	P	P	
Medical Laboratory	P	P	
Micro Manufacturing		P	Section 2.3.E
Motor Vehicle Impound Yard	P		
Motor Vehicle Repair	P		
Non-Hazardous Solid Waste Processing	P		
Power Generation (Fuel Combustion) Use	P		Section 7.2.G
Research and Development	P	P	
Self Storage Facility	P	P	
Thermal Degradation (Energy from Waste) Use	P		Section 7.2.H
Thermal Degradation (Hazardous Waste) Use	P		Section 7.2.H
Thermal Degradation (Non-Energy Producing) Use	P		Section 7.2.H
Transit Station	P	P	
Transportation Depot	P		
Vertical or Indoor Farm	P	P	
Veterinary Clinic	P	P	
Warehouse	P	P	
Waste Processing Station	P		Section 7.2.F
Waste Transfer Station	P		Section 7.2.F
Workshop	P	P	
<b>Specified Accessory Uses</b>			
Accessory Office	P	P	Section 7.2.D
Ancillary Restaurant	P	P	Section 7.2.C
Ancillary Retail	P	P	Section 7.2.C

Uses	GE	PE	Use-Specific Standards
Outside Display and Sales	P	P	Section 2.3.H
Outside Storage	P		Section 7.2.F
Restaurant Patio (to a permitted ancillary restaurant)	P	P	Section 2.3.J

Regulations to Table 8.1.1:

- (1) None

### 8.1.B Lot Requirements

**Table 8.1.2 – Employment Zone Lot Requirements**

	GE	PE
Lot Area (min. sq. m.)	900	1200
Lot Width (min. m.)	18	18

Regulations to Table 8.1.2:

- (1) None

### 8.1.C Building Location

**Table 8.1.3 – Employment Zone Building Location**

	GE	PE
Front Yard (min. m.)	4.5	3
Rear Yard (min. m.)	7	7
Rear Yard where abutting any Residential or Mixed Use Zone	Greater of: 15 m; or, the height of the building	9
Rear Yard where abutting another Employment Zone	6	6
Exterior Side Yard (min. m.)	3	3
Interior Side Yard (min. m.)	3	3
Interior Side Yard where abutting any Residential or Mixed Use Zone (min. m.)	Greater of: 15 m, or the height of the building	9

Regulations to Table 8.1.3:

- (1) None.

### 8.1.D Building Height

**Table 8.1.4 – Employment Zone Building Height**

	GE	PE
Maximum Building Height (max. m., max. storeys)	No requirement	No requirement in metres, max 3 storeys

Regulations to Table 8.1.4:

- (1) None.

### 8.1.E Site and Landscaping

**Table 8.1.5 – Employment Zone Site and Landscaping**

	GE	PE
Landscaped Open Space (min. %)	10	15
Front Lot Line Landscaped Strips (min. m.)	1.5	3
Exterior Side Lot Line Landscaped Strips (min. m.)	1.5	3
Interior Side Lot Line Landscaped Strips where abutting a Residential, Institutional or Open Space zone (min. width in m.)	3	3
Rear Lot Line Landscaped Strips where abutting a Residential, Institutional or Open Space zone (min. width in m.)	3	3
Surface Parking Location	Restricted by Section 8.2.B	Restricted by Section 8.2.B

Regulations to Table 8.1.5:

- (1) None

## Section 8.2: General Regulations for Employment Zones

### 8.2.A Accessory Buildings and Structures

- .1 Accessory buildings and structures shall be in accordance with Section 3.1.B.

### 8.2.B Build-to Zone and Surface Parking Requirements in the Employment Zones

- .1 In any Employment Zone, buildings and surface parking areas shall be in accordance with the following provisions:
  - .a A build-to zone shall be required, defined as the minimum required front yard of the zone and extending to depth of 10.0 m from the minimum front yard setback.
  - .b The minimum build-to zone percentage shall be 50% of the length of the front line, excluding the width of any required minimum interior side yard(s).
  - .c Surface parking shall only be permitted in the rear yard and interior side yard.
  - .d A maximum of one parking aisle shall be permitted between the front lot line and the portion of the building that is subject to the build-to zone requirement.
- .2 Notwithstanding Section 8.2.B.1, in the GE zone, buildings and surface parking areas that were legally existing on the date of adoption of this By-law shall be permitted to expand or be altered provided that the surface parking area is not further expanded into any part of the front yard or exterior side yard.
- .3 Landscaped strips associated with any surface parking areas shall be in accordance with Section 4.2.C.
- .4 Contractor's establishments, transportation depots and motor vehicle impound yards shall not be subject to the requirements of Section 8.2.B.1.

### 8.2.C Ancillary Retail and Restaurant Uses in the Employment Zones

- .1 Any goods, material, equipment, food or other items that are sold, leased, rented, or displayed in an ancillary retail or restaurant use in the Employment zones shall be produced by the associated employment use and shall be located on the same lot.

- .2 In the Employment zones, the maximum gross floor area of ancillary retail and restaurant uses on the lot shall be 15% of the associated principal employment use.

#### **8.2.D Accessory Office Uses in the Employment Zones**

- .1 In any Employment zone, the maximum gross floor area of an accessory office shall be 15% of the gross floor area of the associated principal employment use.
- .2 Notwithstanding section 8.2.D.1, where the associated principal employment use is primarily conducted outdoors, the maximum gross floor area of an accessory office shall be 100 m<sup>2</sup>.

#### **8.2.E Outside Storage**

Where permitted by this By-law, outside storage shall be in accordance with the following provisions:

- .1 Outside storage shall be permitted as an accessory use to a principal use only.
- .2 Outside storage shall not be permitted within any front yard or exterior side yard.
- .3 Outside storage shall not be permitted within 90 m of any Boulevard, as shown on Schedule K to this By-law. This setback shall be measured from any lot line abutting the street identified as a Boulevard.
- .4 Outside storage shall not be permitted within any yard that abuts any Residential or Mixed-Use zone.
- .5 Outside storage shall be no closer than 1.2 m from any lot line where abutting another General Employment Zone. Where abutting any other zone, the setback of outside storage shall be equal to the height of the outside storage, or 1.2 m, whichever is greater.
- .6 The height of outside storage shall not exceed the lesser of 11 m or the height of the main building.
- .7 Outside storage shall be screened from view from a street by opaque landscaping, an opaque fence, berm, or wall where the outside storage use abuts a street, or along any lot line where the outside storage use is adjacent to any zone other than a zone in which outside storage is also permitted. The screening shall have a minimum height of 1.8 m.

**8.2.F Waste Transfer Station, Waste Processing Station**

Where permitted by this By-law, a waste transfer station or waste processing station shall be in accordance with the following provisions:

- .1 Notwithstanding the permitted uses of the zone, outside storage is only permitted to be in the form of enclosed bins or containers and in accordance with the provisions of this By-law for outside storage.
- .2 This use shall not be permitted within 300 m of any Residential, Mixed-Use, Park, or Institutional Zone.

**8.2.G Hazardous Waste Transfer and Power Generation (Fuel Combustion) Use**

A hazardous waste transfer use and power generation (fuel combustion) use shall be in accordance with the following provisions:

- .1 This use shall not be permitted within 300 m of any Residential, Mixed-Use, Park, or Institutional Zone.

**8.2.H Hazardous Waste Processing and Thermal Degradation**

Where permitted by this By-law, a hazardous waste processing or a thermal degradation use shall be in accordance with the following provisions:

- .1 This use shall not be permitted within 1000 m of any Residential, Mixed-Use, Park, or Institutional Zone.



# Chapter 9: Institutional Zones

Table 9.1 – List of Institutional Zones

Institutional Zones	Zone Symbol
General Institutional	I1
Major Institutional	I2

## Section 9.1: Requirements for Institutional Zones

### 9.1.A Permitted Uses

In any Institutional Zone, no person shall use a lot, or erect, alter or use a building or structure for any purpose except for the uses permitted in accordance with Table 9.1.1.

**Key**    P Permitted Use

Table 9.1.1 – Permitted Uses in Institutional Zones

Uses	I1	I2	Use-Specific Standards
Child Care Centre	P	P	
College or University		P	
Community Centre	P	P	
Community Garden	P	P	Section 2.3.A
Elementary or Secondary School	P	P	
Emergency Services	P	P	
Fairground		P	
Hospital		P	
Library	P	P	
Medical Office or Clinic	P	P	
Museum or Gallery		P	
Office		P	
Organizational Club	P	P	
Outdoor Market	P	P	

Uses	I1	I2	Use-Specific Standards
Place of Worship	P	P	Section 2.3.I
Public Park	P	P	
Residential Care Home	P	P	
Single Room Occupancy Housing		P	
Supportive Housing Residence Type 1	P	P	Section 2.3.L
Supportive Housing Residence Type 2	P	P	Section 2.3.L
Transit Station	P	P	
Urban Park	P	P	
<b>Specified Ancillary Commercial and Accessory Uses</b>			
Ancillary Retail	P	P	Section 8.2.B
Accessory Office	P	P	Section 8.2.B
Ancillary Restaurant	P	P	Section 8.2.B

Regulations to Table 9.1.1:

(1) None.

### 9.1.B Lot Requirements

**Table 9.1.2 – Institutional Zone Lot Requirements**

	I1	I2
Minimum Lot Width (min. m.)	15	30

Regulations to Table 9.1.2:

(1) None.

### 9.1.C Building Location

**Table 9.1.3 – Institutional Zone Building Location**

	I1	I2
Front Yard (min. m.)	4.5	4.5
Rear Yard (min. m.)	7.5	7.5
Exterior Side Yard (min. m.)	4.5	4.5

	I1	I2
Interior Side Yard (min. m.)	3	4.5

Regulations to Table 9.1.3:

- (1) None.

### 9.1.D Building Height

**Table 9.1.4 – Institutional Zone Building Height**

	I1	I2
Building Height within a Protected Major Transit Station Area, as shown on Schedule F (max. m., max. storeys)	11 m, 3 storeys	20 m, 6 storeys
Building Height – all other cases (max. m., max. storeys)	11 m, 3 storeys	11 m, 3 storeys

Regulations to Table 9.1.4:

- (1) None.

### 9.1.E Site and Landscaping

**Table 9.1.5 – Institutional Zone Site and Landscaping**

	I1	I2
Front Lot Line Landscaped Strips (min. m.)	3	3
Exterior Side Lot Line Landscaped Strips (min. m.)	3	3
Interior Side Lot Line Landscaped Strips, only where abutting a Residential, Institutional, Park or Open Space zone (min. m.)	3	4.5
Rear Lot Line Landscaped Strips, only where abutting a Residential, Institutional, Park or Open Space zone (min. m.)	3	4.5

Regulations to Table 9.1.5:

- (1) None.

## **Section 9.2: General Regulations for Institutional Zones**

### **9.2.A Accessory Buildings and Structures**

- .1 Accessory buildings and structures shall be in accordance with Section 3.1.B.

### **9.2.B Ancillary and Accessory Commercial Uses**

- .1 In any Institutional 1 (I1) zone, the total amount of gross floor area of ancillary retail and restaurants shall not exceed 15% of the gross floor area of all buildings and structures on the lot.
- .2 An ancillary retail or restaurant use permitted in any Institutional zone shall not include a drive-through, but a restaurant patio is permitted as accessory.

# Chapter 10: Park, Open Space, and Natural System Zones

Table 10.1 - List of Open Space and Natural System Zones

Park, Open Space, and Natural System Zones	Zone Symbol
Park	P
Open Space	OS
Natural System	NS

## Section 10.1: Requirements for the Park, Open Space and Natural System Zones

### 10.1.A Permitted Uses

In any Park, Open Space, and Natural System zone, no person shall use a lot, or erect, alter or use a building or structure for any purpose except for the uses permitted in accordance with Table 10.1.1.

**Key**     P Permitted Use

Table 10.1.1 – Permitted Uses in the Park, Open Space, and Natural System Zones

Uses	P	OS	NS	Use-Specific Standards
Cemetery		<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		
Community Garden	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		Section 2.3.A
Conservation Use	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	
Passive Recreation	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	
Public Park	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>			
Stormwater Management Facility		<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		
<b>Specified Ancillary and Accessory Uses</b>				
Ancillary Restaurant	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>			Section 9.2.B
Ancillary Retail	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>			Section 9.2.B

Regulations to Table 10.1.1:

(1) None

### 10.1.B Building Location

Table 10.1.2 – Park, Open Space, and Natural System Zone Building Location

	P	OS	NS
Front Yard (min. m.)	-	7.5	-
Rear Yard (min. m.)	-	7.5	-
Exterior Side Yard (min. m.)	-	7.5	-
Interior Side Yard (min. m.)	-	7.5	-

Regulations to Table 10.1.2:

- (1) None.

### 10.1.C Building Height

Table 10.1.3 – Park, Open Space, and Natural System Zone Building Height

	P	OS	NS
Building Height (max. m., max. storeys)	-	8.5 m, 2 storeys	8.5 m, 2 storeys

Regulations to Table 10.1.3:

- (1) None.

### 10.1.D Site and Landscaping

Table 10.1.4 – Park, Open Space, and Natural System Zone Site and Landscaping

	P	OS	NS
Lot Coverage (max. %)	-	10	5

Regulations to Table 10.1.4:

- (1) None.

## **Section 10.2: General Regulations for the Park, Open Space, and Natural System Zones**

### **10.2.A Accessory Buildings and Structures**

- .1 Accessory buildings and structures shall be in accordance with Section 2.1.B.

### **10.2.B Ancillary Commercial Uses**

- .1 The total amount of gross floor area of ancillary retail and restaurants in a Park zone shall not exceed 100 m<sup>2</sup> per 1 ha of lot area. An ancillary retail or ancillary restaurant use shall not include a drive-through, but an accessory restaurant patio is permitted.

# Chapter 11: Other Zones

Table 11.1 - List of Other Zones

Other Zones	Zone Symbol
Agricultural	A
Utility and Transportation	UT
Future Development	FD

## Section 11.1: Requirements for Other Zones

### 11.1.A Permitted Uses

In the Other (Agricultural, Utility and Transportation, and Future Development) Zones, no person shall use a lot, or erect, alter or use a building or structure for any purpose except for the uses permitted in accordance with Table 11.1.1 and this section.

**Key** P Permitted Use

Table 11.1.1 – Permitted Uses in Other Zones

Uses	A	UT	FD	Use-Specific Standards
<b>Residential</b>				
Detached Dwelling	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	
Supportive Housing Residence Type 1	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	
Supportive Housing Residence Type 2	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>			
<b>Community</b>				
Conservation Use	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	
Kennel	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>			Section 10.2.D
Stormwater Management Facility		<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		
<b>Specified Accessory Uses</b>				
Home Occupation	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	Section 2.3.C
<b>Agricultural and Infrastructure</b>				
Agricultural Use	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		
Infrastructure (as principal uses)	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>	<span style="background-color: #4a7ebb; color: white; padding: 2px 5px;">P</span>		



Regulations to Table 11.1.1:

(1) None.

### 11.1.B Lot Requirements

**Table 11.1.2 – Other Zone Lot Requirements**

	A	UT	FD
Lots used for agricultural uses - Minimum Lot Area (min. ha.)	30	-	As legally existing
Lots used for non-agricultural uses - Minimum Lot Area (min. ha.)	0.4	-	As legally existing
Lots under 5 hectares - Minimum Lot Width (min. m.)	45	-	As legally existing
Lots equal to or more than 5 hectares - Minimum Lot Width (min. m.)	150	-	As legally existing

Regulations to Table 11.1.2:

(1) None.

### 11.1.C Building Location

**Table 11.1.3 – Other Zone Building Location**

	A	UT	FD
Front Yard - Lots under 5 hectares (min. m)	12	-	7.5
Front Yard - Lots equal to or more than 5 hectares (min. m)	22	-	7.5
Interior and Exterior Side Yard – Lots under 5 hectares (min. m)	7.5	-	3
Interior and Exterior Side Yard – Lots equal to or more than 5 hectares (min. m)	15	-	3
Rear Yard Setback (min. m.)	15	-	7.5

Regulations to Table 11.1.3:

(1) None.

### 11.1.D Building Height

**Table 11.1.4 – Other Zone Building Height**

	A	UT	FD
Building Height (max. m., max. storeys)	11 m, 3 storeys	-	11 m, 3 storeys

Regulations to Table 11.1.4:

- (1) None.

## **Section 11.2: General Regulations for Other Zones**

### **11.2.A Agricultural and Future Development Zone Driveway Requirements**

In the Agricultural or Future Development Zone, driveways shall be subject to the following provisions:

- .1 The maximum driveway width shall not exceed 50% of the lot width or 14.0 m, whichever is less, provided that the maximum driveway width where the driveway intersects the public right-of-way shall be 9.0 m.
- .2 Tandem parking is permitted.
- .3 A driveway is permitted to be used for parking spaces.
- .4 No parking shall be permitted on any part of a lot except within a parking space and a driveway.
- .5 The general requirements of Section 3.2.B shall also apply to driveways in the A and FD zones.

### **11.2.B Agricultural and Future Development Zone Accessory Building and Structure Requirements**

In the Agricultural or Future Development Zone, accessory buildings and structures excluding detached private garages or carports, swimming pools, or accessory buildings and structures associated with a swimming pool, shall be subject to the following provisions:

- .1 Any accessory building or structure that is attached to the main dwelling shall not be subject to the provisions of this subsection but shall be subject to the yard and setback requirements in the applicable zone.
- .2 An accessory building or structure is prohibited to be constructed in any part of the front yard, exterior side yard, or in the minimum required interior side yard specified in the applicable zone.
- .3 Habitable space is prohibited within any accessory building or structure, unless otherwise expressly permitted by this By-law.
- .4 A Quonset hut, intermodal shipping container or transport trailer shall not be used as a detached garage or carport on a lot with an area less than 0.2 ha.

- .5 An accessory building or structure shall be subject to the following requirements:
- .a On a lot having a lot area of 2 hectares or less, accessory buildings and structures shall be in accordance with the requirements for Residential Zones under Section 5.2.A.
  - .b On a lot having a lot area of more than 2 hectares, accessory buildings and structures shall not be located within 3.0 m of any lot line.
  - .c Detached private garages and carports shall be subject to the requirements of Section 5.2.H.
- .6 No accessory building or structure shall be constructed upon any easement.
- .7 The maximum height of an accessory building or structure in an Agricultural or Future Development Zone shall be in accordance with Table 11.2.B.1.

**Table 11.2.B.1 – Maximum Height for Accessory Buildings and Structures in the Agricultural and Future Development Zones**

Lot Type	Maximum Height
Where the Lot Area is less than 2.0 hectares	4.0 m
Where the Lot Area is greater than 2.0 hectares	No requirement

- .8 The gross floor area of accessory buildings on a lot in an Agricultural or Future Development Zone shall be subject to the requirements of Table 11.2.B.2. Table 11.2.B.2 shall not apply to any detached garage, swimming pool enclosure or accessory buildings and structures associated with a swimming pool, nor shall it apply to any accessory structures.

**Table 11.2.B.2 – Maximum Gross Floor Area for Accessory Buildings and Structures in the Agricultural and Future Development Zone**

Lot Type	Maximum Gross Floor Area Per Accessory Building	Maximum Combined Gross Floor Area for All Accessory Buildings on the Lot
Where the Lot Area is less than 2.0 hectares	23.0 m <sup>2</sup>	40.0 m <sup>2</sup>
Where the Lot Area is greater than 2.0 hectares	No requirement	No requirement

**11.2.C Utility and Transportation Zone Accessory Building and Structure Requirements**

- .1 In the UT zone, a principal building shall not be required to permit the construction of any building or structure that is accessory to the utility or transportation use.
- .2 Lot and building requirements for all accessory buildings and structures in the UT zone shall be in accordance with the zone requirements.

**11.2.D Kennel**

Where permitted by this By-law, a kennel shall be in accordance with the following provisions:

- .1 The minimum lot area shall be 1.0 ha.
- .2 No part of a kennel use, building or structure shall be located within 150 m of any lot line other than a front lot line or exterior side lot line.

## Chapter 12: Exception Zones

Notwithstanding any provision of this By-law, where lands are subject to an Exception zone as described under Section 1.9.B, the requirements of the applicable exception zone shall apply and shall supersede all other requirements of this By-law, unless otherwise explicitly stated in this By-law, and as follows:

- .1 Notwithstanding any exception zone, on any individual lot where a single detached dwelling, semi-detached dwelling or townhouse dwelling is permitted and full municipal services are available, additional residential units are permitted in accordance with the requirements of Section 5.2.B of this By-law.
- .2 Notwithstanding any exception zone, no minimum parking space requirements shall apply to any lot located in a Protected Major Transit Station Area, as shown on Schedule F to this By-law.

# Chapter 13: Enactment

## Section 13.1: Former Zoning By-laws are Repealed and Replaced

From the date of the coming into force of this By-law, Zoning By-law 270-2004, as amended, is repealed in its entirety with respect to the lands subject to this by-law as shown on Schedule A, including all sections, schedules, and amendments that apply to all lands subject to Zoning By-law 270-2004, as amended, save and except to give effect to the transition provisions established in Section 1.7 of this By-law.

## Section 13.2: Effective Date

The By-law shall come into force on the date of its final passing.

ENACTED and PASSED this [enter date] of [enter month, [enter year]].

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Patrick Brown, Mayor

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Genevieve Scharback, City Clerk