

## 12.3400 Exception 3400

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### 12.3400.1 The lands shall only be used for the following purposes:

- .1 Either
  - .a religious institution;
  - .b a community club; and
  - .c purposes accessory to other permitted purposes.
- .2 or
  - .a the uses permitted by the ~~M2~~ GE Zone.

### 12.3400.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum Front Yard Landscaping: 3 metres;

## 12.3403 Exception 3403

### 12.3403.1 The lands shall only be used for the following purposes:

- .1 uses permitted by the **Downtown Commercial (DCMH and MLM)** Zone, with the exception of the uses identified in **SectionException 12.3403.1.3**
- .2 a recreation facility as an accessory use to an apartment dwelling
- .3 shall not be used for the following purposes:
  - .a an adult video store
  - .b a body art and/or tattoo parlour
  - .c a drive-through facility associated with any use
  - .d a massage or body rub parlour
  - .e a motor vehicle or boat sales rental, leasing or service establishment, a motor vehicle repair shop, and a motor vehicle or boat parts and accessories sales establishment
  - .f a tool or equipment rental establishment.

### 12.3403.2 The lands shall be subject to the following requirements and restrictions:

- .1 Maximum Gross Floor Area for all uses shall be 60,325 square metres
- .2 Maximum Gross Floor Area for apartment dwelling uses, including an accessory recreational facility shall be 49,877 square metres
- .3 Maximum Gross Floor Area devoted to retail establishments, personal service shops and restaurants shall not exceed 30 percent of the gross floor area on site
- .4 Minimum Lot Area: 1.786 hectares for all lands zoned **DCMH and ML-SectionException 3403**
- .5 Maximum Number of Dwelling Units: 550
- .6 Maximum Building Height for all residential and office/retail/commercial uses:
  - .a 22 storeys
  - .b The height of any portion of a building shall not exceed the horizontal distance between that portion of the building and a lot line abutting a single detached residential zone
  - .c Notwithstanding **SectionException 12.3403.23.6.a** and **12.3403.23.6.b**, one building with a maximum height of 31 storeys may be located within the lands depicted as Area "A" on **Schedule CFigure 1-3403**
- .7 For the purposes of this **sectionException**, the lot line abutting Queen Street shall be the front lot line.

- .8 Setback Requirements:
- .a Minimum setback to Queen Street: 0.5 metres
  - .b Minimum setback to Hillcrest Avenue: 6.0 metres
  - .c Minimum side yard setback: 0.0 metres
  - .d Minimum below grade setback (all yards): 0.0 metres
  - .e Minimum Setback to a ramp leading to an underground garage shall be 30 metres from a lot line abutting a residential zone
- .9 Commercial Uses shall not be permitted within 80 metres of Hillcrest Avenue
- .10 A minimum 3 metre wide landscaped open space strip shall be provided along any site frontage of Hillcrest Avenue, except at approved access locations
- .11 A minimum 0.5 metre wide landscaped open space strip (covered or uncovered) shall be provided along any site frontage of Queen Street, except at approved access locations
- .12 A minimum of 1,200 square metres of landscaped open space shall be provided on the lands zoned **MH and ML MDC-Section Exception 3403**
- ~~.13 Parking shall be provided in accordance with the following:~~
- ~~.a For all offices (including a physician, dentist, or drugless practitioner's office, and a real estate office), 1 space for every 48 square metres of gross floor area or portion thereof~~
  - ~~.b For all other retail and commercial purposes, including restaurants, one space for every 48 square metres of gross floor area or portion thereof~~
  - ~~.c On-site Parking is required for each dwelling unit in an apartment or multiple residential dwelling in accordance with the following:~~

DWELLING UNIT TYPE	REQUIRED ON-SITE PARKING
<b>a) Rental Apartment:</b>	
Bachelor Unit	0.75 spaces per unit
One Bedroom Unit	1.00 spaces per unit
Two Bedroom Unit	1.25 spaces per unit
Three Bedroom Unit	1.50 spaces per unit
<b>(b) Condominium Units</b>	
Bachelor	0.80 spaces per unit
One Bedroom Units	1.25 spaces per unit
Two Bedroom Units	1.50 spaces per unit
Three Bedroom Units	1.75 spaces per unit

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(c) Senior Citizen Units	1.00 spaces per unit
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.d for mixed use developments, parking requirements shall be calculated using the following schedule:

### PERCENT OF PEAK PERIOD (WEEKDAY)

LAND-USE	MORNING	NOON	AFTERNOON	EVENING
Office	100	90	95	10
Retail and Commercial	80	90	100	100
Other	80	90	100	100
Restaurant	20	100	30	100
Residential	80	55	80	100
Theatre	0	40	60	85

### PERCENT OF PEAK PERIOD (WEEKENDS)

LAND-USE	MORNING	NOON	AFTERNOON	EVENING
Office	10	10	10	10
Retail and Commercial	80	100	100	30
Other	80	100	100	30
Restaurant	20	100	50	100
Residential	100	100	100	100
Theatre	20	70	70	100

*The initial step in determining parking for a mixed-use development is to calculate the parking requirements for each use contained within the development as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period or each time period contained in the above schedule. Each column is totalled for weekdays and weekends. The maximum figure obtained from all the periods shall become the parking requirement for that specific mixed use development.*

.14 Notwithstanding Section ~~Exception 12.3403.13~~, the following minimum parking provisions shall apply only to the lands depicted as Area "A" on ~~Schedule C~~ ~~Figure 1-3403~~.

.a Commercial Uses: 1 space for each 48 square metres of gross commercial floor area or portion thereof

.b Resident Spaces: 1.13 spaces per dwelling unit

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~~.c~~ Visitor Spaces: 0.14 spaces per dwelling unit

~~15.13~~ All garbage, refuse and waste containers for a restaurant shall be located within a climate controlled area within the building containing the restaurant

~~16.14~~ All garbage and refuse storage, other than that associated with a restaurant, including any containers for the storage of recyclable materials, shall be enclosed

### 12.3403.3 for the purposes of ~~section~~Exception 3403:

~~17.15~~ shall also be subject to the requirements and restrictions of the ~~DC-MH and MLM~~ zone (with the exception that for the purposes of this ~~section~~Exception ~~MH~~MDC - ~~Section~~Exception 3403, the provisions of the ~~R4B-R3H Zone~~ shall not apply to residential apartment uses) and the general provisions of this by-law which are not in conflict with those in 12.3403.3.

~~18.16~~ All lands zoned ~~MH and MLM~~MDC - ~~Section~~Exception 3403 shall be treated as one lot for zoning purposes.

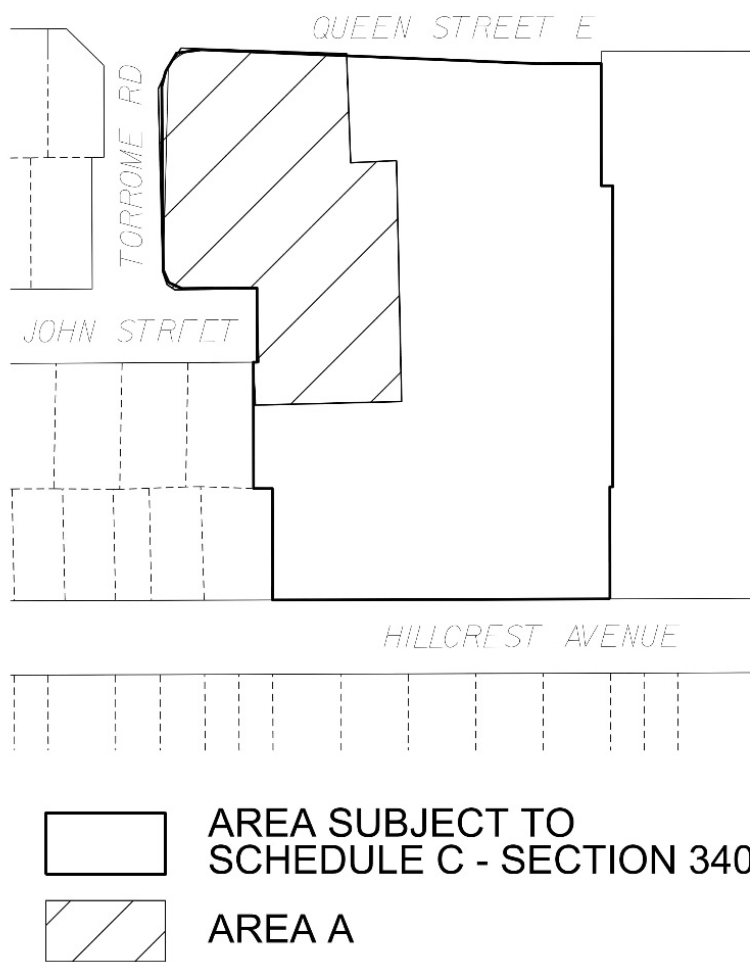
~~.a~~ By adding thereto ~~Schedule C~~Figure 1-3403 attached as ~~Schedule A~~ to this By-law.

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**Figure 1**



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## 12.3407 Exception 3407

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### 12.3407.1 The lands shall only be used for the following purposes:

- .1 Industrial:
  - .a the manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building, including a motor vehicle repair shop, but excluding a motor vehicle body shop as a principal or accessory use;
  - .b a printing establishment; and
  - .c a warehouse.
- .2 Non-Industrial:
  - .a a radio or television broadcasting and transmission establishment;
  - .b a furniture and appliance store;
  - .c a recreational facility or structure;
  - .d a community club; and
  - .e a parking lot.
  - .f Accessory:
    - .g an associated educational purpose;
    - .h an associated office;
    - .i a retail outlet operated in connection with a particular purpose permitted in 12.3407.1.1
    - .j above, provided that the total gross floor area of the retail outlet is not more than 15 percent of the total gross floor area of the particular industrial use;
    - .k one dwelling unit, for exclusive occupation as a caretaker's residence or the residence of a manager/operator of a permitted industrial use which exists on the site; and
    - .l purposes accessory to the other permitted purposes.

### 12.3407.2 The lands shall be subject to the following requirements and restrictions:

- .1 an accessory caretaker's residence or the residence of a manager/operator shall only be permitted in conjunction with the purposes permitted in ~~section-Exception~~ 12.3407.1.1, and shall be limited to the second storey of the primary building and to a maximum gross floor area of 465 square metres; and,
- .2 Parking shall be provided in accordance with the following requirements:

- .3 for the purposes listed in ~~Section-Exception~~ 12.3407.1.1, including accessory purposes, a minimum of 13 parking spaces shall be provided;
- .4 for every building, structure or lot used for purposes other than the purposes listed in ~~Section-Exception~~ 12.3407.1.1, parking spaces shall be provided and maintained in accordance with Sections 10.9, 20 and of this by-law;



## 12.3409 Exception ~~n~~ — 3409

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### **12.3409.1 The lands shall only be used for the following purposes:**

- .1 a retail establishment having no outdoor storage, and,
- .2 purposes accessory to the other permitted purposes.

### **12.3409.1 The lands shall be subject to the following requirements and restrictions:**

- .1 Minimum Exterior Side Yard Width: 3.0 metres
- .2 Minimum Lot Width: 32.0 metres
- .3 Maximum Building Height: 1 storey
- .4 Minimum Landscaped Open Space: a 3.0 metre wide landscaped open space strip shall be provided where the site abuts a road, except at approved access locations, and a 1.5 metre wide landscaped open space strip shall be provided along all other site limits.

## 12.3411 Exception 3411

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### 12.3411.1 The lands shall only be used for the following purposes:

- .1 a semi-detached dwelling;
- .2 an auxiliary group home; and,
- .3 purposes accessory to the other permitted purposes.

### 12.3411.2 for the purposes of ~~section~~ Exception 3411:

- .1 Minimum Lot Area: 210 square metres per dwelling unit
- .2 Minimum Lot Width:
  - .a Interior Lot: 14 metres and 7 metres per dwelling unit
  - .b Corner Lot: 15.8 metres and 8.8 metres for the dwelling unit closest to the flankage lot line
- .3 Minimum Lot Depth: 30 metres
- .4 Minimum Front Yard Depth: 6.0 metres to the front of a garage and 4.5 metres to the front wall of the dwelling
- .5 Minimum Exterior Side Yard Width: 3.0 metres, except where a garage faces the exterior side lot line the minimum setback to the front of the garage shall be 6.0 metres
- .6 Minimum Rear Yard Depth: 7.5 metres which may be reduced to a minimum of 6.0 metres provided that the area of the rear yard is at least 25% of the minimum required lot area,
- .7 Minimum Interior Side Yard Width: 1.2 metres, except along the common wall lot line where the setback may be 0.0 metres.
- .8 Minimum Landscaped Open Space:
- .9 Maximum Garage Door Width:
  - .a the maximum garage door shall be 3.1 metres;
  - .b the garage door width may be widened by an extra 0.6 metres if the front of the garage is not more than 2.5 metres closer to the front lot line than the ground floor main entrance of the dwelling unit;
  - .c the garage door width restriction does not apply to the garage door facing the flankage lot line; and,
  - .d the interior garage width as calculated 3 metres from the garage opening, shall not be 0.6 metres more than the maximum garage door width permitted on the lot.

#### 12.3414 Exception 3414

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##### 12.3414.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1C-R1M, R1A zone**.

##### 12.3414.2 for the purposes of ~~section-Exception~~ 3414:

- .1 no building shall be located closer than 14 metres to Chinguacousy Road;
- .2 no dwelling units shall be located closer than 15 metres to a rail line right-of-way; and,
- .3 no building or structures, including swimming pools, shall be located closer than 7.6 metres to any lands zoned **OS - SECTION-Exception 3418**.

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## 12.3415 Exception 3415

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### 12.3415.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in **an RIC-RIM, R1A zone.**

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### 12. 3415.2 for the purposes of ~~section~~ **Exception 3415:**

- .1 Minimum Lot Area:
  - .a Interior Lot: 315 square metres; and,
  - .b Corner Lot: 408 square metres.
- .2 Minimum Lot Width:
  - .a Interior Lot: 10.5 metres; and,
  - .b Corner Lot: 13.5 metres.
- .3 no building shall be located closer than 14 metres to Chinguacousy Road.

## 12.3416 Exception 3416

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### 12.3416.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in an ~~R1D-R1A~~ zone.

### 12. 3416.2 for the purposes of ~~section-Exception~~ 3416:

- .1 no building shall be located closer than 14 metres to Chinguacousy Road.

## 12.3417 Exception 3417

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### 12.3417.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in an ~~R3B~~-R2 zone.

### 12. 3417.2 for the purposes of ~~section-Exception~~ 3417:

- .1 each dwelling unit shall have direct pedestrian access from the front yard to the rear yard without having to pass through any habitable room;
- .2 the Maximum Number of Dwelling Units which may be attached shall not exceed 8;
- .3 the Minimum Lot Area per dwelling unit shall be:
  - .a Interior Lot: 185 square metres; and,
  - .b Corner Lot: 275 square metres.
- .4 the Minimum Lot Width per dwelling unit shall be:
  - .a Interior Lot: 6 metres; and,
  - .b Corner Lot: 9 metres.

## 12.3418 Exception 3418

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### **12.3418.1 The lands shall only be used for the following purposes:**

- .1 an outdoor recreation facility, including a bridge; and,
- .2 any conservation area or purposes.

## 12.3419 Exception 3419

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### 12.3419.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in an ~~R1C-R1A~~ zone.

### 12. 3419.2 for the purposes of ~~section-Exception~~ 3419:

- .1 no building shall be located closer than 14 metres to Chinguacousy Road.



## 12.3420 Exception 3420

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### 12.3420.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in an **R1C-R1M, R1A zone**.

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### 12. 3420.2 for the purposes of ~~section~~ **Exception 3420**:

- .1 Minimum Lot Area:
- .a Interior Lot: 315 square metres; and,
  - .b Corner Lot: 408 square metres.
- .2 Minimum Lot Width:
- .a Interior Lot: 10.5 metres; and,
  - .b Corner Lot: 13.5 metres.
- .3 no building shall be located closer than 14 metres to Chinguacousy Road.

## 12.3421 Exception 3421

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### 12.3421.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a ~~R1D R2~~ zone.

### 12.Section No.2 The lands shall be subject to the following requirements and restrictions:

- .1 no building shall be located closer than 14 metres to Chinguacousy Road
- .2 Minimum Rear Yard Depth: 10.5 metres
- .3 Minimum Lot Depth: 33.0 metres

## 12.3422 Exception 3422

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### 12.3422.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in an ~~R1C-R1A~~ zone.

### 12. 3422.2 for the purposes of ~~section-Exception~~ 3422:

- .1 no building shall be located closer than 14 metres to Chinguacousy Road.

## 12.3425 Exception 3425

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### **12.3425.1 The lands shall only be used for the following purposes:**

- .1 a townhouse dwelling; and/or
- .2 a semi-detached dwelling

### **12.3425.2 The lands shall be subject to the following requirements and restrictions:**

- .1 Minimum Lot Area: 225.0 square metres per dwelling unit.
- .2 Maximum Lot Coverage by principal buildings: 35 percent of the lot area.
- .3 Minimum Landscaped Open Space: 40 percent of the lot area.
- .4 Minimum Dwelling Unit Width: 4.8 metres
- .5 Minimum Setback from Fairglen Avenue: 6.0 metres to the front of a garage and 4.0 metres to the front wall of the dwelling, with a permitted porch encroachment of 1.5 metres.
- .6 Minimum Setback from Pleasantview Avenue: 6.0 metres to the front of the garage, 4.0 metres to the front wall of the dwelling, with a permitted porch encroachment of 1.5 metres.
- .7 Minimum Setback to the south property boundary: 6.0 metres
- .8 Minimum Setback from the west property boundary: 26.0 metres
- .9 Minimum Setback from the Canadian National Railway boundary: 30.0 metres
- .10 maximum of 5 dwelling units shall be attached along Fairglen Avenue.
- .11 maximum of 8 dwelling units shall be attached on the remainder of the site.
- .12 Garage Door Setback: where a garage faces a private road or common driveway, the minimum setback to the front of the garage shall be 6.0 metres.
- .13 Distance Between Buildings: a minimum of 2.7 metres shall be maintained between all main buildings on the lot.
- .14 each dwelling unit shall have a private outdoor amenity area consisting of landscaped open space area abutting the exterior rear wall or exterior side wall of the dwelling unit having a minimum area of 33.6 square metres and a minimum width of 4.8 metres and a depth of 7.0 metres.
- .15 Maximum Building Height: 2 storeys
- .16 Maximum Garage Door Width: 2.5 metres
- .17 Garage Projection: no garage shall project beyond the front of a dwelling unit more than 1.5 metres beyond a porch or front wall of the particular dwelling unit.
- .18 Parking shall be provided on the basis of:

- .a 2.0 resident spaces per dwelling unit, each with a private garage and driveway;
- .b 0.25 visitor spaces per dwelling unit; and
- .c 0.05 recreation equipment spaces per dwelling unit.

## 12. 3426 Exception 3426

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### **12.3426.1 The lands shall only be used for the following purposes:**

- .1 a retirement home;
- .2 a nursing home;
- .3 a day nursery; and,
- .4 purposes accessory to the permitted uses

### **12.3426.2 The lands shall be subject to the following requirements and restrictions:**

- .1 shall provide a minimum of 0.33 parking spaces per bed;
- .2 shall have a Maximum Building Height of two storeys;
- .3 shall have a Maximum Lot Coverage of 42%;
- .4 shall provide a minimum 3 metre wide landscaped strip around the perimeter of the property, except at approved access locations;
- .5 waste and recycling facilities shall be entirely enclosed within the building.

## 12.3427 Exception 3427

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### 12.3427.1 The lands shall only be used for the following purposes:

- .1 shall only be used for those purposes permitted in a ~~R1M, R1A~~~~R1D~~ zone

### 12.3427.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum Lot Area: 270 square metres
- .2 Minimum Lot Width:
  - .a Interior Lot: 9 metres
  - .b Corner Lot: 10.8 metres
- .3 Minimum Lot Depth: 30 metres
- .4 Minimum Front Yard Depth: 4.5 metres to the front wall of the dwelling and 6 metres to the front of the garage door
- .5 Minimum Rear Yard Depth: 7.5 metres, which may be reduced to a minimum of 6.0 metres provided that the area of the rear yard is at least 25 percent of the minimum required lot area
- .6 Minimum Interior Side Yard Width:
  - .a 0.6 metres, provided the combined total of the interior side yards on an interior lot is not less than 1.8 metres
  - .b 1.2 metres where the side yard abuts a public walkway or a non-residential zone
- .7 Minimum Exterior Side Yard Width: 3.0 metres, except where a garage faces the exterior side lot line the minimum setback to the front of the garage shall be 6.0 metres
- .8 Minimum Landscaped Open Space:
  - .a 40 percent of the minimum front yard area
  - .b 30 percent of the minimum front yard area if the acute angle at the intersection of the side lot lines beyond the front lot line is greater than 25 degrees
- .9 Maximum Garage Door Width;
  - .a the maximum garage door width shall be:
    - .i 3.1 m on a lot having a lot width less than 10 metres;
    - .ii 4.0 m on a lot having a lot width less than 10.36 m but greater than or equal to 10 m;
    - .iii 4.12 m on a lot having a lot width less than 11 m but greater than and equal to 10.36 m;
    - .iv 5.5 m on a lot having a lot width less than 16 m but greater than or equal to 11 m.

- .b the garage door width may be widened by an extra 0.6 metres if the front of the garage is not more than 2.5 metres closer to the front lot line than the ground floor main entrance of the dwelling unit
  - .c the garage door width restriction does not apply to the garage door facing a flankage lot line and on a lot having a lot width greater than 16m.
  - .d the interior garage width, as calculated 3 metres from the garage opening, shall not be 0.6 metres more than the maximum garage door width permitted on the lot
- .10 Maximum Garage Projection: no garage shall project into the front yard more than 1.5 metres beyond a porch or front wall of a dwelling.



## 12.3430 Exception 3430

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### 12.3430.1 The lands shall only be used for the following purposes:

- .1 A townhouse dwelling; and,
- .2 Purposes accessory to the other permitted purposes

### 12.3430.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum Lot Area:
  - .a For an end unit of a townhouse dwelling on a corner lot: 158 square metres;
  - .b For an end unit of a townhouse dwelling that is not on a corner lot: 137 square metres;
  - .c For an interior unit of a townhouse dwelling on an interior lot where the side yard setbacks are zero: 105 square metres;
- .2 Minimum Lot Width:
  - .a For an end unit of a townhouse dwelling on a corner lot: 7.0 metres;
  - .b For an end unit of a townhouse dwelling that is not on a corner lot: 6.1 metres;
  - .c For an interior unit of a townhouse dwelling on an interior lot where the side yard setbacks are zero: 4.7 metres;
- .3 Minimum Lot Depth: 22.6 metres;
- .4 Minimum Front Yard Depth: 6.0 metres to the front of a garage and 4.5 metres to the front wall of the dwelling;
- .5 Minimum Rear Yard Depth: 5.0 metres;
- .6 Minimum Exterior Side Yard Width: 2.4 metres;
- .7 Minimum Interior Side Yard Width: 1.2 metres, except along the common wall lot line where the setback may be 0 metres;
- .8 Maximum Building Height: 3 storeys;
- .9 Maximum Lot Coverage by main building: None;
- .10 Minimum Landscape Open Space:
  - .a Other than approved driveway, porch and stair and deck locations, the areas of the front and side yards of a particular dwelling unit shall only be used as landscaped open space;
  - .b Each dwelling unit shall have a minimum rear yard area of 23 square metres; and,
- .11 Minimum Distance Between Dwellings: none;

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- .12 The dwelling unit shall have direct pedestrian access from the front yard to the rear yard with no more than a two step grade difference inside the unit and without having to pass through a habitable room;
- .13 No more than 8 dwelling units shall be attached;
- .14 The following provisions shall apply to garages:
  - .a Maximum garage door width: 2.6 metres;
  - .b The garage shall not project beyond the front wall of the dwelling unit;
- .15 Porches and balconies may project a maximum of 1.1 metres into the front yard, exterior side yard or rear yard, with access stairs having a maximum of 7 stair risers permitted to project beyond the maximum porch and balcony projection;
- .16 Bay windows, chimney elements, projecting cornices, roof eaves, and exterior finishes may project a maximum of 1.0 metre into the front yard, exterior side yard or rear yard;
- .17 Parking: A minimum of 2 parking spaces for each dwelling unit in a townhouse dwelling located in a private driveway or garage, plus 0.2 visitor/recreation parking spaces per dwelling unit.
- .18 Fencing shall not be permitted in the front yard, except to enclose a garbage pad.

#### 12.3430.3 for the purposes of ~~section~~ Exception 3430:

- .1 a road established as a common elements condominium, or a portion thereof, shall for the purposes of determining the applicable requirements and restrictions be treated as a public street;
- .2 A Corner Lot shall mean a lot pertaining to an end unit of a townhouse dwelling where the exterior side wall of the particular end unit faces an adjacent public street or any lands forming part of a common elements condominium;
- .3 A Townhouse Dwelling shall mean a building that is divided vertically above established grade into 2 or more dwelling units where each dwelling unit is attached with another dwelling unit by a common wall, which may be a garage wall, not less than 10 square metre in area from the ground level to the roofline of the wall; and where each dwelling has independent entrances to a rear yard or exterior yard and a front yard immediately abutting the rear wall and front or exterior side wall and front wall of each unit;
- .4 For the purposes of determining the minimum front yard setback requirements, the setback will be measured from the front face of curb on a road established as a common elements condominium

- .5 Shall also be subject to the requirements and restrictions relating to the R3A, R2 zone and all the general provisions of this by-law which are not in conflict with the ones set out in section Exception 12.3430.2

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Exception Zones

#### 12.3431 Exception 3431

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**12.3431.1 The lands shall only be used for the following purposes:**

- .1 A townhouse dwelling; and,
- .2 Purposes accessory to the other permitted purposes

**12.3431.2 The lands shall be subject to the following requirements and restrictions:**

- .1 Minimum Lot Area:
  - .a Interior lot - 128 square metres;
  - .b Corner lot - 161 square metres;
- .2 Minimum Lot Width:
  - .a Interior lot – 5.6 metres;
  - .b Corner lot – 7.0 metres;
- .3 Minimum Lot Depth: 23.0 metres;
- .4 Minimum Front Yard Depth:
  - .a 6.0 metres to the front of a garage and 4.5 metres to the front wall of the dwelling;
- .5 Minimum Rear Yard Depth: 5.0 metres;
- .6 Minimum Exterior Side Yard Width: 2.7 metres;
- .7 Minimum Interior Side Yard Width: 1.2 metres, except along the common wall lot line where the setback may be 0 metres;
- .8 Maximum Building Height: 3 storeys;
- .9 Maximum Lot Coverage by main building: None;
- .10 Minimum Landscape Open Space:
  - .a Other than approved driveway, porch and stair and deck locations, the areas of the front and side yards of a particular dwelling unit shall only be used as landscaped open space;
  - .b Each dwelling unit shall have a minimum rear yard area of 28 square metres; and,
- .11 Minimum Distance Between Buildings: none;
- .12 Each dwelling unit shall have direct pedestrian access from the front yard to the rear yard with no more than a two step grade difference inside the unit and without having to pass through a habitable room;
- .13 No more than 8 dwelling units shall be attached;

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- .14 The following provisions shall apply to garages:
  - .a Maximum garage door width: 2.6 metres;
  - .b The garage shall not project beyond the front wall of the dwelling unit;
- .15 Porches and balconies may project a maximum of 1.5 metres into the front yard, exterior side yard or rear yard, with access stairs having a maximum of 7 stair risers permitted to project beyond the maximum porch and balcony projection;
- .16 Bay windows, chimney elements, projecting cornices, roof eaves, and exterior finishes may project a maximum of 1.0 metre into the front yard, exterior side yard or rear yard;
- .17 Parking: A minimum of 2 parking spaces for each dwelling unit in a townhouse dwelling located in a private driveway or garage.
- .18 Fencing shall not be permitted in the front yard.

#### **12.3431.3 for the purposes of ~~section-Exception~~ 3431:**

- .1 Shall also be subject to the requirements and restrictions relating to the ~~R3B-R2~~ zone and all the general provisions of this by-law which are not in conflict with the ones set out in ~~section~~ **Exception 12.3431.2**

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## 12.3432 Exception 3432

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### 12.3432.1 The lands shall only be used for the following purposes:

- .1 A townhouse dwelling; and,
- .2 Purposes accessory to the other permitted purposes

### 12.3432.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum Lot Area:
  - .a Interior lot - 108 square metres;
  - .b Corner lot - 161 square metres;
- .2 Minimum Lot Width:
  - .a Interior lot – 4.7 metres;
  - .b Corner lot – 6.9 metres;
- .3 Minimum Lot Depth: 23.0 metres;
- .4 Minimum Front Yard Depth: 6.0 metres to the front of a garage and 4.5 metres to the front wall of the dwelling;
- .5 Minimum Rear Yard Depth: 4.9 metres;
- .6 Minimum Exterior Side Yard Width: 2.7 metres;
- .7 Minimum Interior Side Yard Width: 1.2 metres, except along the common wall lot line where the setback may be 0 metres;
- .8 Maximum Building Height: 3 storeys;
- .9 Maximum Lot Coverage by main building: None;
- .10 Minimum Landscape Open Space:
  - .a Other than approved driveway, porch and stair and deck locations, the areas of the front and side yards of a particular dwelling unit shall only be used as landscaped open space;
  - .b Each dwelling unit shall have a minimum rear yard area of 28 square metres; and,
- .11 Minimum Distance Between Buildings: none;
- .12 Each dwelling unit shall have direct pedestrian access from the front yard to the rear yard with no more than a two step grade difference inside the unit and without having to pass through a habitable room;
- .13 No more than 8 dwelling units shall be attached;

- .14 The following provisions shall apply to garages:
  - .a Maximum garage door width: 2.6 metres;
  - .b The garage shall not project beyond the front wall of the dwelling unit;
- .15 Porches and balconies may project a maximum of 1.5 metres into the front yard, exterior side yard or rear yard, with access stairs having a maximum of 7 stair risers permitted to project beyond the maximum porch and balcony projection;
- .16 Bay windows, chimney elements, projecting cornices, roof eaves, and exterior finishes may project a maximum of 1.0 metre into the front yard, exterior side yard or rear yard;
- .17 Parking: A minimum of 2 parking spaces for each dwelling unit in a townhouse dwelling located in a private driveway or garage.
- .18 Fencing shall not be permitted in the front yard.

**12.3432.3 for the purposes of ~~section~~ Exception 3432:**

- .1 Shall also be subject to the requirements and restrictions relating to the ~~R3B-R2~~ zone and all the general provisions of this by-law which are not in conflict with the ones set out in ~~section~~ Exception 12.3432.2

## 12.3434 Exception 3434

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### 12.3434.1 The lands shall only be used for the following purposes:

- .1 A townhouse dwelling; and,
- .2 Purposes accessory to the other permitted purposes

### 12.3434.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum Lot Area:
  - .a For an end unit of a townhouse dwelling on a corner lot: 161 square metres;
  - .b For an end unit of a townhouse dwelling that is not on a corner lot: 140 square metres;
  - .c For an interior unit of a townhouse dwelling on an interior lot where the side yard setbacks are zero: 108 square metres;
- .2 Minimum Lot Width:
  - .a For an end unit of a townhouse dwelling on a corner lot: 7.0 metres;
  - .b For an end unit of a townhouse dwelling that is not on a corner lot: 6.1 metres;
  - .c For an interior unit of a townhouse dwelling on an interior lot where the side yard setbacks are zero: 4.7 metres
- .3 Minimum Lot Depth: 23.0 metres;
- .4 Minimum Front Yard Depth: 6.0 metres to the front of a garage and 4.5 metres to the front wall of the dwelling;
- .5 Minimum Rear Yard Depth: 4.9 metres;
- .6 Minimum Exterior Side Yard Width: 2.7 metres;
- .7 Minimum Interior Side Yard Width: 1.2 metres, except along the common wall lot line where the setback may be 0 metres;
- .8 Maximum Building Height: 3 storeys;
- .9 Maximum Lot Coverage by main building: None;
- .10 Minimum Landscape Open Space:
  - .a Other than approved driveway, porch and stair and deck locations, the areas of the front and side yards of a particular dwelling unit shall only be used as landscaped open space;
  - .b Each dwelling unit shall have a minimum rear yard area of 28 square metres; and,
- .11 Minimum Distance Between Buildings: none;



- .12 Each dwelling unit shall have direct pedestrian access from the front yard to the rear yard with no more than a two step grade difference inside the unit and without having to pass through a habitable room;
- .13 No more than 8 dwelling units shall be attached;
- .14 The following provisions shall apply to garages:
  - .a Maximum garage door width: 2.6 metres;
  - .b The garage shall not project beyond the front wall of the dwelling unit;
- .15 Porches and balconies may project a maximum of 1.5 metres into the front yard, exterior side yard or rear yard, with access stairs having a maximum of 7 stair risers permitted to project beyond the maximum porch and balcony projection;
- .16 Bay windows, chimney elements, projecting cornices, roof eaves, and exterior finishes may project a maximum of 1.0 metre into the front yard, exterior side yard or rear yard;
- .17 Parking: A minimum of 2 parking spaces for each dwelling unit in a townhouse dwelling located in a private driveway or garage.
- .18 Fencing shall not be permitted in the front yard.

**12.3434.3 for the purposes of ~~section~~ Exception 3434:**

- .1 Shall also be subject to the requirements and restrictions relating to the ~~R3B-R2~~ zone and all the general provisions of this by-law which are not in conflict with the ones set out in ~~section~~ Exception 12.3434.2

## 12.3436 Exception 3436

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### **12.3436.1 The lands shall only be used for the following purposes:**

- .1 A townhouse dwelling; and,
- .2 Purposes accessory to the other permitted purposes.

### **12.3436.2 The lands shall be subject to the following requirements and restrictions:**

- .1 Minimum Lot Area:
  - .a For an end unit of a townhouse dwelling on a corner lot: 158 square metres;
  - .b For an end unit of a townhouse dwelling that is not on a corner lot: 137 square metres;
  - .c For an interior unit of a townhouse dwelling on an interior lot where the side yard setbacks are zero: 105 square metres;
- .2 Minimum Lot Width:
  - .a For an end unit of a townhouse dwelling on a corner lot: 7.0 metres;
  - .b For an end unit of a townhouse dwelling that is not on a corner lot: 6.1 metres;
  - .c For an interior unit of a townhouse dwelling on an interior lot where the side yard setbacks are zero: 4.7 metres;
- .3 Minimum Lot Depth: 22.6 metres;
- .4 Minimum Front Yard Depth: 6.0 metres to the front of a garage and 4.5 metres to the front wall of the dwelling;
- .5 Minimum Rear Yard Depth: 5.0 metres;
- .6 Minimum Exterior Side Yard Width: 2.4 metres;
- .7 Minimum Interior Side Yard Width: 1.2 metres, except along the common wall lot line where the setback may be 0 metres;
- .8 Maximum Building Height: 3 storeys;
- .9 Maximum Lot Coverage by Main Building: None;
- .10 Minimum Landscape Open Space:
  - .a Other than approved driveway, porch and stair and deck locations, the areas of the front and side yards of a particular dwelling unit shall only be used as landscaped open space;
  - .b Each dwelling unit shall have a minimum rear yard area of 23 square metres; and,
- .11 Minimum Distance Between Buildings: none;

- .12 Each dwelling unit shall have direct pedestrian access from the front yard to the rear yard with no more than a two step grade difference inside the unit and without having to pass through a habitable room;
- .13 No more than 8 dwelling units shall be attached;
- .14 The following provisions shall apply to garages:
  - .a Maximum garage door width: 2.6 metres;
  - .b The garage shall not project beyond the front wall of the dwelling unit;
- .15 Porches and balconies may project a maximum of 1.1 metres into the front yard, exterior side yard or rear yard, with access stairs having a maximum of 7 stair risers permitted to project beyond the maximum porch and balcony projection;
- .16 Bay windows, chimney elements, projecting cornices, roof eaves, and exterior finishes may project a maximum of 1.0 metre into the front yard, exterior side yard or rear yard;
- .17 Parking: A minimum of 2 parking spaces for each dwelling unit in a townhouse dwelling located in a private driveway or garage, plus 0.2 visitor/recreation parking spaces per dwelling unit.
- .18 Fencing shall not be permitted in the front yard, except to enclose a garbage pad.
- .19 The holding (H) symbol shall not be removed until the City of Brampton has confirmed that satisfactory arrangements have been made for the abandonment of the westerly abutting lands and or noise attenuation measures have been addressed.
- .20 Until the holding (H) symbol is removed, the lands designated **R3AR2(H)-SECTION-Exception 3436**, shall only be used for those purposes permitted in the **PEM1 zone**, subject to the requirements and restrictions of the **PEM1 zone**, and all the general provisions of this by-law.

#### **12.3436.3 for the purposes of ~~section-Exception~~ 3436**

- .1 a road established as a common elements condominium, or a portion thereof, shall for the purposes of determining the applicable requirements and restrictions be treated as a public street;
- .2 A Corner Lot shall mean a lot pertaining to an end unit of a townhouse dwelling where the exterior side wall of the particular end unit faces an adjacent public street or any lands forming part of a common elements condominium;
- .3 A Townhouse Dwelling shall mean a building that is divided vertically above established grade into 2 or more dwelling units where each dwelling unit is attached with another dwelling unit by a common wall, which may be a garage wall, not less than 10 square metre in area from the ground level to the roofline of the wall; and where each dwelling has independent entrances to a rear yard or exterior yard and a front yard immediately abutting the rear wall and front or exterior side wall and front wall of each unit;

- .4 For the purposes of determining the minimum front yard setback requirements, the setback will be measured from the front face of curb on a road established as a common elements condominium.
- .5 Shall also be subject to the requirements and restrictions relating to the **R3A-R2** zone and all the general provisions of this by-law which are not in conflict with the ones set out in ~~section~~ **Exception 12.3436.2**

## 12.3438 Exception 3438

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### 12.3438.1 The lands shall only be used for the following purposes:

- .1 a retail establishment having no outside storage or outside display of goods and materials;
- .2 a service shop;
- .3 a personal service shop;
- .4 a bank, trust company or financial institution with no drive-through facility;
- .5 an office;
- .6 a dry cleaning and laundry distribution station;
- .7 a laundromat;
- .8 a dining room restaurant, a take-out restaurant, and a convenience restaurant with no drive-through facility;
- .9 a printing or copying establishment;
- .10 a community club;
- .11 a custom workshop;
- .12 a commercial school;
- .13 purposes accessory to the other permitted purposes;

### 12.3438.2 The lands shall be subject to the following requirements and restrictions:

- .1 a landscaped open space area having a minimum width of 3 metres shall be provided along Main Street, except at the approved access locations; and,
- .2 all garbage and refuse including any containers for the storage of recyclable materials, shall be enclosed

### 12.3438.3 for the purposes of ~~section-Exception~~ 3438:

- .1 shall also be subject to the requirements and restrictions of the ~~SG-LC~~ zone and all the general provisions of this by-law which are not in conflict with those set out in ~~Section-Exception~~ 12.3438.2.

## 12.3442 Exception 3442

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### 12.3442.1 The lands shall only be used for the following purposes:

- .1 shall be used for all uses permitted in the **SC-LC** zone except for motor vehicle repair, service, body shop or sales establishments;
- .2 shall permit commercial schools so long as they are integrated into another building and not be permitted as a stand-alone building;

### 12.3442.2 The lands shall be subject to the following requirements and restrictions:

- .1 front yard: minimum 3 metres, maximum 8 metres;
- .2 no outside storage or display areas shall be permitted;
- .3 a minimum 3 metre wide continuous landscaped open space strip shall be provided along all public roads except at permitted access locations.

### 12.3442.3 for the purposes of ~~section~~ Exception 3442:

- .1 The lands known as 95 Kennedy Road South shall permit motor vehicle sales for a period not to exceed five years, commencing on the date of approval of Zoning By-Law 256-2006 by the Ontario Municipal Board, subject to the display for sale of no more than three motor vehicles at any given time

### 12.3443 Exception 3443

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#### 12.3443.1 The lands shall only be used for the following purposes:

- .1 motor vehicle repair: and/or;
- .2 motor vehicle or boat sales.

#### 12.3443.2 The lands shall be subject to the following requirements and restrictions:

- .1 for the purpose of applying zoning provisions, all areas (south of Clarence Street) designated as **C3GC** 3443 shall be deemed one lot;
- .2 a maximum floor space index of 3.0;
- .3 front yard: minimum 3 metres, maximum 8 metres;
- .4 parking shall be required at a rate of 1 space for every 19 square metres of gross leasable area;
- .5 a maximum of 2 drive-thru facilities shall be permitted;
- .6 a drive-thru stacking lane shall not be located within 6 metres of Kennedy Road South or Clarence Street; and
- .7 a minimum 3 metre wide continuous landscaped open space strip shall be provided along all public roads except at permitted access locations.

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## 12.3444 Exception 3444

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### 12.3444.1 The lands shall only be used for the following purposes:

- .1 Industrial
  - .a Warehouse; and,
  - .b The manufacturing, cleaning, packaging, processing, repairing or assembly of goods, foods or materials within an enclosed building.
- .2 Non-Industrial
  - .a a radio or television broadcasting and transmission establishment;
  - .b a building supplies sales establishment, with no outside storage;
  - .c a recreational facility;
  - .d a community club;
  - .e an animal hospital;
  - .f a business office, excluding offices for medical, dental or drugless practitioners, administrative offices of school boards and governments, and offices or accredited or licensed professionals, such as accountants, architects, engineers, financial advisors, insurance agents/brokers, landscape architects, real estate agents/brokers/appraisers and urban planners;
  - .g a bank, trust company or financial institution;
  - .h a commercial, technical or recreational school;
  - .i a banquet hall; and,
  - .j a dining room restaurant or convenience restaurant.
- .3 Accessory
  - .a an associated educational use;
  - .b a retail outlet operated in connection with a particular purpose permitted by this bylaw, provided that the total gross commercial floor area of the retail outlet is not more than 15 percent of the total gross industrial floor area of the particular industrial use;
  - .c parking lots accessory to principal use; and
  - .d purposes accessory to the other permitted purpose
- .4 The following uses shall not be permitted:
  - .a a motor vehicle repair shop and /or motor vehicle body shop as a principal or accessory use;



- .b a transport terminal;
- .c obnoxious industrial uses involving the manufacture and storage of goods and materials in the open and such uses as the storage, repair and rental of equipment;
- .d a salvage, junk, scrap or bulk storage yard;
- .e outdoor storage as a primary use;
- .f parking lot as a principal use; and,
- .g freight classification yard.

**12.3445.2 The lands shall be subject to the following requirements and restrictions:**

- .1 No outdoor storage, or outdoor display or outdoor sales of goods and materials shall be permitted.
- .2 50% of the total gross floor area of the building may be used for a single user, provided that the remaining gross floor area is divided into not less than four units, of not less than 745 square metre
- .3 100% of the total gross floor area may be used for a single user, as provided for in 12.3444.1.1 and 2 of this by-law, provided that the number of loading doors is limited to ten.

## 12.3445 Exception 3445

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### 12.3445.1 The lands shall only be used for the following purposes:

- .1 warehousing; and,
- .2 parking lots as a principal use.
- .3 shall allow uses permitted in the **S<sub>1</sub>C zone** within 50 metres of the front lot line with the exception of the following use:
  - .a motor vehicle related uses, including sales, service and repair, and body work.
- .4 shall allow a bakery as a permitted use within 50 metres of the front lot line;

### 12.3445.2 The lands shall be subject to the following requirements and restrictions:

- .1 a minimum front yard setback of 3 metres from the property line and a maximum separation of 20 metres between the centre line of the road and building edge;
- .2 a maximum of 50% of the front yard may be used for parking; and,
- .3 a minimum 3.0 metre wide continuous landscaped open space strip shall be provided along all public roads except at permitted access locations.

### 12.3445.3 for the purposes of ~~section~~ Exception 3445:

- .1 For the purpose of this by-law the lot line abutting Kennedy Road South is deemed to be the front lot line.

## 12.3446 Exception 3446

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### 12.3446.1 The lands shall only be used for the following purposes:

- .1 motor vehicle repair shop or motor vehicle body shop;
- .2 parking lots as a principal use;
- .3 a freight classification yard;
- .4 obnoxious industrial uses involving the manufacture and storage of goods and materials in the open and such as the storage, repair and rental equipment, and a transport terminal; and,
- .5 a junk yard, salvage yard, wrecking yard, quarry or pit.
- .6 Shall also allow a business office, excluding offices for medical, dental or drugless practitioners, administrative offices of school boards and governments, and offices of accredited or licensed professionals, such as accountants, architects, engineers, financial advisors, insurance agents/brokers, landscape architects, real estate agents/brokers/appraisers and urban planners.

### 12.3446.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum lot area: 170 square metres per dwelling unit
- .2 Minimum dwelling unit width: 6 metres.
- .3 An open space landscaped area having a minimum area of 45 square metres shall abut the rear or exterior side wall of each dwelling unit.
- .4 Minimum building setbacks: 3 metres, except that in no case shall any permanent structures, including above and inground swimming pools, be located closer than 10 metres from a [Floodplain-Natural System](#) Zone.
- .5 Minimum Landscaped Open Space: 10 metres abutting a [“Floodplain-Natural System \(NSF\)”](#) zone
- .6 A minimum of 25 units of the uses permitted in [SectionException 12.3446.1\(12\)](#) shall be located within 30 metres of a commercial zone.
- .7 No more than 8 dwelling units shall be attached.
- .8 No outdoor storage shall be permitted in conjunction with townhouse dwelling units containing a commercial use.
- .9 Minimum Landscaped Open Space: 35 percent of the lot area
- .10 Maximum Building Height: 2 storeys
- .11 Garages:

- .a no garage shall project out in front of a dwelling unit more than 1.5 metres beyond a porch or front wall of the dwelling unit.
- .b Maximum Garage Door Width:
  - .i 2.5 metres for a dwelling unit that has a width less than 8.2 metres
  - .ii 3.1 metres for a dwelling unit that has a width less than 9.2 metres but greater than or equal to 8.2 metres
  - .iii 3.7 metres for a dwelling unit that has a width greater than or equal to 9.2 metres
- .12 The width of a driveway for a townhouse unit shall not exceed the width of the garage of the unit.
- .13 A balcony or porch, including eaves and cornices, may project into the minimum front yard by a maximum of 1.8 metres.
- .14 An outdoor recreation area having a minimum size of 1,700 square metres shall be provided.

## 12.3447A Exception 3447A

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### **12.3447A.1 The lands shall only be used for the following purposes:**

- .1 warehousing as a primary use;
- .2 parking lots as a principal use;
- .3 a freight classification yard;
- .4 obnoxious industrial uses involving the manufacture and storage of goods and materials in the open and such as the storage, repair and rental equipment, and a transport terminal; and,
- .5 a junk yard, salvage yard, wrecking yard, quarry or pit.

### **12.3447A.2 The lands shall be subject to the following requirements and restrictions:**

- .1 a minimum front yard setback of 3 metres from the property line and a maximum separation of 20 metres between the centre line of the road and building edge; and,
- .2 a maximum of 50% of the front yard may be used for parking;

## 12.3447B Exception 3447B

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### **12.3447B.1 The lands shall only be used for the following purposes:**

- .1 motor vehicle repair shop or motor vehicle body shop;
- .2 parking lots as a principal use;
- .3 a freight classification yard;
- .4 obnoxious industrial uses involving the manufacture and storage of goods and materials in the open and such as the storage, repair and rental equipment, and a transport terminal; and,
- .5 a junk yard, salvage yard, wrecking yard, quarry or pit.

### **12.3447B.2 The following uses are disallowed:**

- .1 Shall also allow a business office, excluding offices for medical, dental or drugless practitioners, administrative offices of school boards and governments, and offices of accredited or licensed professionals, such as accountants, architects, engineers, financial advisors, insurance agents/brokers, landscape architects, real estate agents/brokers/appraisers and urban planners.

### **12.3447B.3 The lands shall be subject to the following requirements and restrictions:**

- .1 a minimum front yard setback of 3 metres from the property line and a maximum separation of 20 metres between the centre line of the road and building edge;
- .2 a maximum of 50% of the front yard may be used for parking; and,
- .3 100% of the total gross floor area may be used for a warehouse use provided that the number of loading doors is limited to fourteen.

## 12.3449 Exception 3449

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### **12.3449.1 The lands shall only be used for the following purposes:**

- .1 retail establishment
- .2 service shop
- .3 personal service shop
- .4 bank, trust company, or finance company
- .5 office
- .6 laundromat
- .7 dry cleaning and laundry distribution station
- .8 dining room restaurant, a take-out restaurant
- .9 printing or copying establishment
- .10 commercial school
- .11 place of commercial recreation, but not including a billiard hall
- .12 community club
- .13 health or fitness center
- .14 custom workshop
- .15 animal hospital, and
- .16 purposes accessory to other permitted uses.

### **12.3449.2 The lands shall be subject to the following requirements and restrictions:**

- .1 Minimum Lot Area: 3,400 square metres
- .2 Minimum Lot Width: 35 metres
- .3 Minimum Building Setback:
  - .a 3 metres abutting the Steeles Avenue right-of-way
  - .b 0 metres abutting the easterly lot line.
- .4 Minimum Landscaped Open Space: 3 metres abutting the front lot line, westerly lot line, and rear lot line, except at approved access locations.
- .5 All garbage and refuse storage, including any containers for the storage of recyclable materials, and all loading areas shall be screened from public rightsof-way

- .6 No outdoor storage shall be permitted.
- .7 No drive-through use shall be permitted



## 12.3450 Exception 3450

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### 12.3450.1 The lands shall only be used for the following purposes:

- .1 the purposed permitted in the ~~DC-M~~HM Zone with the exception of, a convenience restaurant, a garden centre sales establishment, a tavern, a taxi or bus station, a motor vehicle or boat sales or rental establishment and accessory repair facility, a group home and a lodging house; and
- .2 purposes accessory to other permitted purposes.

### 12.3450.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum Lot Width along Queen Street East: 35 metres
- .2 Minimum Below Grade Setback For All Yards: 0.0 metres
- .3 Minimum Setback to Queen Street: 0.0 metres
- .4 Minimum Setback to James Street: 0.0 metres
- .5 Minimum Setback to John Street: 5.0 metres
- .6 Minimum Interior Side Yard Width: 0.0 metres
- .7 Minimum Setback to an OS Zone: 7 metres
- .8 Minimum Setback to Queen Street East above the 2nd storey: 12.0 metres;
- .9 Minimum Setback to James Street above the 2nd storey: 12.0 metres;
- .10 Minimum Setback to John Street above the 2nd storey: 5.0 metres;
- .11 Maximum Building Height: 88.5 metres;
- .12 Minimum Landscaped Open Space at grade: 25%;
- .13 Minimum Gross Floor Area devoted to commercial users: 37 square metres;
- .14 Maximum Overall Floor Space Index: 5.4, (not including underground parking garage);
- .15 Minimum Below Grade Setback: 0.0 m abutting all property
- .16 Minimum Setback to a railway right of way: 30 metres
- ~~.17 — Parking for residential uses shall be provided based on the Central Area Parking Requirements in Section 20.3.2 and the retail/commercial and office uses shall be in accordance with the general provisions for commercial zones section of Zoning By-law 270-2004, as amended; and~~
- ~~.18.17~~ Commercial uses shall be restricted to the first two storeys.
- ~~.19.18~~ Bins for the collection of waste and recyclable materials shall be stored within the building.

## 12.3456 Exception 3456

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### **12.3456.1 The lands shall only be used for the following purposes:**

- .1 an office, including medical office and office for a doctor, dentist or drugless practitioner
- .2 a bank, trust company or financial institution
- .3 a retail establishment
- .4 a personal service shop
- .5 a dry cleaning and laundry distribution station
- .6 a dining room restaurant, a convenience restaurant, a take-out restaurant
- .7 a community club
- .8 a hotel or motel
- .9 a banquet hall
- .10 a health and fitness centre
- .11 a place of commercial recreation
- .12 a commercial, technical or recreational school
- .13 a private school
- .14 a day nursery
- .15 a furniture and appliance store
- .16 a service shop
- .17 a stormwater management facility
- .18 purposes accessory to the other permitted purposes

### **12.3456.2 The lands shall be subject to the following requirements and restrictions:**

- .1 Minimum Front Yard Depth: 4.0 metres
- .2 Minimum Setback to Kennedy Road: 4.0 metres
- .3 Minimum Setback to Resolution Drive: 3.0 metres
- .4 Minimum Setback to Rutherford Road: 3.0 metres
- .5 Minimum Rear Yard Depth: 0.0 metres
- .6 Minimum Landscaped Open Space:

- .a 6.0 metres along Kennedy Road, Steeles Avenue East, Rutherford Road, except at approved access locations and where a building is located within the landscaped area at a setback permitted by the minimum setback to Kennedy Road, Steeles Avenue East and Rutherford Road
- .b 3.0 metres along Resolution Drive except at approved access locations and where a building is located within the landscaped area at a setback permitted by the minimum setback to Resolution Drive
- .7 Maximum gross floor area of office use not associated with another permitted use: 929 square metres, of which a minimum of 464 square metres shall be located above the ground floor
- .8 Retail Establishments shall have a minimum gross floor area of 371 square metres, with the exception that ten (10) retail establishment shall be permitted with a gross floor area less than 371 square metres
- .9 No drive-through facilities, including an associated stacking lane, shall be located between the building it serves and the street line
- .10 An interior climate controlled garbage room shall be provided in each building
- .11 Outside Storage is not permitted

**12.3456.3 for the purposes of ~~section-Exception~~ 3456:**

- .1 The Steeles Avenue lot line shall be the front lot line
- .2 The entire lands zoned ~~GE, MBU-GE, LC~~ **Section-Exception 12.3456** shall be considered one lot for zoning purposes

## 12.3457 Exception 3457

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### 12.3457.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1R1F-11.6** zone.

### 12.3457.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in an **R1R1F-11.6** zone.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

### 12.3457.3 for the purposes of ~~section-Exception~~ 3457:

- .1 shall also be subject to the requirements and restrictions relating to the **R1R1F-11.6** zone and all the general provisions of this by-law, which are not in conflict with those set out in **section Exception 12.3457.2**.

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## 12.3458 Exception 3458

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### 12.3458.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1FR1-11.6** zone.

### 12.3458.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in an **R1FR1- 11.6** zone.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

### 12.3458.3 for the purposes of ~~section~~ **Exception 3458**:

- .1 shall also be subject to the requirements and restrictions relating to the **R1FR1-11.6** zone and all the general provisions of this by-law, which are not in conflict with those set out in **~~section~~Exception 12.3458.2**.

## 12.3459 Exception 3459

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### 12.3459.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1FR1-12.4** zone.

### 12.3459.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in **an R1FR1- 12.4** zone.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

### 12.3459.3 for the purposes of ~~section~~ **Exception 3459**:

- .1 shall also be subject to the requirements and restrictions relating to the **R1FR1-12.411.6** zone and all the general provisions of this by-law, which are not in conflict with those set out in **Exceptionsection 12.3459.2.**

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## 12.3460 Exception 3460

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### 12.3460.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1R1F-12.4** zone.

### 12.3460.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in an **R1R1F-12.4** zone.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

### 12.3460.3 for the purposes of ~~Exception~~section 3460:

- .1 shall also be subject to the requirements and restrictions relating to the **R1FR1-11.6** zone and all the general provisions of this by-law, which are not in conflict with those set out in **section Exception 12.3460.2**.

## 12.3461 Exception 3461

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### 12.3461.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1R1E-13.7** zone.

### 12.3461.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in an **R1R1E-13.7** zone.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

### 12.3461.3 for the purposes of ~~section~~ **Exception 3461**:

- .1 shall also be subject to the requirements and restrictions relating to the **R1R1E-13.7** zone and all the general provisions of this by-law, which are not in conflict with those set out in **section Exception 12.3461.2**



## 12.3462 Exception 3462

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### 12.3462.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1FR1-13.7 zone**.

### 12.3462.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in an **R1FR1-13.7 zone**.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

### 12.3462.3 for the purposes of ~~section-Exception~~ 3462.:

- .1 shall also be subject to the requirements and restrictions relating to the **R1FR1-13.7** zone and all the general provisions of this by-law, which are not in conflict with those set out in ~~section~~ **Exception 12.3462.2**.

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### 12.3463 Exception 3463

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#### 12.3463.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R1A, R1R2D-8.5 zone**.

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#### 12.3463.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in an **R1A, R1R2D-8.5 zone**.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

#### 12.3463.3 for the purposes of ~~section-Exception~~ 3463.:

- .1 shall also be subject to the requirements and restrictions relating to the **R1A, R1R2D-8.5 zone** and all the general provisions of this by-law, which are not in conflict with those set out in ~~section~~ **Exception 12.3463.2**.

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## 12.3464 Exception 3464

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### 12.3464.1 The lands shall only be used for the following purposes:

- .1 shall only be used for the purposes permitted in a **R2ER1A, R1**-8.5 zone.

### 12.3464.2 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in an **R1A, R1**~~R2E~~-8.5 zone.
- .2 porches and balconies, with or without cold cellars or foundations may project a maximum of 1.8 metres into the front yard, exterior side yard or rear yard.
- .3 bay windows, chimney elements, projecting cornices and roof eaves, with or without foundations, may project a maximum of 1.0 metre into the front yard, interior side yard, exterior side yard or rear yard.

### 12.3464.3 for the purposes of ~~section~~ **Exception 3464**:

- .1 shall also be subject to the requirements and restrictions relating to the **R1A, R1**~~R2E~~-8.5 zone and all the general provisions of this by-law, which are not in conflict with those set out in ~~section~~ **Exception 12.3464.2**.

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## 12.3465 Exception — 3465

### 12.3465.1 The lands shall only be used for the following purposes:

- .1 the purposes permitted in the **SC-LC zone**.
- .2 a medical office.
- .3 a private school/tutoring establishment.
- .4 purposes accessory to the other permitted purposes. and

### ~~.5~~ 12.3465.3 the following uses are specifically prohibited

- ~~1.a~~ adult entertainment parlour;
- ~~2.b~~ adult video store;
- ~~3.c~~ pool hall or amusement arcade;
- ~~4.d~~ temporary open air markets; and, a tavern.

### 12.3465.23 The lands shall be subject to the following requirements and restrictions:

- .1 the requirements and restrictions as set out in **SC-LC zone**.
- .2 minimum landscaped open space-20% of the required front yard and 50% of the required exterior side yard.
- .3 Bell switchgear may be exempted from the requirements and restrictions of the **LCSC zone**, subject to confirmation from Bell Canada.

### 12.3465.34 for the purposes of ~~section-Exception~~ 3465:-

- .1 shall also be subject to the requirements and restrictions relating to the **SC-LC zone** and all the general provisions of this by-law, which are not in conflict with those set out in ~~section-Exception~~ **12.3465.2**.

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## 12.-3467 Exception 3467

### 12.3467.1 The lands shall only be used for the following purposes:

- .1 Shall only be used for the purposes permitted in the **R3AR2-Section-Exception 3430** zone

### 12.3467.2 The lands shall be subject to the following requirements and restrictions:

- .1 Minimum Lot Area:

~~2.a~~ The requirements and restrictions as set out in the **R3AR2-Section-Exception 3430** zone.

~~3.b~~ The second storey of a street townhouse dwelling unit may be located closer to the rear lot line than the second storey wall of an abutting street townhouse dwelling unit.

~~4.c~~ Maximum Driveway Width: 3.0 metres.

~~5.d~~ Parking: For each unit within a street townhouse dwelling, a minimum of two parking spaces.

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### 12.3467.3 for the purposes of section 3467.:

- .1 Shall also be subject to the requirements and restrictions relating to the **R3AR2 zone** and all the general provisions of this by-law which are not in conflict with the ones set out in ~~section~~ **Exception 12.3467.2**

- .2 For a street townhouse dwelling, direct pedestrian access for each dwelling unit from the front yard to the rear yard shall be accessed from the side yard, or, from a unit of a townhouse dwelling on a corner lot. A corner lot, shall mean a lot pertaining to an end unit of a townhouse dwelling where the exterior side wall of the particular end unit faces an adjacent public street or any lands forming part of a common elements condominium.

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## 12.346~~59~~ Exception 346~~95~~

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### 12.346~~95~~.1 The lands shall only be used for the following purposes:

- .1 -an office, including a dental office;
- .2 -a retail establishment excluding a convenience store;
- .3 -a personal service shop, which does not include a body art and/or tattoo parlour or a massage or a body rub parlour;
- .4 -a trust company and finance company.

### 12.346~~95~~.2 The lands shall be subject to the following requirements and restrictions:

- .1 -Minimum Lot Width - 18 metres;
- .2 -Minimum setback from Queen Street West lot line - 3 metres;
- .3 -Minimum side yard width - 1.2 metres on the west side and 6.0 metres on the east side;
- .4 -Minimum rear yard depth - 25 metres;
- .5 -Maximum building height - 2 storeys;
- .6 -Landscaped Open Space –
  - .a Minimum 3.0 metre wide landscaped strip abutting Queen Street West, except at approved access locations;
  - .b Minimum 1.5 metre wide landscaped strip abutting a residential zone, notwithstanding the driveway location;
  - .c Minimum 1.5 metre wide landscaped strip along the rear lot line.
- .7 -Minimum driveway width leading to a rear parking lot - 3.4 metres;
- .8 -Minimum number of parking spaces – 10;
- .9 -A drive-through facility is not permitted;
- .10 -All garbage and refuse including any containers for the storage of recyclable materials, shall be enclosed;
- .11 -Outside storage, including display of goods and materials, is not permitted.

## 12.3473 Exception 3473

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### **12.3473.1 The lands shall only be used for the following purposes:**

- .1 A supportive housing apartment dwelling
- .2 Purposes accessory to the permitted purposes

### **12.3473.2 The lands shall be subject to the following requirements and restrictions:**

- .1 Minimum Lot Area: 1225 square metres
- .2 Minimum Lot Width: 32 metres
- .3 Minimum Lot Depth: 35 metres
- .4 Minimum Front Yard Depth: 1.5 metres
- .5 Minimum Interior Side Yard Width: 10.0 metres
- .6 Minimum Exterior Side Yard Width (excluding the Daylight Triangle): 3 metres
- .7 Minimum Setback to Daylight Triangle: 0.5 metres
- .8 Minimum Rear Yard Depth: 4.5 metres
- .9 Minimum Building Height: 3 storeys
- .10 Minimum Width of Landscape Open Space:
  - .a Front Yard: 1.5 metre, excluding any approved driveway or access locations
  - .b Rear Yard: 4.5 metres adjacent to a building and 0.4 metres adjacent to a parking space or driveway aisle
  - .c Interior Side Yard:
    - .d 3.5 metres, which may be reduced to 2.2 metres adjacent to a parallel parking space.
  - .e Exterior Side Yard: 3.0 metres
  - .f Adjacent to the Daylight Triangle: 0.5 metres
- .11 Maximum Floor Space Index: 1.2
- .12 Maximum Number of Units: 26
- .13 Maximum Unit Size: 59.5 square metres
- .14 Minimum Parking Spaces:
  - .a The following parking spaces shall be provided:
    - .i Residential Parking Spaces

- .ii A minimum of 0.21 spaces per unit
- .iii A minimum of 0.17 spaces per unit

**12.3473.3 for the purposes of ~~section~~ Exception 3473 .:**

- .1 the front lot line shall be the lot line adjacent to Henderson Avenue.
- .2 “SUPPORTIVE HOUSING APARTMENT DWELLING” shall mean an apartment dwelling, owned, operated or funded by the Regional Municipality of Peel, or the province of Ontario, that contains independent dwelling units but provides on-site support services for residents.
- .3 All the lands zoned R4A, R3L – 3473 shall be considered one lot for zoning purposes.



## 12.3474 Exception 3474

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### 12.3474.1 The lands shall only be used for the following purposes:

- .1 Commercial
  - .a a retail establishment having no outside storage
  - .b a service shop
  - .c a personal service shop
  - .d a bank, trust company and finance company, with no drive-through
  - .e an office
  - .f a dry cleaning and laundry distribution station
  - .g a laundromat
  - .h a dining room restaurant, a take-out restaurant
  - .i a printing or copying establishment
  - .j a health or fitness centre
  - .k a custom workshop, having no outside storage
  - .l an animal hospital
  - .m a commercial, technical or recreational school
- .2 Other:
  - .a Purposes accessory to the other permitted purposes
- .3 Prohibited Uses:
  - .a an adult video store
  - .b an adult entertainment parlour
  - .c an amusement arcade
  - .d a body art and /or tattoo parlour
  - .e a massage or body rub parlour
  - .f a drive-through facility associated with any use
  - .g a tool equipment and rental establishment
  - .h a day nursery
  - .i a religious institution

- .j a community centre
- .k hotel or motel
- .l a school other than a technical or business school

**12.3474.2 The lands shall be subject to the following requirements and restrictions:**

- .4 Minimum Front Yard Depth: 2.0 metres
- .5 Maximum Front Yard Depth: 4.5 metres
- .6 Minimum Setback to Daylight Triangle: 2.0 metres
- .7 Minimum Exterior Side Yard Width: 4.0 metres
- .8 Maximum Exterior Side Yard Width: 6.0 metres
- .9 Minimum Rear Yard Depth: 4.5 metres
- .10 Minimum Interior Side Yard Width: 4.5 metres
- .1 Minimum Building Height:
  - 7.0 metres for that portion of the building adjacent to the daylight triangle or along the lot line within 3.0 metres of the daylight triangle.
- .2 Maximum Building Height: 4 storeys
- .3 Minimum Landscaped Open Space:
  - .a Front Yard:
    - .i 2.0 metres, except at approved access locations
    - .ii 3.0 metres, where a parking area is adjacent to the street, except at approved access locations
  - .b Exterior Side Yard:
    - 4.5 metres, except at approved access locations
  - .c Interior Side Yard: 3.0 metres
  - .d Rear Yard: 3.0 metres
- ~~.4~~ ~~Minimum Parking Requirement:~~
  - ~~1 parking space for each 22 square metres of gross commercial floor area~~
- ~~.5.4~~ Minimum Gross Floor Area for Each Building:
  - 1,000 square metres
- ~~.6.5~~ Building Façade Zone:

Building walls adjacent to the front or exterior lot line and 4.6 metres above grade or less shall have a minimum length of 60% of the length of the front or exterior lot line

7.6 Windows and Doors at Grade:

On any wall adjacent to a street line, no less than 50% of the gross area of the portion of the wall that is less than 4.6 metres above grade shall have windows and/or doors

8.7 A minimum of one on-site loading space shall be provided

9.8 For the purposes of this ~~section~~Exception, the property line abutting Hansen Road shall be considered the front lot line

**12.3474.3 for the purposes of ~~section~~Exception 3474:**

- .1 The entire lands zoned ~~SC-LC~~ – ~~Section~~Exception 3474 shall be considered one lot for zoning purposes.