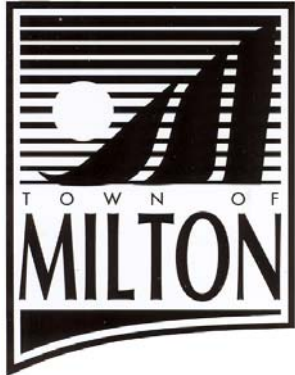


Repealed by By-law 016-2014 (Urban areas only)

Contact the Planning Department for a consolidated version of the By-law.



Town of Milton
*Comprehensive
Zoning By-law
144-2003*

October 20, 2003

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Amended by By-laws: 047-2005, 088-2006, 034-2010, 016-20114, 035-2014, 037-2014, 055-2014, 098-2014, 034-2015

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PREAMBLE

Introduction

These pages explain the purpose of this Zoning By-law and how it should be *used*. These pages do not form part of the Zoning By-law passed by *Council* and are intended only to make the Zoning By-law more understandable and easier to reference.

Purpose of This Zoning By-law

The purpose of this Zoning By-law is to implement the policies of the Town of Milton Official Plan. The Official Plan contains general policies that affect the *use* of land throughout the municipality. These policies specify where certain land *uses* are permitted and, in some instances, specify what regulations should apply to the development of certain lands.

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

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

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

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

How to Use This By-law

In order to reference this By-law most easily, a property owner should follow each of the steps listed below to determine what permissions apply to their particular property.

1. Locate the Property on a Map

Maps in a Zoning By-law are called 'Schedules'. The first step to using this By-law is to refer to the zone schedules that are contained at the back of the By-law to determine in which zone category your property is located. The zone category will be indicated on the schedules by a colour and in some case a symbol or abbreviation. For example, you may see a light shade of yellow colour with a symbol such as "RLD" beside your property. This would indicate that your property is within the 'Residential Low Density' Zone. The zone symbols or abbreviations are explained on the first page of Section 2 of the By-law.

Section 2 also provides assistance to help you identify the zone boundaries on the Schedules. For example, if your property appears close to a zone boundary and you are not sure how to determine exactly where that boundary is located, refer to Section 2.4 of the By-law.

2. By-law Amendments

A Zoning By-law is not a static document; it is amended over time as demands and policies governing land *use* change. Before proceeding any further, you should verify that your property is not the subject of an earlier Zoning By-law amendment. These amendments are listed in each Zone Section of this By-law. More recent amendments may not be included in the version of the By-law you are using. Staff in the Town's Planning Department will be able to assist you to confirm if your property has been subject to a more recent By-law amendment.

3. Zone Provisions

The next step to using this By-law is to determine what *uses* are permitted on your property. Sections 6 to 11 of the By-law identify the permitted *uses* and zone standards for each zone in the municipality.

The definitions in Section 3 can assist you if you are not sure of the nature of a permitted *use* or how it has been defined for the purposes of this By-law. Words that are defined in Section 3 are *italicized* throughout the By-law. If a word is not italicized, it is not specifically defined. *Uses* which are not identified as permitted *uses* within a particular zone are not permitted in that zone.

You have now identified the zone in which your property is located and have identified what *uses* are permitted on your property. The next step is to determine what standards may apply to the *uses* on your property. Sections 6 to 11 of the By-law also identify the zone standards for each of the zone categories in the municipality including standards for minimum *lot area*, minimum frontage requirements, minimum *yard* requirements, maximum *lot coverage* for *buildings*, maximum permitted *height of buildings* and in some cases, the minimum required *landscaped open space* on the *lot*.

4. General Provisions

Now that you are aware of the *uses* permitted on your property and the specific zone standards that apply to those *uses*, reference should be made to Section 4 of this By-law. Section 4 contains a more generic set of standards know as 'General Provisions' that apply to all properties in all zones throughout the municipality. For example, the general provisions contain standards that regulate the location of accessory *structures* on a *lot*, height exceptions, and *non-conforming/non-complying uses* that apply to all properties regardless of where in the municipality a property is located.

5. Parking and Loading

There is one final section of the By-law that should be consulted when determining what permissions apply to your specific property. Section 5 provides the parking and loading requirements for all *uses* permitted in the municipality. If you are considering changing the *use* of your property or adding a new *use* to your property, you should review Section 5 to ensure that you are aware of the parking requirements for the proposed *use*.

6. Explanatory Notes

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

What are Legal Non-Conforming and Legal Non-Complying For The Purposes Of This By-law?

A legal non-conforming use is a use of land and/or building that legally existed on the date By-law 144-2003 comes into effect under the Planning Act. To be legal, the use must have been permitted on the lands in the zoning by-law that was in effect before By-law 144-2003 came into effect. Alternatively, if the use has existed on the lands for a considerable number of years, the use may be legal non-conforming if it was legally established before the first By-law for the Town of Milton or the By-law for the original Township was passed.

A legal non-complying building or structure is a building or structure that was legally erected in a location it was in when By-law 144-2003 comes into effect under the Planning Act. To be legal, the location of the building or structure must have been authorized on the lands in the zoning by-law that was in effect before By-law 144-2003 come into effect. Alternatively, if the building or structure existed on the lands for a considerable number of years, the building or structure may be legal if it was legally erected before the first by-law for the Town of Milton or the by-law for the original Township was passed.

Description of By-law Components

This By-law contains fourteen sections, which together, provide the land uses and standards applicable to all lands within the municipality. These sections are as follows:

- Section 1 – Interpretation and Administration
- Section 2 – Establishment of Zones
- Section 3 – Definitions
- Section 4 – General Provisions
- Section 5 – Parking and Loading
- Section 6 – Residential Zone Provisions
- Section 7 - Commercial Zone Provisions
- Section 8 – Employment Zone Provisions
- Section 9 – Institutional Zone Provisions
- Section 10 – Rural Zone Provisions
- Section 11 – Greenlands Zone Provisions
- Section 12 – Future Development Zone Provisions
- Section 13 –Special Provisions, Holding Provisions, Temporary Use Zones & Interim Control Zones.
- Section 14 – Enactment

The purpose of each of these sections is described below.

Section 1 – Interpretation and Administration

This section of the By-law specifies:

- what lands are covered by the By-law;
- that every parcel of land in the area covered by the By-law is to conform and comply with the By-law; and,
- what penalties can be levied against a person or a corporation if they contravene any provision in the By-law.

Section 2 - Establishment Of Zones

This section establishes the Zones that apply to the lands covered by the By-law. This section also describes how to determine the location of the Zone boundaries on the schedules.

Section 3 - Definitions

It is necessary to define words in a Zoning By-law because it is a legal document. A By-law must be drafted so that it can be enforced in a court of law. These definitions will help provide clarity in the By-law and ensure that the By-law and its intent are applied consistently.

Section 4 - General Provisions

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

Section 5 – Parking and Loading

Parking and loading facilities are required for almost all *uses* within the municipality. This section provides the requirements for these facilities including such regulations as the number of spaces required for residential and commercial *uses*, minimum *driveway* width, minimum parking space size and the location of parking facilities on a *lot*.

Sections 6 to 11– Zone Provisions

Sections 6 to 11 identify the *uses* that are permitted in each Zone category. The effect of these Zones is to only permit certain *uses* in various parts of the municipality. The only *uses* permitted in a zone are those that are specified in the By-law. If a *use* is not specifically mentioned as a permitted *use* in a Zone then it is not permitted. Similarly, if a *use* is defined in Section 3.0 of the By-law but does not appear as a permitted *use* in any zone, then it is not a *use* permitted by the By-law.

Sections 6 to 11 also contain a number of regulations that control the placement, bulk and *height* of a *building* on a *lot*. This includes regulations such as minimum *lot* size, minimum frontage, maximum *building height* or the maximum coverage of a *building* on a *lot*.

Finally, these sections contain a listing of property specific exceptions to the By-law that have been granted by *Council* for individual or groups of properties. For example, the minimum *front yard* in a Zone may be 7.5 metres. The required *front yard* may be reduced to a lesser number if deemed appropriate and the mechanism to accomplish this reduction is by amending the By-law and excepting the property from the general standard. Exceptions are denoted on the Zone Schedules by the Zone symbol designating certain lands followed by a dash and a number, for example R1-1.

Section 12 – Future Development Zone

This section identifies lands which have no immediate development potential, however, which the lands as indicated by this zone will ultimately be rezoned to permit some form of urban development in the future once the required secondary plans and development plans among other matters have been approved.

Section 13 – Special Provisions

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

Section 14- Enactment

This section contains the signatures of the Mayor and the Clerk who signed the By-law when it was passed by *Council* in accordance with Section 34 of the Planning Act, R.S.O. 1990 c.P. 13.

CORPORATION OF THE TOWN OF MILTON

BY-LAW NUMBER 144-2003

A BY-LAW TO IMPLEMENT THE 1997 OFFICIAL PLAN AND REPEAL BY-LAW 61-85, EXCEPT AS IT APPLIES TO 1003 DERRY ROAD EAST, 3 MILL STREET, 11 MILL STREET AND 2 VICTORIA STREET.

WHEREAS the Council of the Corporation of the Town of Milton wishes to ensure that the 1997 Official Plan is appropriately implemented by a by-law passed under Section 34 of the Planning Act, R.S.O. 1990, c.P. 13 as amended;

AND WHEREAS the administration of planning in the Town will be greatly improved in the Town as a result of the passage of a new Comprehensive Zoning By-law;

AND WHEREAS the Council of the Corporation of the Town of Milton has carefully considered all public comments throughout the process;

AND WHEREAS it is now deemed desirable and in the public interest to adopt a new Comprehensive Zoning By-law;

NOW THEREFORE, the *Council* of the Corporation of the Town of Milton hereby enact as follows:

SECTION 1 INTERPRETATION AND ADMINISTRATION

1.1 TITLE

This By-law may be referred to as the “Town of Milton Zoning By-law” and applies to all lands within the Town of Milton with the exception of lands within the Niagara Escarpment Plan Area, which are subject to development control administered by the Niagara Escarpment Commission pursuant to the Niagara Escarpment Planning & Development Act and lands municipally known and described as follows::

- 1003 Derry Road East (Concession 8 NS, Part Lot 11);
- 3 Mill Street (Martin Survey Block 2, Part Lots 3 & 4);
- 11 Mill Street (Martin Survey Block 2, Part Lots 3, 4 & 5); and,
- 2 Victoria Street (Martin Survey Block A, Part Lots 6 & 7).

1.2 ADMINISTRATION

This By-law shall be administered and enforced by municipal staff as appointed by the *Council* of the Corporation of the Town of Milton.

1.3 CONFORMITY AND COMPLIANCE WITH BY-LAW

No land, *building* or *structure* may be *used*, erected or altered except in accordance with the provisions of this By-law.

No land, *building* or *structure* may be located or *used* such that the *uses*, *buildings* or *structures* on other lands would no longer comply with the provisions of this By-law.

1.4 INTERPRETATION

The provisions of this By-law are the minimum requirements except where a maximum requirement applies.

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

1.5 BUILDING PERMITS

The requirements of this By-law must be met before a *Building* Permit, Certificate of Occupancy, or approval of an application for a municipal license is issued for the use of land or the *use*, erection, addition to or alteration of any *building or structure*.

1.6 ENFORCEMENT

Any person who contravenes any provision of this By-law is guilty of an offense and upon conviction is liable to the fine(s) as provided for under the Planning Act, R.S.O. 1990, c.P. 13 as amended.

1.7 SEVERABILITY

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

1.8 EFFECTIVE DATE

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

1.9 REPEAL OF FORMER BY-LAWS

Save and except with respect to the lands municipally known and described as follows,

- 1003 Derry Road East (Concession 8 NS, Part Lot 11);
- 3 Mill Street (Martin Survey Block 2, Part Lots 3 & 4);
- 11 Mill Street (Martin Survey Block 2, Part Lots 3, 4 & 5); and,
- 2 Victoria Street (Martin Survey Block A, Part Lots 6 & 7).

By-law 61-85 of the Town of Milton and all Amendments to By-law 61-85 are hereby repealed.

SECTION 2 ESTABLISHMENT OF ZONES

2.1 ZONES

The Provisions of this By-law apply to all lands within the limits of the Town of Milton. All lands in the Town, with the exception of those lands that are subject to Development Control pursuant to the Niagara Escarpment Planning and Development Act are contained within one or more of the following *Zones*:

ZONE	SYMBOL
Residential Zones	
Low Density Residential Zone	RLD
Medium Density Residential I Zone	RMD1
Medium Density Residential II Zone	RMD2
High Density Residential Zone	RHD
Residential Office Zone	RO
Estate Residential Zone	RE
Village Residential Zone	RV
Commercial Zones	
Central Business District Commercial Zones	C1
Core Commercial Zone	C1-A
Secondary Commercial Zone	C1-B
Commercial Node Zone	C1-C
Commercial/Office Node Zone	C1-D
Residential/Office Node Zone	C1-E
Mixed Use Zone	C1-F
Secondary Mixed Use Commercial Zone	C2
Local Commercial Zone	C3
Hamlet Commercial Zones	C4
Auto Commercial Zone	C5
Business Commercial Zone	C6
Employment Zones	
Employment Zone	EMP
Business Park Zone	M1
General Industrial Zone	M2
Extractive Industrial Zone	MX

Cont'd.

Institutional Zones

Minor Institutional Zone	I-A
Major Institutional Zone	I-B

Rural Zones

Agricultural Zone	A1
Rural Zone	A2

Greenlands Zones

Greenlands 'A' Zone	GA
Greenlands 'B' Zone	GB
Open Space Zone	OS
Golf Course Zone	GC

Development Zones

Future Development Zone	FD
-------------------------	----

2.2 ZONE SYMBOLS

The *Zone* symbols may be used to refer to *lots, buildings and structures* and to the *use of lots, buildings and structures* permitted by this By-law.

2.3 ZONES AND ZONE BOUNDARIES

The *Zones* and *Zone* boundaries are shown on Sheets 1 through 63 and Sheets U1 through U20 that are attached to and form part of this By-law.

2.4 DETERMINING ZONE BOUNDARIES

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

- i) a boundary indicated as following a highway, street, *lane*, railway right-of-way, utility corridor or watercourse shall be the edge of such highway, street, *lane*, railway right-of-way, utility corridor or watercourse;
- ii) a boundary indicated as following a shoreline shall follow such shoreline, and in the event of change in the shoreline, the boundary shall be construed as moving with the actual shoreline;
- iii) a boundary indicated as following *lot lines* shown on a registered Plan of Subdivision, or the municipal boundaries of the Town of Milton shall follow such *lot lines*;

- iv) where a boundary is indicated as running parallel to a *street line* and the distance from the *street line* is not indicated, the boundary shall be deemed to be parallel to such a *street line* and the distance from the *street line* shall be determined according to the scale shown on the Schedule;
- v) where a *lot* falls into two or more *Zones* the *Zone* boundary dividing the *lot* shall be deemed to be a *lot line* for purposes of calculating required *setbacks*, and each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *Zone*;
- vi) No part of any Greenlands A (GA) *Zone* shall be considered in the calculation of minimum lot area as may be required by this By-law; and,
- vii) where none of the above provisions apply, the *Zone* boundary shall be scaled from the legally approved Schedule(s).

2.5 OVERLAY ZONES

Where a *zone* symbol on the schedules to this By-law is followed by the suffix '(SPA)', the provisions and regulations applicable of the underlying zone shall continue to apply, subject to the approval of the appropriate Conservation Authority.

2.6 SITE SPECIFIC ZONES

Where a *Zone* symbol on the attached schedule(s) is followed by a star and a number, such as *17, the star and number(s) symbol refers to a site-specific exception that applies to the lands noted. Site-specific exceptions are organized numerically and are listed in Section 13 of this By-law.

2.7 HOLDING ZONES

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

2.8 DEFINITIONS

Town of Milton Comprehensive Zoning By-law 144-2003 – October 20, 2003

Amended by By-laws: 047-2005, 088-2006, 034-2010, 016-20114, 035-2014, 037-2014, 055-2014, 098-2014, 034-2015

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

SECTION 3 DEFINITIONS

ACCESSORY APARTMENT

Means a separate and complete *dwelling unit* with an independent entrance that is located within a *detached dwelling* and which is subordinate or incidental to the principal *dwelling*.

ACCESSORY BUILDING OR STRUCTURE

Means a detached *building* or *structure*, the *use* of which is naturally or customarily incidental and subordinate to, and exclusively devoted to a principal *use, building* or *structure* and located on the same *lot* therewith and shall also mean and include a detached private garage or detached carport but which does not include children's play *structures* or patios and *decks* associated with a *dwelling*.

ACCESSORY FARM DWELLING

Means a *detached dwelling* or *mobile home dwelling*, the *use* of which is necessary for an agricultural operation and is incidental, subordinate and exclusively devoted to the primary *agricultural operation* located on the same *lot*.

ACCESSORY USE

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

ADULT ENTERTAINMENT PARLOUR

Means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services appealing to or designed to appeal to erotic or sexual appetites or inclinations.

“services” includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the Theatres Act;

“services designed to appeal to erotic or sexual appetites or inclinations” includes,

- a) services of which a principal feature or characteristic is the nudity or partial nudity of any person;

- b) services in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or “nu” any other word or picture, symbol or representation having like meaning or implication as used in any advertisement;

ADULT ENTERTAINMENT USE

Means any *premises* or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, goods or services or *entertainment* appealing to or designed to appeal to erotic or sexual appetites or inclinations. *Adult Entertainment Use* also includes an *Adult Entertainment Parlour*, an *Adult Video Store*, an *Adult Specialty Shop* and a principal use *Body Rub Parlour*.

For the purposes of the definition of *Adult Entertainment Use*, the following definitions also apply:

“goods” includes books, magazines, pictures, slides, film, disks, phonograph records, prerecorded magnetic tape and any other viewing or listening matter, clothing and accessories;

“services or entertainment” includes activities, facilities, performances, exhibitions, viewings and encounters but does not include the exhibition of film approved under the Theatres Act;

“services or entertainment which are designed to appeal to erotic or sexual appetites or inclinations” and includes,

- a) services or entertainment of which a principal feature or characteristic is the nudity or partial nudity of any person, including, but not limited to the nudity or partial nudity of specified body areas; and,
- b) services or entertainment in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy”, or any other word or any other picture, symbol or representation having like meaning or implication, is *used* in any advertisement.

ADULT SPECIALTY STORE

A retail establishment specializing in the sale of a variety of goods and materials made or designed to appeal to erotic or sexual appetites, but does not include a *retail store*.

ADULT VIDEO STORE

Means an establishment where pre-recorded video tape, video discs, films and/or slides made or designed to appeal to erotic or sexual appetites or depicting sexual acts are offered for rent or sale where the proportion of adult videotapes to non-adult videotapes offered is equal to or exceeds the ratio of 10:100 (adult videotape to non-adult videotape). An *Adult Video Store* shall not include facilities for the screening or viewing of such products.

AGGREGATE RECYCLING FACILITY

Means a *premises used* for the recycling of *used* aggregate materials such as concrete and asphalt into a usable product but does not include the operation of an asphalt or concrete batching plant.

AGRICULTURAL OPERATION

Means general farming and shall include such *uses* as the breeding rearing, or keeping of livestock, including poultry, horses, fowl and fur-bearing animals, and/or the general cultivation of land and production, conditioning, processing and storing of field crops, fruits, vegetables, horticultural crops, and trees.

AMENITY AREA

Means the area situated on a residential *lot* that is intended for recreational purposes, and may include landscaped open spaces, patios, balconies, communal play areas, lounges, *decks* and other similar *uses* but shall not include a *swimming pool* or areas occupied at *grade*, by service areas, *parking areas*, aisles or access *driveways* associated with the development.

ANIMAL, DOMESTIC

Means an animal kept for pleasure or companionship and is not used for fur or food purposes.

APARTMENT BUILDING

Means a *building* consisting of 5 or more *dwelling units*, with each *dwelling unit* being accessed by a common corridor system

ART GALLERY

Means a *premises* where paintings, sculptures or other works of art are exhibited or sold.

ARTIST'S STUDIO

Means a *premises* in which an artist produces artwork or crafts and may include the display and sales of works primarily produced on the *premises*.

BALCONY

Means a platform that may be partially enclosed projecting from the main wall of a *building* at the second floor level which is not supported by vertical uprights other than the wall itself except when located above a porch/veranda and which is only accessible from within a *building*.

BANQUET FACILITY

Means a *premises used* for the purpose of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served on the *premises* and which may include a catering service.

BASEMENT

Means that portion of a *building* below the *first storey*.

BAY WINDOW

Means a window that projects outward from the *dwelling wall/face* with or without foundation.

BED AND BREAKFAST ESTABLISHMENT

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

BOARDER

Means a person to whom lodging is provided for compensation.

BOARDING KENNEL

Means a premises in which all facilities are wholly enclosed within a *building*, for the keeping, breeding, boarding or training of *domestic animals* but shall not include the keeping of animals in a *veterinary clinic* for the purpose of observation, and/or recovery necessary to veterinary treatment.

BODY-RUB

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

BODY-RUB PARLOUR

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

BUILDING

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

BUILDING, PRINCIPAL

Means a *building* that functions as the *building* in which the principal *use* of the *lot* is carried out.

BUILDING SUPPLY OUTLET

Means a *premises* in which *building* or construction materials and home improvement materials are offered for retail sale.

BULK FUEL DEPOT

Means a *premises* where petroleum, gasoline, fuel, oil, gas or flammable liquid or fluid is stored, warehoused and/or kept for retail sale.

BULK PROPANE STORAGE DEPOT

Means a *premises* where tanks having an aggregate propane storage capacity in excess of 45,000 litres and from which the retail sale of propane fuel to the public is or may be offered.

CAMPER TRAILER

Means a *trailer* which is designed to be temporarily utilized for living, shelter and sleeping accommodation, with or without cooking facilities and which has running gear and towing equipment that is permanently attached, has a current license and is not permanently affixed to the ground.

CANOPY

Means an unenclosed roof like *structure* projecting more than 30 cm from the exterior face of a *building*.

CAR PORT

Means a covered *structure* designed and used for the temporary storage or parking of a *motor vehicle* but which is open on at least 2 sides and may be supported by columns and a maximum of 2 walls.

CASINO

Means a *premises* primarily engaged in gambling activities, for money or other items of value, and offering games of chance such as card games, dice games and/or game machines or devices.

CELLAR

Means that portion of a *building* below the *first storey* which is partly or wholly underground and which has more than half of its *height* from finished floor to finished ceiling below the average finished grade level adjacent to the exterior walls of the *building*.

CEMETERY

Means land set aside to be used for the interment of human remains and may include as an accessory use, a mausoleum, columbarium, crematorium, or other structure intended for the interment of human remains.

COMMERCIAL SCHOOL – SKILL

Means a *school* conducted for profit or gain, where students are taught a skill (e.g. music, dancing, gymnastics, adult/children learning centers, cultural related activities, etc.)

COMMERCIAL SCHOOL – TRADE/PROFESSION

Means a *school* conducted for profit or gain, where students are taught a trade or profession (e.g. business schools, technology, hair dressing schools, specific trade training, etc.).

COMMERCIAL STORAGE FACILITY

Means a *premises* used for the temporary storage of household items in enclosed storage areas or lockers, which are generally accessible by means of individual loading doors and which is as an *accessory use*, includes an outdoor area for the temporary parking of seasonal recreational or commercial vehicles, boats and trailers.

COMMUNITY CENTRE

Means a multi-purpose facility owned and operated by the Town of Milton, which offers a variety of programs of a recreational, cultural, community service, information or instructional nature.

COMPOSTING FACILITY

Means a *premises* owned or operated by a government authority where the primary purpose is for the composting of food waste and organic materials.

CONSERVATION AUTHORITY

Means Conservation Halton, the Grand River *Conservation authority* or the Credit Valley *Conservation authority*.

CONSERVATION USE

Means a *use* dedicated towards the preservation of fish and wildlife habitat including wood/ot management, and *structures* for flood/erosion control. This *use* shall not include administration and/or operational facilities.

CONTRACTOR'S YARD

Means a *premises* in which the shop or assembly work of a contractor or tradesperson is performed and includes the storage of any related equipment and/or materials.

CONVENIENCE STORE

Means a *retail store* that provides a variety of household necessities, groceries and other convenience items primarily to the immediate neighbourhood.

CONVENTION CENTRE

Means a *premises* having facilities for meetings, seminars, *workshops* and other similar activities and may include dining facilities to serve participants but does not include sleeping accommodation.

COTTAGE INDUSTRY

Means an activity conducted as an accessory use within a *detached dwelling* and/or an *accessory building* by one or more of its residents. A cottage industry may include activities such as dressmaking, upholstering, weaving, ceramic making, painting and sculpting.

COUNCIL

Means the Municipal *Council* of the Corporation of the Town of Milton.

CULTURAL USE

Means a *theatre*, a *commercial school-skill*, a gallery or similar use that assists in the promotion of a cultural community, but does not include an *Adult Entertainment Use*.

DAYLIGHTING TRIANGLE

Means an area of land in the shape of a triangle that is measured from a prescribed point along one *street line* to a prescribed point along a second *street line*.

DAYLIGHTING RADIUS (RADII)

Means an area of land roughly the shape of a triangle with a curved hypotenuse located adjacent to the street right-of-way where two streets meet. The area is created by measuring a prescribed radius adjacent to the two intersecting street right-of-ways. Where the radius meets the property lines, the area between the radius and the property lines is the *daylight radius*.

DAYLIGHTING, STREET

Means an area reserved for the protection of sight lines from abutting streets.

DAYLIGHTING TRIANGLE, RAILWAY

Means an area of land in the shape of a triangle that is measured from a prescribed point along a *street line* to a prescribed point measured along the centre of the outside track.

DAY NURSERY

Means a *premises* licensed in accordance with the Day Nurseries Act, as amended, in which more than 5 children are provided with temporary care, protection and supervision but which shall not provide overnight accommodation.

DECK

Means a *structure* with no solid roof or walls which may be constructed on piers or a foundation and used as an outdoor living area including landings and *stairs*, but does not a *balcony*, or *porch/veranda*.

DEPARTMENT STORE

Means a *retail store* that has a *gross floor area* greater than 2750 m² in which items are sold from at least four of the following types of goods: furniture and floor coverings, fabrics and household textiles, clothing, footwear, household appliances, china glass ware and domestic hardware.

DRIVE-THROUGH SERVICE FACILITY

Means a *building* or *structure* or part thereof accessed by a designated queuing lane, where goods or services are offered to the public within a parked or stationary vehicle by way of a service window or kiosk. For the purposes of this definition, *motor vehicle* related *uses* and kiosks within parking structures or *parking areas* are not considered to be a *drive through service facility*.

DRIVEWAY

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

DRY CLEANING DEPOT

Means a *premises* used for the purpose of receiving articles or goods of fabric to be subjected to the process of laundering or dry-cleaning elsewhere.

DRY CLEANING ESTABLISHMENT

Means a *premises* in which the business of laundry of dry-cleaning is housed and where the cleaning, drying, ironing and finishing of such goods is conducted.

DWELLING, APARTMENT

Means a *dwelling unit* within an *apartment building*.

DWELLING, DETACHED

Means a *building* containing not more than one *dwelling unit*.

DWELLING, DUPLEX

Means a *building* divided horizontally into two *dwelling units*.

DWELLING, MOBILE HOME

Means a mobile *dwelling unit* suitable for long term occupancy designed to be transportable on its own chassis and wheel system and which complies with the Canadian Standards Association Z241 classification.

DWELLING, MULTIPLE

Means a *dwelling unit* in a *building* containing four or more *dwelling units*, each of which has an independent entrance directly from the outside or through a common vestibule or common corridor but does not include a townhouse or an *apartment building*.

DWELLING, QUATTROPLEX

Means a *building* containing four *dwelling units* divided vertically and horizontally, and which has an independent entrance directly from the outside or through a common vestibule or common corridor.

DWELLING, SEMI-DETACHED

Means a *building* divided vertically into two *dwelling units* above or below *grade*.

DWELLING, TOWNHOUSE

Means a *building* containing no more than eight *dwelling units* that is divided vertically and where each unit is divided by a common masonry wall and whereby each *dwelling unit* has an independent entrance into the unit from the outside, and has access to the rear yard through non-habitable living space or by way of an external easement or through a condominium common element area.

DWELLING, TRIPLEX

Means a *building* divided horizontally into three *dwelling units*.

DWELLING UNIT

Means a room or rooms in which a kitchen, living quarters and sanitary conveniences are provided for the exclusive use of the residents and with a private entrance from outside the building or from a common hallway or stairway inside.

EMERGENCY SERVICE DEPOT

Means a *premises* from which emergency service personnel and equipment are dispatched and may include facilities for fire, medical or police services.

EQUESTRIAN CENTRE –

Means a premises in which lands, *buildings* or *structures* are *used* for the boarding of 20 or more horses, the training of horses and riders, and/or the staging of equestrian events, but does not include the racing of horses.

EQUIPMENT SALES AND RENTAL

Means a *premises* in which machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation.

EXTRACTIVE USE

Means a *pit* or excavation, made for the removal of consolidated and unconsolidated soil, earth, clay, marl, sand, gravel, or rock for commercial purposes, and shall include facilities for the crushing, washing and screening of such materials. An *extractive use* shall not include an excavation incidental to the erection of a *building* or *structure*.

FAIRGROUND

Means an open area of land where farm produce is on display for judging and for sale, and livestock shows, horseracing, and other sports events are held and on occasion for auctions, flea markets and concession stands.

FARM IMPLEMENT DEALER

Means a *premises* where farm machinery is stored and sold and/or leased to the public and which may include facilities for the repairing of farm machinery.

FARM PRODUCE RETAIL OUTLET

Means a *premises* where the products of an *agricultural operation* are sold at retail as an *accessory use* and on the same *lot* as the principal *agricultural use*.

FARM VEHICLE

Means a licensed or unlicensed *motor vehicle* that is *used* to cultivate or harvest farm products and/or assist in the general operation of an *agricultural operation*.

FARMER'S MARKET

Means a *premises* where farm products are sold at retail from seasonal, non-permanent open-air stalls or booths.

FILL LINE

Means a line on a map or By-law Schedule that delineates those lands subject to the Fill, Construction and Alteration to Waterway Regulations of the appropriate *Conservation authority*.

FIRST STOREY

Means the storey with its floor closest to *established grade* and having its ceiling more than 1.8 metres above *established grade*.

FITNESS CENTRE

Means a *premises* in which facilities are provided for recreational and athletic activities and which may include associated facilities such as a sauna, *office space*, retail store and related lounge facilities.

FLOOD PLAIN

Means the area, usually lowlands, adjoining the channel of a river, stream, or watercourse, which has been or may be covered by flood water during a regional flood or a one-in-one-hundred-years flood, whichever is greater.

FLOOR AREA, GROSS

Means the total area of all floors measured between the exterior faces of the exterior walls of the *building* or *structure* at the level of each floor, exclusive of any basements used for storage purposes and minus 10%.

FOOD STORE

Means a *premises* having a minimum *gross floor area* of 2,000 m², in which food and grocery items are primarily sold at retail and in which other *accessory* merchandise such as convenience items, household supplies, hardware, patent medicines, personal care products and garden center products may be sold.

FORESTRY USE

Means the raising and harvesting of timber for the purpose of producing commercial or non-commercial wood products and may include the cutting of such timber for transportation purposes but shall not include the manufacturing or processing of wood products. Notwithstanding the above, the processing of firewood cut and used for domestic purposes on the same property is not considered a *forestry use*.

FUNERAL HOME

Means a *premises* designed for the purpose of furnishing funeral supplies and service to the public and includes facilities intended for the preparation of corpses for interment or cremation.

GARDEN CENTRE

Means a *premises used* for the display and retail sale of flowers, plants, trees and shrubs and shall also include the retail sale of such goods, products and equipment as are normally associated with gardening or landscaping.

GARDEN SUITE

Means a detached residential *structure* containing bathroom and kitchen facilities that is an *accessory use* to an existing *dwelling unit* and is designed to be portable.

GOLF COURSE

Means a *premises* operated for the purpose of playing golf, and includes a *golf course*, driving range, miniature golf facilities and such *accessory uses* as a *restaurant*, *banquet facility* *retail*

store, fitness centre and other *buildings* or *structures* devoted to the maintenance and operation of the *golf course*.

GOLF DRIVING RANGE

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

GRADE

Means the level of the ground adjacent to the outside wall of a *building* or *structure*.

GRADE, ESTABLISHED

Means the average elevation of the finished surface of the ground at base of the outside walls of any *building* or *structure*. The *established grade* is determined by taking the arithmetic average of the levels of the finished ground surface at every location of change of *grade* along the outside walls of the *building* or *structure*.

GROUP HOME, CORRECTIONAL

Means a *detached dwelling* occupied by residents who live as a single housekeeping unit, supervised on a daily basis, for persons who have been placed on probation, released on parole or admitted for correctional purposes, and which is licensed, approved, supervised or funded by the Province of Ontario.

GROUP HOME TYPE 1

Means a *detached dwelling* occupied by residents who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved or supervised, or funded by the Province of Ontario as:

- Home for Special Care, Homes for Special Care Act;
- Approved Home, Mental *Hospitals* Act;
- Children's Residence, Child and Family Services Act;
- Approved Home, Homes for Retarded Persons Act;
- A Facility, Developmental Services Act;
- Charitable *Home for the Aged*, Charitable Institutions Act; or,
- *Home for the Aged*, Homes for the Aged and Rest Homes Act.

GROUP HOME TYPE 2

Means a *detached dwelling* occupied by residents who live as a single housekeeping unit requiring specialized or group care, supervised on a daily basis, and which is licensed, approved or supervised, or funded by the Province of Ontario under any general or specialized Act and which shall be maintained and operated primarily for:

- Persons who require temporary care and transient or homeless persons; or
- Persons requiring treatment and rehabilitation for addiction to drugs or alcohol.

HEALTH PROFESSIONAL, REGULATED

Means a person registered under the Regulated Health Professions Act, S.O. 1991, C.18, or as a drugless practitioner under the Drugless Practitioners Act, R.S.O. 1990, C.D. 18 including: Audiologists, Chiropractors, Chiropractors, Dental Hygienists, Dental Technologists, Denturists, Dentists, Dieticians, Massage Therapists, Medical Laboratory Technologists, Medical Radiation Therapists, Midwives, Naturopaths, Nurses, Occupational Therapists, Opticians, Optometrists, Pharmacists, Physicians, Physiotherapists, Podiatrists, Psychologists, Respiratory Therapists, Speech Language Pathologists.

HEIGHT

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

- a) in the case of a flat roof, the highest point of the roof surface or parapet, whichever is greater;
- b) in the case of a mansard roof, the *decline* of the roof;
- c) in the case of a gable, hip or gambrel roof, the mean *height* between the eaves and ridge;
- d) in the case of detached *accessory buildings and structures*, the highest point of the *building* or *structure*.

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

HOME DAY CARE

Means a private residence where care, protection and supervision are provided for up to five children or five elderly persons but which does not provide overnight accommodation to those being cared for.

HOME FOR THE AGED

Means a facility for the care and lodging of elderly persons in accordance with the *Home for the aged* and Rest Homes Act, as amended.

HOME INDUSTRY

Means a small-scale use providing a service primarily to the local community and which is accessory to a *detached dwelling* or *agricultural operation*. A home industry may be conducted in whole or in part in an accessory building and may include a carpentry shop, a metal working

shop, a welding shop, an electrical shop, or blacksmith's shop, etc., but does not include any activity relating to the operation or maintenance of a motor vehicles or any activity requiring the use of toxic chemicals.

HOME OCCUPATION

Means the *accessory use* of a portion of a *dwelling unit* for an occupation or business which results in a product or service and which is clearly subordinate to the principal *use* of the *building* as a *dwelling unit*.

HORSE RACE TRACK

Means a *premises* where the primary use is the racing of horses for gain and which is open to the general public and which customarily includes betting establishments licensed under the laws of the Province of Ontario, food service facilities and boarding facilities for horses and persons associated with the racing of horses.

HORTICULTURAL NURSERY

Means the *use* of land, *buildings* or *structures* for the growing of plants, shrubs, trees or similar vegetation and does not include any sales of horticultural products, except where permitted as an accessory use.

HOSPITAL

Means any institution, *building* or other *premises* established for the treatment of persons afflicted with or suffering from sickness, disease or injury for the treatment of convalescent or chronically ill persons that is approved under the public *Hospitals Act* as a Public *hospital*.

HOTEL

Means a *premises* in which lodging or sleeping accommodation are provided to the general public and may include accessory services such as *restaurants*, meeting facilities, recreation facilities, convention and banquet facilities.

INDUSTRIAL USE

Means a *premises used* primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, and incidental storage of goods and materials and may include accessory sales and distribution of such products, however, does not include an *obnoxious use*.

LANDSCAPE BUFFER

Means the area of a *lot* which serves to provide separation and to partially or fully obstruct the view of adjacent land *uses* by means of a vegetative screen, fencing, and/or berms.

LANDSCAPED OPEN SPACE

Means the open unobstructed space from ground to sky at *grade* which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio or similar area but does not include any *driveway*, sidewalk, or ramp, whether surfaced or not, any curb, retaining wall, *parking area*, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a *front yard* or *exterior side yard*.

LANE

Means a public thoroughfare which affords only a secondary means of access to abutting *lots* and which is not intended for general traffic circulation.

LAUNDROMAT

Means a *premises* where coin-operated laundry machines, using only water, detergents and additives, are made available to the public for the purpose of cleaning clothing and other articles of fabric.

LIBRARY

Means a *premises* containing printed, electronic and pictorial material for *public use* for purposes of study, reference and recreation.

LOADING SPACE

Means an off-street area of land on the same *lot* as the *building* or contiguous to a group of *buildings* that it serves, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

LOT

Means a parcel of land in one ownership which is capable of being legally conveyed in accordance with the Planning Act or is described in accordance with a registered Plan of Condominium.

LOT AREA

Means the total horizontal area within the *lot lines* of a *lot*.

LOT, CORNER

Means a *lot* situated at the intersection of two or more streets having an angle of intersection not exceeding 135 degrees. In the case of a curved street, such angles shall be formed by their tangents drawn from the points where the *side lot lines* meet the *street line* but does not include a *lot* abutting the bulb of a cul-de-sac or a turning circle.

LOT COVERAGE

Means the horizontal area at *grade* of all *buildings* and roofed *structures* on a *lot*. For the purposes of this definition, decks, patios, swimming pools, and all accessory buildings, excluding detached garages, are not to be included within the lot coverage calculation.

LOT DEPTH

Means the average horizontal distance between the front and *rear lot lines*. If the front and rear *lot lines* are not parallel, the *lot depth* shall be measured by a straight line joining the mid-point of the *front lot line* with the mid-point of the *rear lot line*. Where there is no *rear lot line*, the *lot depth* shall be measured by a straight line joining the mid-point of the *front lot line* with the apex of the triangle formed by the *side lot lines*.

LOT FRONTAGE

Means the distance measured along the *front lot line* between the *side lot lines* where the *side lot lines* are parallel. In cases where the *side lot lines* are not parallel, the distance is measured from a point on each *side lot line* that is located a distance equal to the required *front yard* from the *front lot line* or the hypothetical intersection of the *front lot line* and the *side lot line*.

LOT, INTERIOR SIDE

Means a *lot* other than a *corner lot*.

LOT LINE

Means any boundary of a *lot* or its vertical projection.

LOT LINE, EXTERIOR SIDE

Means a *side lot line* that abuts a street.

LOT LINE, FRONT

Means in the case of an interior *lot*, the line that divides the *lot* from the street. In the case of a *corner lot*, the shorter *lot line* abutting a street shall be deemed to be the *front lot line* and the longer *lot line* abutting the street shall be deemed to be the *exterior side lot line*. In the case of a *through lot*, the *lot line* where the principal access to the *lot* is provided shall be deemed to be the *front lot line*.

LOT LINE, SIDE

Means a *lot line*, other than a front or *rear lot line*.

LOT LINE, REAR

Means the *lot line* or intersection of the *side lot lines*, opposite to, and most distant from, the *front lot line*.

LOT, THROUGH

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

MEDIA NICHE

Means a projection in the exterior wall of a *building* without a foundation which creates a shallow recess within the exterior wall of a *building* designed to accommodate media equipment.

MEDICAL CLINIC

Means a *premises* where members of the medical profession provide medical, dental, and/or therapeutic diagnosis and treatment to the general public without overnight accommodation and may include accessory dispensary facilities.

MINIATURE GOLF COURSE

Means an area of land or *premises* operated for profit or gain as a commercial *place of amusement* in which facilities are provided to simulate the game of golf or any aspect of the game on a small scale, but does not include a *golf driving range*.

MODEL HOME

Means a *building* which is used on a temporary basis as a sales office and/or as an example of the type of dwelling that is for sale in a related development and which is not occupied or used for human habitation.

MOTEL

Means a *premises* that contains rooms with no private cooking facilities that are rented on a temporary basis to the public traveling predominantly by *motor vehicle*, with some of the rooms being accessed from the outside.

MOTOR VEHICLE

Means a *motor vehicle*, traction engine, farm tractor, road *building* machine and any vehicle drawn, propelled or driven by any kind of power, including muscular power, in accordance with the Highway Traffic Act, but not including the cars or electric or stream railways running only upon rails

MOTOR VEHICLE BODY SHOP

Means a *premises used* for the painting or repairing of *motor vehicle* bodies, exterior and under-carriage, and in conjunction with which there may be a towing service.

MOTOR VEHICLE DEALERSHIP

Means a *premises* where new or *used motor vehicles* are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a *motor vehicle repair garage*.

MOTOR VEHICLE GAS BAR

Means one or more pump islands, each consisting of one or more gasoline pumps, and a kiosk having a floor area of not more than 2.5 square metres, which shall not be *used* for the sale of any product other than liquids and small accessories required for the operation of a *motor vehicle*.

MOTOR VEHICLE RENTAL AGENCY

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

MOTOR VEHICLE REPAIR GARAGE

Means a *premises used* to conduct major and minor mechanical repairs of *motor vehicles* and in conjunction with which there may be such *accessory uses* as a towing service, *motor vehicle service station*, and *motor vehicle rentals*.

MOTOR VEHICLE SERVICE STATION

Means a *premises* where activities related or incidental to the prime function of selling automotive fuels and accessory products with or without facilities for minor mechanical or running repairs essential to the operation of a *motor vehicle* are carried out but shall not include a *motor vehicle dealership* or *motor vehicle repair garage*.

MOTOR VEHICLE WASHING ESTABLISHMENT

Means a *premises used* for the operation of *motor vehicle* washing equipment for profit or gain and may include the *use* of production line methods and mechanical devices or self-serve coin-operated facilities, but does not include any other *motor vehicle* establishment defined in this By-law.

NIGHT CLUB

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

NON-CONFORMING

Means an existing *use* or activity of any land, *building* or *structure* that is not an identified permitted *uses* for the *Zone* in which it is located as of the date of passage of this By-law.

NON-COMPLYING

Means a *lot, building or structure* that does not meet the regulations of the *Zone* in which it is located as of the date of passage of this By-law.

NURSING HOME

Means a *premises* in which lodging is provided with or without meals and in addition, provides nursing or medical care and treatment in accordance with the *Nursing Homes Act*, as amended, but does not include a *hospital*.

OBNOXIOUS USE

Means a *use* which, from its nature or operation, creates a nuisance or is liable to become a nuisance or offensive by the creation of noise or vibration, or by reason of the emission of gas, fumes, dust or objectionable odour, or by reason of the matter, *waste* or other material generated by the *use*, and shall include any *uses* which may be declared to be a noxious or offensive trade or business under the Public Health and Promotion Act, as amended.

OFFICE

Means a *premises* where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration, and includes the *offices* of a *Regulated Health Professional*.

OFFICE BUILDING

Means a building in which the principal use is *office* uses.

OUTDOOR DISPLAY

Means an area devoted to the retail sale of finished products and/or the rental of equipment and small machinery.

OUTDOOR STORAGE

Means the storage of equipment, goods, or raw or processed materials outside of any *building or structure*. For the purposes of this By-law, the overnight parking of vehicles shall not be deemed to be outside storage.

OUTDOOR STORAGE USE

Means a *premises* where an *outdoor storage* area forms the main *use* of a *lot*. For the purposes of this definition, the *outdoor storage* of *motor vehicles* is not considered to be an *outdoor storage use*.

PARK, PUBLIC

Means an open space area, owned, operated or maintained in whole or in part by a *public authority* as a recreational area for *public use*, including passive and active forms of recreation, designed to serve the neighbourhood and community.

Town of Milton Comprehensive Zoning By-law 144-2003 – October 20, 2003

Amended by By-laws: 047-2005, 088-2006, 034-2010, 016-20114, 035-2014, 037-2014, 055-2014, 098-2014, 034-2015

PARKING AREA

Means an open area, other than a street, *used* for the temporary parking of two or more *motor vehicles* and available for *public use* where free, for compensation or as an accommodation for clients or customers or residents, but does not include the storing of impounded, wrecked and/or otherwise inoperable vehicles.

PARKING SPACE

Means the area of land devoted to the parking of a motor vehicle.

PERSONAL SERVICE SHOP

Means a *premises used* for the provision of services involving the health, beauty or grooming of a person or the maintenance or cleaning of personal apparel but does not include a *dry cleaning establishment*.

PIT

Means an area of land where unconsolidated gravel, stone, sand, earth, clay, fill or other material is being removed by means of an excavation to supply materials for construction, industrial or manufacturing purposes and may include, as an *accessory use*, facilities for the crushing, screening, washing and storage of such materials.

PLACE OF ASSEMBLY

Means a *premises used* for the gathering of groups of people and may include facilities for the preparation and consumption of food or drink but shall not include a *place of worship* or *place of entertainment*.

PLACE OF ENTERTAINMENT

Means a *premises* where entertainment is offered for profit or gain and may include a motion picture *theatre*, public hall, billiard or pool rooms, bowling alley, dance hall or similar activity for the enjoyment of the general public, but shall not include *any adult entertainment use*.

PLACE OF WORSHIP

Means a *premises used* by religious group(s) for the practice of religious services.

PORCH/VERANDA

Means a *structure* abutting a main wall of a *building* having a roof but with walls that are generally open and unenclosed.

PORTABLE ASPHALT PLANT

- a) Means a temporary facility with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt paving material and includes the temporary stockpiling and storage of bulk materials used in the process.

PREMISES

Means the area of a *building* or *lot* occupied or *used* by a business or enterprise. In a multiple tenancy *building* occupied by more than one (1) business, each business area shall be considered a separate *premises*. Each individual unit proposed and/or registered in a draft Plan of Condominium shall also be considered individual *premises*.

PRIVATE CLUB

Means a non-profit, non-commercial organization which carries on cultural, social, athletic or recreational activities and includes the *premises* of a fraternal or charitable organization.

PRIVATE TRANSIT DEPOT

Means a *premises* where the dispatching of taxis or other commercial *motor vehicles* such as airport limousines is carried out and where such vehicles may park for short periods of time while waiting for calls.

PROPANE FACILITY, RETAIL

Means a *premises* where tanks having an aggregate propane storage capacity of less than 45,000 litres that is licensed under the Provisions of the Energy Act of Ontario as amended, and from which the retail sale of propane fuel to the public is or may be effected.

PUBLIC AUTHORITY

Means any department or appointed agency or commission of the Government of Canada, Province of Ontario, Regional Municipality of Halton, or Town of Milton.

PUBLIC USE

Means any *use* of land, *building* or *structure* by or on behalf of a *public authority*.

RECREATION AND ATHLETIC FACILITY

Means a *building* or *structure* designated and equipped for the conduct of sports and leisure time activities such as a *swimming pool*, ice rink or tennis courts and may also include outdoor facilities such as an outdoor bowling green or sports field.

RECREATIONAL TRAILERS AND VEHICLES

Means a vehicle which provides short term occupancy intended and used exclusively for travel, recreation and vacationing, designed to be towed or propelled by a *motor vehicle* or self-

propelled, and includes such vehicles commonly known as travel *trailers*, *camper trailers*, truck *campers*, motor homes, boats or other similar vehicles but does not include a mobile home.

RECYCLING FACILITY

Means a *premises* in which used or recyclable materials are temporarily stored, separated and/or processed into recoverable resources for reuse, but shall not include a composting facility or *motor vehicle wrecking yard*.

RESEARCH & TECHNOLOGY USE

Means an activity of research into the development of new products, technologies and processes that is carried out in an *office* or industrial *building*.

RESIDENTIAL CARE FACILITY

Means a residential *building* in which 24 hour support is available for persons in need of assistance with personal services essential for sustaining the activities of daily living or for the protection of the individual, including nursing assistance, meal preparations, laundry and housekeeping, but does not include a *home for the aged* or a *nursing home*.

RESTAURANT

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

RETAIL STORE

Means a *premises* in which goods, wares, merchandise, substances, articles, things or services are offered or kept for sale at retail or on a rental basis.

RETAIL STORE 1

Means a *retail store* that has a *gross floor area* of less than 930 m².

RETAIL STORE 2

Means a *retail store* that has a *gross floor area* of less than 2750 m².

RETAIL STORE 3

Means a *retail store* with a minimum *gross floor area* of 2750 m² and up to a maximum *gross floor area* of 37,160 m² where the entire floor area of the *use* is occupied by a large single user selling one product or a variety of products in a *warehouse* format and may also include a *Warehouse membership club*.

ROOF

Means a component of a *building* or *structure* that is supported by walls and/or columns and which provides overhead shelter from the rain and/or sun.

ROOMING, BOARDING OR LODGING HOUSES

Means a *detached dwelling* where lodging for four or more persons is provided in return for remuneration or the provision of services or both and where the lodging units do not have both bathrooms and kitchen facilities for the exclusive use of individual occupants.

SALVAGE YARD

Means an area outside of an enclosed *building* where *motor vehicles* are disassembled and dismantled, or where vehicles in an inoperable condition or *used motor vehicle* parts are stored or re-sold.

SCHOOL

Means a Provincially approved institution for academic instruction and may include a public, private or separate *school*, a vocational *school*, or a post secondary *school* such as a college or university.

SERVICE COMMERCIAL USE

Means a *premises* where the services of a clerical, business, professional and administrative nature such as banking, accounting, insurance, investment and financial planning, or the services of other consultants are provided and may include such *uses* as *personal service uses* such as florists, *dry cleaning depots*, tailors, travel agents, diet centres, day spas, tanning parlours, personal service shops, shoe repair, specialty food stores and *video retail stores* but does not include a *Night Club*, an *office building*, an *Adult Entertainment Use*, or any *premises* containing *Video Game and Pinball Machines*.

SERVICE AND REPAIR SHOP

Means a *premises used* for the servicing, repairing or renting of articles, goods or materials, and may include an outlet for service and repair done off *premises*.

SETBACK

Means the horizontal distance between the boundary of a *lot*, parcel, block or land, or zone and the nearest point of any *building* or *structure* measured perpendicular to the boundary.

SHORT-TERM RETAIL SALES ESTABLISHMENTS

Means a *premises* which operates on a temporary basis and where the sale of fast-food or novelty items are sold to the public.

STAIRS

Means any combination of risers and treads that provides access to a *deck, porch/veranda, dwelling unit* or any other *building* or *structure* or combination thereof.

STREET, PRIVATE

Means a private right-of-way that is *used* by *motor vehicles* but is not owned by *Council* or any other *public authority*.

STREET, PUBLIC

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

STREET LINE

Means the boundary between a *public street* and a *lot*.

STRUCTURE

Means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other *structure*.

SWIMMING POOL

Means an artificial body of water, the container of which is constructed of man-made materials, having a depth of greater than 0.5 metres and intended primarily for bathing, swimming and diving, but shall not include a natural, dug or dammed pond that is primarily *used* for aesthetic, stormwater management, or agricultural purposes.

THEATRE

Means any *premises* or part thereof where motion pictures or live performances are shown or held but does not include an *Adult Entertainment Use*.

TRAILER

Means a vehicle that is at any one time drawn upon a *public street* by a *motor vehicle*, but for the purposes of this By-law, does not include a *mobile home dwelling*.

TRANSPORTATION TERMINAL

Means a *premises* where goods or wares are stored and where trucks or transports are stored, serviced, repaired, kept for hire, or loaded and unloaded and includes towing and storage associated with the towing business but does not include a *waste transfer station* or a *waste storage facility*.

TRUCK CAMPER

Means a unit that is constructed in a manner such that it may be attached to a *motor vehicle*, as a separate unit, and is capable of being temporarily utilized for living, sleeping or eating.

U-BREW ESTABLISHMENT

Means a *premises* where the public can prepare their own beer and/or wine in a controlled setting.

USE

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

VETERINARY CLINIC

Means a *premises* where animals or pets are given medical or surgical treatment, within which there may be shelter facilities provided for overnight medical treatment but shall not include a *boarding kennel*.

VETERINARY HOSPITAL

Means a *premises* where animals or pets are given medical or surgical treatment, within which there may be shelter facilities provided for overnight or long-term medical treatment and may include a *boarding kennel*.

VIDEO GAME & PINBALL MACHINES

Means any mechanical or electronic machine or device commonly known as video games or pinball machines, which are operated by coin, token or other such manner by the public for entertainment, amusement or test of skill, but shall not include Video Lottery Terminals.

VIDEO RETAIL STORE

Means an establishment where pre-recorded video tape, video discs, game cartridges, DVD's or other similar pre-recorded materials are offered for rent or sale and where video cameras or video players/recorders may be offered for rent, but shall not include the sale of electronic video equipment and other electronic home entertainment products *or an Adult Video Store*.

WAREHOUSE/DISTRIBUTION CENTRE

Means a *premises used* for the storage and distribution of goods, wares, merchandise, substances, articles or things, within a *building* and may include a *commercial storage facility* or facilities for an accessory wholesale or retail outlet, but does not include a *transportation terminal*.

WAREHOUSE MEMBERSHIP CLUB

Means a *premises*, where the entire floor area of the *use* is occupied by a large single *user* selling one product or a variety of products in a *warehouse* format, and where patronage is

restricted to businesses and members of the general public having paid a membership fee. Such use may also include minor maintenance and repair of automobiles including installation of automotive parts sold within the *premises*.

WASTE

Means ashes, garbage, *refuse*, *domestic waste*, *industrial waste* or municipal *refuse* and other such materials as are designated in the regulations of the Environmental Protection Act, as amended.

WASTE, HAZARDOUS

Any substance or materials that, by reason of their toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person.

WASTE DISPOSAL AREA

Means a facility operated by or for the Town of Milton or Region of Halton, where garbage, *refuse* or *domestic* or *industrial waste* is disposed of or dumped, and shall include a sewage treatment plant or sewage lagoon.

WASTE STORAGE FACILITY

Means an enclosed *building* or *structure* where *waste* is temporarily stored, but does not include hazardous waste.

WASTE TRANSFER STATION

Means a *premises* where trucks or transports containing waste are temporarily stored, loaded or unloaded.

WATER TAKING

Means the extraction of water from an underground or surface water feature for commercial purposes where a Certificate of Approval for water taking is required by the Ministry of the Environment.

WAYSIDE PIT OR QUARRY

Means a temporary *pit* or quarry opened and used by or for a *public authority* solely for the purpose of a particular project or contract of road construction and which is not located within the right-of-way of a *public street*, but does not include a licensed *wayside pit* or *quarry*.

WHOLESALE OPERATIONS

Means a *premises* used to sell merchandise to retailers, industrial, commercial, institutional, or professional business users, or to other wholesalers, or acting as agents of brokers and buying merchandise from, or selling merchandise to such individuals or companies but does not include a *retail warehouse store*.

WIND TURBINE

Means a system of components which converts the kinetic energy of the wind into electrical or mechanical power and which comprises all of the necessary components including energy storage, power conditioning, control systems, transmission systems, and structural support systems to provide electricity or mechanical power for single, private residential use only, but does not include a windmill.

YARD

Means a space, appurtenant to a *building* or *structure*, that is located on the same *lot* as the *building* or *structure* which is open, uncovered and unoccupied by any *building* or *structure*, except as specifically permitted by this By-law. In determining *yard* measurements the minimum horizontal distance from the respective *lot lines* shall be *used*.

YARD, EXTERIOR SIDE

Means the *yard* of a *corner lot* extending from the *front yard* to the *rear yard* between the *exterior side lot line* and the nearest wall of the *principal building* or *structure* on the *lot*.

YARD, FRONT

Means a *yard* extending across the full width of the *lot* between the *front lot line* and the nearest wall of the *principal building* or *structure* on the *lot*.

YARD, INTERIOR SIDE

Means a *yard* other than an *exterior side yard* that extends from the *front yard* to the *rear yard* between the *interior side lot line* and the nearest wall of the *principal building* or *structure* on the *lot*.

YARD, MAXIMUM

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

YARD, REQUIRED

Means the minimum *yard* required by the provisions of this By-law.

YARD, REAR

Means a *yard* extending across the full width of the *lot* between the *rear lot line* and the nearest wall of the *principal building* or *structure* on the *lot*.

ZONE

Means a designated area of land use shown on the Zoning maps of this By-law.

Town of Milton Comprehensive Zoning By-law 144-2003 – October 20, 2003

Amended by By-laws: 047-2005, 088-2006, 034-2010, 016-20114, 035-2014, 037-2014, 055-2014, 098-2014, 034-2015

SECTION 4
GENERAL PROVISIONS

4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES

Accessory buildings, structures and uses, excluding detached garages, are permitted in all Zones provided:

- i) The principal use, building or structure is specifically permitted by this by-law and is already established on the same lot;
- ii) The detached accessory building or structure is not used for human habitation or an occupation for gain, unless specifically permitted by this By-law; and,
- iii) The detached accessory building or structure shall not be situated on or over an easement.

4.1.1 Regulations for Residential Zones

4.1.1.1 **Regulations for Accessory *Buildings* or *Structures***

In addition to the requirements of Section 4.1, *buildings* and *structures* accessory to a residential *use*, other than detached garages, are permitted subject to the following provisions :

- i) The accessory *building* or *structure* shall only be located in an interior side or rear yard;
- ii) The total *lot coverage* of all accessory *buildings* and *structures* shall not exceed 5% of the *lot area* on which it is located up to a maximum size of 10 m²;
- iii) The maximum *height* of an *accessory building or structure* is 3.0 metres, unless otherwise specified;
- iv) The maximum height of recreational equipment is 2.4 metres; and,
- v) The *accessory building or structure* is located no closer than 0.6 metres from the *rear lot line, exterior side lot line or interior side lot line* and provided that there are no doors or windows on the wall facing the *lot line* in question.

4.1.1.2 **General Regulations Common Both Attached and Detached Garages**

A garage is permitted on a *lot* provided that:

- i) An attached or detached garage is not already located on the *lot*;
- ii) The attached or detached garage is directly accessible from a *public street, private street* or *lane* by way of a *driveway* having a minimum width of 2.75 m;
- iii) In no case shall the outside of the garage door be located any closer than 5.5 metres from the *front lot line* or 5.5 metres from the *exterior side lot line*, if the *driveway* accessing the *lot* crosses the *exterior side lot line*;
- iv) Within a single car garage or a double car garage with a separating wall, the minimum size of a *parking space* shall be 2.9 m X 6.0 m of which 2.9 m X 5.3 m shall be unobstructed area with the exception of one *stair*;
- v) Within a double car garage with no separating wall, the minimum size of a *parking space* shall be 5.5 m X 6.0 m of which 5.5 m X 5.3 m shall be unobstructed area with the exception of one *stair*;
- vi) The garage door does not exceed 2.5 m in *height*; and,
- vii) No portion of any *driveway* shall be wider than the width of the garage face or 6.0 metres where there is no garage.

4.1.1.2.1 **Special Regulations for Attached Garages**

In addition to the provisions set out in Section 4.1.1.2, only an attached garage not exceeding 4.5 metres in *height* is permitted to encroach up to 0.6 metres into a required *interior side yard*. If the *height* of the garage exceeds 4.5 m, the garage shall be located no closer than 1.2 metres from the *interior side lot line* and shall not exceed the *height* of the principal *building*.

4.1.1.2.2. **Special Regulations for Detached Garages**

In addition to the provisions as set out in Section 4.1.1.2, a detached garage is permitted on a *lot* provided:

- i) It is located in the *interior side yard* or *rear yard* of the *lot* only
- ii) It is located no closer than 1.2 metres from the principal *building* on the *lot*, if the *lot* is accessed by a *driveway* from a *public street*;
- iii) It is located no closer than 5.5 metres from the principal *building* on the *lot*, if the *lot* is accessed by a *driveway* from a *lane*;
- iv) The required outside *parking spaces* on a *lot* accessed by a driveway from a lane are located parallel to each other, whether in or outside of a detached garage, and located no farther than 6.0 m from the *rear lot line*.

- v) It is located no closer than 0.6 metres from the *rear lot line*, if the garage is accessed by a *driveway* crossing either the *front lot line* or *exterior side lot line*;
- vi) It is located no closer than 0.6 metres from an *interior side lot line*, unless it is attached to a garage on an abutting *lot*;
- vii) It is located no closer to the *exterior lot line* than permitted for the principal *building* on the *lot*.
- viii) It does not exceed a *height* of 4.3 m.
- ix) The *gross floor area* of the detached garage does not exceed 10% of the *lot area*.

4.1.1.3 **Accessory Apartments**

Accessory apartments are permitted in *single detached* only, provided that:

- i) Only 1 *accessory apartment* unit shall be permitted per *lot* and shall be located within the main *dwelling unit*;
- ii) A minimum of 1 parking space per *accessory apartment* unit is provided;
- iii) The dwelling must be on full municipal water and wastewater services; and,
- iv) The *accessory apartment* shall not exceed a maximum size of the 65 m².

4.1.1.4 **Swimming pools**

Notwithstanding any other provisions of this By-law, an unenclosed, outdoor *swimming pool* may be permitted as an *accessory use* to a residential use in accordance with the following provisions:

- i) Such *accessory swimming pool* shall only be located in an interior side or *rear yard*.
- ii) Any *swimming pool*, jacuzzi, hot tub, or associated water circulating, heating or treatment equipment shall be *setback* 1.2 m from an interior side or rear *lot line*;
- iii) Any *deck* associated with a 1.2 m aboveground pool will be in accordance with the accessory provisions for *decks* contained in this by-law;
- iv) Any recreational equipment, including slides, associated with a swimming pool shall not exceed a maximum height of 2.4 metres;
- v) Such *swimming pools* shall be enclosed by a fence in accordance with the Town of Milton Pool Fence Enclosure By-law; and,
- vi) An *accessory outdoor swimming pool* shall not be included in *lot coverage* calculations provided that no part of the *swimming pool* wall protrudes more than 1.2 metres above the *established grade*.

4.1.1.5 Air Conditioners and Heat Pumps

Air Conditioning and Heat Exchange Units are permitted on a *lot* provided they are located in the *rear yard* or *interior side yard*. In addition, such units are permitted to encroach into the *required interior side yard* provide that:

- i) in the case of a *Zone* where the *required interior side yard* is 1.2 metres, the maximum permitted encroachment is 0.6 metres;
- ii) in the case of a *Zone* where the *required interior side yard* is 0.9 metres, the maximum permitted encroachment is 0.3 metres, provided the unit is elevated at least 0.3 metres above grade and mounted to the wall; and,
- iii) In the case of a *Zone* where the required interior side yard is less than 0.9 metres, units shall not be permitted.

4.1.1.6 Satellite Dish Antenna

Satellite dish antennae are permitted in any *Zone* provided that such antennae do not exceed a diameter of 1.3 metres.

4.1.1.7 Decks

Decks including the *stairs* that access the *deck* from finished grade are permitted on any *lot* where residential *uses* are permitted, provided:

- i) The maximum *height* of the *deck* from finished grade is 1.2 metres;
- ii) The *deck* is located no closer than 3.0 metres from the *rear lot line*;
- iii) The *deck* is located no closer than 0.6 metres from the *interior side lot line*;
- iv) Notwithstanding the above, *decks* that have a *height* of less than 0.6 metres are permitted in any *required rear yard* and are not subject to the above requirements; and,
- v) In addition to the above, *decks* are also permitted in any *Zone* where non-residential *uses* are permitted, provided no part of the *deck* is located in a *required yard*.

4.1.1.8 Balconies

- i) Balconies are permitted in the *rear yard*, *exterior side yard* and *front yard*;
- ii) *Balconies* may encroach to a maximum of 1.5 metres into the *required front yard*, *exterior side yard* or *rear yard*; and,
- iii) Notwithstanding the foregoing, a *balcony* located on top of a *porch/veranda* may encroach to the same extent as the *porch/veranda* and may include vertical supports.

4.1.1.9 Porches/Verandas

- i) *Porches/verandas* are permitted in the *front yard*, and *exterior side yard*; and,
- ii) *Porches/verandas* are permitted to encroach up to 50% of the *required yard*, but at no time shall be closer than 1.5 metres to the *property line*.

4.1.2 Regulations for Non-Residential Zones

4.1.2.1 Regulations for Accessory Buildings and Structures, Excluding Detached Garages

Accessory *buildings* and *structures*, excluding detached garages are permitted in all non-residential *zones* provided that they are located in the *rear yard* or *interior side yard* in accordance with the following provisions:

- i).

Maximum <i>Gross Floor Area</i>	93 m ²
Maximum <i>Height</i>	5.5 m
Minimum <i>Setback</i> from Interior <i>Lot line</i>	1.2 m
Minimum <i>Setback</i> from Exterior <i>Lot line</i>	7.5 m
Minimum <i>Setback</i> from <i>Rear lot line</i>	3.0 m.
Minimum <i>Setback</i> from any Residential <i>Zone</i> Boundary	7.5 m
- ii). Notwithstanding the above requirements, a detached gatehouse or private rural bus shelter of a maximum size of 9.3 m² with a maximum height of 3.0 m is permitted in the *front yard*, and in the *landscape buffer* strip required by this By-law provided it is located no closer than 3.0 metres from any *street line*.

4.1.2.2 Regulations for Detached Garages in the Rural Zones

Detached garages are permitted on a *lot* in the Rural *Zones* provided that:

- i) It is directly accessible from a street or *lane* by way of a *driveway* having a minimum width of 2.75 m;
- ii) It is located in any *yard* provided it maintains the minimum required *yard* of the applicable *zone*;
- iii) It is located no closer than 1.2 m from a main *building* on the same *lot*;

- iv) It does not exceed a maximum *height* of 5.5 m or maximum *gross floor area* of 45m²; and,
- v) No more than one detached garage exists on a *lot* that has a *lot area* of 2.0 hectares or less.

4.1.2.3 Regulations for Wind Turbines

Wind turbines shall be permitted in the A1 and A2, Zones only, provided:

- i). There is only one wind turbine per lot;
- ii). They are not located within any *required yard*;
- iii). They are set back from any *lot line* by one and one half times the *height* of the tower and shall be located at least 40 metres from the nearest exterior wall of a *dwelling* on an abutting *lot*;
- iv). They are setback 10 metres from any above ground utility line, except a utility line used to connect the subject property to the local utility;
- v). They do not exceed a height of 38.0 metres. For the purposes of this By-law, *height* shall be measured from the base of the tower to the highest extended tip of the rotor;
- vi). The rotor blades and hub combined have a maximum diameter of 6.0 metres;
- vii). The noise levels generated by a wind turbine shall be limited to not more than 45 decibels measured on the dBA scale at any property line between the hours of 7:00 a.m. and 9:00 p.m. and not more than 40 decibels measured on the dBA scale at any property line between the hours of 9:00 p.m. and 7:00 a.m.;
- viii) They have a sign that is in conformity with the Town of Milton Sign By-law, warning of the danger and high voltage; and,
- ix) They are erected and operated in such a manner that it does not interfere with the television or radio reception of adjacent *buildings* or *structures*.

4.1.2.4 Waste Storage Facilities

Waste storage facilities, including *recycling facilities* may be permitted as an accessory use to a permitted use provided:

- i) In all non-residential *zones*, they are contained within the main *building* or within an *accessory building* or *structure*;
- ii) In Residential High Density (RHD) and Residential Office (RO) *Zones*, they shall be contained within the main *building* only;

- iii) Food waste associated with a *restaurant* or *food store use* must be stored in an enclosed refrigerated facility;
- iv) The *waste storage facilities* must be directly accessible to service vehicles by a *driveway* having a minimum width of 3.5 m; and,
- v) Notwithstanding **Section 4.1.2.1** of this By-law, where a *waste storage facility* is located within an accessory *building*, it complies with the following provisions:

Permitted Location on a Lot:	Rear Yard only and must be located outside of any required parking space(s), access <i>driveways</i> , landscape areas or <i>landscape buffers</i>
Minimum <i>Setback</i> from the Intersection of any <i>front lot line</i> and <i>exterior side lot line</i> :	30.0 m
Minimum <i>Setback</i> from Rear or <i>Interior side lot line</i> :	3.0 m
Minimum <i>Setback</i> from a Residential Zone:	7.5 m
Maximum <i>Height</i> :	3.0 m

4.1.2.5 **Heating, Ventilation and Air Conditioning Equipment (HVAC) In Non-Residential Zones**

- i) Ground level H.V.A.C. equipment may be permitted in all non-residential zones provided that such units are *setback* a minimum of 3.0 metres from a *lot line* and are screened from the street and any abutting residential zone; and,
- ii) Roof-mounted H.V.A.C. equipment may be permitted in all non-residential zones, and shall be screened from any collector or arterial street or abutting residential zone.

4.1.2.6 **Satellite Dish Antennae in Non-Residential Zones**

Satellite dish antennae are permitted in any non-residential zone provided that such antennae are not ground-mounted and do not exceed a diameter of 1.3 metres.

4.1.2.7 **Decks in Non-Residential Zones**

Decks shall not be located in any *required yard* and must be located outside of any required parking space(s) and access driveways.

4.2 DWELLING UNITS

- i). Unless otherwise permitted by this By-law, no more than one *dwelling unit* is permitted on a *lot*.
- ii). Notwithstanding the above, more than one model home is permitted on a lot in a draft-approved plan of subdivision.

4.3 ENCROACHMENTS INTO REQUIRED YARDS

Every part of a *required yard* shall be unobstructed except where in accordance with the following provisions:

- i) The following obstructions may project a maximum distance into a *required yard* as follows:

TABLE 4A

Structure	Required Yards	Maximum Distance
Bay Windows	<i>Exterior Side Yard, Front Yard or Rear Yard</i>	0.6 m out and 3.0 wide
Chimney Breast	<i>Rear Yard, Exterior Side Yard or interior side yard</i> (in accordance with provision ii below)	0.45 m
Clothes Poles, Flag Poles, Garden Trellises, and other similar structures	<i>Front Yard, Rear Yard or Exterior Side Yard</i>	To lot line when located in an exterior side yard provided that these structures must be located adjacent to the rear yard.
Eaves & Gutters	<i>Front Yard, Rear Yard, Interior Side Yard or Exterior Side Yard</i>	0.45 m provided that the eaves and gutters are 2.0 m above grade.
<i>Media Niches</i>	<i>Rear Yard, Exterior Side Yard or interior side yard</i> (in accordance with provision ii below)	0.45 m
Ornamental Projections	<i>Front Yard, Rear Yard, Interior Side Yard or Exterior Side Yard</i>	0.15 m provided that the ornamental projection is 2.0 m above grade.
Permanent Window Awnings	<i>Front Yard, Rear Yard or Exterior Side Yard</i>	1.0 m out provided that the awnings are 2.0 m above grade.
Retractable-Drop Canopies & Awnings	<i>Rear Yard</i>	To the extent permitted for a deck less than 1.0 metres in height.
<i>Stairs, Above Grade Accessing A Principal Building</i>	<i>Front Yard, Rear Yard or Exterior Side Yard</i>	1.0 m from the property line, measured to the first riser.

Structure	Required Yards	Maximum Distance
Stairs, Below Grade Accessing A Principal Building	Rear Yard	No Maximum.
Underground Cold Cellars	Front Yard, Rear Yard or Exterior Side Yard	Same as porch/veranda encroachment.
Wheel Chair or Handicap Ramp	Front Yard, Rear Yard or Exterior Side Yard	Within 1.0 m of any lot line.

- ii) In no case shall any encroachment be permitted within any side yard having a width of less than 1.2m.

4.4 EXCEPTIONS TO HEIGHT REQUIREMENTS

The *height* regulations contained in this By-law shall not apply to any air conditioner duct, ventilation stacks, barn, silo, church spire, church belfry, ornamental dome, cupola, clock tower, chimney, elevator penthouse, film or audio tower, flag pole, water storage tank, radio or television antennae or tower, wind turbine, windmill, or any similar *structure*. In a Residential Zone, the maximum *height* of a radio or television tower antenna shall be 13.0 metres measured from the uppermost point of the tower or antenna to the *established grade* of the ground on which the *structure* is located.

4.5 FENCING

Fences and walls are permitted in all *zones* provided:

4.5.1. For all non-residential zones the maximum fence height shall be 3.0 m.

4.5.2. For all residential *zones* the following provisions apply:

- i). Within an *exterior side yard, interior side yard* or *rear yard*, the maximum fence *height* shall be 2.0 metres;
- ii). Within a *front yard*, the maximum fence height shall be no higher than 1.0 m except that where a *front yard* adjoins the *rear yard* of a *corner lot* the maximum fence height along the common property boundary may be no higher than 2.0 m;
- iii). Fence height shall be measured vertically from grade, exclusive of any artificial embankment, to the highest point of each 3.0 m section of fence, excluding decorative post caps; and,
- iv). Where the grade elevations along the fence vary, maximum fence height may increase to 2.3 m provided that the lowest height of the same 3.0 m fence section does not exceed 2.0 m in height.

- 4.5.3 Fencing for the purpose of enclosing a tennis court is permitted to a maximum height of 3.0 m.
- 4.5.4 Where a *lot line* of a non-residential zone abuts a *lot line* of a residential zone, the permitted fence height may be increased to the non-residential fence height standard for such mutual *lot line*.
- 4.5.5 No fencing shall be constructed within a *daylighting triangle* or *daylighting radii* as required by this By-law.
- 4.5.6 Noise barriers and fencing required by a *public authority* shall not be subject to the provisions of this By-law.

4.6 FRONTAGE ON A STREET

Notwithstanding any other provision in this By-law, no *building* or *structure* shall be erected on a *lot* that does not have *frontage* on a *public street* or on a *private street* as described in a registered Plan of Condominium.

4.7 ROOF-TOP MECHANICAL EQUIPMENT

Unless otherwise permitted, within all Zones, with the exception of M2, heating, air conditioning or other similar equipment located on the roof of a *building* or *structure* shall be screened from view from an adjacent *public street* by an ornamental roof construction feature.

4.8 GROUP HOMES

Where a *Group Home* is permitted, the following provisions shall apply:

- i) *Group Home Type 1, Group Home Type 2* and *Correctional Group Homes* shall only be permitted in a *detached dwelling*;
- ii) Group homes shall be permitted in accordance with the following:

TABLE 4B

Type	Number of Residents Permitted (exclusive of staff or receiving family)	Permitted Zones
<i>Group Home Type 1</i>	6 – 8 residents	RLD, RMD1, C4
<i>Group Home Type 1</i>	6 - 10 residents	A1, A2
<i>Group Home Type 2</i>	3 – 8 residents	RLD, RMD1, C4
<i>Group Home Type 2</i>	3 – 10 residents	A1, A2
<i>Correctional Group Home</i>	3 – 10 residents	I-B

- iii) No *Group Home Type 1* or *Group Home Type 2* shall be located closer than 500 metres to any other *Group Home Type 1* or *Group Home Type 2* ; and,
- iv) A *Group Home Type 2* shall only be located on a *lot* having frontage on a Major Arterial Road, Arterial or Collector Road.

4.9 HOME OCCUPATIONS

Where a *home occupation* is permitted, the following provisions apply:

- i) Only the resident(s) of the *dwelling unit* is/are engaged in the business and working from the *dwelling unit*;
- ii) The *use* is restricted to the *dwelling unit* and is not conducted in whole or in part in any *accessory building* except within the *Rural Zones*;
- iii) The *use* is clearly secondary to the residential *use* and does not change the residential character of the *dwelling* and *lot*;
- iv) No more than 25% of the *gross floor area* or 30 m² of the *dwelling unit*, whichever is lesser, is *used* for the purpose of the *home occupation*;
- v) *Outdoor storage* or *outdoor display* of merchandise, material or equipment is prohibited;
- vi) There is no sale of retail goods from the *premises*;
- vii) There is no external advertising other than a sign erected in accordance with the Town of Milton Sign By-law;
- viii) Material or equipment for *use* in the *dwelling unit* for conducting the *home occupation* may be stored in an existing garage or shed, providing such garage or shed is completely enclosed and is located on the *lot* from which the *home occupation* is being conducted, and further, such storage of materials and equipment shall not occupy or utilize any required parking spaces;
- ix) No equipment or process shall be used which creates or becomes a public nuisance in regard to noise, odour, fumes, vibration, glare, traffic or parking nor shall it cause electrical interference or interference with telephone, television, radio or satellite equipment reception; and,
- x) Notwithstanding the above provisions, the offices of a medical practitioner, hairstylists and aestheticians shall not be permitted as *home occupations*.

4.10 COTTAGE INDUSTRIES AND HOME INDUSTRIES

Where a *cottage industry* or *home industry* is permitted, the following provisions apply:

- i). The *cottage industry* or *home industry* shall be clearly secondary and *accessory* to the *principal use* on the same *lot*;

- ii). The *gross floor area* shall not exceed a maximum of 93 m²;
- iii). It is located on a lot that has a minimum *lot area* of 4.0 hectares;
- iv). An accessory building and any associated activity area (including the parking of commercial vehicles for a *home industry*) used for the *cottage industry* or *home industry* shall be located no closer than 30.0 m from any *lot line*;
- v). Outdoor storage of goods or materials related to a *home industry* is permitted in the *rear yard* and *interior side yards* only, provided that the area occupied by such outdoor storage of goods or materials does not exceed 25% of the *gross floor area* of the *home industry*;
- vi). Only the sale of goods that are primarily manufactured, processed, fabricated, or produced on the *premises* is permitted;
- vii). Not more than 1 employee, in addition to residents of the *dwelling*, are engaged in the business;
- viii). There is no external advertising other than a sign erected in accordance with the Town of Milton Sign By-law; and,
- ix). No more than two commercial *motor vehicles* engaged in the *home industry* are permitted to be parked on the *lot*.

4.11 ACCESSORY FARM PRODUCE RETAIL OUTLET

A *farm produce retail outlet* is permitted as an *accessory use* to an *agricultural operation* in the A1 and A2 Zones provided:

- i). The *building* or *structure* containing the *use* does not have a *gross floor area* in excess of 250 m²;
- ii). A minimum of 80% of the *gross floor area* shall be *used* for the sale of goods and merchandise grown or produced on the same *lot*. The remaining 20% of the *gross floor area* may be *used* for the sale of other items that are related to the original goods and merchandise for sale;
- iii). The display or outdoor storage of other items, other than those produced or grown on the same *lot*, shall be fully screened from the street; and,
- iv). The *use* is located on the *lot* in accordance with the height and *setback* requirements in Section 4.1.2.1 of this By-law.

4.12 LANDSCAPED OPEN SPACE

Landscaped open space where required shall be provided in accordance with the following provisions:

- 4.12.1 Where a *driveway* or other access including a private rail spur line is required to extend through the *landscaped open space*, it shall be permissible to interrupt the *landscaped open space* for the width of such a required *driveway* or other access.
- 4.12.2 Notwithstanding the minimum landscaped open space requirements to the contrary, where development proceeds on the basis of individual development envelopes on a portion of the zone or lot, the minimum landscaped open space required may be calculated on the basis of the area of each individual development envelope rather than on the basis of the area of the entire lot.
- 4.12.3 Notwithstanding any other provision of this By-law, where any *use* abuts a Greenlands A Zone, a 7.5 m strip of land including *landscape buffers* parallel to a Greenlands A Zone shall be reserved for no other purpose other than *landscaped open space*.

4.13 MULTIPLE ZONES ON ONE LOT

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

4.14 NON-COMPLYING BUILDINGS AND STRUCTURES

4.14.1 Repair or Strengthening

A *non-complying building* or *structure* that was legally established prior to the passing of this by-law may be repaired or strengthened provided that the repair or strengthening:

- does not further encroach into a *required yard*;
- does not increase the amount of *floor area* or volume in a *required yard*;
- does not in any other way increase a situation of non-compliance;
- complies with all other applicable provisions of this By-law.

4.14.2 Non-Compliance as a Result of Expropriation

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

4.15 NON-COMPLYING LOTS

4.15.1 *Non-complying Lots*

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

4.15.2 Non-compliance as a Result of Expropriation

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

4.16 NON-CONFORMING USES

No lands, *buildings* or *structures* shall be *used* except in conformity with the provisions of this By-law unless such *use* was legally existed prior to the date of passing of this By-law and provided that it continues to be *used* uninterrupted for such purpose, and that such *use*, when originally established, was not contrary to a By-law passed under Section 34 of the Planning Act, R.S.O 1990, cP. 13 or a predecessor thereof that was in force at that time.

4.17 PUBLIC USES

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

- i) Such *use building* or *structure* complies with the *yard, setback* and *height* provisions of the *Zone* in which it is located;
- ii) No *outdoor storage* is permitted unless such *outdoor storage* is specifically permitted in the *Zone* in which the *use* is located;
- iii) Notwithstanding the above provisions, *buildings* and *structures* which are used for the storage of road maintenance materials within a public works yard owned by a *public authority* are exempt from the *height* requirements of this By-law; and,
- iv) Nothing in this By-law shall prevent a *public authority* from providing or using land as a street nor prevent the installation of a utility main including a water main, sanitary sewer, storm sewer, gas main, pipeline or overhead or underground hydro, telephone or other utility supply or communication line.

4.18 DAYLIGHTING

Daylighting triangles or *daylighting radii* shall be required in accordance with the following provisions:

- i). For the purposes of determining *lot frontage*, *lot depth* and *lot area* only, for a corner lot with corner daylight radii, the daylight radii is deemed not to exist;
- ii). Notwithstanding any other provision of this by-law, no encroachment shall be permitted in a *daylight* triangle or radius above grade including but not limited to *buildings* or *structures*, stairs, and plantings; and,
- iii). The size of the required *daylighting triangle* or *daylighting radius* shall be in accordance with the following:

TABLE 4C

DAYLIGHTING TYPE	CONDITION (Street Type / Street Type)	DAYLIGHTING REQUIREMENTS (m – measurement type)
Street	<i>Laneway</i> / Local	5 m- Radius
	Local / Local	5 m - Radius
	Local / Collector	7 m- Radius
	Local / Arterial	7 m- Radius
	Collector / Collector	10 m - Radius
	Collector / Arterial	10 m- Triangle
	Arterial / Arterial or Major Arterial or Highway	10 m - Triangle
Railway	Mainline track crossings with signal lights and/or gates	The <i>railway daylighting triangle</i> shall be 8.0 metres (minimum) from track along <i>street line</i> , and 275 metres from <i>street line</i> along track
	Mainline track crossings without signals and/or gates	The <i>railway daylighting triangle</i> shall be 85.0 metres from track along <i>street line</i> , and 75 metres from street line along track
	Spurline track crossings with signals and/or gates	The <i>railway daylighting triangle</i> shall be 8.0 metres (minimum) from track along <i>street line</i> , and 75 metres from <i>street line</i> along track.
	Spurline track crossings without signals and/or gates	The <i>railway daylighting triangle</i> shall be 85.0 metres from track along <i>street line</i> , and 75 metres from <i>street line</i> along track.

4.19 SPECIAL SETBACKS

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

4.19.1 Provincial Highway Setbacks

Buildings and *structures* shall be setback a minimum of 14 metres from the boundary of the Highway 401, Highway 407 and Highway 7 Rights-of-Way.

4.19.2 Natural Gas Distribution Systems

No *Building* or *structure* shall be located any closer than 20 metres to any natural gas transmission pipeline, or any natural gas facility or equipment operated as part of a natural gas transmission system.

4.19.3 Minimum Distance Separation

- i). No residential, institutional, commercial, industrial or recreational *use*, located on a separate *lot* and otherwise permitted by this By-law shall be erected or enlarged unless it complies with the Minimum Distance Separation (MDS I) formula calculated using Schedule C to this By-law;
- ii). In addition, notwithstanding any other *yard* or *setback* provision in this By-law, no livestock facility shall be erected or enlarged unless it complies with the Minimum Distance Separation Formula (MDS II) calculated using Schedule C to this By-law; and,
- iii). Notwithstanding the above noted provisions, where an existing *use* that was in compliance with the MDS provisions is changed, the new *use* shall also be subject to MDS I or MDS II provisions, whichever is applicable. For the purposes of this subsection, a change in the type of livestock *use* housed is considered to be a change of *use*.

4.19.4 Railway Rights-Of-Way Setbacks

- i) No *building* or *structure* in the following *zones* shall be located closer than the distance prescribed below from any railway right-of-way;

TABLE 4D

Zone(s)	Minimum Setback with Berm	Minimum Berm Height
RLD, RMD1, RMD2, RHD, RO, RE, RV, C1-A to C1-E, C2, C3, C4, C5, & C6, I-A, I-B, and EMP , A1, A2, FD	30.0 m	2.5 m
M1	30.0 m	2.0 m
M2	N/A	N/A

- ii) Notwithstanding the above provisions, railway right-of-way setbacks shall not apply to industrial spur lines not owned by the railway; and,
- iii) Notwithstanding the above provisions, the minimum *setback* from a railway right-of-way is 30 metres for any portion of a *building* containing *office uses* and research and technology *uses* and 15 metres for *industrial uses* and *warehouse/distribution uses*.

4.19.5 *Setbacks from Greenlands A Zones*

All *buildings* and *structures* shall be located no closer than 7.5 metres from the Greenlands A *Zone*, and septic systems shall be located no closer than 15 metres from the Greenlands A *Zone*, unless otherwise required by the Conservation Authority.

4.20 TEMPORARY USES

Temporary *uses* are permitted in accordance with the following:

4.20.1 Temporary Sales /Customer Service *Offices*

A temporary *building* or *trailer* for conducting sales of new *dwelling units* is permitted in any *Zone* provided the sales *building* or *trailer* is located within a development site and the sales are restricted to *dwelling units* within the urban area only. The sales *building* or *trailer* shall be *setback* 30 m from the lot line of any existing residential use and *parking areas* associated with the sales *building* or *trailer* shall be *setback* 6 m from any existing residential use abutting the development site.

4.20.2 Temporary Construction *Office* or *Building* Equipment

A temporary construction camp and/or *office*, tool shed, scaffold or other such *building* or other such temporary facility which is incidental to construction and provided it is located on the site where such work is underway and provided that it shall be removed from the site within 60 days of completing the work.

4.20.3 Portable Asphalt Plants

A *portable asphalt plant* is permitted in any *Zone* with the exception of Greenlands A and Greenlands B *Zones*, and shall be dismantled at the completion of the construction project.

4.20.4 Wayside Pit or Wayside Quarry

A *wayside pit* or *wayside quarry* is permitted in any *Zone* with the exception of the Greenlands 'A' and Greenlands 'B' *Zones* and in no case shall a *wayside pit* or *wayside quarry* be located closer than 150 m to *dwelling unit* on another lot.

4.21 THROUGH LOTS

Where a *lot*, which is not a *corner lot*, abuts a *street line* on more than one side, the minimum *setback* and *front yard* depth requirements of this By-law shall apply on all *street lines*.

4.22 TRAIL CORRIDORS

Notwithstanding the *uses* or provisions contained within this By-law, trail corridors established through a Master Plan approved by the Town, Conservation Authority, the Region of Halton, or the Niagara Escarpment Commission shall be permitted in any *Zone* and may include shelters, signage, hard surface pathways and lighting.

4.23 UTILITIES

Facilities for the provision of utilities or servicing infrastructure are permitted in any *yard* and within in any *Zone*. In addition, and notwithstanding any other provision in this By-law, all structures that have an area of 5m² or greater shall not be located in a *GA Zone* and shall be located no closer than 2.5 metres from any Residential *Zone* boundary and 1.2 metres from any non-residential *Zone* boundary. Structures with an area of less than 5m² are permitted anywhere on a lot.

SECTION 5 –
PARKING & LOADING PROVISIONS

5.1 PARKING AREA REQUIREMENTS

- i) Off-street vehicular *parking spaces* shall be provided in accordance with the standards of this By-law for any *use*. Required parking spaces shall be located on the same *lot* as the *use* that requires the parking and shall be used exclusively for that purpose;
- ii) All required *parking spaces* and *parking areas* must be surface treated with asphalt, concrete, concrete pavers or similar material; and,
- iii) Notwithstanding (ii) above, only the *rear yard* of the M2 *Zone* shall be exempt from the surface treatment requirements.

5.2 PARKING IN THE CENTRAL BUSINESS DISTRICT

Notwithstanding any other requirement in this Section of the By-law, there is no parking required for retail *uses* and *restaurants* within the ‘Parking Policy Area’ within the Central Business District area as shown on Schedule A to this By-law .

5.3 EXCLUSIVE USE OF PARKING SPACE

A parking space required by this By-law must be unobstructed and available for parking purposes and *used* exclusively for that purpose at all times, unless otherwise specified in this By-law.

5.4 SIZE OF PARKING SPACES AND AISLES

Parking spaces and aisles to access such spaces shall be provided in accordance with the following provisions:

- i) The minimum size for a required parking space is as follows:

TABLE 5A

Type of Parking Space	Minimum Length	Minimum Width
Parallel -Off Street	6.5 metres	2.75 metres
Angle – Off Street	6.0metres	2.75 metres
Barrier Free Parking Stalls	See Section 5.15.	See Section 5.15.

Type of Parking Space	Minimum Length	Minimum Width
Within A Private Residential Garage (Single Car or Double Car with separating wall)	See Section 4.1.1.2. (iv)	See Section 4.1.1.2. (iv)
Within a Private Residential Garage (Double Car with No Separating Wall)	See Section 4.1.1.2 (v)	See Section 4.1.1.2 (v)

ii) The minimum width of the adjacent aisle providing access to a *parking space* shall be 6.0 metres.

5.5 ACCESS TO A PARKING SPACE

Access to a *parking area* from a *public street* shall be provided by an unobstructed *driveway* with a minimum width of 3.0 metres and a maximum width of 7.5 metres.

5.6 MORE THAN ONE USE ON A LOT

The parking requirements for more than one *use* on a single *lot* or for a *building* containing more than one *use*, shall be the sum total of the parking requirements for each of the component *uses*, unless otherwise noted.

5.7 PARKING AREA LOCATION ON A LOT

Notwithstanding any other provisions of this By-law, *parking areas* shall be *setback* a minimum of 1.2 metres from any *building* or *structure*. Such parking will be permitted in any *required yard* in accordance with the following provisions:

TABLE 5B

Zone	Yard in Which Required Parking Permitted
Residential –RLD, RMD1, RMD2, RE, and RV	All <i>yards</i> . For corner lots, no part of any <i>parking spaces</i> , shall be located no closer than 6.0 m, measured from the point of intersection of the two <i>street lines</i> .
Residential –RHD, RO	All <i>yards</i> provided that no part of any <i>parking area</i> , other than the ingress and egress points used for access from the street, is located closer than 7.5 metres to any <i>street line</i> and no closer than 3.0 metres to any other <i>lot line</i> .
Commercial, Institutional, and Greenlands Zones	All <i>yards</i> provided that no part of any <i>parking area</i> , other than the ingress or egress points, is located closer than 0.9 metres to any <i>street line</i>

Zone	Yard in Which Required Parking Permitted
	and no closer than 1.5 metres to any other <i>lot line</i> and provided that no part of any <i>parking area</i> is located in a minimum <i>landscape buffer</i> adjacent to a <i>street line</i> as required by this By-law.
Employment Zones	<i>All yards</i> provided that no part of any <i>parking area</i> , other than ingress or egress points, is located closer than 4.5 metres to any <i>street line</i> and no closer than 1.5 metres to any other <i>lot line</i> and provided that no part of any <i>parking area</i> is located in a minimum <i>landscape buffer</i> adjacent to a <i>street line</i> as required by this By-law.
<i>Adult Entertainment Uses</i>	Notwithstanding the above, parking areas for <i>adult entertainment uses</i> , are permitted in the <i>front yard</i> , <i>exterior side yard</i> and <i>interior side yard</i> and provided that the parking area is located no closer than 9.0 m from any street line.
Rural Zones	<i>All yards</i> provided that no part of any <i>parking area</i> , other than the ingress and egress points used for access from the street, is located closer than 7.5 metres to any <i>street line</i> and no closer than 3.0 metres to any other <i>lot line</i> .

5.8 ILLUMINATION

Where parking areas are illuminated, the lighting fixtures shall be provided in accordance with the following provisions:

- i). No part of the lighting fixture shall be more than 9.5 metres above grade; and,
- ii). They shall be installed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the fixture is projected below the lamp and onto the lot the lighting is intended to serve.

5.9 LOCATION OF PARKING STRUCTURES

Parking *structures* are permitted in accordance with the following provisions:

5.9.1 Parking Structures Less Than 1.6 Metres in Height

Any parking *structure* either below *grade* or up to a *height* of 1.6 metres above *established grade*, may encroach into a *required yard* provided that the parking *structure* is located no closer than 3.0 metres to a *street line* or *lot line*, but shall not encroach into a required *landscape buffer*.

5.9.2 Parking Structures 1.6 Metres in Height or Taller

Any part of an enclosed parking structure that projects 1.61 metres or more above established grade shall be subject to the yard requirements for the principal building on the lot.

5.9.3 Entrance and Exit Ramps

No part of any wall or structure enclosing an entrance or exit ramp above or below grade shall be located any closer than 7.5 metres from a street line.

5.10 VEHICLE STORAGE AND DISPLAY

Where a permitted use involves the storage and/or display of operational motor vehicles, such as a motor vehicle dealership, such storage and/or display shall be subject to the same provisions that would apply to any parking area required by this by-law.

5.11 PARKING OF COMMERCIAL VEHICLES

Within any Zone, with the exception of the Employment Zones, the parking or storage outside of a loading space of any commercial motor vehicle exceeding a registered gross vehicle weight of 6800 kg, an overall length of 7.0 m or an overall height of 2.6 m is not permitted unless wholly located within an enclosed garage or on lands where a home industry is legally located.

5.12 PARKING OF TRAILERS AND RECREATIONAL VEHICLES

The following regulations apply to the parking of trailers and recreational vehicles;

- i) No more than one trailer, truck camper, or camper trailer may be parked out of doors on any lot owned by the resident of the property;
- ii) Any recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, may be parked or stored on a driveway in any front yard or exterior side yard between May 1st and October 31st provided it does not occupy a required parking space. At any other time, such parking or storage is permitted only in a rear yard;
- iii) The parking or storage of a recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 3.0 metres is prohibited within the Urban area or Hamlet areas as defined in the Town of Milton Official Plan, and on lots within a Rural Zone having a lot area of less than 2 hectares; and,
- iv) The parking or storage of a recreational vehicle, trailer or any load thereon including a boat, whether on or off a trailer or other supporting device, which exceeds a height of 5.5 metres is prohibited on lots having a lot area of 2 hectares or greater within a

Rural Zone and no more than a total of 3 such trailers, truck campers, or camper trailers owned by the resident of the property shall be parked on such a lot.

5.13 CALCULATION OF PARKING REQUIREMENTS

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

5.13.1 Residential Parking Requirements

The minimum required parking requirement for residential uses are as follows:

TABLE 5C

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Detached Dwelling</i> <i>Semi Detached Dwelling</i> <i>Duplexes</i> <i>Triplexes</i>	<ul style="list-style-type: none"> • 2 parking spaces per dwelling unit + 0.25 spaces per unit for visitors on a lot with four or more dwelling units
<i>Townhouses</i> <i>Quattroplexes</i>	<ul style="list-style-type: none"> • 2 parking spaces per dwelling unit + 0.25 spaces per unit for visitors on a lot with four or more dwelling units
Apartments	1.5 parking spaces per unit + 0.25 parking spaces for visitor parking in a designated visitor parking area.
Upper-Floor Apartments	<ul style="list-style-type: none"> • 1 parking space per dwelling unit
<i>Accessory apartment</i> <i>Dwelling units</i>	<ul style="list-style-type: none"> • 1 parking space per accessory apartment dwelling unit
<i>Bed and breakfast establishments</i>	<ul style="list-style-type: none"> • 1 parking space for each room or suite used for the purposes of lodging for the traveling public, in addition to the required parking for the dwelling unit
<i>Group homes</i>	<ul style="list-style-type: none"> • 1 parking space for every staff member in addition to the required parking for the dwelling
<i>Home occupation</i>	<ul style="list-style-type: none"> • Parking spaces in addition to the required parking for the residential use shall be provided in accordance with the following: <ul style="list-style-type: none"> 0-10m² = no additional parking spaces >10-20m² = 1 parking space >20-30m² = 2 parking spaces

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Cottage Industry / Home Industry</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for each employee in addition to the parking requirements for the residential or other principal use.
<i>Private Home Daycare</i>	<ul style="list-style-type: none"> • No requirement

5.13.2 Non-Residential Parking Requirements

i). The parking required for non-residential *uses* are as follows:

TABLE 5D

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Adult Entertainment Parlour</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 5 m² of <i>gross floor area</i>
<i>Adult Video Store, Adult Specialty Store, Body Rub Parlour</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 20 m² of <i>gross floor area</i>
<i>Place of assembly, Place of entertainment</i>	<ul style="list-style-type: none"> • the greater of 1 <i>parking space</i> per 4 seat capacity or 1 <i>parking space</i> per 9 m² of <i>gross floor area</i>
<i>Day Nurseries</i>	<ul style="list-style-type: none"> • 1.5 <i>parking spaces</i> per classroom + 1 space per 30 m² of <i>gross floor area</i>
<i>Dry cleaning depot or Laundromat</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for every 2 machines or 1 space per 18.5 m² of <i>gross floor area</i>, whichever is greater
<i>Financial Institution</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 20 m² of <i>gross floor area</i>
<i>Funeral home</i>	<ul style="list-style-type: none"> • 30 <i>parking spaces</i> for the first 30 m² of <i>gross floor area</i> plus 1 additional <i>parking space</i> for each additional 15 m² of <i>gross floor area</i>

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Motor vehicle gas bar or Motor vehicle service station</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for every 45 m² of floor space dedicated to <i>accessory retail sales</i>
<i>Hospital, Nursing home</i>	<ul style="list-style-type: none"> • 3 <i>parking spaces</i> for every four beds
<i>Hotel, Motel</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per guest room, plus 1 <i>parking space</i> per 10 m² of gross floor area accessory services devoted to public use, excluding hallways and washrooms
Single Industrial Unit	<ul style="list-style-type: none"> • For the first 1000m², 1 <i>parking space</i> per 45 m² of <i>gross floor area</i> shall be provided. <p>Any additional <i>gross floor area</i> in excess of 1000 m² shall calculated in addition to the above provision and provided in accordance with the following rates:</p> <ul style="list-style-type: none"> • <i>Buildings</i> with a <i>Gross floor area</i> between 1,000 m² to 5000 m² shall provide 1 <i>parking space</i> per 100 m² of <i>gross floor area</i> • <i>Buildings</i> with a <i>Gross Floor Area</i> in excess of 5000 m² shall provide 1 <i>parking space</i> per 150 m² of <i>gross floor area</i>.
Multi-Unit Industrial	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 30 m² <i>gross floor area</i>
<i>Medical clinic</i>	<ul style="list-style-type: none"> • 6 <i>parking spaces</i> per 100 m² <i>gross floor area</i>
<i>Motor vehicle body shop, Motor vehicle repair garage</i>	<ul style="list-style-type: none"> • 3 <i>parking spaces</i> per service bay
Offices	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 30 m² of <i>gross floor area</i>
<i>Place of worship</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 5.5 m² of <i>gross floor area</i> in the nave + 10.8 spaces per 100 m² of <i>gross floor area</i> for a public hall, <i>banquet hall</i> or community/multi-use hall

Type or Nature of Use	Minimum Off-Street Parking Requirements
	if permitted and associated with or on the same site as the <i>Place of Worship</i> .
<i>Recreational Uses</i>	30 <i>parking spaces</i> per ball field <ul style="list-style-type: none"> • 30 <i>parking spaces</i> per soccer field • 15 <i>parking spaces</i> for general park visitors • 4 <i>parking spaces</i> per tennis court
<i>Restaurant</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 9 m² of <i>gross floor area</i>
<i>Retail store, Service and repair shop</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 20 m² of <i>gross floor area</i>
<i>School</i>	<ul style="list-style-type: none"> • the greater of: <ul style="list-style-type: none"> - 2 <i>parking spaces</i> per class room; or - 1 <i>parking space</i> per 3 m² of floor area in the gym or auditorium;
<i>Uses permitted by this By-law other than those listed in this Table</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 30 m² of total floor area

- ii). Notwithstanding the parking standards as set out above, required parking within the C2, C3, and C6 Zones, shall be provided at a rate of 1 *parking space* for every 20 m² of *gross floor area*.
- iii). Where only 1 *parking space* is required for a non-residential use, that *parking space* shall be designed to meet the minimum size requirement for a *parking space* for disabled persons but shall not be signed as such.

5.14 QUEUING LANE REQUIREMENTS

Where *drive through service facilities* are permitted, queuing *lanes* are required and shall be exclusive of any other parking space and aisle requirements contained within this By-law and shall be provided in accordance with the following provisions:

5.14.1 Queuing Space Requirements

- i). The minimum queuing space requirements within a designated queuing lane shall be as follows:

TABLE 5E

Drive-Through Facility	Minimum Required Ingress Spaces	Minimum Required Egress Spaces
Drive-Through facility associated with a financial institution	3	1
Drive-Through <i>Restaurant</i>	10	2
<i>Motor vehicle service station</i> or Gas Bar	3	1
<i>Motor vehicle washing establishment</i>	10	2
All Other Drive-Through Facilities	3	1

- ii) Ingress spaces shall be located before the first point of contact;
- iii) Egress spaces shall be located between ingress space and the final point of contact; and,
- iv) The queuing lane associated with the *drive-through service use* shall be the total number of required ingress spaces and egress spaces.

5.14.2 Multiple Queuing Lane Requirements

Where multiple queuing lanes are required on a lot, the queuing space requirements shall be provided for each individual queuing lane in compliance with the provisions of Section 5.14.

5.14.3 Size of Queuing Space

All queuing spaces shall be rectangular in shape, with a minimum length of 6.0 metres and a width of 3.0 metres.

5.14.4 Setbacks for Queuing Lanes

Queuing lanes and all order boxes using voice communication to order shall be located no closer than 7.5 metres from any street line or any Residential Zone.

5.14.5 Delineation Of Queuing Lane Requirements

Queuing lanes shall be unobstructed and shall be clearly delineated by pavement markings or physical barriers, and shall be independent of the balance of the parking area.

5.15 REQUIRED PARKING FOR THE DISABLED

Designated parking spaces for disabled persons shall be provided in accordance with the provisions of this By-law and the Highway Traffic Act. Where required, parking for disabled persons shall be provided in accordance with the following provisions:

5.15.1 i) The minimum parking requirements for disabled persons shall be provided as follows:

TABLE 5F

No. of Required <i>Parking spaces</i>	No. of Designated Spaces
1 to 10 11 to 50 51 to 75 76 to 100	No minimum Minimum of 1 space Minimum of 2 spaces Minimum of 3 spaces
In excess of 100 spaces	3% of total <i>parking area</i>

- ii) Medical *Office* and institutional uses shall provide a minimum of one disabled parking space and, where outpatient services are provided, disabled parking shall be at the minimum rate of 10% of required parking; and,
- iv) The total number of parking spaces for the disabled shall be included within the parking requirements of the permitted *use*, as part of overall *parking area* total.

5.15.2 Size Of Parking Space For Disabled Persons

- i). Each off-street *parking space* for the disabled shall be a minimum of 6.0 metres long, 4.6 metres wide and have a vertical clearance of 3.0 metres; and,
- ii). Notwithstanding (i) above, adjoining pairs of parking spaces for the disabled may have a combined width of 7.7 m.

5.15.3 Location of Parking Space For Disabled Persons

Parking spaces for disabled persons shall be located in proximity to the primary entrance(s) to a building together with an access sidewalk along the façade of the building sufficiently wide so that 1.5 m is maintained between the building face and the adjacent vehicles.

5.16 LOADING SPACE REQUIREMENTS

5.16.1 Off-street *loading spaces* shall be provided in accordance with the standards of this By-law for any *use*. Required *loading spaces* shall be located on the same *lot* as the *use* that requires the *loading space* and shall be provided as follows:

TABLE 5G

Gross Floor Area	Loading Space Requirements
280 m ² or less	1 <i>loading space</i>
281 m ² to 2,325 m ²	2 <i>loading spaces</i>
2326 m ² to 7,440 m ²	3 <i>loading spaces</i>
7,441 m ² or greater	3 <i>loading spaces</i> plus 1 additional <i>loading space</i> for each additional 9,300 m ² or fraction thereof in excess of 7441 m ²

5.16.2 Loading Areas In The Central Business District

Notwithstanding Section 5.18 of this By-law, the provision of *loading spaces* shall not be required for lands identified on Schedule A, 'Parking Policy Area' of this By-law.

5.16.3 Size Of Loading Space / Loading Area

Each *loading space* shall be a minimum of 12 metres long, 3.5 metres wide and have a vertical clearance of at least 4.2 metres, except where only 1 *loading space* is required the *loading space* may be reduced to a minimum of 6.0 metres long, 3.5 metres wide and have a vertical clearance of at least 3.0 metres. .

5.16.4 Location Of Loading Spaces

Required *loading spaces* shall be provided in accordance with the following provisions:

- i) Such loading spaces shall be located on the same *lot* for the *use* or *building* for which it is required;
- ii) Such *loading spaces* shall be located within 20 metres of the *use* or *building* for which is it required;
- iii) Such *loading spaces* shall not be located in a *required yard*;
- iv) Such *loading spaces* shall not be provided within a *building*;
- v) Such *Loading spaces* shall not obstruct any required parking spaces or vehicular movement on the *lot*; and,
- vi) In all *Zones*, with the exception of the M2 *Zone*, *loading spaces* are not permitted in the *front yard* or *exterior side yard* and loading bay doors are not permitted on any wall facing a *street*, unless both the *loading space* and loading bay door are screened from a *public street* and located no closer than 20 metres from any *street line*.

5.16.5 Access To Loading Spaces

Where a loading space(s) is required, the access to the *loading space(s)* shall be provided by means of a *driveway* that is a minimum of 6.0 metres wide in the *Employment Zones* and *Institutional Zones* and a minimum of 3.5 metres wide in a *Commercial Zone*.

5.16.6 Setbacks When Abutting Residential Zones

In any *Zone* where a *loading space* is provided, such *loading space* shall not be located any closer than 18 metres to any *lot line* of an abutting *Residential Zone*, with the exception of the C1-A, C1-B, C3, and I-A *Zones*.

5.17 ADDITIONS TO BUILDINGS

- i) The parking and *loading space* requirements of this By-law shall not apply to any *building* in existence at the date of passing of this By-law so long as the *floor area*, as it existed at such date, is not increased nor the *building* or *structure* is used for a purpose that requires more *parking spaces*.
- ii) If an addition is made to the *building* that increases the *floor area*, additional parking and *loading spaces* shall be provided for the additional *floor area* as required by the regulations of this By-law.
- iii) Notwithstanding ii) above, where an addition is proposed for a single unit industrial use, the existing *floor area* may be used in the calculation of parking requirements.

SECTION 6 RESIDENTIAL ZONES

A number(s) following the *zone* standard, *zone* heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of each table within Section 6.2.

No person shall within any Residential *Zone use* any land, or erect, alter or *use* any *building* or *structure* except in accordance with the following provisions:

6.1 PERMITTED USES

Uses permitted in a *Zone* are noted by the symbol ‘•’ in the column applicable to that *Zone* and corresponding with the row for a specific permitted *use*. A number(s) following the symbol ‘•’, *zone* heading or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire *Zone*. Conditions are listed below the Permitted *Use* Table.

TABLE 6A

USE	ZONE						
	RLD Low Density	RMD1 Med. Density 1	RMD2 Med. Density 2	RHD High Density	RO Res./ Office	RE Rural Estate	RV Village Res.
Apartment building			•	•	•		
Convenience Store)					• (3)		
Dwelling, Detached	•	•				•	•
Dwelling, Duplex	•	•					
Dwelling, Multiple		•	•				
Dwelling, Quattroplex		•	•				
Dwelling, Semi-detached	•	•					
Dwelling, Townhouse		•	•				
Dwelling, Triplex		•					
Group Home Type 1	•	•					
Group Home Type 2	• (1)	• (1)					
Home For The Aged			•	•			
Home occupation	•	•	•	•		•	•
Nursing Home				•			
Office Building (2)					•		
Office Uses					• (2)		
Residential Care Facility			•	•			
Restaurant					• (3)		
Service Commercial Uses					• (3)		

Footnotes for Table 6A Above

- (1) A *Group Home Type 2* shall be located only on a *lot* having a *frontage* onto a major arterial, arterial or collector road.
- (2) Only permitted within an *apartment building*.
- (3) Only permitted in the *first storey* of a *building* containing a permitted use, and shall have a cumulative *gross floor area* up to a maximum of 10% the total *gross floor area* of the *building*.

6.2 ZONE STANDARDS

No person shall within any Residential Zone use any lot or erect, alter, use any building or structure except in accordance with the following zone provisions:

TABLE 6B: Residential Low Density (RLD)

Uses	Minimum Lot frontage	Minimum Lot Depth	Maximum Lot coverage	Minimum Required Front yard	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
single detached dwelling / duplex	15 m	30 m	See Footnote (*4)	4.0 m (*1)(*2)	7.5 m	4.0 m (*3)	1.2 m	11.0 m	30%
semi-detached	corner	30 m	See Footnote (*4)	4.0 m (*1) (*2)	7.5 m	4.0 m (*3)	1.2 m	11.0 m	30%
	Interior	30 m		4.0 m (*1) (*2)	7.5 m	4.0 m (*3)	1.2 m	11.0 m	30%
	22.8 m / unit	30 m							
	20.0 m / unit								

Footnotes For Table 6B Above

- (*1) In no case shall the outside of the garage door be located any closer than 5.5 metres from the front lot line or 5.5 metres from the exterior side lot line, if the driveway accessing the lot crosses the exterior side lot line.
- (*2) No portion of any driveway shall be wider than the width of the garage face or 6.0 m where there is no garage.
- (*3) The minimum required exterior side yard is 2.0 m if the yard abuts a public right-of-way of less than 18.0 m wide.
- (*4) Lots having an area of less than 659 m² shall have a maximum lot coverage of 30%. Lots having an area of between 660 m²– 829 m² shall have a maximum lot coverage of 25%. Lots having an area over 820 m² shall have a maximum of 20%.

TABLE 6C: Residential Medium Density I (RMD1)

Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
single detached dwelling / Duplexes (*5)								
Street Access Interior	9.5 m	24.0 m	2.0 m for the dwelling. (*1) (*2)	7.0 m	No Minimum	1.2 m on one side, 0.6 m on the other side (*4)	11.0 m	No Minimum
Street Access Corner	10.3 m for lots abutting a local street. 10.7 m for all other lots.	24.0 m	2.0 m for the dwelling. (*1) (*2)	7.0 m	2.4 m (*3)	0.6 m (*4)	11.0 m	No Minimum
Lane Access Interior	7.5 m	24.0 m	2.0 m (*1) (*2)	14.0 m where garage is detached and 7.0 m where garage is attached.	No minimum m	1.2 m on one side, 0.6 m on the other (*4)	11.0 m	No Minimum
Lane Access Corner	8.3 m for lots abutting a local street. 8.7 m for all other lots.	32.5 m	2.0 m (*1) (*2)	14.0 m where the garage is detached and 7.0 m where garage	2.4 m (*3)	0.6 m (*4)	11.0 m	No Minimum
semi-detached or semi-link (*5)								
Street Access Interior	6.85 m/unit	24.0 m	2.0 m for the dwelling. (*1) (*2)	7.0 m	No Minimum	0.9 m on one side. 0.0 m on the other (*4)	11.0 m	No Minimum
Street Access Corner	7.95 m/unit for lots abutting a local street. 8.35 m/unit for all others.	24.0 m	2.0 m for the dwelling (*1) (*2)	7.0 m	2.4 m (*3)	0.0 m (*4)	11.0 m	No Minimum

Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
Lane Access Interior	6.6 m/unit	32.5 m	2.0 m (*1) (*2)	14.0 m where garage is detached. 7.0 m where garage is attached.	No Minimum	0.9 m on one side. 0.0 m on the other (*4)	11.0 m	No Minimum
Lane Access Corner	7.7 m/unit for lots abutting a local street. 8.1 m/unit for all others	32.5 m	2.0 m (*1) (*2)	14.0 m where garage is detached. 7.0 m where garage is attached.	No Minimum	0.0 m (*4)	11.0 m	No Minimum
Townhouses (*5)								
Street Access Interior Unit	6.4 m/unit	24.0 m	2.0 m. (*1) (*2)	7.0 m	No minimum	0.0 m (*4)	12.5 m	No Minimum
Street Access End Unit	7.6 m/unit	24.0 m	2.0 m. (*1) (*2)	7.0 m	No minimum	0.0 m on one side. 1.2 m on the other side (*4)	12.5 m	No Minimum
Street Access End Corner Unit	8.4 m/unit for lots abutting a local street. 8.8 m/unit for all others.	24.0 m	2.0 m (*1) (*2)	7.0 m	2.4 m (*2)	0.0 m (*4)	12.5 m	No Minimum
Lane Access Interior Unit	5.5 m/unit	32.5 m	2.0 m (*1) (*2)	14.0 m where garage is detached and 7.0 m where garage is attached.	No Minimum	0.0 m (*4)	12.5 m	No Minimum
Lane Access End Unit	6.7 m/unit	32.5 m	2.0 m (*1) (*2)	14.0 m where garage is	No minimum	0.0 m on one side. 1.2 m on	12.5 m	No Minimum

Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
				detached and 7.0 m where garage is attached.		the other side (*4)		
Lane Access End Corner Unit	7.5 m/unit abutting a local street. 7.9 m/unit for all others.	32.5 m	2.0 m (*1) (*2)	14.0 m where garage is detached and 7.0 m where garage is attached.	2.4 m (*2)	0.0 m (*4)	12.5 m	No Minimum
Multiple Dwellings	30.0 m	35.0 m	4.0 m (*1) (*2)	7.5 m	4.0 m	6.0 m (*4)	12.5 m	30%
Triplexes	22.5 m	30 m	6.0 m (*1) (*2)	7.5 m (*2)	6.0 m	4.5 m (*4)	12.5 m	30%
Quattroplexes	30.0 m	30.0 m	4.0 m (*1) (*2)	7.5 m (*2)	4.0 m	3.0 m (*4)	12.5 m	30%

Footnotes For Table 6CAbove

- (*1) In no case shall the outside of the garage door be located any closer than 5.5 metres from the *front lot line* or 5.5 metres from the *exterior side lot line*, if the *driveway* accessing the *lot* crosses the *exterior side lot line*.
- (*2) No portion of any driveway shall be wider than the width of the garage face or 6.0 m when there is no garage
- (*3) The minimum required *exterior side yard* is 2.0 m if the yard abuts a public right-of-way of less than 18.0 m wide.
- (*4) In no case shall any two (2) *dwellings* located on abutting *lots* be less than 1.8 metres apart. This provision does not apply to eaves, gutters and other ornamental projections located above the *first storey*.
- (*5) Only applies to lands within the RMD1 *Zone*, subject to Section 6.3 of this By-law.

TABLE 6D: Residential Medium Density II (RMD2)

Zone	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
Triplexes	22.5 m	30 m	6.0 m (*1)	7.5 m (*2)	6.0 m (*3)	4.5 m	12.5 m	30%
Quattroplexes	30.0 m	30.0 m	4.0 m (*1)	7.5 m (*2)	4.0 m (*3)	3.0 m	12.5 m	30%
Townhouses								
Street Access Interior Unit	6.4 m/unit	24.0 m	2.0 m. (*1)	7.0 m	No minimum (*3)	0.0 m	12.5 m	No Minimum
Street Access End Unit	7.6 m/unit	24.0 m	2.0 m. (*1)	7.0 m	No minimum (*3)	0.0 m on one side. 1.2 m on the other side	12.5 m	No Minimum
Street Access End Corner Unit	8.4 m/unit for lots abutting a local street. 8.8 m/unit for all others.	24.0 m	2.0 m (*1)	7.0 m	2.4 m (*2) (*3)	0.0 m	12.5 m	No Minimum
Lane Access Interior Unit	5.5 m/unit	32.5 m	2.0 m (*1)	14.0 m where garage is detached and 7.0 m where garage is attached.	No Minimum (*3)	0.0 m	12.5 m	No Minimum
Lane Access End Unit	6.7 m/unit	32.5 m	2.0 m (*1)	14.0 m where garage is detached and 7.0 m where garage is attached.	No minimum (*3)	0.0 m on one side. 1.2 m on the other side	12.5 m	No Minimum

Zone	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
Lane Access End Corner Unit	7.5 m/unit abutting a local street. 7.9 m/unit for all others.	32.5 m	2.0 m (*1)	14.0 m where garage is detached and 7.0 m where garage is attached.	2.4 m (*2) (*3)	0.0 m	12.5 m	No Minimum
Apartments	54.0 m	35.0 m	6.0 m (*1)	22.5 m	6.0 m (*3)	6.0 m	4 storeys to a maximum of 16.5 m	35 %
Multiple Dwellings	30.0 m	35.0 m	4.0 m (*1)	7.5 m	4.0 m (*3)	6.0 m	4 storeys to a maximum of 16.5 m	30%

Footnotes For Table 6D Above

- (*1) In no case shall the outside of the garage door be located any closer than 5.5 metres from the *front lot line* or 5.5 metres from the *exterior side lot line*, if the *driveway* accessing the *lot* crosses the *exterior side lot line*.
- (*2) The parking of any *motor vehicle* is prohibited in the required *rear yard*.
- (*3) The minimum required exterior side yard is 2.0 m if the yard abuts a public right-of-way of less than 18.0 m wide

TABLE 6E: Residential High Density (RHD)

Uses	Minimum Lot frontage	Minimum Lot Depth	Maximum Lot coverage	Minimum Required Front yard	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height
apartments	54 m	36 m	25%	10.5 m	Greater of ½ building height or 10.5 m	10.5 m	Greater of ½ building height or 10.5 m	7 storeys to a maximum of 25 m

TABLE 6F: Residential/Office (RO)

Uses	Minimum Lot frontage	Minimum Lot Depth	Maximum Lot coverage	Minimum Required Front yard	Maximum Gross Floor Space Index	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
<i>apartments</i>	54 m	36 m	25%	4.0 m plus 1.0 m for each additional storey or part storey above the fourth storey to a maximum of 7.5 m	2.0 times total lot area	Greater of ½ building height or 10.5 m	4.0 m plus 1.0 m for each additional storey or part storey above the fourth storey to a maximum of 7.5 m	Greater of ½ building height or 10.5 m	7 storeys to a maximum of 25 m	35%
<i>Office Buildings</i>	54 m	36 m	25%	4.0 m plus 1.0 m for each additional storey or part storey above the fourth storey to a maximum of 7.5 m	2.0 times total lot area	Greater of ½ building height or 10.5 m	4.0 m plus 1.0 m for each additional storey or part storey above the fourth storey to a maximum of 7.5 m	Greater of ½ building height or 10.5 m	7 storeys to a maximum of 25 m	35%

TABLE 6G: Rural Estate Residential (RE)

Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Lot Area	Maximum Lot coverage	Minimum Required Front yard (*1)	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
single detached dwelling	60.0 m	115.0 m	8000 m ²	10%	24.0 m	15.0 m	24.0 m	7.5 m	9.5 m	50%

Footnotes For Table 6G Above

(*1) In no case shall the outside of the garage door be located any closer than 5.5 metres from the *front lot line* or 5.5 metres from the *exterior side lot line*, if the *driveway* accessing the *lot* crosses the *exterior side lot line*.

TABLE 6H: Village Residential (RV)

Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Lot Area	Maximum Lot coverage	Minimum Required Front yard (*1)	Minimum Required Rear yard	Minimum Required Exterior side yard	Minimum Required Interior side yard	Maximum Height	Minimum Landscaped open space
Single detached dwelling	45.0 m	60.0 m	6000 m ²	10%	6.0 m	10.5 m	6.0 m	1.2 m	9.5 m	50%

Footnotes For Table 6H Above

(*1) In no case shall the outside of the garage door be located any closer than 5.5 metres from the *front lot line* or 5.5 metres from the *exterior side lot line*, if the *driveway* accessing the *lot* crosses the *exterior side lot line*.

SPECIAL RESIDENTIAL PROVISIONS

Street Front Treatment Of Residential Buildings

All residential *buildings* in the RMD1 *zone* must comply with one or more of the following *street* front treatment provisions with respect to each housing type:

6.3.1. Detached Dwellings

- i) The *dwelling* shall have a minimum *dwelling* face (which may include the *porch/veranda*) of 4.5 m; OR
- ii) No more than 60% of the main floor *building* face is to be used for the garage portion of the elevation.
- iii) In the case of ii) above, the *dwelling* face or *porch/veranda* must extend a minimum of 1.5 m closer to the *street line* than the garage portion and living space must be provided above the *dwelling* face and/or *porch/veranda* having a *setback* from the *dwelling* face of not more than 3.5 m.

6.3.2 Semi-Detached and Link Semi-Detached Dwellings

- i) Each *dwelling* unit shall have a minimum *dwelling* face (which may include the *porch/veranda*) of 4.0 m; OR
- ii) No more than 60% of the main floor *building* face is to be used for the garage portion of the elevation.
- iii) In the case of ii) above, one of the following must also be satisfied:
 - a) The *dwelling* face or porch must extend a minimum of 1.5 m closer to the *street line* than the garage portion and living space must be provided above the *dwelling* face and/or *porch/veranda* having a *setback* from the *dwelling* face of not more than 3.5 m, OR
 - b) The garage portions must be separated with a resulting aggregate *dwelling* face for two units to achieve a minimum of 4.9 m in width. Such *dwelling* faces must extend a minimum of 3.5 m closer to the *street line* than the garage portion.

6.3.3. Townhouses:

- i) A minimum of 3.5 m of the main floor *building* face must be *dwelling* face; OR,
- ii) No more than 60% of the main floor *building* face is to be used for the garage portion of the elevation.
- iii) In the case of ii) above, the following must also be satisfied:
 - a) The *dwelling* face or porch of the end units must extend a minimum of 1.5 m closer to the *street line* than the garage portion of all units in the row, and living space must be provided above the *dwelling* face and/or porch having a *setback* from the *dwelling* face of not more than 3.5 m.

SECTION 7 COMMERCIAL ZONES

No person shall within any Commercial Zone *use* any land, or erect, alter or *use* any *building* or *structure* except in accordance with the following provisions:

7.1 PERMITTED USES

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted *use*. A number(s) following the symbol ‘•’, zone heading or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted *Use* Table.

TABLE 7A	Central Business District					
	C1-A	C1-B	C1-C	C1-D	C1-E	C1-F
	Core Commercial	Secondary Commercial	Commercial Node	Commercial / Office	Residential/ Office	Mixed Use
Residential Uses						
Upper-Floor Apartments	•	•	•	•	•	
RMD2 Uses					• (*1)	• (*1)
RHD Uses					•	•
Non-Residential Uses						
Art gallery	•	•				•
Artist's studio	•	•		•		•
Commercial school – Skill	• (*2)	•	•	•	•	•
Convenience store	•	•	•		•	•
Day nursery		•		•	•	
Department Store			•			
Drive Through Service Facility			•		•	•
Dry cleaning depot	•	•	•			•
Food Store	•	•	•	•	•	•
Funeral Home		•		•	•	
Hotel						•
Laundromat	•	•	•	•	•	•
Motel						•
Office Use	• (*2)	•	•	•	•	•
Office Building		•	•	•	•	•
Personal service shop	•	•	•	• (*3)	• (*3)	•
Place of assembly		•	•			•
Place of entertainment			•			•
Fitness centre		•	•	•		•
Propane Facility, Retail						•
Restaurant	•	•	•		•	•
Retail Store 1	•	•	•			•
Retail Store 2	•	•	•			•
Service Commercial Use	• (*3)	•	•	•	•	•
Theatre	•	•	•			•
Veterinary clinic		•		•	•	••

Footnotes for Table Above

(*1) Subject to the provisions in the RMD2 Zone as outlined in Section 6.2, Table 6D.

(*2) Not permitted in the *first storey* of a building.

(*3) Only permitted in the *first storey* of a building.

TABLE 7B	Other Commercial Zones				
	Mixed	Local	Hamlet	Auto	Business
	C2	C3	C4	C5	C6
Residential Uses					
Upper Floor Apartments			•		
Group Home Type 1 and 2			•		
RV			•		
Non Residential Uses					
<i>Art gallery</i>	•		•		
<i>Artist's studio</i>	•	•	•		•
<i>Commercial school-Skill</i>	•	•	•		•
<i>Commercial School-Trade/Profession</i>				•	
<i>Convenience store</i>	•	•	•	•	•
<i>Day nursery</i>	•	•	•		
<i>Drive-Through Service Facility</i>	•	•		•	•
<i>Dry cleaning depot</i>	•	•	•		•
<i>Fitness Centre</i>	•		•		
<i>Food Store</i>	•		•		
<i>Funeral Home</i>	•				
<i>Hotel</i>				•	
<i>Motor vehicle Dealership</i>				•	
<i>Motor vehicle gas bar</i>	•		•	•	•
<i>Motor vehicle rental agency</i>	•			•	•
<i>Motor vehicle service station</i>				•	
<i>Motor vehicle washing establishment</i>	•			•	•
<i>Office Use</i>	•	•	•		•
<i>Personal service shop</i>	•				
<i>Place of assembly</i>	•				
<i>Place of entertainment</i>	•				
<i>Private Transit Depot</i>				•	
<i>Propane Facility, Retail</i>	•		•	•	•
<i>Restaurant</i>	•	•		•	•
<i>Retail Store 1</i>	•	•	•		•
<i>Retail Store 2</i>	•				
<i>Retail Store 3</i>	•				
<i>Service Commercial Use</i>	•	•	•		•
<i>Theatre</i>	•				
<i>U-Brew Establishment</i>	•				
<i>Veterinary clinic</i>	•	•	•		•

7.2 ZONE STANDARDS

A number(s) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of Section 7.2.

No person shall within any Commercial Zone use any lot or erect, alter, use any building or structure except in accordance with the following:

TABLE 7C

Central Business District							
Regulations		Zones					
		C1-A	C1-B	C1-C	C1-D	C1-E	C1-F
		Core Commercial	Secondary Commercial	Commercial Node	Commercial / Office	Residential/ Office	Mixed Use
<i>Lot area (Minimum)</i>		No minimum	800 m ²	4000 m ²	4000 m ²	4000 m ²	4000 m ²
<i>Lot frontage (Minimum)</i>		0.0 m	20.0 m	50.0 m	50.0 m	50.0 m	50.0 m
<i>Lot coverage (Maximum)</i>		100%	30%	60%	35%	35%	35%
<i>Building Height</i>	Min.	See Height	See Height	See Height	See Height	See Height	See Height
	Max.	Schedule	Schedule	Schedule	Schedule	Schedule	Schedule
<i>Front yard Depth</i>	Min.	0.0 m	0.0 m	1.0 m	1.0m	1.0 m	1.0 m
	Max.	1.0 m	4.5 m	5.5 m (*1)	5.5 m	5.5 m (*)	5.5 m (*)
<i>Rear yard Depth (Minimum)</i>		0.0 m	9.5 m	6.0 m + 1.0 m for each add'l storey	20.0 m	20.0 m	6.0 m
<i>Exterior Side Yard</i>	Min.	0.0 m	0.0 m	1.0 m	1.0m	1.0 m	1.0 m
	Max.	1.0 m	4.5 m	5.5 m (*1)	5.5 m	5.5 (*1)m	5.5 m (*1)
<i>Interior side yard (Minimum)</i>		0.0 m	1.5 m	3.0 m	3.0 m	3.0 m	3.0m
<i>Landscaped open space (Minimum) % of Lot Area (Minimum)</i>		0%	20%	15%	15%	15%	15%
<i>Minimum Landscape Buffer</i>							
	Abutting a <i>street line</i>	0.0 m	0.0 m	3.0 m	3.0 m	3.0 m	3.0 m
	Abutting a Residential Zone	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m	3.0 m
	Abutting a Greenlands A Zone	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m

Footnotes For Table 7C Above

(*1) Buildings containing a *drive-through service facility* are required to be located an additional 2.0 metres from the *front lot line* or *exterior side lot line*.

TABLE 7D

Other Commercial						
Regulations		Zones				
		C2	C3	C4	C5	C6
<i>Lot area</i>	Minimum	1200 m ²	850 m	6000 m ²	4000 m ²	850 m ²
	Maximum	4.7 ha	3000 m ²	No Maximum	No maximum	3000 m ²
<i>Lot frontage (Minimum)</i>		60.0 m	40.0 m	30.0 m	100.0 m	40.0 m
<i>Lot coverage (Maximum)</i>		30%	30%	20%	20 %	30%
<i>Gross Floor Area (All Buildings Combined)</i>						
	Minimum	9300 m ²	No minimum	N/A	N/A	No Minimum
	Maximum	13935 m ²	930 m ²	N/A	N/A	930 m ²
<i>Gross Floor Area (Individual Buildings)</i>						
	Minimum	370 m ²	No minimum	N/A	N/A	No Minimum
	Maximum	5575 m ²	930m ²	N/A	N/A	930m ²
<i>Building Height (Maximum)</i>		9.5 m	11.0 m	11.0 m	9.5 m	11.0 m
<i>Front yard Depth</i>	Minimum	4.5 m	1.0 m	3.0 m	4.5 m (*2)	1.0 m
	Maximum	6.0 m (*1)	5.0 (*1)	7.5 m	No maximum	5.0 m (*1)
<i>Exterior Side Yard</i>	<i>Minimum</i>	4.5 m	4.5 m	3.0 m	4.5 (*2)	4.5 m (*2)
	<i>Maximum</i>	6.0 m (*1)	5.0 m (*1)	7.5 m	No maximum	No maximum
<i>Rear yard Depth (Minimum)</i>		4.5 m	6.0 m	10.5 m	12.0 m	6.0 m
<i>Interior side yard (Minimum)</i>		6.0 m	6.0 m	3.0 m	3.0 m (*2)	6.0 m
<i>Landscaped Open Space % of Lot Area (Minimum)</i>		15%	15%	15%	15%	15%
<i>Minimum Landscape Buffer</i>						
	<i>Abutting a street line</i>	4.5 m	1.0m	3.0 m	4.5 m	1.0m
	<i>Abutting a Residential Zone</i>	4.0 m	4.0 m	3.0 m	6.0 m	4.0 m
	<i>Abutting a Greenlands A Zone</i>	7.5 m	7.5 m	7.5 m	7.5 m	7.5 m

Footnotes for Table 7D Above

- (*1) *Buildings containing a drive-through service use are required to be located an additional 2.0 metres from the front lot line or exterior side lot line.*
- (*2) *Notwithstanding the setback provisions for buildings, fuel pump islands and weather canopies must be set back a minimum of 7.5 m. from any lot line.*

7.3 SPECIAL COMMERCIAL PROVISIONS

The street elevation of commercial *buildings* in all Commercial *Zones* shall be designed in accordance with the following provisions:

7.3.1 Openings

Openings shall be provided as follows:

- i) At least 80% of the surface area of a wall facing a *street* in the C1-A, C1-B, and C3 *Zones*, shall be comprised of openings;
- ii) At least 60% of the surface area of a wall facing a *street* in the C1-D, C1-E, C1-F, and C4 *Zones*, shall be comprised of openings;
- iii) At least 30% of the surface area of a wall facing a *street* in the C1-C, C2, C5 and C6 *Zones*, shall be comprised of openings; and,
- iv) For the purposes of this provision, openings are defined as those portions of a wall that are open from the outside to the inside, such as windows, doors or entrance features or any combination thereof.

7.3.2 Setbacks

Notwithstanding any other provision respecting the required *front yard* and *exterior side yard*, the following provisions apply:

- i). *Buildings* are permitted to encroach into a *required front yard* or *exterior side yard* abutting an arterial road, provided the remaining *yard* is no less than 50% of the *height* of the *building*.
- ii). All walls facing a *public street* having a length of more than 15.0 metres shall be articulated such that the wall is offset a minimum of 0.6 metres over a minimum length of 8.0 metres and every 15 metres.

7.3.3 Service Areas:

Service areas for delivery, *loading spaces* and *waste storage facilities* shall not be located in the front or exterior side yards unless completely screened from view by a wall attached to and forming part of the main *building* and by a perimeter *landscaping buffer* and must be separated from pedestrian areas and walkways.

7.3.5. Open Storage:

No open storage of goods, materials or *wastes* shall be permitted.

7.3.6 Outdoor Display Area Regulations:

An *outdoor display area accessory* to a permitted *retail use* may be permitted in any *yard*, provided:

- i). The area must be located within 12.0 metres of the *building* containing the *principal use*;
- ii). The area shall be no closer than 15.0 metres to a *Residential Zone*;
- iii). The area must not be located in a *required yard*;
- iv). The area must be located outside of any required parking and/or loading areas or any required *landscaped open space*; and,
- v). If located in the required *front yard*, the *outdoor display area* does not obstruct pedestrian and vehicular traffic.

SECTION 8 EMPLOYMENT ZONES

No person shall within any of the following Employment Zones use any land, or erect, alter or use any *building* or *structure* except in accordance with the following provisions

8.1 PERMITTED USES

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table.

TABLE 8A

	EMP	M1	M2	MX
	Employment	Business Park	General Industrial	Mineral Extraction
Adult Entertainment Uses				
<i>Adult Entertainment Parlour</i>			• (1)	
<i>Adult Specialty Store</i>			• (1)	
<i>Adult Video Store</i>			• (1)	
<i>Body Rub Parlour</i>			• (1)	
Other Uses				
<i>Aggregate recycling facility</i>			•	•
<i>Agricultural operation</i>				•
<i>Asphalt Batching Plant</i>				
<i>Building supply outlet</i>			•	
<i>Bulk fuel depot</i>			•	
<i>Bulk propane storage depot</i>			•	
<i>Commercial School— Skill</i>	•	•	•	
<i>Commercial School— Trade / Profession</i>	•	•	•	
<i>Commercial storage facility</i>			•	
<i>Concrete Batching Plant</i>			•	
<i>Conservation use</i>				•
<i>Convenience store</i>	• (2)	• (2)		
<i>Convention centre</i>	•	•		
<i>Day nursery</i>	•	•		
<i>Dry cleaning depot</i>	•	•		
<i>Dry cleaning establishment</i>		•	•	

	EMP	M1	M2	MX
	Employment	Business Park	General Industrial	Mineral Extraction
<i>Equipment sales and rental</i>			• (3)	
<i>Extractive use</i>				•
<i>Fitness centre</i>	•	•		
<i>Forestry use</i>				•
<i>Funeral home</i>		•		
<i>Hotel</i>	•	•		
<i>Industrial use</i>	• (*4)	• (*4)	•	
<i>Monument Sales Shop</i>			•	
<i>Motor vehicle body shop</i>			•	
<i>Motor Vehicle Dealership</i>			•	
<i>Motor vehicle rental agency</i>		•	•	
<i>Motor vehicle repair garage</i>			•	
<i>Motor vehicle washing establishment</i>			•	
<i>Office Building</i>	•	•		
<i>Office Use</i>	•	•	• (5) (*6)	
<i>Outdoor storage use</i>			•	
<i>Place of assembly</i>	•	•		
<i>Place of entertainment</i>	•	•		
<i>Place of worship</i>	•	•		
<i>Private Transit Depot</i>			•	
<i>Recreation and athletic facility</i>	•	•		
<i>Recycling facility</i>			•	
<i>Research & Technology Use</i>	•	•	• (5)	
<i>Restaurant</i>	•	• (2)		
<i>Service and repair shop</i>			•	
<i>Transportation Terminal</i>			•	
<i>U-Brew Establishment</i>	•	•	•	
<i>Veterinary clinic</i>	•	•	•	
<i>Veterinary hospital</i>	•	•	•	
<i>Warehouse/distribution centre</i>		•	•	

Footnotes to Table 8A Above

- (*1) Permitted only on *lots* located north of Highway 401.
- (*2) Permitted only in the *first storey* of an *office building* or as an *accessory use* to a *hotel, fitness centre, or recreation and athletic facility*.
- (*3) *Outdoor Display* is permitted subject to the provisions outlined in Section 7.3.6
- (*4) Only industrial operations within a wholly enclosed *building* are permitted. No outdoor storage is permitted.

- (*5) *Office uses and research and technology uses*, excluding *uses* which produce biomedical waste, are permitted within a designated *Industrial Zone*, provided that they are located within a one to two storey *Multi-Unit building*. A *Multi-Unit Building* shall not include an *Office Building*.
- (*6) Except as otherwise provided herein, an *office use* shall only be permitted *accessory* to a *principal use* in the *M2 Zone* and shall be limited to 25% of the *gross floor area*.

8.2 ZONE STANDARDS

A number(s) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of Section 8.2.

No person shall within any of the following Employment Zones use any lot or erect, alter, use any building or structure except in accordance with the following zone provisions:

TABLE 8B

	EMP	M1	M2	MX
Provisions	Employment	Business Park	Industrial	Mineral Extraction
<i>LOT FRONTAGE</i> (Minimum)	40.0 m	40.0 m	40.0 m	IN ACCORDANCE WITH THE SITE PLANS APPROVED UNDER THE AGGREGATE RESOURCES ACT.
<i>LOT AREAS</i> (Minimum)	0.8 ha	0.8 ha	0.8 ha	
<i>LOT COVERAGE</i> (Maximum)	Without Municipal Servicing -35 %	Without Municipal Servicing -35 %	Without Municipal Servicing -35 %	
<i>FRONT YARD</i> (Minimum) not abutting a Residential Zone abutting a Residential Zone	6.0 m 9.0 m	9.0 m 15.0 m	9.0 m 18.0 m	
<i>REAR YARD</i> (Minimum) not abutting a Residential Zone abutting a Residential Zone	6.0 m 9.0 m	12.0 m 18.0 m	12.0 m 18.0 m	
<i>EXTERIOR SIDE YARDS</i> (Minimum) not abutting a Residential Zone abutting a Residential Zone	5.0 m 9.0 m	9.0 m 15.0 m	9.0 m 18.0 m	
<i>SIDE YARD</i> (Minimum) not abutting a Residential Zone abutting a Residential Zone	3.0 m 9.0 m	3.0 m 9.0 m	3.0 m 9.0 m	
<i>BUILDING HEIGHT</i> (Maximum) Office Building Other Permitted Uses	15.0 m 15.0 m	15.0 m 15.0 m	N/A 15.0 m	
<i>LANDSCAPED OPEN SPACE</i> % of Lot Area (Minimum) Minimum Landscape Buffer Abutting a <i>street line</i> Abutting a residential Zone Abutting a Greenlands A Zone	15 % 6.0 m 6.0 m 7.5 m	10% 4.5 m 6.0 m 7.5 m	5% 4.5 m (in front of <i>building</i>) 6.0 m 7.5 m	
<i>Loading Space</i> Requirements	See Section 5.21	See Section 5.21	See Section 5.21	

8.3 SPECIAL ADULT ENTERTAINMENT USE PROVISIONS

The following provisions apply to all *adult entertainment uses*, including: *adult entertainment parlour, adult video stores, adult specialty stores* and *body rub parlours*.

- iv) The minimum setbacks for *adult entertainment uses* from the uses listed below, shall be in accordance with the following:

Arterial Road or Provincial Highway:	100 m
Residential or Institutional Uses:	400 m
- ii) Only one *Adult Entertainment Use* is permitted per lot unless an *Adult Video Store* operated in conjunction with an *Adult Specialty Store*;
- iii) *Adult Video Stores, Adult Specialty Stores* and *Body Rub Parlours* must not exceed 15% of the *gross floor area* of any multi unit *building* in which they are located,
- iv) An *Adult Entertainment Parlour* must be located within a free-standing, single storey *building* with no mezzanine and must be the sole *use* within the *building*;
- v) *Accessory uses* are not permitted in conjunction with any *adult entertainment use*,
- v) A “Body Rub Parlour” may also be permitted as an *accessory use* to a “Regulated Health Professional” office provided such *accessory use* does not exceed a maximum of 30% of the total *gross floor area* of the “Regulated Health Professional” office, and provided that the business access shall only be from an entrance in common with the principal “Regulated Health Professional” office; and,
- vi) See parking requirements in Section 5.7.

SECTION 9 INSTITUTIONAL ZONES

No person shall within any Institutional Zone use any land, or erect, alter or use any *building* or *structure* except in accordance with the following provisions.

9.1 PERMITTED USES

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table.

TABLE 9A

PERMITTED USES	I-A MINOR	I-B- MAJOR
<i>Community Centre</i>		•
<i>Day nursery</i>	•	•
<i>Elementary School</i>	•	•
<i>Group Home, Correctional</i>		•
<i>Hospital</i>		•
<i>Library</i>	•	•
<i>Place of worship</i>	•	•
<i>Post Secondary School</i>		•
<i>Public Park</i>	•	•
<i>Residential care facility</i>	•	•
<i>Secondary School</i>		•

9.2 ZONE STANDARDS

A number(s) following the zone standard, zone heading or description of the standard, indicates an additional *Zone* requirement. These additional standards are listed at the end of Section 9.2.

No person shall within any Institutional Zone *use any lot* or erect, alter, *use any building* or *structure* except in accordance with the following zone provisions:

TABLE 9B

Provisions	I-A	I-B
<i>Lot frontage</i> (Minimum)	50.0 m	150 m
<i>Lot Area</i>	Minimum Maximum	3.0 ha No maximum
<i>Lot coverage</i> (Maximum)	30%	30%
<i>Front yard</i> (Minimum)	6.0 m	9.0 m
<i>Rear yard</i> (Minimum)	7.5 m	7.5 m
<i>Exterior Side Yard</i> (Minimum)	6.0m	9.0 m
<i>Interior side yard</i> (Minimum)	6.0 m	6.0 m
<i>Building Height</i> (Maximum)	9.5 m	36 m
<i>Additional Setbacks</i>		
Property abutting Residential Zones (Minimum)	3.0 m	6.0 m

SECTION 10 RURAL ZONES

No person shall within any Rural Zone use any land, or erect, alter or use any building or structure except in accordance with the following provisions:

10.1 PERMITTED USES

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted use. A number(s) following the symbol ‘•’, zone heading or identified permitted use, indicates that one or more conditions apply to the use noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted Use Table.

TABLE 10A

PERMITTED USE	A1	A2
	Agricultural	Rural
<i>Agricultural operation</i>	•	•
<i>Boarding kennel</i>		• (*1)
<i>Conservation use</i>	•	•
<i>Cottage Industry</i>	•	•
<i>Detached dwelling</i>	•	•
<i>Equestrian centre</i>	•	•
<i>Forestry use</i>	•	•
<i>Group home type 1</i>	•	•
<i>Group home type 2</i>	•	•
<i>Home industry</i>	•	•
<i>Home occupation</i>	•	•
<i>Horticultural nursery</i>	•	•
<i>Storage Building for Agricultural Equipment or Produce</i>	•	•

Footnotes For Table 10A Above

(*1) Permitted only on a lot having an area of greater than 4.0 hectares and provided that it is setback a minimum of 150 metres from any lot line.

10.2 ZONE STANDARDS

A number(s) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of Section 10.2.

No person shall within any Rural or Agricultural Zone use any lot or erect, alter, use any building or structure except in accordance with the following provisions:

TABLE 10B

REGULATIONS	ZONE	
	A1	A2
	Agricultural	Rural
<i>Lot Areas (Minimum)</i>		
<i>Residential Uses</i>	0.4 ha	0.8 ha
<i>Equestrian Centres</i>	10.0 ha	10.0 ha
On-Farm Production, Conditioning, Processing & Storing of Produce	20.0 ha	20.0 ha
<i>Agricultural Operation</i>	2.0 ha	2.0 ha
<i>Boarding Kennels</i>	n/a	4.0 ha
<i>Lot frontages (Minimum)</i>		
<i>Lots Of 40 Hectares Or More</i>	150.0 m	150.0 m
<i>Other Lots</i>	60.0 m	60.0 m
<i>LOT DEPTH (Minimum)</i>	45.0 m	130.0 m
<i>Lot coverage (Maximum)</i>	25%	15 %
<i>Front yard (Minimum)</i>	15.0 m	22.5 m
<i>Rear yard (Minimum)</i>	15.0 m	22.5 m
<i>Side Yards (Minimum)</i>		
<i>Interior Side Yard</i>	3.0 m	7.5 m
<i>Exterior Side Yard</i>	15.0 m	22.5 m
<i>Building Height (Maximum)</i>		
<i>Residential Uses</i>	11.0 m	11.0 m
<i>Agricultural Buildings</i>	No maximum	No maximum

SECTION 11 GREENLANDS ZONES

No person shall within any Greenlands Zone *use* any land, or erect, alter or *use* any *building* or *structure* except in accordance with the following provisions:

11.1 PERMITTED USES

Uses permitted in a Zone are noted by the symbol ‘•’ in the column applicable to that Zone and corresponding with the row for a specific permitted *use*. A number(s) following the symbol ‘•’, zone heading or identified permitted *use*, indicates that one or more conditions apply to the *use* noted or, in some cases, to the entire Zone. Conditions are listed below the Permitted *Use* Table.

TABLE 11A

PERMITTED USE	GA	GB	OS	GC
	Greenlands A	Greenlands B	Open Space	Golf Course
Cemetery			•	
Community Centre			•	
Conservation use	•	•	•	
Detached dwelling				•
Existing Uses	• (*1)	• (*2)	•	•
Golf Course				•
Home Occupation		•		
Public park			•	
Recreation and Athletic Facility			•	
Forestry Use		• (*3)	• (*3)	

Footnotes for Table 11A Above

- (*1) The adding of any additional *floor area* to an existing *building*, or the establishment of any new *accessory building or structure* or any alteration to the location of any tee, fairway, landing area or hole associated with a *golf course* is subject to the regulations of the applicable *Conservation Authority*.
- (*2) In no case shall buildings or *structures* including *accessory buildings or structures* be located within the GA or GB Zones.
- (*3) Subject to the provisions of the Regional Tree Cutting By-law, as amended.

11.2 ZONE STANDARDS

A number(s) following the zone standard, zone heading or description of the standard, indicates an additional Zone requirement. These additional standards are listed at the end of Section 11.2.

No person shall within any Greenlands A, Greenlands B, Open Space or Golf Course Zone use any lot or erect, alter, use any building or structure except in accordance with the following zone provisions:

TABLE 11B

Regulations	GA	GB	OS	GC
	Greenlands A	Greenlands B	Open Space	Golf Course
<i>Lot areas</i> (Minimum)	as existing	as existing	No minimum	40 ha (*1)
<i>Lot frontage</i> (Minimum)	as existing	as existing	No minimum	300 m
<i>Lot coverage</i> (Maximum For All Buildings)	as existing	15% of lot area	20% of the lot area	2 %
<i>Yards</i> (Minimum)				
<i>Front yard</i>	as existing	6.0 m	6.0 m	25 m
<i>Rear yard</i>	as existing	6.0 m	12.0 m	25 m
<i>Exterior Side Yard</i>	as existing	6.0 m	6.0 m	25 m
<i>Interior Side Yard</i>	as existing	3.0 m	12.0 m	25 m
<i>Building Heights</i> (Maximum)				
<i>Detached dwelling</i>	as existing	11.0 m	N/A	11.0 m
<i>Recreational Uses</i>	as existing	N/A	14.0 m	14 m
<i>Other Uses</i>	as existing	N/A	11.0 m	N/A

Footnotes for Table 11B Above

(*1) Lot area calculation shall be exclusive of Greenlands A and Greenlands B Zones.

SECTION 12 FUTURE DEVELOPMENT ZONE

Only *uses* that legally existed on the date this By-law comes into effect are permitted. The development of new *buildings* or *structures* is not permitted.

Notwithstanding the above, additions to existing *buildings* and *structures* and accessory buildings or structures are permitted provided they comply with the following provisions:

- i) Minimum *Required Front Yard*: 4.0 metres
- ii) Minimum *Required Exterior Side Yard*: 4.0 metres
- iii) Minimum *Required Interior Side Yard*: 1.2 metres
- iv) Minimum *Required Rear Yard*: 7.5 metres
- iv) *Accessory buildings* or *structures* are subject to the regulations for accessory buildings or structures for Residential Zones as set out in Section 4.1.1.

SECTION 13
SPECIAL PROVISIONS, HOLDING PROVISIONS,
TEMPORARY *USE ZONES*, AND INTERIM CONTROL *ZONES*

13.1 SPECIAL PROVISIONS

Where a *Zone* designation on any lands is shown to contain a star symbol followed by a number, (for example *17) on schedules to this By-law, special provisions as outlined in Section 13.1.1 of this By-law shall apply to those lands as indicated. All other provisions of this By-law, unless specifically modified/amended by this section, continue to apply to the lands subject to this section.

13.1.1 List of Special Provisions

The following exceptions apply to the properties specified:

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.1	61-85	*1	RLD	57 Martin Street (Martin House)	<p>i). Only uses permitted:</p> <ul style="list-style-type: none"> a. a business or professional office, with the exception of a medical practitioner b. a dwelling unit in the main and upper portion of a commercial building.

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.2	61-85	*2	C3	Southeast corner of Trudeau and Derry Road (Mattamy Commercial)	i) Zone Standards a. Total Combined Gross Floor Area (maximum): 1550 m ²
13.1.1.3	61-85	*3	C5	9230 & 9266 Guelph Line (Mohawk Inn)	i). Only uses permitted: a. a <i>hotel</i> b. A <i>motor vehicle gas bar</i> ii). Special Site Provisions: These lands shall be used only if served by a private water supply and sewage disposal system and only in accordance with the following special provisions: a. <i>Front yard</i> Depth (Minimum): 30.0 m b. <i>Rear yard</i> Depth (Minimum): 10.5 m
13.1.1.4	61-85	*4	C5	9430 – 9480 Guelph Line (Mohawk Race Track)	i). Only uses permitted: a. a <i>Horse Race Track</i> b. and <i>accessory uses</i> including temporary residential accommodation (<i>tourist trailers, mobile homes</i> and <i>motor homes</i>) for jockeys, trainers, stable hands and caretakers
13.1.1.5	61-85	*5	C3	311 Commercial Street	i). Prohibited Uses: a. a day nursery

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.6	61-85	*6	M2	8277 Lawson Road (Toronto Auto Auctions)	<p>i). Additional Permitted Uses:</p> <ul style="list-style-type: none"> a. Automobile auctioneers sales establishment; and b. Storage of vehicles
13.1.1.7	61-85	*7	RLD	161 Commercial Street	<p>i). Only use permitted:</p> <ul style="list-style-type: none"> a. A sewage treatment plant
13.1.1.8	61-85	*8	A1	5400, 5406 & 5328 Regional Road No. 25 (Regional Waste Management Facility)	<p>i). Only uses permitted:</p> <ul style="list-style-type: none"> a. A sanitary landfill and <i>accessory uses</i>, to be controlled by the Regional Municipality of Halton b. <i>Accessory buildings, structures</i>, equipment and facilities which are incidental to the principal <i>use</i> of the Sanitary Landfill c. <i>Agricultural Uses</i>
13.1.1.9	61-85	*9	A1	6252 Eighth Line (Ontario Renaissance Festival)	<p>i). Additional Permitted Uses</p> <ul style="list-style-type: none"> a. Seasonal special event commercial / recreational attractions and accessory uses open to the public on summer weekends and public holidays including <ul style="list-style-type: none"> ▪ live entertainment ▪ live <i>theatre</i> ▪ retail sale of crafts and souvenirs ▪ retail sale of food and beverages ▪ theme related events, attractions and services ▪ unpaved or paved <i>parking areas</i>, access roads and walkways ▪ washroom facilities

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Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					<ul style="list-style-type: none"> ▪ storage facilities ▪ <i>buildings</i> and <i>structures</i> related and/or accessory to the foregoing ▪ a year round administrative <i>office</i> for the general administration, ticket sale and management of the seasonal special event attraction <p>ii). Special Parking Provisions:</p> <p>a. An unpaved <i>parking area</i> covered in grass or other suitable ground cover cut short to prevent combustion from heated exhaust systems for a minimum of 5,000 vehicles is permitted. <i>Refer to Section 5 of this By-law for further Off Street Parking and Loading Requirements.</i></p>
13.1.1.10	61-85	*10	A2	13700 Fourth Line (Nassagaweya) (Railway Museum)	<p>i). Additional Permitted Use:</p> <p>a. for the operations of the Ontario Electric Railway Historical Association</p>
13.1.1.11	61-85	*11	RV	305-315 Campbell Avenue	<p>i). Additional Permitted Use</p> <p>a. the business of a contracting <i>yard</i> with motor vehicle repair facilities and related <i>outdoor storage</i></p>

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.12	61-85 Amending By-law to 61-85 was By-law 34-2002 (March 25, 2002)	*12	I-A	6620 Thompson Road (New Life Pentecostal Church)	<p>i). Only Uses Permitted:</p> <ul style="list-style-type: none"> a. <i>Place of Worship</i> b. <i>Day Nursery</i> c. <i>A memorial garden with columbarium</i> d. <i>Recreational uses</i> e. <i>Place of Assembly</i> f. <i>Private School</i> g. <i>Other non-commercial uses to serve the surrounding community.</i> <p>ii). Zone Standards:</p> <ul style="list-style-type: none"> a. <i>Front yard</i> (minimum): 20.0 m. b. <i>Side Yards</i> (minimum): 10.0 m. c. <i>Height of Religious / Spiritual Facility</i> (maximum): 13.0 m. d. <i>Ground Floor Area of Religious / Spiritual Facility</i> (maximum): 2,000 sq. m.
13.1.1.13	61-85	*13	OS	Various Locations (Conservation Halton Lands)	<p>i). Only uses permitted:</p> <ul style="list-style-type: none"> a. The development and operation of conservation areas by a <i>Conservation authority</i> incorporated under the Conservation Authorities Act, and <i>uses</i> incidental thereto, including <i>dwelling units</i> occupied by Authority personnel necessary to Authority operations b. An administration/operational facility of a <i>Conservation Authority</i>; c. Forest management, trail system

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Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					development and operation and facility development on forest tracts of the Region of Halton and the lands of the Ontario Heritage Foundation. d. <i>Recreational Trailers or Vehicles</i> and tent camping.
13.1.1.14	61-85	*14	RV	185 Campbell Avenue West (Stokes Subdivision) (Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3, Town of Milton (geographic Township of Nassagaweya)	i) Special Site Provisions a. Lot Frontage (minimum): Lot 3: 29.0 m Lot 12: 22.0 m Lot 13: 27.0 m b. Lot Area (minimum): Lot 9: 0.4 ha Lot 12: 0.34 ha Lot 14: 0.34 ha Lot 15: 0.37 ha Lot 16: 0.35 ha Lot 17: 0.4 ha Lot 18: 0.4 ha Lot 20: 0.42 ha Lot 21: 0.43 ha Lot 22: 0.35 ha Lot 23: 0.35 ha Lot 24: 0.4 ha Lot 25: 0.42 ha Lot 26: 0.42 ha Lot 28: 0.38 ha Lot 29: 0.43 ha

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Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.15	61-85	*15	GB	185 Campbell Avenue W. (Stokes Subdivision) (Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3, Town of Milton (geographic Township of Nassagaweya)	<p>i) Prohibited Uses:</p> <p>a. Buildings, structures, swimming pools or other uses and/or facilities accessory to permitted residential uses on the same lot.</p> <p>ii) Only Uses Permitted</p> <p>a. a naturalized revegetation area</p>
13.1.1.16	61-85 Amending By-law to 61-85 was By-law 44-2002 (adopted OMB Decision of May 7, 2001)	*16	C1-F	Southwest Corner of Main Street and Thompson Road (Part Lot 13, Concession 3) (Brewis Chevrolet Oldsmobile Limited)	<p>i) Prohibited Uses:</p> <p>a. A department store</p> <p>b. an enclosed shopping centre (however, this provision shall not prevent a mixed use development nor a group of up to three commercial units in an enclosed building of less than 6,500 m²).</p> <p>ii) Additional Permitted Uses</p> <p>a. institutional uses</p> <p>b. Cultural and entertainment uses</p> <p>c. A dwelling unit or dwelling units in the upper portion of a commercial building</p> <p>e. A motor vehicle service station and/or motor vehicle agency accessory to a permitted use or part of a mixed use development</p> <p>f. An apartment building</p> <p>g. Parking for adjacent commercial development, circulation, landscaping,</p>

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Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					<p>and driveways</p> <p>iii) Zone Standards – Commercial Uses a. <i>Building Height</i> (maximum): 7 storeys</p> <p>iv) Zone Standards – Residential Uses</p> <p>a. Lot Frontage (minimum): 22.5m b. Lot Area (minimum): 0.4 ha c. Lot Coverage (minimum): 40% of the lot area for all buildings d. Front Yard Depth (maximum): 2.5 m e. Rear Yard Depth (minimum): ½ height of the building f. Exterior Side Yard (minimum) 2.5 m g. Interior Side Yard (minimum): ½ height of the apartment building h. Distance Between Buildings (minimum): height of building i. Building Height (maximum): 7 storeys j. Landscaped Open Space (minimum): 35% of the lot area for the apartment building k. Dwelling Unit Area (minimum): 55 m²</p> <p>i) Special Site Provisions – Commercial Uses</p> <p>The size of individual retail stores shall be limited to 2,750 m² with the following exceptions:</p>

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					<ul style="list-style-type: none"> a. Up to 3 individual retail uses may have an individual floor space greater than 2,750 m²; and, b. None of those individual stores may be larger than 11,150 m²; and c. The cumulative floor space of such individual stores which are larger than 2,750 m² may not exceed 16,720 m²; d. No such store larger than 6,500 m² shall front onto Main Street; and, e. Required parking, landscaping, driveways and circulation for permitted uses in this zone may be permitted to be located on the lands zoned R7-20. <p>vi) Special Parking Provisions - Residential</p> <ul style="list-style-type: none"> a. Parking Spaces: 1.5 spaces/dwelling unit
13.1.1.17	61-85 Amending By-law to By-law 61-85 was By-law 10-2002)	*17	A2	5657 – 15 th Side Road (Rose Cherry's)	<p>i). Additional Uses Permitted:</p> <ul style="list-style-type: none"> a. Special Residential Care Facility for Chronically and/or Terminally Ill Children <p>ii). Special Site Provisions:</p> <ul style="list-style-type: none"> a. Accommodation for not more than 12 children, needing care; b. Accommodation for the parents or guardians and family of the children needing care; c. The length of stay of the children, parents or guardians and family shall be short term only,

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Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					<p>not to exceed two weeks in duration; and,</p> <p>d. Other uses accessory to the Special Residential Care Facility shall be permitted.</p> <p>iii). Special Parking Provisions</p> <p>a. Notwithstanding any provisions of Section 5 of this By-law, the required parking for a residential care facility for chronically and/or terminally ill children will be 1.5 spaces per bed and 1 space per guest room.</p>
13.1.1.18	61-85	*18	C5	<p>Part of Lot 15, Concession 2 NS, Steeles Avenue</p> <p>(Abandoned Rail Line / Jim Gorman)</p>	<p>i). Only Uses Permitted</p> <p>a. Automobile display and sales; and,</p> <p>b. Accessory buildings and structures that do not require water and wastewater services.</p> <p>ii). Special Site Provisions</p> <p>a. Notwithstanding any other landscaping provisions of this by-law, a 3.0 metre landscape strip shall be required along the easterly lot line situated within the 25 m of a residential zone.</p>
13.1.1.19	<p>61-85</p> <p>Amending By-law to 61-85 was By-law 114- 2002</p>	*19	M1	<p>53 / 57 Steeles Avenue E. (Rock 'N Bull)</p>	<p>i). Prohibited Uses:</p> <p>a. <i>Accessory uses</i></p> <p>ii). Only Uses Permitted:</p> <p>a. <i>An adult entertainment parlour</i></p> <p>b. <i>A restaurant</i></p>

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and Interim Control Zones**

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
	(August 26, 2002) (adopted OMB Decision)				<p>iii). Zone Standards:</p> <ul style="list-style-type: none"> a. <i>Rear Yard Depth</i> (Minimum) 13.75 m b. <i>Landscaped Open Space</i> (Minimum) 18% of the lot area c. Setback from any <i>building</i> or <i>structure</i>: 1.15 m <p>iv). Special Site Provisions:</p> <ul style="list-style-type: none"> a. Where an <i>adult entertainment parlour</i> is established within a <i>building</i>, it shall be the sole land use permitted within the <i>building</i> and shall be restricted to a location within the <i>first storey</i> of the <i>building</i>. b. A strip of land along the <i>front lot line</i> of the subject property will be used for no other purpose than a <i>landscaped strip</i> in accordance with the following: <ul style="list-style-type: none"> i) 4.5 metres measured perpendicular to the <i>front lot line</i> ii) Where a <i>driveway</i> or other access extends through the <i>landscaped strip</i>, it shall be permissible to interrupt the strip. <p>v). Special Parking Provisions:</p> <ul style="list-style-type: none"> a. <i>Adult Entertainment Parlour</i> (minimum): 1 space per 10 m² of <i>gross floor area</i>

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Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.20	(Official Plan Policies for Moffat)	*20	RV	Various properties within the Hamlet of Moffat	<p>i) Additional Uses Permitted: Notwithstanding any permitted <i>uses</i> or definitions contained within this By-law to the contrary, only the following specific additional <i>uses</i> may be permitted:</p> <ul style="list-style-type: none"> a. blacksmith/horse carriage repair shop; b. pottery fabrication and sales shop; c. jams and preserves production and sales shop; d. antique display and sales shop; e. art gallery/framing/gift shop; f. furniture shop; g. photography/studio; h. saddlery; i. flower shop;
13.1.1.21	By-law 61-85	*21	C2	NE Corner of Thompson Road and Louis St. Laurent Avenue (Manaman Commercial)	<p>i) Special Site Provision:</p> <ul style="list-style-type: none"> a. Notwithstanding the maximum <i>front yard</i> and <i>exterior side yard</i> depth requirements to the contrary, the area within a rectangle measured 30.0 m from the point of intersection of the <i>front lot line</i> and <i>exterior side lot line</i> abutting two arterial roads shall be exclusively devoted to the provision of <i>landscaped open space</i>.

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.22	By-law 61-85	*22	RLD	16 James Street (Waldie's Blacksmith Shop)	<p>i) Only Uses Permitted</p> <p>a. Living Museum</p> <p>ii) Special Site Provisions</p> <p>a. A living museum means the use of a <i>premises</i> for the demonstration of historic activities to groups and the public at large and includes school and other tours and also associated administrative or education meetings. <i>Accessory</i> retail sales of goods is also permitted.</p>
13.1.1.23	By-law 61-85	*23	OS	Lot 18, Concession III (Nassagaweya) (Kaitlyn Brook)	<p>i) Only Uses Permitted</p> <p>a. <i>Conservation Use</i></p> <p>b. <i>Forestry Use</i></p> <p>c. <i>Buildings and structures accessory</i> to uses located within the adjacent <i>zone</i> on the same property.</p>
13.1.1.24	By-law 61-85	*24	A2	Part Lot 12, Concession III (Nassagaweya) (Christoforou)	<p>i) Additional Permitted Use</p> <p>a. Farm Help House</p> <p>ii) Special Site Provisions</p> <p>a. Maximum of two <i>dwellings</i> on one property</p> <p>iii) Zone Standards</p> <p>a. Maximum separation distance between <i>dwellings</i> of 300 m</p>

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.25	By-law 61-85	*25	C4	Part of Lot 7, Concession III (Nassagaweya) (Ridley Windows & Doors)	<p>i) Additional Permitted Uses</p> <p>a. A warehouse facility with associated retail showroom and ancillary business offices</p> <p>ii) Zone Standards</p> <p>a. Lot Coverage Maximum: 4.25%</p>
13.1.1.26	By-law 61-85	*26	EMP	Part of Lot 15, Concession IV (Esquesing) (First Gulf)	<p>i) Special Site Provisions</p> <p>a. Notwithstanding any provisions of this By-law to the contrary for lands zoned EMP *26, definitions, general provisions, permitted uses and zone standards set out in Schedule D to this By-law shall apply.</p>
13.1.1.27	By-law 61-85	*27	M2	Part Lot 6, Concession II (Nassagaweya) and Part Lot 13, concession VIII (Trafalgar)	<p>i) Only Uses permitted</p> <p>a. <i>Equipment Sales and Rental</i></p> <p>b. <i>Industrial Use</i></p> <p>c. <i>Outdoor Storage</i></p> <p>d. <i>Motor Vehicle and Equipment Storage</i></p> <p>e. <i>Seasonal Vehicle Storage</i></p> <p>f. <i>Service and Repair Shop</i></p> <p>g. <i>Transportation Terminal</i></p> <p>h. <i>Veterinary Clinic</i></p> <p>i. <i>Veterinary Hospital</i></p>

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					<p><i>j. Warehouse Distribution Centre</i></p> <p><i>k. a dwelling for a watchman or caretaker or other similar person employed on the premises concerned.</i></p>
13.1.1.28	By-law 61-85	*28	C5	Part Lot 4, Concession III (Trafalgar Truck Stop)	<p>i) Only Uses Permitted</p> <p>a. <i>A Convenience Store</i></p> <p>b. <i>A Drive Through Service Facility</i></p> <p>c. <i>A Motor Vehicle Gas Bar</i></p> <p>d. <i>A Motor Vehicle Service Station</i></p> <p>e. <i>A Propane Facility, Retail</i></p> <p>f. <i>A Restaurant</i></p>
13.1.1.29	By-law 61-85	*29	C2	Derry Centre	<p>i) Additional Permitted Uses</p> <p>a. <i>A Dry Cleaning Establishment</i></p> <p>ii) Zone Standards</p> <p>a. <i>Maximum Total Gross Floor Area of Dry Cleaning Establishments: 120 sq. m.</i></p>
13.1.1.30	By-law 61-85	*30	C1-B	Bronte Street, North of Main Street (Durante)	<p>i) Additional Permitted Uses</p> <p>a. <i>A Commercial storage facility</i></p>
13.1.1.31	By-law 61-85	*31	EMP	Virgoan	<p>i) Additional Permitted Uses</p> <p>a. <i>Gas Bar accessory to a permitted motor vehicle related retail use</i></p> <p>b. <i>Retail Store 2</i></p> <p>c. <i>Retail Store 3</i></p>

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					<p>ii) Zone Standards</p> <p>a. <i>Lot Area</i> (minimum): 0.8 ha</p> <p>b. <i>Lot Coverage</i> (maximum): 45%</p> <p>c. <i>Minimum Front Yard:</i></p> <p>i) where <i>Building Height</i> is 11.0 m or less: 5.0 m</p> <p>ii) Where <i>Building Height</i> is greater than 11.0 m: 9.0 m</p> <p>iii) Canopy edge or roof over a fuel pump island:</p> <p>1. 4.5 m from any <i>lot line</i></p> <p>2. 45.0 m from any residential <i>zone</i></p> <p>d. <i>Minimum Exterior Side Yard:</i></p> <p>i) where <i>Building Height</i> is 11.0 m or less: 5.0 m</p> <p>ii) Where <i>Building Height</i> is greater than 11.0 m: 9.0 m</p> <p>iii) Canopy edge or roof over a fuel pump island:</p> <p>1. 4.5 m from any lot line</p> <p>2. 45.0 m from any residential zone</p> <p>e. <i>Maximum Building Height:</i></p> <p>i) <i>Office Buildings and Hotels:</i> 7 storeys, however, in no case shall the exceed 24.0 metres</p> <p>ii) All other permitted uses: 11.0 m</p>

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.32	By-law 61-85	*32	C4	85 Campbell Avenue (Lotts)	<p>i) Additional Permitted Uses</p> <p>a. <i>A Restaurant</i></p>
13.1.1.33	By-law 61-85	*33	M2	Bales Holdings	<p>i) Zone Standard</p> <p>a. <i>Building Height.</i> No maximum provided that where a <i>building</i> has a <i>height</i> greater than 15.0 metres the required minimum <i>front yard</i> and <i>rear yard</i> depths and the required <i>interior side yard</i> and <i>exterior side yard</i> widths are increased a distance equal to that which the <i>building</i> exceeds a height of 15 metres.</p>
13.1.1.34	By-law 61-85	*34	C5	8619 Regional Road 25 (Kelly & Barry Dennis)	<p>i) Additional Permitted Use</p> <p>a. Service and Repair Shop</p> <p>ii) Special Site Provisions</p> <p>a. For the purposes of this special provision, a Service and Repair Shop shall mean a premises used for the servicing or repairing of articles, goods or materials and may include small engine repair including the servicing and repairing of snow mobiles, all terrain vehicles, motorcycles, lawn and garden equipment and heating, ventilation and air conditioning systems but does not include a motor vehicle service station.</p>

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
13.1.1.35		*35	RMD1	Various Phase 1A lands	<p>i) Zone Standards</p> <p>a. Each <i>parking space</i> shall provide a minimum size of 2.7 metres x 5.5 metres, with a rectangular shape and be readily accessible at all times for the parking and removal of a <i>motor vehicle</i> without the necessity of moving any other vehicle or obstruction. Accessibility shall not apply to a <i>parking space</i> in a garage that is for the exclusive use of the <i>dwelling unit</i>, provided the driveway serving the garage has a minimum length of 5.5 metres;</p> <p>b. In no case, shall any two dwellings located on abutting lots be less than 1.2 metres apart;</p> <p>c. Air conditioning and heat exchange units are permitted in rear or interior side yards only and may encroach up to 1.2 metres into the required yard, but in no case shall air conditioning or heat exchange units be located across lot lines.</p>
13.1.1.36	By-law 61-85	*36	GB	Part Lot 14. Concession VII (Nassagaweya) (Boy Scout / Girl Guide Camp)	<p>i) Additional Permitted Uses</p> <p>a. A boy scout / girl guide camp.</p> <p>ii) Special Site Provisions</p> <p>a. For the purposes of this special provision, a boy scout / girl guide camp means an area of land managed as a unit by a boy scout and/or girl guide association, used for a range of day and short term overnight</p>

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					educational and conservation activities and camping experiences, including <i>accessory</i> facilities such as picnic shelters, lodge houses and equipment storage <i>buildings</i> , but not including the use of mobile homes or trailers for habitation.
13.1.1.37	OMB Order	*37	GB	Kalmoni	<p>i) Only Uses Permitted</p> <p>a. driveways, pathways, trails and linear utilities.</p> <p>ii) Special Site Provisions</p> <p>a. Such areas shall remain in a natural state and shall not be cleared for building construction or installation of septic tile fields.</p>
13.1.1.38		*38	M1	150 Steeles Avenue West (Meritor)	<p>ii) Special Site Provisions</p> <p>b. Notwithstanding any zone standards to the contrary, outdoor storage accessory to the existing <i>industrial use</i> shall be permitted provided that:</p> <p>i) it complies with the minimum <i>setback</i> requirements of the applicable <i>Zone</i>;</p> <p>ii) it is <i>setback</i> a minimum of 18.0 metres from any <i>street line</i> and is not located in a <i>front yard</i>;</p> <p>iii) it does not cover an area exceeding</p>

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	By-law No. (Date Enacted)	Exception No.	Zone	Property Address and/or Legal Description	Special Provisions
					<p>iv) 30% of the <i>lot area</i> or exceeding the ground <i>floor area</i> of the main <i>building</i> on the <i>lot</i>; and, any portion of a <i>lot</i> used for <i>outdoor storage</i> is screened from adjoining <i>streets</i> and properties by <i>buildings</i>, fencing, shrub plantings or similar screening which has a <i>height</i> in excess of the <i>outdoor storage use</i>.</p>
13.1.1.39		*39	C5	20 Market Drive (Canadian Tire)	<p>i) Additional Permitted Uses</p> <ul style="list-style-type: none"> a. A hardware store; b. A Tire Sales Establishment

13.2 HOLDING PROVISIONS

Notwithstanding any other provision in this By-law, where a *Zone* symbol is followed by the letter “H” and the number “1” or “2, (for example M2-H1 or A1-H2) no person shall use the land to which the letter (H) applies for any *use* other than the *use* which existed on the date this By-law was passed, until the (H) is removed in accordance with the policies of the Official Plan and the Planning Act, as amended.

Council may pass a By-law pursuant to Section 36 of the Planning Act to remove the Holding (H) Symbol, thereby placing the lands in the *zone* indicated by the *zone* symbol, when all of the applicable requirements have been met. For the purposes of this By-law, the following references constitute the conditions for removal:

“H1” – Shall not be removed until adequate servicing is available

“H2” – Shall not be removed until a development plan has been provided to the satisfaction of the Town of Milton.

“H3” – Shall not be removed until a development plan has been provided to the satisfaction of the Town of Milton, which reflects among other matters compliance with urban design guidelines at a high quality of landscape site development abutting Regional Road 25.

“H4” – Shall not be removed until a Noise Study, a Functional Servicing Report and Plan, a Stormwater Management Report and Plan and a Traffic Study have been submitted and approved to the satisfaction of the Town of Milton.

Zones with Holding Provisions are identified in Section 13.2.1 of this By-law.

13.2.1. List of Holding Provisions

The following holding provisions apply to the properties specified:

Section No.	Zoning Designation	By-law No.	Property Description	Permitted Uses (Prior to “H” Being Lifted)	Conditions for Removal	Date Enacted
13.2.1.1	M2	By-law 36-95 amended By-law	Blocks 15 & 16, Plan 20M-530, Part of Lot 4, Concession 3	a. a use that would otherwise be permitted in an M2 Zone that does not require the use of water or the discharge of	H1	April 18, 1995

Section No.	Zoning Designation	By-law No.	Property Description	Permitted Uses (Prior to "H" Being Lifted)	Conditions for Removal	Date Enacted
		61-85		vi). wastewater a parking lot as long as there is no requirement for water or wastewater discharge		
13.2.1.2	I-A*12	By-law 34-2002 amended By-law 61-85	6620 Thompson Road West Side of Third Line, South of Derry Road	a. <i>Place of Worship</i> b. <i>Day Nursery</i> c. A memorial garden with columbarium d. <i>Recreational uses</i> e. <i>Place of Assembly</i> f. <i>Private School</i> g. Other non-commercial uses to serve the surrounding community.	H1	March 25, 2002
13.2.1.3	C5*18	By-law (99-95) Amended By-law 61-85	Part of Lot 15, Concession 2 NS, South Side of Steeles Avenue, West of Ontario Street (Abandoned Rail Line / Jim Gorman)	a. Automobile display and sales; and, b. Accessory buildings and structures that do not require water and wastewater services.	H1	November 6, 1995
13.2.1.4		By-law 61-85	North of 401 Lands (certain parcels)	N/A	H1	

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	Zoning Designation	By-law No.	Property Description	Permitted Uses (Prior to “H” Being Lifted)	Conditions for Removal	Date Enacted
13.2.1.5		By-law 61-85	Various Properties in CBD	N/A	H2	
13.2.1.6	C4*32	By-law 61-85	Lotts	a. Existing Uses	H1	
13.2.1.7	C6	By-law 61-85	Durante (Highpoint)	a. Industrial use b. Motor vehicle service station c. Restaurant with a maximum of 1 drive-through service facility, and d. Vehicle rental agency	H3	
13.2.1.8	M2	By-law 61-85	Part of Lot 5, Concession 3 (Oshawa Properties)	N/A	H1	
13.2.1.9	C5	By-law 61-85	Durante (S/E corner of James Snow Parkway and Regional Road 25)	a. Existing uses	H3	
13.2.1.10	C5*34	By-law 61-85	8619 Regional Road 25 (Kelly & Barry Dennis)	a. Existing uses b. Service & Repair Shop	H2	
13.2.1.11	M1/M2	By-law 61-85	Part Lot 5, Concession 2 (Esquesing) (Best Pipe)	N/A	H4	

Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Section No.	Zoning Designation	By-law No.	Property Description	Permitted Uses (Prior to "H" Being Lifted)	Conditions for Removal	Date Enacted
13.2.1.12	M1/M2	By-law 61-85	Part of Lot 2, Concession 4 (Esquesing) (991045 Ontario Ltd.)	N/A	H4	
13.2.1.13	M2	By-law 61-85	Part of Lot 4, Concession 2 (Esquesing) (CIBC lands)	N/A	H4	

13.3 TEMPORARY USE ZONES

Where on Schedules to this By-law, a *zone* symbol is preceded by the letter “T” and a dash, and followed by a zone designation and a number (for example T-A1-1), one or more additional *uses* are permitted on the lands noted until the permission granted by the site specific by-law expires. Section 13.3.1 identifies the Temporary *Use Zones* within the municipality.

13.3.1. List of Temporary Use Zones

The following temporary use provisions apply to the properties specified:

Section No.	By-law No.	Zoning Designation	Property Description	Additional Permitted <i>Uses</i>	Date Enacted	Date Permissions Terminate
13.3.1.1		T-A1-1	East Side of Regional Road No. 25, South of Derry Road (Marchiello)	i). A nine hole <i>golf course</i> ii). A <i>miniature golf course</i>	June 18, 2001	June 18, 2004
13.3.1.2		T-C1E-2	917 Nipissing Road (Milton Community Resource Centre)	i). A nursery school	January 29, 2001	January 29, 2004
13.3.1.3	By-law 71-2001 amended By-law 61-85	T-C1A-3	Southwest corner of Charles Street and Mary Street (Granieri)	i). one apartment unit on ground floor in addition to a permitted use	June 18, 2001	June 18, 2004

13.4 INTERIM CONTROL ZONES

Where on Schedules to this By-law, a *zone* symbol is followed by a dash and the letter "I" (for example C4-I), no change in *use* and no construction of any *buildings* or *structures* is permitted until the expiry of the site specific by-law affecting the lands. Lands affected by site-specific interim control by-laws are catalogued in Section 13.4.1. of this By-law.

13.4.1. List of Interim Control Zones

The following interim control by-laws apply to the properties as specified:

Section No.	By-law No.	Zone Designation	Property* Description	Applicable Provisions	Date Enacted	Date By-law Terminates

SECTION 14
ENACTMENT

14.1 FORCE AND EFFECT

This By-law shall come into force and effect on the date it is passed by the *Council* of the Corporation of the Town of Milton subject to the applicable provisions of the Planning Act, R.S.O. 1990, c.P. 13 as amended.

14.2 READINGS BY COUNCIL

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS

20th day of October, 2003.

Mayor
Gordon A. Krantz

Town Clerk
Troy McHarg