

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

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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 known 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 <i>Use</i> 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 7.5m. 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 star and a number, for example RLD*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, DELEGATION AND INSPECTION (076-2010)

- i) This By-law shall be administered by the Chief Building Official of the Town of Milton or his or her designate.
- ii) Where the Chief Building Official or his or her designate has reason to believe that any person has used land or erected or used any *building* or *structure* in contravention of this By-law he or she or his or her designate, may at any reasonable hour enter and inspect any land or *building* or *structure* in respect of which it is believed the contravention is occurring.

1.3 CONFORMITY AND COMPLIANCE WITH BY-LAW (109-2004)(104-2008)(156-2009) (076-2010)

No person shall use, effect or alter any lands, *buildings*, and *structures* unless the use, land or *building* defined or otherwise, is specifically permitted in accordance with the provisions of this By-law.

Notwithstanding the foregoing, the following By-laws shall not be applied to any Site Plan or Building Permit application received by the Town prior to the passing of these By-laws:

- 156-2009

No change may be made in the type of use of any land, *Building* or *Structure* within any zone category without first having applied for and obtaining a Certificate of Occupancy (Zoning) from the Chief Building Official or his or designate to the effect that the proposed use is not contrary to this By-law. Notwithstanding the above, no Certificate of Occupancy

(Zoning) shall be required by a *Public Authority* or for any type of *dwelling unit* with the exception of *Bed and Breakfast Establishment, Cottage Industry, Retirement Dwelling, Home Industry, Home Occupation, Rooming, Boarding or Lodging Houses, Group Home, Correctional, Group Home Type 1* and *Group Home Type 2*.

Nothing in this By-law shall exempt any person from complying with the requirements of any By-law in force within the Town, or from obtaining any building permit, license, permission, permit, authority or approval required by this or any other By-law of the Town or by any other law in force at the time.

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
(i) 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
Office Node Zone (<i>OMB Order No. 1762</i>)	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
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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 (109-2004)

The Zones and Zone boundaries are shown on Schedule A that is attached to and forms part of this By-law.

2.4 DETERMINING ZONE BOUNDARIES (109-2004)(76-2005)(104-2008)(105-2009)(007-2012)

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, wetland or watercourse, shall be the edge of such highway, street, lane, railway right-of-way, utility corridor wetland, or the greater of the stable top of bank or Regional Storm Floodline of a watercourse. In the case of a wetland or a watercourse, the Conservation Authority having jurisdiction shall determine the boundary;
- 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*, each portion of the *lot* shall be used in accordance with the provisions of this By-law for the applicable *Zone*;
- vi) where none of the above provisions apply, the *Zone* boundary shall be scaled from the legally approved Schedule(s); and,
- vii) Notwithstanding v) above, where a lot or portion thereof is zoned in the Zoning By-law as Greenlands A (GA), and where Conservation Authority having jurisdiction has:
 - a) determined that a lot or portion thereof is located outside of any regulated area and have confirmed that a Permit or permission is not required from the Conservation Authority for the use, erection, construction, or alteration, of any land, building, or structure, OR;
 - b) determined that a lot or portion thereof is located within the Conservation Authority's regulated area and has issued a permit for the use, erection, construction, or alteration, of any land, building, or structure;
 - c) The *uses* and provisions of the adjacent *Zone* designation on the same *lot* shall apply; or where a lot is wholly zoned Greenlands A, and listed in the Table below, the indicated zone provisions shall apply to the lot. In addition, where a permit has been issued by the Conservation Authority the provisions as set out in the permit shall apply and shall supersede the zoning provisions, where more restrictive.

TABLE 2A

STREET NUMBER	STREET NAME	ZONE	STREET NUMBER	STREET NAME	ZONE
#			72	MAIDEN LANE	RLD
4400	30 SIDEROAD	GB	73	MAIDEN LANE	RLD
C			74	MAIDEN LANE	RLD
209	CAMPBELL AVE E	RV	77	MAIDEN LANE	RLD
215	CAMPBELL AVE E	RV	78	MAIDEN LANE	RLD
36	COMMERCIAL ST	RLD	79	MAIDEN LANE	RLD
37	COMMERCIAL ST	RLD	80	MAIDEN LANE	RLD
39	COMMERCIAL ST	RLD	83	MAIDEN LANE	RLD
46	COMMERCIAL ST	RLD	85	MAIDEN LANE	RLD
52	COMMERCIAL ST	RLD	94	MAIDEN LANE	RLD
55	COMMERCIAL ST	RLD	96	MAIDEN LANE	RLD
69	COMMERCIAL ST	RLD	98	MAIDEN LANE	RLD
72	COMMERCIAL ST	RLD	640	MARTIN STREET	C5
75	COMMERCIAL ST	RLD	315	MOUNTAIN VIEW DR	RLD

STREET NUMBER	STREET NAME	ZONE	STREET NUMBER	STREET NAME	ZONE
78	COMMERCIAL ST	RLD	321	MOUNTAIN VIEW DR	RLD
79	COMMERCIAL ST	RLD	322	MOUNTAIN VIEW DR	RLD
86	COMMERCIAL ST	RLD	328	MOUNTAIN VIEW DR	RLD
87	COMMERCIAL ST	RLD	329	MOUNTAIN VIEW DR	RLD
95	COMMERCIAL ST	RLD	332	MOUNTAIN VIEW DR	RLD
96	COMMERCIAL ST	RLD	O		
98	COMMERCIAL ST	RLD	297	OAK ST	RLD
99	COMMERCIAL ST	RLD	P		
104	COMMERCIAL ST	RLD	246	PEARL ST	RLD
106	COMMERCIAL ST	RLD	256	PEARL ST	RLD
107	COMMERCIAL ST	RLD	251	PINE ST	RLD
111	COMMERCIAL ST	RLD	256	PINE ST	RLD
123	COMMERCIAL ST	RLD	262	PINE ST	RLD
127	COMMERCIAL ST	RLD	272	PINE ST	RLD
F			290	PINE ST	RLD
34	FULTON ST	RLD	296	PINE ST	RLD
50	FULTON ST	RLD	310	PINE ST	RLD
56	FULTON ST	RLD	320	PINE ST	RLD
79	FULTON ST	RLD	326	PINE ST	RLD
80	FULTON ST	RLD	330	PINE ST	RLD
84	FULTON ST	RLD	R		
H			187	RIVERPLACE CRES	RLD
345	HIGHSIDE DR	RLD	194	RIVERPLACE CRES	RLD
K			198	RIVERPLACE CRES	RLD
344	KINGSLEIGH CRT	RLD	202	RIVERPLACE CRES	RLD
348	KINGSLEIGH CRT	RLD	203	RIVERPLACE CRES	RLD
352	KINGSLEIGH CRT	RLD	208	RIVERPLACE CRES	RLD
356	KINGSLEIGH CRT	RLD	214	RIVERPLACE CRES	RLD
360	KINGSLEIGH CRT	RLD	219	RIVERPLACE CRES	RLD
364	KINGSLEIGH CRT	RLD	220	RIVERPLACE CRES	RLD
368	KINGSLEIGH CRT	RLD	223	RIVERPLACE CRES	RLD
376	KINGSLEIGH CRT	RLD	224	RIVERPLACE CRES	RLD
342	KINGSWAY PLACE	RLD	228	RIVERPLACE CRES	RLD
345	KINGSWAY PLACE	RLD	232	RIVERPLACE CRES	RLD
346	KINGSWAY PLACE	RLD	233	RIVERPLACE CRES	RLD
350	KINGSWAY PLACE	RLD	W		
351	KINGSWAY PLACE	RLD	292	WOODWARD AVE	RLD
354	KINGSWAY PLACE	RLD	315	WOODWARD AVE	RLD
358	KINGSWAY PLACE	RLD	316	WOODWARD AVE	RLD
359	KINGSWAY PLACE	RLD			
M					
66	MAIDEN LANE	RLD			
68	MAIDEN LANE	RLD			
71	MAIDEN LANE	RLD			

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

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

2.9 REFINEMENT OF *ZONE* BOUNDARIES UPON REGISTRATION OF PLANS OF SUBDIVISION (109-2004)

Upon registration of a plan of subdivision, technical revisions to the by-law mapping will be implemented as required in order to ensure that the *zone* boundaries coincide with the *lot* and block fabric of the registered plan.

SECTION 3 DEFINITIONS

ACCESSORY APARTMENT (104-2008)

Means a separate and complete *dwelling unit* 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 (12-2005)

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*, but does not include *outdoor storage*.

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 (109-2004)

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, and includes the *outdoor storage* of equipment, goods or raw or processed materials normally incidental to an *agricultural operation*.

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 (104-2008)

Means a platform that may be partially enclosed projecting from the main wall of a *building* 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*.

BANK (109-2004)(104-2008)(96-2010)

Means a *premises* where money is deposited, withdrawn, kept, lent or exchanged.

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*.

BICYCLE PARKING SPACE (156-2009)

Means an area that is equipped with a bicycle rack or bicycle locker that is accessible, secure and suitable for the purposes of long-term bicycle parking.

BOARDER

Means a person to whom lodging is provided for compensation.

BOARDING KENNEL (109-2004)(47-2005)(104-2008)

Means a *premises* for the keeping, breeding, boarding or training of *domestic animals* but shall not include the keeping of animals in a *veterinary clinic-small animal* for the purpose of observation, and/or recovery necessary to veterinary treatment or a pet shop.

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 10m² 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 FACE (109-2004)

Means the entire front elevation of the main floor of a *building* facing a *street*, and includes the *dwelling face* and the *garage face*.

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/*lot* management, and *structures* for flood/erosion control. This *use* shall not include administration and/or operational facilities.

CONTRACTOR'S YARD (105-2009)

Means a *premises* of any general contractor or builder where equipment and/or materials are stored or where a contractor performs shop or assembly work, but does not include a *Cottage Industry* or *Home Industry*.

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 (105-2009)

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, but does not include a *Contractor's Yard*.

COUNCIL

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

CULTURAL USE

Means a *theatre*, a *commercial school-skill*, an *art 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 (RADI)

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 include 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 (12-2005 & OMB ORDER 2598)

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

DRIVEWAY, RESIDENTIAL (73-2009)(156-2009)

Means a hard sloped surface (consisting of, but not limited to, asphalt, concrete, patterned concrete, interlocking brick, or paving stone) on a *lot* having a residential *zone* containing less than four (4) *dwelling units*, upon which vehicles drive and park, and includes an adjacent hard surface, capable of being parked or driven upon by part of the whole of a *motor vehicle*, such as, but not limited to, walkways, banding, or curbing.

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 or dry-cleaning is housed and where the cleaning, drying, ironing and finishing of such goods is conducted.

i)

DWELLING, APARTMENT

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

DWELLING, BACK-TO-BACK TOWNHOUSE (39-2004)(104-2008)

Means a *building* containing a minimum of 6 and no more than 16 *dwelling units* that is divided vertically and where each unit is divided by common walls, including a common rear wall without a *rear yard setback*, and whereby each unit has an independent entrance to the unit from the outside accessed through the *front yard* or *exterior side yard*.

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 (104-2008)

Means a mobile *dwelling unit* suitable for long term occupancy designed to be transportable on its own chassis and wheel system.

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, RETIREMENT (73-2009)(96-2010)

Means a *building* containing *dwelling units* where common facilities are provided for the preparation and consumption of food and where housekeeping services and onsite medical services are provided, as required. A retirement *dwelling* may contain accessory *personal service shop*, retail and recreational uses for the residents. A retirement *dwelling* is intended to be occupied by persons who are retired from the work force, or by reason of age or infirmity require the services provided in a semi-independent living environment, but who do not require the services and support provided in a *Long-Term Care Facility*.

DWELLING, SEMI-DETACHED (104-2008)

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

DWELLING, TOWNHOUSE (104-2008)

Means a *building* containing no more than eight *dwelling units* that is divided vertically and where each unit is divided by a common 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 FACE (109-2004)

Means that portion of the main floor *building face* in architectural elevation, not including the *garage face*.

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.

FENCE (105-2009)

Means an artificially constructed barrier erected to enclose, to prevent entrance, to mark boundary, or screen areas of land, and shall include a *Privacy Screen* or Hedge.

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*.

FILL OPERATION (105-2009)

Means depositing, storing or stockpiling of a deposit (such as, but not limited to, topsoil, sand, gravel, rock, silt, clay, peat or any other substance of which land is composed, or any combination thereof) on any *lot* where that deposit did not exist or stand previously, except where required for the erection of a *building* or *structure* under a valid Building Permit or development permit issued by the *Town*, or related to a permitted *Agricultural Operation*.

FIRST STOREY

Means the storey with its floor closest to *established grade* and having its ceiling more than 1.8m 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 (104-2008)

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, for the purpose of calculating required parking, minus 10%.

FOOD STORE (109-2004)

Means a *premises* having a minimum *gross floor area* of 2750m², 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.

GARAGE, ATTACHED (105-2009)

Means a private garage accessory to a *dwelling* on the same *lot* and attached thereto by a common wall and/or common roof structure and is considered part of the *principal building*.

GARAGE, DETACHED (105-2009)

Means an accessory *building* or *structure* which is designed and used for the sheltering of permitted *motor vehicles* and storage of household equipment incidental to the residential occupancy and which is fully enclosed and roofed.

GARAGE FACE (109-2004)

Means that portion of the main floor *building face* in architectural elevation, between and including the garage walls.

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, Chiropracodists, 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 (104-2008)

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 *deckline* of the *roof*;
- c) in the case of a gable, hip or gambrel *roof*, the mean *height* between the eaves and ridge;

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 5.0m 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 INDUSTRY (105-2009)

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*, any activity requiring the use of toxic chemicals, or a *Contractor's Yard*.

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 (105-2009)

Means a *premises used* primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, and/or packaging, and may include 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 (12-2005)(104-2008)

Means the area of a *lot*, exclusive of any easement for the purposes of underground or overhead utilities or services, 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. Pedestrian and/or vehicular entrances through the landscape buffer are permitted.

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*.

LANDSCAPING, RESIDENTIAL (73-2009)

Means either or both of the following surfaces on a *lot* having a residential *use* containing less than four (4) *dwelling units*:

- 1) the vegetative surface (level or otherwise) capable of supporting the growth of vegetation (such as grass, trees, shrubs, flowers, berms or other plants) OR,
- 2) the rough or irregular surface that permits the infiltration of water into the ground (including rocks and stones).
- 3) *Residential Landscaping* may include retaining walls, walkways, *stairs*, and patios, but shall not include a *Residential Driveway*.

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.

LONG-TERM CARE FACILITY (73-2009)

Means a *building* containing residential accommodations where a broad range of 24-hour personal care, support and health services are provided for persons requiring these services in a supervised setting and that may contain common facilities, such as but not limited to, the preparation and consumption of food, accessory *personal service shop*, retail and recreational uses for the residents.

LOT (104-2008)

Means a parcel or contiguous parcels 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 (105-2009)

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* and *carports*, 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

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 (12-2005) (105-2009)

Means a *premises* containing offices and common administration and/or reception areas used by two or more *regulated health professionals* to provide diagnosis and/or 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 (104-2008)

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 as a residential *dwelling*.

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 steam 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 2.5m², 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.

OBNOXIOUS USE (109-2004)

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*.

OFFICE USE (109-2004)

Means a *premises* in which persons are engaged in the management and direction of a business or enterprise or the practice of a profession or provision of a service including its administration and includes the offices of a *Regulated Health Professional*, but does not include a *personal service shop* or a *bank* or a *medical clinic*.

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 *outdoor storage*.

OUTDOOR STORAGE USE (109-2004)

Means a *premises* where an *outdoor storage* area forms the main use of a *lot*, but does not include a *Salvage Yard*. 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.

PARKING AREA (12-2005 & OMB ORDER 2598)(104-2008)

Means an open area, other than a street, used for the temporary parking of two or more *motor vehicles* that includes *driveways*, *parking spaces* and aisles and is available for *public use* as an accommodation for clients or customers or residents, and shall also include residential uses containing four or more *dwelling units*, 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 (109-2004)

Means a *premises* in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of customers which services may involve the health, beauty or grooming of a person or the maintenance, cleaning or repair of personal apparel or accoutrements but does not include a *dry cleaning establishment*, a *Night Club*, or an *Adult Entertainment Use*.

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 (109-2004)

Means a *premises used* for the gathering of groups of people and may include facilities for the preparation and consumption of food or drink including a *banquet facility*, 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

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*.

PRIVACY SCREEN (105-2009)

Means a *fence* that will visually isolate, conceal or seclude objects, things, places or people.

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 (157-2009)

Means any use of land, *building* or *structure* by or on behalf of a *public authority*, and includes the authorization by a *public authority* of the use of its land, *building* or *structure* by any other party, including where the party is not a *public authority*, for any purpose authorized by the *public authority*.

RECREATION AND ATHLETIC FACILITY (104-2008)

Means a *building, structure* or outdoor facility 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*.

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.

RESTAURANT, TAKE OUT (104-2008)

Means a *premises* having less than eleven (11) seats for customers, where food and drink are prepared and offered for sale to the public primarily to be taken out or delivered for consumption off the premises.

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 930m².

RETAIL STORE 2 (104-2008)

Means a *retail store* that has a *gross floor area* equal to or greater than 930m² and less than 2750m².

RETAIL STORE 3 (104-2008)

Means a *retail store* with a minimum *gross floor area* of 2750m² and up to a maximum *gross floor area* of 37,160m² where the entire floor area of the *use* is occupied by a large single user selling one product or a variety of products 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 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 (104-2008)

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

SHIPPING CONTAINER (122-2008)

Means an article of transportation equipment, including one that is carried on a chassis, that is strong enough to be suitable for repeated use and is designed to facilitate the transportation of goods by one or more means of transportation and includes, but is not limited to, intermodal shipping containers, body of transport *trailer* or straight truck box, but does not include a *motor vehicle*.

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 0.5m 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*.

TOWING YARD (105-2009)

Means a *premises* used for the impounding and/or storage of recovered *motor vehicles* which are damaged, disabled, wrecked or abandoned and may include an *office* for administration and dispatch centre, but does not include a *Transportation Terminal*, *Salvage Yard*, *Motor Vehicle Body Shop*, *Motor Vehicle Repair Garage*, or *Motor Vehicle Service Station*.

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 (104-2008) (105-2009)

Means a *premises* where trucks, *trailers* or transports are parked, serviced, repaired, or kept for hire, or loaded or unloaded but does not include a *towing yard*, *waste transfer station*, a *waste storage facility* or a *salvage yard*.

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 – SMALL ANIMAL (47-2005)

Means a *premises* where companion animals 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 CLINIC – LARGE ANIMAL (47-2005)

Means a *premises* where *office uses*, including *accessory* pharmacy and laboratory, are provided for a mobile veterinary operation providing service to food producing animals or horses, but shall not include servicing animals on-site.

VETERINARY HOSPITAL – SMALL ANIMAL (109-2004, 47-2005)

Means a *premises* where companion animals are given medical or surgical treatment, within which there may be shelter facilities provided for overnight or long-term medical treatment and may include accessory boarding facilities, but does not include a *boarding kennel*.

VETERINARY HOSPITAL – LARGE ANIMAL (47-2005)

Means a *premises* where food producing animals or horses are given on-site medical or surgical treatment and may include overnight or long-term medical treatment. *Accessory office use*, pharmacy, laboratory and/or mobile operation are also permitted.

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 (156-2009)

Means a *premises* used for the storage and/or 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 (105-2009)

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 warehouse membership club.

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 (105-2009) (105-2009)

Means a space, appurtenant to a *principal building, structure or use*, that is located on the same *lot* as the a *principal building, structure or use* 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 (105-2009)

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, structure or use* on the *lot*.

YARD, FRONT (105-2009)

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

YARD, INTERIOR SIDE (105-2009)

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, structure or use* 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 (109-2004)

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

YARD, REAR (105-2009)

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

ZONE

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

**SECTION 4
GENERAL PROVISIONS**

4.1 ACCESSORY BUILDINGS, STRUCTURES AND USES (109-2004)(104-2008)(105-2009)

Accessory buildings, structures and uses 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;
- iii) The detached *accessory building or structure* shall not be situated on or over an easement;
- iv) Notwithstanding the foregoing, a *garden suite* is not permitted as of right within any *zone*;
- v) Notwithstanding the above, accessory retail *uses* within a *principal building* in the EMP, M1 and M2 *Zones* are limited to 5% of the *Gross Floor Area* of the principal *use* to a maximum of 232.3m².

4.1.1 REGULATIONS FOR RESIDENTIAL ZONES

4.1.1.1 Regulations for *Accessory Buildings or Structures* (*1) (12-2005)(105-2009)

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

TABLE 4A

Requirements	Zones	
	RLD, RMD1, RMD2, RHD, RO	RE, RV
Location	Rear yard, Interior Side Yard	Front Yard, Rear yard, Interior Side Yard, Exterior Side Yard
Total Area of all <i>Accessory Buildings and Structures</i> (Maximum)	The lesser of 5% of the <i>lot area</i> or 10m ²	40m ²
<i>Height of Accessory Building or Structure</i> (Maximum)	3.0m, unless otherwise specified in the By-law.	3.7m, unless otherwise specified in the By-law.
Door <i>Height</i> (Maximum)	N/A	2.4m

Requirements	Zones	
	RLD, RMD1, RMD2, RHD, RO	RE, RV
<i>Setbacks</i>		
<i>Front Yard (Minimum)</i>	Not permitted	In accordance with the <i>setback</i> for the principal use
<i>Rear Yard – Interior Lot (Minimum)</i>	0.6m	3.0m
<i>Rear Yard – Corner Lot (Minimum)</i>	In accordance with the <i>setback</i> for the principal use	3.0m
<i>Interior Side Yard (Minimum)</i>	0.6m	3.0m
<i>Exterior Side Yard (Minimum)</i>	Not permitted	In accordance with the <i>setback</i> for the principal use

Footnotes to Table 4A

(*1) *Decks* are subject to the provisions of Section 4.1.1.7.

4.1.1.2 **General Regulations Common To Both Attached and Detached Garages and Carports**
(12-2005)(OMB Order 2598)(104-2008)(73-2009)(105-2009)

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

- i) An *attached* or *detached garage* or *carport* is not already located on the *lot*;
- ii) The *attached* or *detached garage* or *carport* is directly accessible by a *residential driveway* that satisfies the requirements of Section 5.5.2;
- iii) In no case shall the outside of the *garage* door or the front of the *carport* be located any closer than 5.5m from the *front lot line* or 5.5m 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 2.9m wide by 6.0m long by 2.1m high of which 2.9m wide by 5.3m long by 2.1m high 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 5.5m wide by 6.0m long by 2.1m high of which 5.5m wide by 5.3m long by 2.1m high shall be unobstructed area with the exception of one *stair*; and,
- vi) The *garage* door does not exceed 2.4m in *height* and must have a minimum *garage* door opening width of 2.4m.

4.1.1.2.2 **Special Regulations for *Detached Garages and Carports*** (104-2008)(73-2009)(105-2009)

In addition to the provisions as set out in Section 4.1.1.2, a *detached garage* or *carport* 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 1.2m from the *principal building* on the *lot*, if the *lot* is accessed by a *residential driveway* from a *public street*;
- iii) It is located no closer than 5.5m from the *principal building* on the *lot*, if the *lot* is accessed by a *residential driveway* from a *lane*;
- iv) It is located no closer than 1.0m from the *rear lot line*, if the *lot* is accessed by a *residential driveway* from a *lane* crossing the *rear lot line*;
- v) The required outside *parking spaces* on a *lot* accessed by a *residential driveway* from a *lane* are located parallel to each other, whether in or outside of a *detached garage* or *carport*, and located no farther than 6.0 m from the *rear lot line*;
- vi) It is located no closer than 0.6m from the *rear lot line*, if the *garage* or *carport* is accessed by a *residential driveway* crossing either the *front lot line* or *exterior side lot line*;
- vii) It is located no closer than 0.6m from an *interior side lot line*, unless it is attached to a *garage* or *carport* 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 4.3m;
- ix) The *gross floor area* of the *detached garage* or *carport* does not exceed 10% of the *lot area*.

4.1.1.3 **Accessory Apartments**

An *accessory apartment* is permitted in a single *detached dwelling* 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 65m².

4.1.1.4 **Swimming Pools** (109-2004)(104-2008)

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* 1.2m from any *side* or *rear lot line*;
- iii) Any *deck* associated with a 1.2m 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 2.4m;
- v) Such *swimming pools* and associated water circulating, heating or treatment equipment shall be enclosed by a *fence* in accordance with the Town of Milton Pool *Fence Enclosure* By-law, as may be amended from time to time; 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 1.2m above the *established grade*.

4.1.1.5 **Air Conditioners and Heat Pumps** (104-2008)

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 shall not be located any closer than 0.6m to an *interior lot line* and shall not be located on any easements in favour of the Town

4.1.1.6 **Satellite Dish Antenna** (12-2005)

Satellite dish antennae are permitted in any *Zone* provided that:

- i) it does not exceed a diameter of 1.3m; and,
- ii) it is attached to the *principal building*.

4.1.1.7 **Decks** (104-2008)(105-2009)

Residential *decks*, including any *stairs* or landings that access the *deck* above finished *grade*, are permitted on any *lot*, provided not constructed on or over an easement in favour of the Town of Milton, subject to the following:

- i) *Decks* having a height of 0.6m to 1.2m are subject to the following:
 - a) the *deck* is located within the *rear*, *interior side*, and/or *exterior side yard*;
 - b) the *deck* is located no closer than 3.0m from the *rear lot line*;
 - c) the *deck* is located no closer than 0.6m from the *interior* and *exterior lot lines*;
- ii) *Decks* having a height of greater than 1.2m above finished *grade* shall be permitted on any *lot*, subject to the following:
 - a) the *deck* is located in the *rear yard* only;
 - b) the *deck* is no higher than the floor of the *first storey*;
 - c) the *deck* is located no closer to the *exterior* and *interior side lot line* than the *principal building*;
 - d) the *deck* projects no more than 3m into the *rear yard* from the wall of the *principal building* closest to the *rear lot line* (other than a garage) and maintains a minimum *setback* of 3m from the *rear lot line*;
- iii) Notwithstanding the above, within an A1, A2, or RE Zone, a *deck* is permitted in any *yard* subject to the *zone* provisions for the *principal building*, provided the *deck* is no higher than the floor of the *first storey*;
- iv) Notwithstanding the above, within an RV Zone, a *deck* is permitted in the *rear yard* only, subject to the *zone* provisions for the *principal building*, provided that the *deck* is no higher than the floor of the *first storey*;
- v) Notwithstanding the above, *decks* that have a *height* of less than 0.6m are permitted in any required *rear*, *exterior side* and/or *interior side yards* and are not subject to the above requirements.

4.1.1.8 **Balconies** (96-2010)

- i) *Balconies* are permitted in the *rear yard*, *exterior side yard* and *front yard*;
- ii) *Balconies* may encroach to a maximum of 1.5m 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.
- iv) Notwithstanding the foregoing, balconies are permitted in all yards for apartments

4.1.1.9 **Porches/Verandas** (12-2005)(104-2008)

- i) *Porches/verandas* including any *stairs* are permitted in any *yard*;
- i) *Porches/verandas* including any *stairs* where located in the *front yard* and/or *exterior side yard* are permitted to encroach into the *required yard*, but at no time shall be closer than 1.0m to the *property line*; and,
- ii) *Porches/verandas* where located in the *rear yard* are permitted to encroach to a maximum of 3.0m into the *required setback*.

4.1.1.10 **Landings** (12-2005)

In no case shall the length and width of a landing be greater than 120% of the width of the *stairs* leading to the landing.

4.1.1.11 **Waste Storage Facilities** (104-2008)

Waste Storage Facilities, including *recycling facilities* are permitted only in the RHD and RO Zones as an *accessory use* to a permitted residential use provided they are contained within the main building.

4.1.2 **REGULATIONS FOR NON-RESIDENTIAL ZONES**

4.1.2.1 **Regulations for Accessory Buildings and Structures, In All Non-Residential Zones, Excluding the Rural Zones and Greenlands Zones** (12-2005)(104-2008)(105-2009)

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

- i) *Buildings and Structures* no greater than 93m² are permitted, subject to the following:
 - a) *Maximum Height*: 5.5m;
 - b) *Minimum Setback from Interior Lot Line*: 3.0m;
 - c) *Minimum Setback from Exterior Lot Line*: in accordance with the *setback* required for the *principal use*;
 - d) *Minimum Setback from Rear Lot Line*: 3.0m;
 - e) *Minimum Setback from any Residential Zone Boundary*: in accordance with the *setback* required for the *principal use*;
- ii) *Buildings and Structures* greater than 93m² are permitted in the M1 and M2 zones subject to all of the regulations for the *principal use*;
- iii) Notwithstanding above, *accessory buildings and structures* within a C4 Zone, shall be subject to the RE and RV provisions for *accessory buildings and structures* as set out in Section 4.1.1.

- iv) Notwithstanding above requirements, a detached gatehouse of a maximum size of 9.3m² with a maximum *height* of 3.0m is permitted in the *front yard*, and in the *landscape buffer strip* required by this By-law provided it is located no closer than 3.0m from any *street line*.

4.1.2.2 Regulations for Accessory Buildings and Structures Including Detached Garages and Carports, in the Rural Zones and Greenlands Zones (12-2005)(104-2008)(105-2009)(007-2012)

Accessory buildings and structures, including detached garages and carports are permitted in any yard on a lot in the Rural Zones and Greenlands Zones provided that:

- i) It maintains the minimum *yard* requirements of the applicable *zone*;
- ii) It does not exceed a maximum *height* of 5.5m or maximum *gross floor area* of 93m²;
- iii) No more than two *accessory buildings* exists on a *lot* that has a *lot area* of 0.8 hectares or less;
- iv) Within a Greenlands A *Zone*, *accessory buildings and structures* are not permitted, unless otherwise specified in Section 2.4 of this By-law.”;
- v) Within a Greenlands A or Greenlands B *Zone*, *accessory buildings and structures* are also subject to the Regional Tree Cutting By-law; and,
- vi) Notwithstanding the above requirements, a detached gatehouse or private rural bus shelter of a maximum size of 9.3m² with a maximum *height* of 3.0m is permitted in the *front yard*, and in the *landscape buffer strip* required by this By-law provided it is located no closer than 3.0m from any *street line*.

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 40m from the nearest exterior wall of a *dwelling* on an abutting *lot*;
- iv) They are *setback* 10m 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 38m. 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 6.0m;
- 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.;

- vii) They have a sign that is in conformity with the Town of Milton Sign By-law, warning of the danger and high voltage; and,
- viii) 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** (109-2004)(104-2008)

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

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

4.1.2.5 **Heating, Ventilation and Air Conditioning Equipment (HVAC) In Non-Residential Zones** (109-2004)

- 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 3.0m 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 with the exception of the M2 *Zone*, shall be screened from any collector or arterial street or from an 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 1.3m.

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*.

4.1.2.8 **Restaurant Patio (105-2009)(156-2009)**

A *Restaurant Patio* is permitted in any non-residential zone subject to the following:

- i) The *Restaurant Patio* is permitted as an *accessory use* to a permitted *Restaurant* located within a *principal building*;
- ii) The *Restaurant Patio* shall be located within 3.0m of the *use* for which it is required;
- iii) In the case of a roof-top *Restaurant Patio*, it shall be located directly above the permitted *Restaurant*;
- iv) A *Restaurant Patio* shall be located a minimum of 1.0m from any *lot line*;
- v) The *Restaurant Patio* shall be located a minimum of 1.2m from a *parking area*;
- vi) The *Restaurant Patio* shall not be completely enclosed;
- vii) The noise from or created by any radio receiving set, television receiving set, musical instrument, phonograph, loudspeaker or other machine or device for the producing or reproducing of sound, magnetically or electronically or otherwise, shall be prohibited;
- viii) A *Restaurant Patio* shall not be permitted in any *yard* abutting a *Residential Zone*, or in the case of a roof-top patio/terrace it shall not be located on lands abutting a *Residential Zone*; and,
- ix) Notwithstanding any requirements to the contrary, a *restaurant patio* may encroach into a *Landscape Buffer*, with exception of a *landscape buffer* abutting a *Greenlands A Zone* or a *Residential Zone*.

4.2 **DWELLING UNITS (104-2008)**

- i) Unless otherwise permitted by this By-law, no more than one residential *building* 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 (12-2005)(104-2008)

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 *setback* as follows:

TABLE 4B

Structure	Required Setbacks	Maximum Distance
<i>Bay Windows</i>	<i>Exterior Side Setback, Front Setback or Rear Setback</i>	0.6m out and 3.0m wide
Chimney Breast	<i>Rear Setback, Exterior Side Setback or interior side Setback (in accordance with provision ii below)</i>	0.45m
Clothes Poles, Flag Poles, Garden Trellises, and other similar <i>structures</i>	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	To <i>lot line</i> when located in an <i>exterior side Setback</i> provided that these <i>structures</i> must be located adjacent to the <i>rear Yard</i>
2) Eaves & Gutters	<i>Front Setback, Rear Setback, Interior Side Setback or Exterior Side Setback</i>	0.45m provided that the eaves and gutters are 2.0m above <i>grade</i>
3) <i>Media Niches</i>	<i>Rear Setback, Exterior Side Setback or interior side Setback (in accordance with provision ii below)</i>	0.45m
Ornamental Projections	<i>Front Setback, Rear Setback, Interior Side Setback or Exterior Side Setback</i>	0.15m provided that the ornamental projection is 2.0m above <i>grade</i>
Permanent Window Awnings	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	1.0m out provided that the awnings are 2.0m above <i>grade</i> .
Retractable-Drop Canopies & Awnings	<i>Rear Setback</i>	To the extent permitted for a <i>deck</i> less than 1.0m in <i>height</i>
<i>Stairs and Landings, Above Grade Accessing A Principal Building</i>	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	<i>Stairs</i> shall be located a minimum of 1.0m from the property line, measured to the first riser, with no part of the landing any closer than 1.5m from the property line.
<i>Stairs, Below Grade Accessing A Principal Building</i>	<i>Rear Setback</i>	No Maximum

Structure	Required Setbacks	Maximum Distance
Underground Cold Cellars	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	Cold <i>cellars</i> are permitted to encroach as far as the <i>porch/veranda</i> . See also Section 4.1.1.9
Wheel Chair or Handicap Ramp	<i>Front Setback, Rear Setback or Exterior Side Setback</i>	Within 1.0m of any <i>lot line</i>

- ii) In no case shall any encroachment, with the exception of eaves and gutters, 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 13.0m 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 FENCES (105-2009)(96-2010)

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

- 4.5.1 For all non-residential *zones* the maximum *fence height* shall be 3.0m with the exception of fencing necessary for the development and safety of playing fields, where no height restriction shall apply.
- 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 2.0m;
 - ii) Notwithstanding i) above, fencing around the perimeter of decks is permitted to a maximum height of 1.5 m from deck level and to a maximum of 60% of the perimeter of the deck, including the wall of the house;
 - iii) Within a *front yard*, the maximum *fence height* shall be no higher than 1.0m 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 2.0m;
 - iv) *Fence height* shall be measured vertically from *grade*, exclusive of any artificial embankment, to the highest point of each 3.0m section of *fence*, excluding decorative post caps; and,
 - v) Where the *grade* elevations along the *fence* vary, maximum *fence height* may increase to 2.3m provided that the lowest *height* of the same 3.0m fence section does not exceed 2.0m in *height*.

- 4.5.3 *Fencing* for the purpose of enclosing a tennis court is permitted to a maximum *height* of 3.0m.
- 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 (104-2005)(104-2008)(96-2010)**

Requirements Pre-Requisite to Erecting, Using or Occupying a *Building* or *Structure*

- a) 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.
- b) No *building* or *structure* may be erected, used or occupied unless:
 - i) connection to the municipal water and wastewater systems has been approved by Halton Region where such services are required by the Ontario Building Code; or, where municipal service is not available, receipt of confirmation from Halton Region's Medical Officer of Health of a potable water supply and from the Town's Chief Building Official of a private sewage disposal system in accordance with the Ontario Building Code have been received.
 - ii) (a) the municipal urban *street* standard of base course asphalt is provided adjacent to the *frontage* of the *lot* and connecting the *lot* to an assumed municipal *street*; or
 - (b) for *lots* serviced by a *private street* or *lane* and deemed to be a *public street* or *lane* that existed on August 8, 2005 the existing *street* standard is provided adjacent to the *frontage* of the *lot* or connecting the *lot* to an assumed municipal *street*; or
 - (c) for *lots* of record that existed on August 8, 2005, not meeting the requirements of (a) and (b) above, the existing municipal *street* standard is provided adjacent to the *frontage* of the *lot* or connecting the *lot* to an assumed municipal *street*;
 - iii) Any planned public stormwater management facilities are constructed and operational to service the *lot*;
 - iv) All planned public underground services required to be installed pursuant to i) and ii) are constructed and operational to service the *lot*;
 - v) Notwithstanding iii) and iv) above, partial *building* permits as described in the "Building By-law" may be issued;

- vi) Notwithstanding i), ii), iii), and iv) above, permits for temporary uses as described in 4.19 may be issued.

4.7 GROUP HOMES (109-2004)

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 4C

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 500m 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.

4.8 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 30m² 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*.

4.9 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 93m²;
- 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 30.0m 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*.

4.10 ACCESSORY FARM PRODUCE RETAIL OUTLET (96-2010)

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 250m²*;
- 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) Where the building or structure is greater than 20 square metres, the maximum height shall be 5.5 m and subject to the setbacks of the applicable zone for principal buildings or structures;
- v) Where the building or structure is 20 square metres or less, the maximum height shall be 3.0 m and shall be located no closer than 3.0 m to any lot line; and,
- vi) a farm produce retail outlet is permitted in any yard

4.11 LANDSCAPED OPEN SPACE AND LANDSCAPE BUFFERS (12-2005)(104-2008)

Landscaped open space and *landscape buffers* where required shall be provided in accordance with the following provisions:

- 4.11.1 Where a *driveway* or other access including a private rail spur line is required to extend through the *landscaped open space* and *landscape buffers*, it shall be permissible to interrupt the *landscaped open space* and *landscape buffers* for the width of such a required *driveway* or other access.
- 4.11.2 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*.
- 4.11.3 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*.
- 4.11.4 Notwithstanding any other provision of this By-law, *landscaped buffers* requirements shall be provided outside of any easement or *setback* required by the Ministry of Transportation (MTO).

4.12 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*.

4.13 NON-COMPLYING BUILDINGS AND STRUCTURES

4.13.1 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.

4.13.2 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.

4.14 NON-COMPLYING LOTS

4.14.1 Non-complying Lots (104-2008)

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

4.14.2 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.

4.15 NON-CONFORMING USES

No land, building or structure shall be used except in conformity with the provisions of this By-law unless such use 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.

4.16 PUBLIC USES (109-2004)(73-2009)(105-2009)(157-2009)

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

- i) Accessory Outdoor Storage may be permitted, except where the property abuts a Residential Zone, or in the case of a roof-top patio/terrace it shall not be located on lands abutting a Residential Zone;
- ii) 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;
- iii) 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;
- iv) Such use, building or structure located on lots less than 3.0ha, shall comply with the Zone Standards of the I-A (Institutional Minor) Zone;
- v) Such use, building or structure is located on lots 3.0ha or greater, shall comply with the Zone Standards of the I-B (Institutional Major) Zone; and,
- vi) Such use, building or structure shall comply with the provisions of Sections 4 and 5 of this By-law.

4.17 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 4D

DAYLIGHTING TYPE	CONDITION (Street Type / Street Type)	DAYLIGHTING REQUIREMENTS (m – measurement type)
Street	<i>Laneway / Local</i>	5m – Radius
	<i>Local / Local</i>	5m – Radius
	<i>Local / Collector</i>	7m – Radius
	<i>Local / Arterial</i>	7m – Radius
	<i>Collector / Collector</i>	10m – Radius
	<i>Collector / Arterial</i>	10m – Triangle
	<i>Arterial / Arterial or Major Arterial or Highway</i>	10m – Triangle
Railway	Mainline track crossings with signal lights and/or gates	The <i>railway daylighting triangle</i> shall be 8.0m (minimum) from track along <i>street line</i> , and 275m from <i>street line</i> along track
	Mainline track crossings without signals and/or gates	The <i>railway daylighting triangle</i> shall be 85m from track along <i>street line</i> , and 75m from <i>street line</i> along track
	Spurline track crossings with signals and/or gates	The <i>railway daylighting triangle</i> shall be 8.0m (minimum) from track along <i>street line</i> , and 75m from <i>street line</i> along track.
	Spurline track crossings without signals and/or gates	The <i>railway daylighting triangle</i> shall be 85m from track along <i>street line</i> , and 75m from <i>street line</i> along track.

4.18 SPECIAL SETBACKS (104-2008)

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

4.18.1 Natural Gas Distribution Systems

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

4.18.2 Minimum Distance Separation (109-2004)(104-2008)(105-2009)

- 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 the Minimum Distance Separation (MDS) Formulae, 2006, as amended from time to time;
- 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 the Minimum Distance Separation (MDS) Formulae, 2006, as amended from time to time; 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.

4.18.3 Railway Rights-Of-Way Setbacks (OMB Order 1762)(104-2008)

- i) No portion of any *building* or *structure* containing residential, commercial, institutional, employment and business park *uses* shall be located closer than 30m from any railway right-of-way;
- ii) Notwithstanding the above provisions, railway right-of-way *setbacks* shall not apply to industrial spur lines not owned by the railway; and,
- iii) No portion of any *building* or *structure* containing *industrial uses* and *warehouse/distribution uses* shall be located closer than 15m to a railway right-of-way.

4.18.4 Setbacks from Greenlands A Zones

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

4.18.5 Setbacks From An MX Zone (12-2005)

- i) New residential land *uses* shall be located no closer than 500m from an MX Zone;

- ii) Notwithstanding the above, the *setback* does not apply to *lots* that existed on October 20, 2003.

4.19 TEMPORARY USES

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

4.19.1 Temporary Sales /Customer Service Offices (109-2004)(12-2005)

- i) 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. The sales *building* or *trailer* shall be *setback* 30m from the *lot line* of any existing residential *use* and *parking areas* associated with the sales *building* or *trailer* shall be *setback* 6m from any existing residential *use* abutting the development site;
- ii) Notwithstanding the provisions of Section 5.1, *parking areas* for temporary sales and customer service *offices* may have a granular surface.

4.19.2 Temporary Construction Office or Building Equipment (109-2004)

- i) 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;
- ii) Notwithstanding the provisions of Section 5.1, *parking areas* for temporary construction *offices* may have a granular surface.

4.19.3 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.

4.19.4 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 150m to *dwelling unit* on another *lot*.

4.19.5 Temporary Sales and Entertainment Events (12-2005)

Temporary Sales and Entertainment Events shall be permitted in all Commercial *Zones* and in the Employment *Zone*, in accordance with the Town of Milton Licensing By-law.

4.20 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*.

4.21 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.

4.22 UTILITIES (OMB Order 1155)

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

4.23 SHIPPING CONTAINERS (122-2008)

No person shall place a *shipping container* in any *Zone* except in accordance with the following:

- i) Except as provided in vii) and viii) of this section the *use* of a *shipping container* shall only be permitted in an *M2 Zone*; as an ancillary *use* to a permitted *use* on a *lot* where a *principal building* exists;
- ii) Unless stated elsewhere in this By-law, the number of *shipping containers* permitted ancillary to a permitted *use* in an *M2 Zone* for storage purposes is based on *lot area* at a rate of one (1) *shipping container* per 0.4ha or part thereof to a maximum of four (4). In no case is a *shipping container* permitted on a *lot* having an area of less than 0.4ha;
- iii) Where permitted, in any *Zone* other than those noted in subsection vii), a *shipping container* shall not exceed a *height* of 3m and a total length of 16.76m;
- iv) In an *M2 Zone*, a *shipping container* shall be located in the *rear yard* and a minimum distance of 30m front any *street line*;
- v) In an *M2 Zone*, a *shipping container* shall be screened from view from the street and abutting properties zoned Residential, Institutional, Rural or Greenlands;
- vi) Notwithstanding vii) a *shipping container* shall not be located in a *required parking area* and in no case shall encroach into a required *landscape buffer*;

- vii) A *shipping container* having a maximum *height* of 3m and a maximum length of 6.1m shall be permitted in the *driveway* on a residential property in an RLD, RMD1, RMD2, RE or RV *Zone* for a period not exceeding five (5) days and only for the purpose of the loading or unloading of household items during the process of moving. In no case shall a *shipping container* encroach onto a public sidewalk; be located closer than 0.3m from the back of curb in situations where no sidewalk exists; or, create a site line obstruction;
- viii) Notwithstanding subsections ii), iv), v) and vi) of this section, a *shipping container* on a construction site in any *Zone* being developed on a stand alone basis or under a plan of subdivision is permitted only for the purposes of storing equipment and materials incidental to construction, subject to the following restrictions:
 - a) shall be subject to subsection iii);
 - b) not to exceed six (6) in number;
 - c) shall be removed from the site within 60 days of completing the work;
- ix) A *shipping container* shall not be placed for the purpose of display or advertising;
- x) A *shipping container* shall not be used for the purpose of screening or fencing;
- xi) Notwithstanding any other provision to the contrary, a *shipping container* shall not be used for the purpose of a *commercial storage facility*.

SECTION 5 – PARKING & LOADING PROVISIONS

5.1 **PARKING AREA REQUIREMENTS (109-2004)(104-2008)(73-2009)(96-2010)**

- 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 *parking spaces* and *parking areas* must be surface treated with asphalt, concrete, concrete pavers or similar material;
- iii) Notwithstanding (ii) above, only the *rear yard* of the M2 *Zone*, rural public parks, rural and agricultural zones shall be exempt from the surface treatment requirements;
- iv) Notwithstanding (ii) above, parking areas in urban public parks shall be exempt from the hard surface requirement provided the parking area is set back 50 m from any residential zone or use, 15 m from any GA zone, only in parks having an area of 2 ha or greater and the hard surface requirement shall continue to apply to the apron of driveways intersecting with public roads for a distance of 15 m; and,
- v) In addition to the provisions as set out above, for single *detached*, *semi detached* and *townhouse dwellings* with individual *residential driveway* access from a *street*, no person shall *use* any area of the *lot*, other than an *attached* or *detached garage*, or *driveway* for the purposes of off-street vehicular parking.

5.2 **PARKING IN THE CENTRAL BUSINESS DISTRICT (12-2005)**

- i) Every *building* or *structure* erected or enlarged in the Central Business District Area shall comply with the parking provisions of this By-law;
- ii) Notwithstanding (i) above, retail *uses* and *restaurants* within existing *buildings* or *structures* within the 'Parking Policy Area' located within the Central Business District area as shown on Schedule B to this By-law, shall be exempt from providing any additional parking. In no case, however, shall existing *parking spaces* be removed or otherwise occupied.

5.3 **EXCLUSIVE USE OF A 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 (12-2005)

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* shall be provided as follows:

TABLE 5A

Type	Minimum Length	Minimum Width
Angle – Off-Street	6.5m	2.75m
Barrier Free Parking Stalls	See Section 5.16	See Section 5.16
Parallel- Off-Street	6.5m	2.75m
Perpendicular – Off-Street	5.8m	2.75m

- ii) The minimum width of the adjacent aisle providing access to a *parking space* within a *parking area* shall be 6.0m, except in the case of angled off-street parking accessed by a one-way aisle, which shall be a minimum width of 4.5m.

5.5 ACCESS TO A PARKING AREA OR A PARKING SPACE

5.5.1. Driveway Access To A Parking Area (22-2005)(104-2008)

- i) Access to a *parking area* from a street shall be provided by an unobstructed *driveway* and minimum widths of such a *driveway*, shall be provided in accordance with the following:
 - a) for a one-way *driveway*, the minimum width shall be 3.5m to a maximum of 9.0m; and,
 - b) for a two-way *driveway*, the minimum width shall be 6.0m to a maximum of 15.0m
- ii) Individual *parking spaces* must be arranged so that each space has access to and from an improved and maintained *public street* unobstructed by any other *parking space* and so that a vehicle occupying the space is able to enter and leave the property in a forward motion. This provision does not apply to any *dwelling* containing under four (4) *dwelling units*.

5.5.2 Residential Driveways (12-2005)(OMB Order 2598)(73-2009)(105-2009)

- i) The width of a *Residential Driveway* shall be determined by measuring at its widest or narrowest point, whichever is applicable, and perpendicular to the intended direction of travel;
- ii) The minimum size of a required *parking space* on a *Residential Driveway* shall be 2.75m wide by 5.5m in length;
- iii) Unobstructed *Residential Driveway* widths accessing a residential *dwelling unit* shall be provided in accordance with the following provisions:
 - a) for *lots* within the RLD, RMD1 and RMD2 *Zones*, the minimum individual *Residential Driveway* width shall be 3.2m;

- b) for lots within the RLD, RMD1 and RMD2 Zones with adjoining Residential Driveways on abutting properties, the minimum width may be reduced to 3.1m each, with a minimum combined width of 6.2m;
- c) for lots within the RE and RV Zones, the minimum Residential Driveway width shall be 3.2m;
- d) for plans of subdivision registered on or prior to December 31, 2005, the minimum Residential Driveway width shall be 2.75m;
- e) no person shall permit a Residential Driveway exceeding a width of:
 - A) 3.2m for lots having a frontage of less than or equal to 6.5m;
 - B) 4.0m for lots having a frontage greater than 6.5m and less than or equal to 8.0m;
 - C) 5.0m for lots having a frontage greater than 8.0m and less than or equal to 9.0m;
 - D) 6.0m for lots having a frontage greater than 9m and less than or equal to 11.5m;
 - E) 8.0m for lots having a frontage greater than 11.5m; and,
 - F) Notwithstanding the above, a Residential Driveway leading to 3 (or more) car garage shall not exceed the width of the garage face;
- iv) No Residential Driveway shall extend into the rear yard except where the Residential Driveway leads to a detached garage or carport located in the rear yard;
- v) No Residential Driveway shall encroach into a required interior side yard except where the Residential Driveway leads to a detached garage or carport located in the rear yard;
- vi) The following surface areas of a lot shall only be a permeable Residential Landscaped surface such as grass, trees, shrubs, flowers or other plants or any other surface that permits the infiltration of water into the ground, but may include a portion of a retaining wall that is not permeable:
 - a) an area at a minimum width of 0.6m abutting both side lot lines on interior lots of detached dwellings (or the rear lot line on corner lots of detached dwellings where the driveway accesses over the exterior lot line), except within 3.0m of the front lot line for those lots where the side lot lines converge towards the front of the street, in which case less than 0.6m may be provided; and,
 - b) an area at a minimum width of 0.6m abutting one side lot line on lots of semi-detached and townhouse dwellings, except within 3.0m of the front lot line and within the road right-of-way for those lots where the side lot lines converge towards the street in which case less than 0.6m may be provided;
- vii) No person shall drive and/or park motor vehicles on or over Residential Landscaping area;
- viii) Notwithstanding the above, in no case shall any person impede or cause to impede drainage.

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 (12-2005)(104-2008)(73-2009)(156-2009)(96-2010)

Notwithstanding any other provisions of this By-law, *parking areas* shall be *setback* a minimum of 2.2m from any *building* or *structure*. Such parking will be permitted in any *required yard* in accordance with the following provisions:

TABLE 5C

Zone	Yard in Which Parking Permitted
Residential – RLD, RMD1, RMD2, RE, and RV <i>Dwellings with Individual Residential Driveway Access From a Public Street</i>	<i>All yards. For corner lots, no part of any parking space shall be located closer than 6.0m, measured from the point of intersection of the two street lines.</i>
Residential –RMD1 and RMD2 <i>Dwellings with Common Parking Areas</i>	<i>All yards provided that no part of any parking area, other than the ingress and egress points used for access from the street, is located closer than 7.5m to any street line and no closer than 3.0m to any other lot line.</i>
Residential –RHD, RO	<i>All yards provided that no part of any parking area, other than the ingress and egress points used for access from the street, is located closer than 7.5m to any street line and no closer than 3.0m to any other lot line.</i>
Commercial, Institutional, and Greenlands Zones	<i>All yards provided that no part of any parking area, other than the ingress or egress points, is located closer than 0.9m to any street line and no closer than 1.5m to any other lot line and provided that no part of any parking area is located in a minimum landscape buffer adjacent to a street line as required by this By-law.</i> <i>Notwithstanding the setbacks provided above, where parking areas are provided jointly by the Town and a School, or where the Town’s lands abut the Union Gas/Terrestrial Corridor, the 1.5m setback along the mutual property line is not required.</i>

Zone	Yard in Which Parking Permitted
<p>Employment Zones</p> <p><i>Adult Entertainment Uses</i></p>	<p>All yards provided that no part of any <i>parking area</i>, other than ingress or egress points, is located closer than 4.5m to any <i>street line</i> and no closer than 1.5m 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.</p> <p>Notwithstanding the above, <i>parking areas</i> 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 <i>parking area</i> is located no closer than 9.0m from any <i>street line</i>.</p>
<p>Rural Zones</p>	<p>All yards 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 7.5m to any <i>street line</i> and no closer than 3.0m to any other <i>lot line</i>.</p>

5.8 ILLUMINATION (156-2009)(96-2010)

Where *parking areas* and *buildings/structures* 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 9.5m 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* or *lots* the lighting is intended to serve.
- iii) Notwithstanding i) and ii) above, lighting of playing fields in public parks or schools are exempt from the restrictions of i) and ii) above.

5.9 LOCATION OF PARKING STRUCTURES

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

5.9.1 Parking Structures Less Than 1.6m in Height

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

5.9.2 Parking Structures 1.6m in Height or Taller

Any part of an enclosed parking *structure* that projects 1.61m 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 7.5m 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 OVERSIZED MOTOR VEHICLES (12-2005)(96-2010)

- i) Within any *Zone*, with the exception of the *Employment Zones*, the parking or storage of any *motor vehicle* exceeding a registered gross vehicle weight of 4500 kg, an overall length of 7.0m or an overall *height* of 2.6m is not permitted unless wholly located within an enclosed garage or on lands where a *home industry* is legally located.
- ii) The parking or storage of any oversized *motor vehicle* is permitted in any *Employment Zone* subject to the provisions of Section 5.7, provided that it is located outside of any *parking spaces*, aisles and *landscaped open space* otherwise required by this By-law.
- iii) Notwithstanding the foregoing, the parking of oversized vehicles related to a public service or publicly funded school service (eg. Buses, ambulances, fire trucks) is permitted in any non-residential zone within designated areas that are located no closer than 25 m to any lot zoned or used for residential purposes.

5.12 PARKING OF TRAILERS AND RECREATIONAL VEHICLES (73-2009)

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 *residential 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 3.0m 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 5.5m 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.

(b) **5.13.1 Residential Parking Requirements (73-2009)**

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

TABLE 5D

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 <i>parking spaces</i> per <i>dwelling unit</i> + 0.25 spaces per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i>
<i>Townhouses</i> <i>Quattroplexes</i>	<ul style="list-style-type: none"> • 2 <i>parking spaces</i> per <i>dwelling unit</i> + 0.25 spaces per unit for visitors on a <i>lot</i> with four or more <i>dwelling units</i>
<i>Apartment Buildings</i>	<ul style="list-style-type: none"> ▪ 1.5 <i>parking spaces</i> per unit + 0.25 <i>parking spaces</i> for visitor parking in a designated visitor <i>parking area</i>.
<i>Upper-Floor Dwelling Units</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per <i>dwelling unit</i>
<i>Accessory apartment Dwelling units</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per <i>accessory apartment dwelling unit</i>
<i>Bed and breakfast establishments</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for each room or suite used for the purposes of lodging for the traveling public, in addition to the required parking for the <i>dwelling unit</i>
<i>Group homes</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for every staff member in addition to the required parking for the <i>dwelling</i>
<i>Home occupation</i>	<ul style="list-style-type: none"> • <i>Parking spaces</i> in addition to the required parking for the residential <i>use</i> shall be provided in accordance with the following: 0-10m² = no additional <i>parking spaces</i> >10-20m² = 1 <i>parking space</i> >20-30m² = 2 <i>parking spaces</i>
<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 <i>use</i>.
<i>Private Home Daycare</i>	<ul style="list-style-type: none"> • No requirement
<i>Long-Term Care Facility</i>	<ul style="list-style-type: none"> ▪ 0.33 <i>parking spaces</i> per bed

Type or Nature of Use	Minimum Off-Street Parking Requirements
<i>Dwelling, Retirement</i>	<ul style="list-style-type: none"> ▪ 0.5 parking spaces per bed

(c) 5.13.2 **Non-Residential Parking Requirements (109-2004)(12-2005)(104-2008)(73-2009)(156-2009)(96-2010)**

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

TABLE 5E

(d) Type or Nature of Use	(e) Minimum Off-Street Parking Requirements
<i>Adult Entertainment Parlour</i>	<ul style="list-style-type: none"> • 1 parking space per 5m² of gross floor area
<i>Adult Video Store, Adult Specialty Store, Body Rub Parlour</i>	<ul style="list-style-type: none"> • 1 parking space per 20m² of gross floor area
Ambulance Station	<ul style="list-style-type: none"> ▪ 4 parking spaces per Bay or Ambulance Vehicle, whichever is greater, and does not include any office component
<i>Bank</i>	<ul style="list-style-type: none"> ▪ 1 parking space per 20m² of gross floor area
<i>Banquet Facility</i>	<ul style="list-style-type: none"> ▪ 1 parking space per 5m² of gross floor area plus 1 parking space per 18m² of patio area
<i>Commercial Storage Facilities</i>	<ul style="list-style-type: none"> ▪ 1 parking space per 5m² of gross floor area within the office; <u>PLUS</u> ▪ 1 parking space per 100m² of gross floor area of the building except where the driveway accessing the storage units has a minimum width of 7m in which case no additional parking shall be required.
<i>Day Nurseries</i>	<ul style="list-style-type: none"> • 1.5 parking spaces per classroom + 1 space per 30m² of gross floor area
Fire Station	<ul style="list-style-type: none"> • 6 parking spaces per Bay or Fire Truck, whichever is greater, and does not include any office component and exclusive of areas for the parking of fire service vehicles
<i>Funeral home</i>	<ul style="list-style-type: none"> • 30 parking spaces for the first 93m² of gross floor area plus 1 additional parking space for each additional 20m² of gross floor area

(d) Type or Nature of Use	(e) Minimum Off-Street Parking Requirements
<i>Hospital, Private or Public</i>	<ul style="list-style-type: none"> • 2.5 <i>parking spaces</i> per 100m² <i>gross floor area</i>
<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 10m² of <i>gross floor area</i> accessory services devoted to <i>public use</i>, excluding hallways and washrooms
Industrial	<p>Parking is calculated for each individual industrial <i>building</i>, including accessory office space, as follows:</p> <ul style="list-style-type: none"> • For the first 1000m², 1 <i>parking space</i> per 30m² of <i>gross floor area</i> shall be provided. <p>Any additional <i>gross floor area</i> in excess of 1000m² shall be calculated in addition to the above provision and provided in accordance with the following rates:</p> <ul style="list-style-type: none"> • For <i>gross floor areas</i> between 1,000m² to 5000m² shall provide 1 <i>parking space</i> per 100m² of <i>gross floor area</i>. • For <i>gross floor areas</i> in excess of 5000m² shall provide 1 <i>parking space</i> per 200m² of <i>gross floor area</i>.
<i>Library</i>	<ul style="list-style-type: none"> • 3 <i>parking spaces</i> per 100m² of <i>gross floor area</i>
<i>Medical clinic</i>	<ul style="list-style-type: none"> • 6 <i>parking spaces</i> per 100m² <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
<i>Motor vehicle gas bar or Motor vehicle service station</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> for every 45m² of floor space dedicated to <i>accessory retail sales</i>
<i>Night Club</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 5m² of <i>gross floor area</i> plus 1 <i>parking space</i> per 18m² of patio area
<i>Offices</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 30m² 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>

(d) Type or Nature of Use	(e) Minimum Off-Street Parking Requirements
<i>Place of worship</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 5.5m² of <i>gross floor area</i> in the nave + 10.8 spaces per 100m² of <i>gross floor area</i> for a public hall, <i>banquet hall</i> or community/multi-use hall if permitted and associated with or on the same site as the <i>Place of Worship</i>.
Police Station	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 20m² to be provided for Staff, Visitors, exclusive of areas for the parking of police service vehicles
<i>Recreation & Athletic Facilities and Public Parks</i>	<ul style="list-style-type: none"> ▪ 1 <i>parking space</i> per 30m² <i>gross floor area</i> for all <i>buildings, structures</i> and pavilions; ▪ 30 <i>parking spaces</i> per baseball field; ▪ 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 <p>Notwithstanding the requirements above, where a <i>Public Park</i> is 2.0ha or less in area, no off-street parking is required.</p> <p>Notwithstanding the requirements above, where any sports field or tennis court located within a <i>Public Park</i> having an area greater than 2.0ha and at least one lot line abutting a school property, no additional parking is required within the <i>Public Park</i> provided that the required parking for the school has direct access to the sports field or tennis court or tennis court.</p>
<i>Restaurant and Restaurant, Take Out</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 9m² of <i>gross floor area</i>, plus 1 <i>parking space</i> per 18m² of patio area
<i>Retail store, Service and repair shop</i>	<ul style="list-style-type: none"> • 1 <i>parking space</i> per 20m² of <i>gross floor area</i>
<i>School</i>	<ul style="list-style-type: none"> ▪ <i>Elementary School</i> – 2 <i>parking spaces</i> per class room; ▪ <i>Other Schools</i> – 5 <i>parking spaces</i> per class room
<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 30m² of total floor area

ii) Notwithstanding the parking standards as set out above, required parking within the C1-C, C2, C3, and C6 Zones, shall be provided at a rate of 1 *parking space* for every 20m² of *gross floor area*; and,

- 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.
- iv) The following uses are exempt from any required parking: dog kennels, agricultural use.

5.14 BICYCLE PARKING SPACES (156-2009)

Bicycle parking spaces shall be provided for any new *building* or an addition to an existing *building*, in accordance with the following:

5.14.1 Location of *Bicycle Parking Spaces*

- i) *Bicycle Parking Spaces* must be located throughout the same lot as the use(s) or building(s) for which it is required and be separate from any *motor vehicle parking areas*;
- ii) *Bicycle Parking Spaces* shall not be provided in a *dwelling unit*, commercial suite, or on a *balcony*;
- iii) *Bicycle Parking Spaces* must contain a parking rack that is securely anchored to the ground, with the exception of where a bicycle locker is used;
- iv) A *Bicycle Parking Space* shall not encroach into any required yards or *landscape areas* or *buffers*; and,
- v) *Bicycle Parking Spaces* shall be located in proximity to the primary entrance(s) to a *building(s)*, together with an access sidewalk along the façade of the *building* sufficiently wide so that a minimum 2.2m unobstructed width is maintained between the *building face* and the adjacent spaces.

5.14.2 Size of *Bicycle Parking Spaces* and Aisles

- i) The minimum dimensions of a *Bicycle Parking Space* shall be provided as follows:
 - a) Horizontal Space: 0.6m wide x 1.8m long;
 - b) Vertical Space: 0.5m wide x 0.6m long;
- ii) A *Bicycle Parking Space* shall have a vertical clearance of 1.9m; and,
- iii) A *Bicycle Parking Space* must have access from an aisle having a minimum width of 1.5m.

5.14.3 *Bicycle Parking Space* Requirements

- i) The minimum required *Bicycle Parking Space* requirements are as follows:

Table 5F

Type or Nature of Use	Minimum <i>Bicycle Parking Spaces</i>
<i>Dwelling, Apartment</i>	<ul style="list-style-type: none"> • 0.2 spaces/unit
<i>Dwelling, Retirement and Long-term Care Facility</i>	<ul style="list-style-type: none"> • 0.1 spaces/unit
All other Commercial, Employment and Institutional Uses	<ul style="list-style-type: none"> • 5% of the required number of <i>motor vehicle parking spaces</i>

- ii) A maximum of 50 *Bicycle Parking Spaces* shall be required on any lot;
- iii) *Bicycle Parking Spaces* shall be provided in addition to any required *parking spaces* for *motor vehicles* or required parking for the disabled;

- iv) All *Bicycle Parking Spaces* and Aisles leading to a *Bicycle Parking Space* must be surface treated with asphalt, concrete, concrete pavers or similar material; and,
- v) The total number of required *Bicycle Parking Spaces* may be reduced by the total number of indoor storage units provided to each *dwelling unit* in an *Apartment Dwelling*.

5.14.4 Exceptions

- i) Any property located within the Central Business District shall not be subject to the provisions of Section 5.14.3;
- ii) Any Site Plan Application or Building Permit Application submitted prior to November 23, 2009 shall not be subject to the provisions of Section 5.14.3;
- iii) Notwithstanding Section 5.14.3, the following *uses* shall only be required to provide 5 *Bicycle Parking Spaces*: All *uses* permitted in the M2 Zone, all Public Parks, *Funeral Home, Golf Course, Golf Driving Range, Hotel, Motor Vehicle Rental Agency, Warehouse/Distribution Centre, Warehouse Membership Club, and Wholesale Operation*.

5.15 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:

(f) **5.15.1 Queuing Space Requirements**

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

TABLE 5G

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

(g) **5.15.2 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 5.15.

(h) **5.15.3 Size of Queuing Space**

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

(i) **5.15.4 Setbacks for Queuing Lanes**

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

(j) **5.15.5 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.

5.16 REQUIRED PARKING FOR THE DISABLED (12-2005)(105-2009)(156-2009)(96-2010)

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:

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

TABLE 5H

(k) No. of Required Parking Spaces	(l) No. of Designated Spaces
1 to 10	No minimum
11 to 50	Minimum of 1 space
51 to 75	Minimum of 2 spaces
76 to 100	Minimum of 3 spaces
Over 100 spaces	3% of total required parking spaces

ii) Medical Office, Medical Clinic 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,

5.16.2 Size Of Parking Space For Disabled Persons

- i) Each off-street *parking space* for the disabled shall be a minimum of 5.8m long, 4.6m wide and have a vertical clearance of 3.0m; and,
- ii) Notwithstanding (i) above, adjoining pairs of *parking spaces* for the disabled may have a combined width of 7.7m.

5.16.3 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 unobstructed access sidewalk along the façade of the *building* sufficiently wide so that 2.2m is maintained between the *building face* and the adjacent vehicles.

5.17 LOADING SPACE REQUIREMENTS (12-2005)

5.17.1 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 in all Commercial, Employment and Institutional *Zones* as follows:

TABLE 5I

(m) Gross Floor (n) Area	(o) Loading Space Requirements
280m ² or less	0 <i>loading spaces</i>
281m ² to 930m ²	0 <i>loading spaces</i> (*1)
931m ² to 2325m ²	1 <i>loading space</i>
2326m ² to 7440m ²	2 <i>loading spaces</i>
7,441m ² or greater	3 <i>loading spaces</i> plus 1 additional <i>loading space</i> for each additional 9,300m ² or fraction thereof in excess of 7441m ²

Footnotes to Table 5H

(*1) Designated *loading spaces* are not required provided that a loading area independent of any required *parking spaces* is provided within 15.0m of the *building* for which the loading area is to be used.

5.17.2 Size Of *Loading Space* / Loading Area (12-2005)

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

5.17.3 Location Of *Loading Spaces* (109-2004)(105-2009)

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 20m of the *use* or *building* for which it is required;

- iii) Such *loading spaces* shall not be located in a *required yard* with the exception of where only 1 *loading space* is required and is 6.0m long, 3.5m wide and has a vertical clearance of at least 3.0m, such *loading space* shall comply with the *parking area* location provisions of Table 5C;
- 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*;
- vi) Such *loading spaces* are located no closer than 20m from any *street line*; and,
- vii) 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*.

5.17.4 Access To Loading Spaces (12-2005)

Where a *loading space(s)* is required, the access to the *loading space(s)* shall be provided in accordance with the following provisions:

- i) The access to the *loading space* shall be provided by means of a *driveway* that is a minimum of 6.0m wide in the *Employment Zones* and *Institutional Zones* and a minimum of 3.5m wide in a *Commercial Zone*;
- ii) Adequate space shall be provided for the parking of *motor vehicles* awaiting access to a *loading space(s)*; and,
- iii) *Motor vehicles* must be able to enter and leave the property in a forward motion.

5.17.5 Setbacks When Abutting Residential Zones

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

5.18 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 (109-2004)(12-2005)(104-2008)(73-2009)

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 I	RMD2 Med. Density II	RHD High Density	RO Res./ Office	RE Rural Estate	RV Village Res.
<i>Apartment Building</i>			•	•	•		
<i>Convenience Store</i>					• (*2)		
<i>Cottage Industry</i>							•
<i>Bank</i>					• (*2)		
<i>Dwelling, Back to Back Townhouse (39-2004)</i>			•				
<i>Dwelling, Detached</i>	•	•				•	•
<i>Dwelling, Duplex</i>	•	•					
<i>Dwelling, Multiple</i>		•	•				
<i>Dwelling, Quattroplex</i>		•	•				
<i>Dwelling, Retirement</i>			•	•			
<i>Dwelling, Semi-detached</i>	•	•					
<i>Dwelling, Townhouse</i>		•	•				
<i>Dwelling, Triplex</i>		•					
<i>Group Home Type 1</i>	•	•					
<i>Group Home Type 2</i>	• (*1)	• (*1)					
<i>Home Day Care</i>	•	•	•	•	•	•	•
<i>Home occupation</i>	•	•	•	•		•	•
<i>Long-Term Care Facility</i>				•			
<i>Medical Clinic</i>					•		
<i>Nursing Home</i>				•			
<i>Office Building</i>					•		
<i>Office Uses</i>					•		
<i>Personal Service Shop</i>					• (*2)		
<i>Restaurant</i>					• (*2)		

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 in the *first storey* of an *office building* or *apartment 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) (109-2004)(12-2005)(OMB Order 2598)(104-2008)

RLD Uses	Minimum Lot frontage	Minimum Lot Depth	Maximum Lot coverage	Minimum Required Front yard setback	Minimum Required Rear yard setback	Minimum Required Exterior side yard setback	Minimum Required Interior side yard setback	Maximum Height	Minimum Landscaped open space
single detached dwelling / duplex	15m	30m	See Footnote (*4)	4.0m (*1)(*2)	7.5m	4.0m (*3)	1.2m	11.0m	30%
semi-detached corner	11.4m / unit	30m	See Footnote (*4)	4.0m (*1) (*2)	7.5m	4.0m (*3)	1.2m	11.0m	30%
Interior	10.0m / unit	30m	(*4)	4.0m (*1) (*2)	7.5m	4.0m (*3)	1.2m	11.0m	30%

a. Footnotes For Table 6B Above

- (*1) In no case shall the outside of the garage door be located any closer than 5.5m from the *front lot line* or 5.5m from the *exterior side lot line*, if the *residential driveway* accessing the *lot* crosses the *exterior side lot line*.
- (*2) Subject to the provisions of Section 5.5.2.
- (*3) The minimum required *exterior side yard* is 2.0m if the yard abuts a public right-of-way of less than 18.0m wide.
- (*4) *Lots* having an area of less than 660m² shall have a maximum *lot coverage* of 30%. *Lots* having an area of between 660m² – 830m² shall have a maximum *lot coverage* of 25%. *Lots* having an area over 830m² shall have a maximum *lot coverage* of 20%.

TABLE 6C: Residential Medium Density I (RMD1) (109-2004)(12-2005)(OMB Order 2598)(104-2008)(73-2009)

RMD1 Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard Setback	Minimum Required Rear yard setback	Minimum Required Exterior side yard setback	Minimum Required Interior side yard setback	Maximum Height	Minimum Landscaped open space
single detached dwelling / Duplexes (*5)								
Street Access Interior	9.5m	24.0m	2.0m for the dwelling. (*1) (*2)	7.0m	No Minimum	1.2m on one side, 0.6m on the other side (*4)	11.0m	No Minimum
Street Access Corner	10.3m for lots abutting a local street; 10.7m for all other lots	24.0m	2.0m for the dwelling. (*1) (*2)	7.0m	2.4m (*3)	0.6m (*4)	11.0m	No Minimum
Lane Access Interior	7.5m	24.0m	2.0m (*1) (*2)	14.0m where garage is detached and 7.0m where garage is attached	No Minimum	1.2m on one side, 0.6m on the other (*4)	11.0m	No Minimum
Lane Access Corner	8.3m for lots abutting a local street; 8.7m for all other lots	32.5m	2.0m (*1) (*2)	14.0m where garage is detached and 7.0m where garage is attached	2.4m (*3)	0.6m (*4)	11.0m	No Minimum
semi-detached (*5)								
Street Access Interior	6.85m / unit	24.0m	2.0m for the dwelling. (*1) (*2)	7.0m	No Minimum	0.9m on one side; 0.0m on the other (*4)	11.0m	No Minimum

RMD1 Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard Setback	Minimum Required Rear yard setback	Minimum Required Exterior side yard setback	Minimum Required Interior side yard setback	Maximum Height	Minimum Landscaped open space
Street Access Corner	7.95m / unit for lots abutting a local street. 8.35m / unit for all others	24.0m	2.0m for the dwelling (*1) (*2)	7.0m	2.4m (*3)	0.0m (*4)	11.0m	No Minimum
Lane Access Interior	6.6m / unit	32.5m	2.0m (*1) (*2)	14.0m where garage is detached and 7.0m where garage is attached	No Minimum	0.9m on one side; 0.0m on the other (*4)	11.0m	No Minimum
Lane Access Corner	7.7m / unit for lots abutting a local street; 8.1m / unit for all others	32.5m	2.0m (*1) (*2)	14.0m where garage is detached and 7.0m where garage is attached	No Minimum	0.0m (*4)	11.0m	No Minimum
Townhouses (*5)								
Street Access Interior Unit	6.4m / unit	24.0m	2.0m (*1) (*2)	7.0m	No minimum	0.0m (*4)	12.5m	No Minimum
Street Access End Unit	7.6m / unit	24.0m	2.0m (*1) (*2)	7.0m	No minimum	0.0m on one side; 1.2m on the other side (*4)	12.5m	No Minimum
Street Access End Corner Unit	8.4m / unit for lots abutting a local street; 8.8m / unit for all others	24.0m	2.0m (*1) (*2)	7.0m	2.4m (*2)	0.0m (*4)	12.5m	No Minimum

RMD1 Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard Setback	Minimum Required Rear yard setback	Minimum Required Exterior side yard setback	Minimum Required Interior side yard setback	Maximum Height	Minimum Landscaped open space
<i>Lane Access Interior Unit</i>	5.5m / unit	32.5m	2.0m (*1) (*2)	14.0m where <i>garage is detached</i> and 7.0m where <i>garage is attached</i>	No Minimum	0.0m (*4)	12.5m	No Minimum
<i>Lane Access End Unit</i>	6.7m / unit	32.5m	2.0m (*1) (*2)	14.0m where <i>garage is detached</i> and 7.0m where <i>garage is attached</i>	No Minimum	0.0m on one side; 1.2m on the other side (*4)	12.5m	No Minimum
<i>Lane Access End Corner Unit</i>	7.5m / unit abutting a local street; 7.9m / unit for all others	32.5m	2.0m (*1) (*2)	14.0m where <i>garage is detached</i> and 7.0m where <i>garage is attached</i>	2.4m (*2)	0.0m (*4)	12.5m	No Minimum
Multiple Dwellings	30.0m	35.0m	4.0m (*1) (*2)	7.5m	4.0m	6.0m (*4)	12.5m	30%
Triplexes	22.5m	30.0m	6.0m (*1) (*2)	7.5m (*2)	6.0m	4.5m (*4)	12.5m	30%
Quattroplexes	30.0m	30.0m	4.0m (*1) (*2)	7.5m (*2)	4.0m	3.0m (*4)	12.5m	30%

b. Footnotes For Table 6C Above

- (*1) In no case shall the outside of the garage door be located any closer than 5.5m from the *front lot line* or 5.5m from the *exterior side lot line*, if the *residential driveway* accessing the *lot* crosses the *exterior side lot line*.
- (*2) Subject to the provisions of Section 5.5.2.
- (*3) The minimum required *exterior side yard* is 2.0m if the yard abuts a public right-of-way of less than 18.0m wide.
- (*4) In no case shall any two (2) facing walls having a *height* of up to 3.0m be closer than 1.2m and in no case shall any two (2) facing walls having a *height* of over 3.0m be closer than 1.8m apart.
- (*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) (39-2004)(104-2008)(73-2009)

RMD2 Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard Setback	Minimum Required Rear yard Setback	Minimum Required Exterior side yard setback	Minimum Required Interior side yard setback	Maximum Height	Minimum Landscaped open space
Triplexes	22.5m	30.0m	6.0m (*1)	7.5m (*2)	6.0m (*3)	4.5m	12.5m	30%
Quattroplexes	30.0m	30.0m	4.0m (*1)	7.5m (*2)	4.0m (*3)	3.0m	12.5m	30%
Townhouses								
Street Access Interior Unit	6.4m / unit	24.0m	2.0m (*1)	7.0m	No Minimum (*3)	0.0m	12.5m	No Minimum
Street Access End Unit	7.6m / unit	24.0m	2.0m (*1)	7.0m	No Minimum (*3)	0.0m on one side; 1.2m on the other side	12.5m	No Minimum
Street Access End <i>Corner</i> Unit	8.4m / unit for lots abutting a local street; 8.8m / unit for all others	24.0m	2.0m (*1)	7.0m	2.4m (*2) (*3)	0.0m	12.5m	No Minimum
<i>Lane</i> Access Interior Unit	5.5m / unit	32.5m	2.0m (*1)	14.0m where garage is detached and 7.0m where garage is attached	No Minimum (*3)	0.0m	12.5m	No Minimum
<i>Lane</i> Access End Unit	6.7m / unit	32.5m	2.0m (*1)	14.0m where garage is detached and 7.0m where garage is attached	No Minimum (*3)	0.0m on one side; 1.2m on the other side	12.5m	No Minimum

RMD2 Uses	Minimum Lot frontage	Minimum Lot Depth	Minimum Required Front yard Setback	Minimum Required Rear yard Setback	Minimum Required Exterior side yard setback	Minimum Required Interior side yard setback	Maximum Height	Minimum Landscaped open space
Lane Access End Corner Unit	7.5m / unit abutting a local street; 7.9m / unit for all others	32.5m	2.0m (*1)	14.0m where garage is detached and 7.0m where garage is attached	2.4m (*2) (*3)	0.0m	12.5m	No Minimum
Townhouses, Back-to-Back (*4)								
Street Access Interior Unit	6.0m / unit	13.5m	4.5m	0.0m	0.0m	0.0m	12.5m	No Minimum
Street Access End Unit	7.6m / unit	13.5m	4.5m	0.0m	0.0m	0.0m on one side, 1.2m on the other	12.5m	No Minimum
Street Access End Corner Unit	8.4m / unit	13.5m	4.5m	0.0m	2.4m	0.0m	12.5m	No Minimum
Apartments	54.0m	35.0m	6.0m (*1)	22.5m	6.0m (*3)	6.0m	4 storeys to a maximum of 16.5m	35%
Multiple Dwellings	30.0m	35.0m	4.0m (*1)	7.5m	4.0m (*3)	6.0m	4 storeys to a maximum of 16.5m	30%

c. Footnotes For Table 6D Above

- (*1) In no case shall the outside of the garage door be located any closer than 5.5m from the *front lot line* or 5.5m from the *exterior side lot line*, if the *residential 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 2.0m if the yard abuts a public right-of-way of less than 18.0m wide.
- (*4) Also subject to provisions as set out in Section 6.3 of this By-law.

TABLE 6E: Residential High Density (RHD) (104-2008)

RHD Uses	Minimum Lot frontage	Minimum Lot Depth	Maximum Lot coverage	Minimum Required Front yard setback	Minimum Required Rear yard setback	Minimum Required Exterior side yard setback	Minimum Required Interior side yard setback	Maximum Height
<i>Apartments</i>	54m	36m	25%	10.5m	Greater of $\frac{1}{2}$ building height or 10.5m	10.5m	Greater of $\frac{1}{2}$ building height or 10.5m	7 storeys to a maximum of 25m

TABLE 6F: Residential/Office (RO) (104-2008)

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

TABLE 6G: Rural Estate Residential (RE) (12-2005)(OMB Order 2598)(104-2008)(73-2009)

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

Footnotes For Table 6G Above

- (*1) In no case shall the outside of the garage door be located any closer than 5.5m from the *front lot line* or 5.5m from the *exterior side lot line*, if the *residential driveway* accessing the *lot* crosses the *exterior side lot line*.
- (*2) Subject to the provisions of Section 5.5.2.

TABLE 6H: Village Residential (RV) (12-2005)(OMB Order 2598)(104-2008)(73-2009)

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

Footnotes For Table 6H Above

- (*1) In no case shall the outside of the garage door be located any closer than 5.5m from the *front lot line* or 5.5m from the *exterior side lot line*, if the *residential driveway* accessing the *lot* crosses the *exterior side lot line*.
- (*2) Subject to the provisions of Section 5.5.2.

6.3 SPECIAL RESIDENTIAL PROVISIONS

6.3.1 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:

(p) 6.3.1.1 Detached Dwellings:

- i) The *dwelling* shall have a minimum *dwelling face* (which may include the *porch/veranda*) of 4.5m; 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 1.5m 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 3.5m.

(q) 6.3.1.2 Semi-Detached Dwellings:

- i) Each *dwelling unit* shall have a minimum *dwelling face* (which may include the *porch/veranda*) of 4.0m; 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 1.5m 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 3.5m, OR
 - b) The garage portions must be separated with a resulting aggregate *dwelling face* for two units to achieve a minimum of 4.9m in width. Such *dwelling faces* must extend a minimum of 3.5m closer to the *street line* than the garage portion.

6.3.1.3 Townhouses:

- i) A minimum of 3.5m 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 1.5m 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 3.5m.

6.3.2 Townhouses, Back-to-Back (39-2004)

6.3.2.1 Air Conditioners and Heat Pumps

Air conditioning and heat exchange units are permitted to be located in an *interior side yard*. For *dwellings* that do not have an *interior side yard*, air conditioning and heat exchange units may be

located in a *front yard* or *exterior side yard*. In addition, such units are permitted to encroach up to 0.6m into any *required yard*.

6.3.2.2 **Balconies**

- i) *Balconies* are permitted in the *exterior side yard* and *front yard*;
- ii) *Balconies* may encroach to a maximum of 2.0m into the *required exterior side yard* and up to a maximum of 2.5m into the *required front yard*;
- iii) Notwithstanding the foregoing, a *balcony* located on top of a *porch/veranda* may encroach to the same extent and may include vertical supports.

6.3.2.3 **Porches/Verandas**

- i) *Porches/Verandas* are permitted in the *exterior side yard* and *front yard*;
- ii) *Porches/Verandas* are permitted to encroach up to 60% of the *required exterior side yard*, but at no time shall be closer than 1.0m to the *property line*;
- iii) *Porches/Verandas* are permitted to encroach up to 60% of the *required front yard*, but at no time shall be closer than 2.0m to the *property line*.

6.3.2.4 **Encroachments of Bay or Boxed Windows Into Required Yards**

Bay Windows or boxed windows may encroach into a *required yard* up to a maximum of 1.0m for a width of up to 4.0m.

6.3.3 **Lane Based Single Detached Dwelling:**

6.3.3.1 **Special Regulations for Attached Garages and Carports (105-2009)(156-2009)**

Notwithstanding the provisions set out in Section 4.1.1.2, an *attached garage* and *carport* not exceeding the *height* of the *principal building* shall be located no closer than 0.6m from the *interior side lot line*.

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 (OMB Order 1762)(109-2004)(12-2005)(47-2005)(104-2008)

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	Office Node	Mixed Use
Residential Uses						
Upper-Floor <i>Dwelling Units</i>	•	•	•			
RMD2 <i>Uses</i>						
RHD <i>Uses</i>						
Non-Residential Uses						
<i>Art gallery</i>	•	•				•
<i>Artist's studio</i>	•	•		•		•
<i>Bank</i>	• (*4)	•	•	•	•	•
<i>Commercial school – Skill</i>	• (*2)	•	•	•	•	•
<i>Convenience store</i>	•	•	•		•	•
<i>Day nursery</i>		•		• (*3)		
<i>Department Store</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>Laundromat</i>	•	•	•	• (*3)	• (*3)	•
<i>Medical Clinic</i>		•		•	•	•
<i>Office Use</i>	• (*2)	•	•	•	•	•
<i>Office Building</i>		•	•	•	•	•
<i>Personal service shop</i>	•	•	•	• (*3)	• (*3)	•
<i>Place of assembly</i>		•	•			•
<i>Place of entertainment</i>			•			•
<i>Propane Facility, Retail</i>						•
<i>Restaurant</i>	•	•	•	• (*3)	• (*3)	•
<i>Restaurant, Take Out</i>	•	•	•	•	•	•
<i>Retail Store 1</i>	•	•	•	• (*3)		•
<i>Retail Store 2</i>	•	•	•			•
<i>Theatre</i>	•	•	•			•
<i>Veterinary Clinic – Small Animal</i>		•		• (*3)	• (*3)	•
<i>Veterinary Clinic – Large Animal</i>		•		• (*3)	• (*3)	•

Footnotes for Table 7A 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*.
- (*4) Not permitted in the *first storey* of a *building* except for a *Bank*.

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

Footnotes for Table 7B Above

(*1) Retail Store 1 is permitted to have a Gross Floor area of no more than 464.5m² and shall only be permitted in a development having a minimum of 3 units.

7.2 ZONE STANDARDS (OMB Order 1762)(109-2004)(12-2005)(104-2008)

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	Office Node	Mixed Use
<i>Lot Area</i> (Minimum)	No minimum	800m ²	4000m ²	4000m ²	4000m ²	4000m ²
<i>Lot Frontage</i> (Minimum)	0.0m	20.0m	50.0m	50.0m	50.0m	50.0m
<i>Lot Coverage</i> (Maximum)	100%	30%	60%	35%	35%	35%
<i>Building Height</i>					See <i>Height</i> Schedule	See <i>Height</i> Schedule
Minimum	See <i>Height</i>	See <i>Height</i>	See <i>Height</i>	See <i>Height</i>	See <i>Height</i>	See <i>Height</i>
Maximum	Schedule	Schedule	Schedule	Schedule	Schedule	Schedule
<i>Front Yard Setback</i>						
Minimum	0.0m	0.0m	3.0m	3.0m	3.0m	1.0m
Maximum	2.5m	4.5m	5.5m (*1)	5.5m	5.5m (*1)	5.5m (*1)
<i>Rear Yard Setback</i> (Minimum)	0.0m	9.5m	6.0m + 1.0m for each additional storey	20.0m	20.0m	6.0m
<i>Exterior Side Yard Setback</i>						
Minimum	0.0m	0.0m	3.0m	3.0m	3.0m	1.0m
Maximum	1.0m	4.5m	5.5m (*1)	5.5m	5.5m(*1)	5.5m(*1)
<i>Interior Side Yard Setback</i> (Minimum)	0.0m	1.5m	3.0m	3.0m	3.0m	3.0m
<i>Landscaped Open Space</i> (Minimum)						
% of <i>Lot Area</i>	0%	20%	15%	15%	15%	15%
<i>Minimum Landscape Buffer</i>						
Abutting a <i>street line</i>	0.0m	0.0m	3.0m	3.0m	3.0m	3.0m
Abutting a Residential <i>Zone</i>	3.0m	3.0m	3.0m	3.0m	3.0m	3.0m
Abutting a Greenlands A <i>Zone</i>	7.5m	7.5m	7.5m	7.5m	7.5m	7.5m

Footnotes For Table 7C Above

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

TABLE 7D

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

Footnotes for Table 7D Above

- (*1) Buildings containing a *drive-through service use* are required to be located an additional 2.0m 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 7.5m 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 (12-2005)

- i) Openings shall be provided as follows:

TABLE 7E

Zone(s)	Minimum % of the length of a ground floor wall facing a street that shall contain openings	Maximum Height of Opening
C1-A, C1-B, C3	40%	3.5 m
C1-D, C1-E, C1-F, C4	50%	4.0 m
C1-C, C2, C5, C6	30%	No maximum

- ii) 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 15m shall be articulated such that the wall is offset a minimum of 0.6m over a minimum length of 8m and every 15m.

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.

7.3.4 Open Storage:

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

7.3.5 **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 12.0m of the *building* containing the principal use;
- ii) The area shall be no closer than 15.0m 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 (109-2004)(12-2005)(47-2005)(104-2008)(105-2009)

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	Extractive Industrial
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>			• (*7)	•
<i>Agricultural operation</i>				•
<i>Asphalt Batching Plant</i>				
<i>Building supply outlet</i>			• (*7)	
<i>Bulk fuel depot</i>			• (*7)	
<i>Bulk propane storage depot</i>			• (*7)	
<i>Commercial School— Skill</i>	•	•	•	
<i>Commercial School— Trade / Profession</i>	•	•	•	
<i>Commercial storage facility</i>			• (*7)	
<i>Concrete Batching Plant</i>			• (*7)	
<i>Conservation use</i>				•
<i>Contractor’s Yard</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	Extractive Industrial
<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 (*8)</i>	• (*4)(*8)	• (*4)(*8)	• (*7)(*8)	
<i>Medical Clinic</i>	•	•		
<i>Monument Sales Shop</i>			• (*7)	
<i>Motor vehicle body shop</i>			• (*7)	
<i>Motor Vehicle Dealership</i>			•	
<i>Motor vehicle rental agency</i>		•	•	
<i>Motor vehicle repair garage</i>			• (*7)	
<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>			• (*7)	
<i>Research & Technology Use</i>	•	•	• (*5)	
<i>Restaurant</i>	•	• (*2)		
<i>Service and repair shop</i>			•	
<i>Towing Yard</i>			•	
<i>Transportation Terminal</i>			• (*7)	
<i>U-Brew Establishment</i>	•	•	•	
<i>Veterinary Clinic- Small Animal</i>	•	•	•	
<i>Veterinary Clinic – Large Animal</i>	•	•	•	
<i>Veterinary Hospital – Small Animal</i>	•	•	•	
<i>Warehouse/distribution centre</i>		•	• (*7)	
<i>Wholesale Operation</i>		• (*8)		

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*;
- (*7) *Outdoor storage* is permitted *accessory* to a permitted *industrial use* subject to the required *setbacks* and *lot coverage* provisions applicable to the *principal use*;
- (*8) Up to a maximum of 5% of the *gross floor area* of the *principal use* or 232.3m², whichever is less, may be used for the retail sale of goods or products produced on the *premises*.

8.2 ZONE STANDARDS (12-2005)(104-2008)

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

Provisions	EMP	M1	M2	MX
	Employment	Business Park	Industrial	Extractive Industrial
<i>LOT FRONTAGE</i> (Minimum)	40.0m	40.0m	40.0m	IN ACCORDANCE WITH THE SITE PLANS APPROVED UNDER THE AGGREGATE RESOURCES ACT
<i>LOT AREA</i> (Minimum)	0.8 ha	0.8 ha	0.8 ha	
<i>LOT COVERAGE</i> (Maximum) Without Municipal Servicing	35%	35%	35%	
<i>FRONT YARD SETBACK</i> (Minimum) Not abutting a Residential <i>Zone</i> Abutting a Residential <i>Zone</i>	6.0m 9.0m	9.0m 15.0m	9.0m 18.0m	
<i>REAR YARD SETBACK</i> (Minimum) Not abutting a Residential <i>Zone</i> Abutting a Residential <i>Zone</i>	6.0m 9.0m	12.0m 18.0m	12.0m 18.0m	
<i>EXTERIOR SIDE YARD SETBACK</i> (Minimum) Not abutting a Residential <i>Zone</i> Abutting a Residential <i>Zone</i>	5.0m 9.0m	9.0m 15.0m	9.0m 18.0m	
<i>SIDE YARD SETBACK</i> (Minimum) Not abutting a Residential <i>Zone</i> Abutting a Residential <i>Zone</i>	3.0m 9.0m	3.0m 9.0m	3.0m 9.0m	
<i>BUILDING HEIGHT</i> (Maximum) Office <i>Building</i> Other Permitted <i>Uses</i>	15.0m 15.0m	15.0m 15.0m	N/A 15.0m	
<i>LANDSCAPED OPEN SPACE</i> % of <i>Lot Area</i> Minimum <i>Landscape Buffer</i> Abutting a <i>street line</i> Abutting a Residential <i>Zone</i> Abutting a Greenlands A <i>Zone</i> Abutting Hwy 401	15% 6.0m 6.0m 7.5m outside of required MTO <i>setback</i>	10% 4.5m 6.0m 7.5m outside of required MTO <i>setback</i>	5% 4.5m 6.0m 7.5m outside of required MTO <i>setback</i>	
<i>LOADING SPACES</i>	see section 5.17	see section 5.17	see section 5.17	

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*.

- i.) The minimum *setbacks* for *adult entertainment uses* from the *uses* listed below, shall be in accordance with the following:
 - a) Arterial Road or Provincial Highway: 100m;
 - b) Residential or Institutional *Uses*: 400m;
- ii.) Only one *Adult Entertainment Use* is permitted per *lot* unless an *Adult Video Store* is 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*;
- vi.) 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,
- vii.) 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 (73-2009)

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>Dwelling, Retirement</i>	•	•
<i>Elementary School</i>	•	•
<i>Group Home, Correctional</i>		•
<i>Hospital, Public or Private</i>		•
<i>Library</i>	•	•
<i>Place of worship</i>	•	•
<i>Post Secondary School</i>		•
<i>Public Park</i>	•	•
<i>Secondary School</i>		•

9.2 ZONE STANDARDS (109-2004)(12-2005)(104-2008)(73-2009)(105-2009)

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)	50.0m	150.0m
<i>Lot Area</i> Minimum Maximum	1.0 ha 3.0 ha	3.0 ha No maximum
<i>Lot Coverage</i> (Maximum)	30%	30%
<i>Front Yard Setback</i> (Minimum)	3.0m	9.0m
<i>Rear Yard Setback</i> (Minimum)	7.5m (*1)	7.5m (*1)
<i>Exterior Side Yard Setback</i> (Minimum)	3.0m (*1)	9.0m (*1)
<i>Interior Side Yard Setback</i> (Minimum)	6.0m (*1)	6.0m (*1)
<i>Building Height</i> (Maximum)	9.5m	36m
LANDSCAPED OPEN SPACE % of <i>Lot Area</i> (Minimum)	20%	20%
Minimum <i>Landscape Buffer</i> Abutting a <i>street line</i>	3.0m	4.5m
Abutting a <i>Residential Zone</i>	4.0m	4.0m
Abutting a <i>Greenlands A Zone</i>	7.5m	7.5m

Footnotes to Table 9B Above

(*1) Where an institutional *zone* abuts a residential *zone*, the following *setbacks* are required in addition to the standard *setbacks* for the institutional *zone*:

- I-A *Zone* – an additional 3.0 m *setback* shall also apply
- I-B *Zone* – an additional 6.0 m *setback* shall also apply

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 (109-2004)(47-2005)(104-2008)

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 USES	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>	•	•
<i>Veterinary Clinic – Large Animal</i>	•	•
<i>Veterinary Hospital – Large Animal</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 80m from any *front lot line* and 100m from any *side lot line*. *Boarding Kennels* are only permitted on a *lot* with an existing *detached dwelling* and must be operated by a resident of the *dwelling*.

10.2 ZONE STANDARDS (104-2008)

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

PROVISIONS	ZONE	
	A1 Agricultural	A2 Rural
LOT AREA (Minimum)		
Residential Uses	0.4 ha	0.8 ha
Equestrian Centres	10.0 ha	10.0 ha
On-Farm Production, Conditioning, Processing & Storing of Produce	20.0 ha	20.0 ha
Agricultural Operation	2.0 ha	2.0 ha
Boarding Kennels	n/a	4.0 ha
LOT FRONTAGES (Minimum)		
Lots of 40 ha or more	150.0m	150.0m
other Lots	60.0m	60.0m
LOT DEPTH (Minimum)	45.0m	130.0m
LOT COVERAGE (Maximum)	25%	15%
FRONT YARD SETBACK (Minimum)	15.0m	22.5m
REAR YARD SETBACK (Minimum)	15.0m	22.5m
SIDE YARD SETBACK (Minimum)		
Interior Side Yard	3.0m	7.5m
Exterior Side Yard	15.0m	22.5m
BUILDING HEIGHT (Maximum)		
Residential Uses	11.0m	11.0m
Agricultural Buildings	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 (12-2005)(96-2010)

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 USES	GA	GB	OS	GC
	Greenlands A	Greenlands B	Open Space	Golf Course
<i>Cemetery</i>			•	
<i>Community Centre</i>			•	
<i>Conservation Use</i>	•	•	•	
<i>Detached Dwelling</i>		• (*2)(*3)		•
<i>Existing Uses</i>	• (*1)	• (*2)	•	•
<i>Golf Course</i>				•
<i>Home Occupation</i>		•		
<i>Public Park</i>			•	
<i>Recreation and Athletic Facility</i>			•	
<i>Forestry Use</i>		• (*2)	• (*2)	

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) Subject to the provisions of the Regional Tree Cutting By-law, as amended.
- (*3) A new single detached dwelling is only permitted on an existing lot.
- (*4) deleted (007-2012)

11.2 ZONE STANDARDS (104-2008)

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
LOT AREAS (Minimum)	as existing	as existing	No minimum	40 ha (*1)
LOT FRONTAGE (Minimum)	as existing	as existing	No minimum	300m
LOT COVERAGE (Maximum) for all <i>buildings</i>	as existing	15% of <i>lot area</i>	20% of the <i>lot area</i>	2%
SETBACKS (Minimum)				
<i>Front Yard</i>	as existing	6.0m	6.0m	25.0m
<i>Rear Yard</i>	as existing	6.0m	12.0m	25.0m
<i>Exterior Side Yard</i>	as existing	6.0m	6.0m	25.0m
<i>Interior Side Yard</i>	as existing	3.0m	12.0m	25.0m
BUILDING HEIGHT (Maximum)				
<i>Detached dwelling</i>	as existing	11.0m	N/A	11.0m
<i>Recreational Uses</i>	as existing	N/A	14.0m	14.0m
<i>Other Uses</i>	as existing	N/A	11.0m	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*: 4.0m
- ii) Minimum *Required Exterior Side Yard*: 4.0m
- iii) Minimum *Required Interior Side Yard*: 1.2m
- iv) Minimum *Required Rear Yard*: 7.5m
- v) *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)	Zone	Exception No.
Property Address and/or Legal Description			
Special Provisions			
13.1.1.1	75-2002 109-2004 (Dec 20/04)	RLD	*1
57 Martin Street (Martin House)			
i) Only <i>Uses Permitted</i>			
a) business or professional <i>office</i> , with the exception of a medical practitioner;			
b) <i>dwelling unit</i> in the main and upper portion of a commercial <i>building</i> .			
13.1.1.2	61-85 125-2005 (Sept 26/05)	C3	*2
1580 Derry Road East (Mattamy Hawthorne Village Commercial)			
i) Additional Permitted <i>Use</i>			
a) <i>fitness centre</i>			
ii) <i>Zone Standards</i>			
b) Maximum Total Combined <i>Gross Floor Area</i> : 1550m ²			
13.1.1.3	61-85	C5	*3
9230 & 9266 Guelph Line (Mohawk Inn)			
i) Only <i>Uses Permitted</i>			
a) <i>hotel</i> ;			

- b) *motor vehicle gas bar*
- ii) Special Site Provisions
 - a) 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) Minimum *Front yard* Depth: 30.0m;
 - B) Minimum *Rear yard* Depth: 10.5m

13.1.1.4	61-85 101-2009 (OMB Decision July 20/09)	C5	*4
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9430–9480 Guelph Line
(Mohawk Race Track – Woodbine Entertainment Group)

- i) For the purposes of this By-law, the Guelph Line frontage of the property is deemed to be the *front yard* of the *lot*;
- ii) In addition to Section 4.11.3, where any Golf Course (GC) *Zone* or any Auto-Commercial (C5) *Zone* abuts a Greenlands A *Zone*, the greater of the 7.5m floodplain allowance measured from the regional floodplain limit and the 30m fish habitat buffer measured from the centre line of the creek, shall be reserved for no other purpose than a *Conservation Use*, but may include sight line clearing, *golf course* related tees, rough, golf cart paths and fairways, and associated grading to the extent necessary. These *uses* are permitted, subject to approval by Conservation Halton, provided that they do not encroach into the floodplain setback;
- iii) Notwithstanding Section 4.18.2, golf fairways, roughs tees and greens are allowed to encroach into the Minimum Distance Separation required by the 2007 MDS guidelines provided that there shall be no such encroachment into the MDS of 378m as required by the 1995 MDS guidelines;
- iv) For lands *zoned* a site-specific Auto Commercial (C5*4), the following standards and provisions also apply:
 - a) Notwithstanding Table 7B, the only *uses* permitted are:
 - A) a *Horse Race Track*;
 - B) one *Hotel*; and,
 - C) *Villas*
 - b) For the purposes of this section, the definition of “Villa” is as follows:
Means a premises in which lodging or sleeping accommodation are provided to the general public on a temporary basis and may include limited private cooking facilities, such as a kitchenette;
 - c) For the purposes of this section, the minimum parking requirement for a Villa is one *parking space* per suite;
 - d) Special Zone Standards:
 - A) The minimum *front yard depth* shall be the greater of 25m or 1.5 times the *height* of the *building*;
 - B) The maximum *height* for the *hotel* is 10 storeys to a maximum *height* of 46m;
 - C) The maximum *height* for a grandstand is 20m;
 - D) The minimum *landscape buffer* abutting a street line shall be 7.5m;
 - E) The minimum *landscaped open space* is 10%;
 - F) Notwithstanding any provisions to the contrary, Sections 7.3.1 and 7.3.2 shall not apply;
 - G) Notwithstanding Section 7.3.4, equipment and items associated with the racetrack may be stored outdoors, provided that the lands used for the open storage are screen from a public street, but open storage of wastes and/or manure shall not be permitted.

<p>e) Notwithstanding Section 11.1 Permitted <i>Uses</i>, Table 11A, for lands <i>zoned</i> a site-specific Greenlands A *4a (GA*4a), additional permitted <i>uses</i> shall include:</p> <p>A) <i>Horse Race Track</i> – any alteration to the <i>horse race track</i>, <i>accessory building</i> or <i>structure</i>, and/or associated site works are subject to the regulations and policies of Conservation Halton;</p> <p>f) Notwithstanding Section 11.1 Permitted <i>Uses</i>, Table 11A, for lands <i>zoned</i> site-specific Greenlands A *4b (GA*4b) and the abutting strip of land required in accordance with Section 4.11.3, additional permitted <i>uses</i> shall include:</p> <p>A) Creek crossing and associated access path for golf carts and sight line clearing subject to approval by Conservation Halton;</p> <p>g) Notwithstanding Section 11.1 Permitted <i>Uses</i>, Table 11A, for lands <i>zoned</i> site-specific Greenlands B *4a (GB*4a), the only <i>uses</i> permitted are:</p> <p>A) <i>Conservation Use</i>;</p> <p>B) Tree cutting, roads and paths are not permitted;</p> <p>h) Notwithstanding Section 11.1 Permitted <i>Uses</i>, Table 11A, for lands <i>zoned</i> site-specific Greenlands B *4b (GB*4b), the only <i>use</i> permitted is:</p> <p>A) <i>Conservation Use</i>;</p> <p>i) Notwithstanding Section 11.1 Permitted <i>Uses</i>, Table 11A, for lands <i>zoned</i> site-specific <i>Golf Course</i>*4 (GC*4), the <i>golf course use</i> shall be permitted, but the number of holes shall be restricted to 18 for the <i>golf course</i>;</p> <p>j) Notwithstanding Section 11.1 Permitted <i>Uses</i>, Table 11A, for lands <i>zoned</i> site-specific Open Space *4 (OS*4), the only permitted <i>uses</i> are:</p> <p>A) <i>Conservation Use</i>;</p> <p>B) existing <i>uses</i> subject to footnote *1, Table 11A.</p>

13.1.1.5	61-85	C3	*5
311 Commercial Street			
i) Prohibited <i>Uses</i>			
a) <i>day nursery</i>			

13.1.1.6	61-85	M2	*6
8277 Lawson Road (Toronto Auto Auctions)			
i) Additional Permitted <i>Uses</i>			
a) Automobile auctioneers sales establishment; and			
b) Storage of vehicles			

13.1.1.7	61-85	RLD	*7
161 Commercial Street			
i) Only <i>Use</i> Permitted			
a) sewage treatment plant			

13.1.1.8	61-85	A1	*8
5400, 5406 & 5328 Regional Road No. 25 (Regional Waste Management Facility)			
i) Only <i>Uses</i> Permitted			
a) sanitary landfill and <i>accessory uses</i> , to be controlled by the Regional Municipality of Halton;			
b) <i>Accessory buildings</i> , <i>structures</i> , equipment and facilities which are incidental to the principal <i>use</i> of the Sanitary Landfill;			

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c) Agricultural Uses			
13.1.1.9	61-85	A1	*9
6252 Eighth Line			
i) Additional Permitted Uses			
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; ▪ 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 			
ii) Special Parking Provisions			
i) 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.			
13.1.1.10	61-85	A2	*10
13700 Fourth Line (Nassagaweya) (Railway Museum)			
i) Additional Permitted Use			
a) for the operations of the Ontario Electric Railway Historical Association			
13.1.1.11	61-85	RV	*11
305 – 315 Campbell Avenue			
i) Additional Permitted Use			
a) the business of a contracting <i>yard</i> with <i>motor vehicle repair</i> facilities and related <i>outdoor storage</i>			
13.1.1.12	61-85 34-2002 (Mar 25/02)	I-A	*12
6620 Thompson Road (New Life Pentecostal Church)			
i) Only Uses Permitted			
a) <i>Place of Worship</i> ;			
b) <i>Day Nursery</i> ;			
c) 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.			

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

ii) Zone Standards a) Minimum <i>Front yard</i> : 20.0m; b) Minimum <i>Side Yards</i> : 10.0m; c) Maximum <i>Height</i> of Religious / Spiritual Facility: 13.0m; d) Maximum <i>Ground Floor Area</i> of Religious / Spiritual Facility: 2,000m ²

13.1.1.13	61-85	OS	*13
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Various Locations (Conservation Halton Lands)

i) Only Uses Permitted 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 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	131-2002 109-2004 (Dec 20/04)	RV	*14
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185 Campbell Avenue West
 Registered Plan 20M-969
 Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3 (Nassagaweya)
 (Stokes Subdivision / Bridlewood Estates)

i) Special Site Provisions a) Minimum <i>Lot Frontage</i> : 30m except as follows: <i>Lot 3</i> : 29.0m; <i>Lot 12</i> : 22.0m; <i>Lot 13</i> : 27.0m; b) Minimum <i>Lot Area</i> : 0.45ha except as follows: <i>Lot 9</i> : 0.4ha; <i>Lot 12</i> : 0.34ha; <i>Lot 14</i> : 0.34ha; <i>Lot 15</i> : 0.37ha; <i>Lot 16</i> : 0.35ha; <i>Lot 17</i> : 0.4ha; <i>Lot 18</i> : 0.4ha; <i>Lot 20</i> : 0.42ha; <i>Lot 21</i> : 0.43ha; <i>Lot 22</i> : 0.35ha; <i>Lot 23</i> : 0.35ha; <i>Lot 24</i> : 0.4ha; <i>Lot 25</i> : 0.42ha; <i>Lot 26</i> : 0.42ha; <i>Lot 28</i> : 0.38ha;

Lot 29: 0.43ha			
13.1.1.15	131-2002	GB	*15
185 Campbell Avenue W. Registered Plan 20M 969 Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3 (Nassagaweya) (Stokes Subdivision / Bridlewood Estates)			
i) Prohibited Uses: a) <i>Buildings, structures, swimming pools</i> or other uses and/or facilities accessory to permitted residential uses on the same lot.			
ii) Only Uses Permitted a) a naturalized revegetation area			
13.1.1.16	61-85 44-2002 OMB Decision (May 7/01)	C1-F	*16
S/W corner Main Street & Thompson Road (Part Lot 13, Conc 3) (Brewis Chevrolet Oldsmobile Limited)			
i) Prohibited Uses: a) <i>department store</i> ; 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 <i>building</i> of less than 6,500m ²).			
ii) Additional Permitted Uses a) <i>institutional uses</i> ; b) <i>Cultural and entertainment uses</i> ; c) <i>dwelling unit</i> or <i>dwelling units</i> in the upper portion of a commercial <i>building</i> ; d) <i>motor vehicle service station</i> and/or <i>motor vehicle</i> agency accessory to a permitted use or part of a mixed use development; e) <i>apartment building</i> ; f) Parking for adjacent commercial development, circulation, landscaping, and <i>driveways</i>			
iii) Zone Standards – Commercial Uses a) Maximum <i>Building Height</i> : 7 storeys			
iv) Zone Standards – Residential Uses a) Minimum <i>Lot Frontage</i> : 22.5m; b) Minimum <i>Lot Area</i> : 0.4 ha; c) Minimum <i>Lot Coverage</i> : 40% of the lot area for all <i>buildings</i> ; d) Maximum <i>Front Yard Depth</i> : 2.5m; e) Minimum <i>Rear Yard Depth</i> : ½ <i>height</i> of the <i>building</i> ; f) Minimum <i>Exterior Side Yard</i> : 2.5m; g) Minimum <i>Interior Side Yard</i> : ½ <i>height</i> of the <i>apartment building</i> ;			

- h) Minimum Distance Between *Buildings*: *height of building*;
- i) Maximum *Building Height*: 7 storeys;
- j) Minimum *Landscaped Open Space*: 35% of the *lot area for the apartment building*
- k) Minimum *Dwelling Unit Area*: 55m²

v) Special Site Provisions – Commercial Uses

The size of individual *retail stores* shall be limited to 2,750m² with the following exceptions:

- a) Up to 3 individual retail *uses* may have an individual floor space greater than 2,750m²;
- b) None of those individual stores may be larger than 11,150m²;
- c) The cumulative floor space of such individual stores which are larger than 2,750m² may not exceed 16,720m²;
- d) No such store larger than 6,500m² shall front onto Main Street;
- 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.

vi) Special Parking Provisions - Residential

- a) *Parking spaces*: 1.5 spaces/*dwelling unit*

13.1.1.17	61-85 10-2002	A2	*17
5657 – 15 th Side Road (Rose Cherry's)			
i) Additional Uses Permitted			
a) Special <i>Residential Care Facility</i> for Chronically and/or Terminally Ill Children			
ii) Special Site Provisions			
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, not to exceed two weeks in duration; and,			
d) Other <i>uses</i> accessory to the <i>Special Residential Care Facility</i> shall be permitted.			
iii) Special Parking Provisions			
a) required parking for a <i>Residential Care Facility</i> for chronically and/or terminally ill children will be 1.5 spaces per bed and 1 space per guest room.			

13.1.1.18	61-85	C5	*18
Steeles Avenue Part of Lot 15, Concession 2 NS, (Abandoned Rail Line / Jim Gorman)			
i) Only Uses Permitted			
a) Automobile display and sales; and,			
b) <i>Accessory buildings</i> and <i>structures</i> that do not require water and wastewater services.			
ii) Special Site Provisions			
a) a 3.0m landscape strip shall be required along the easterly <i>lot line</i> situated within the 25m of a residential <i>Zone</i> .			

13.1.1.19	61-85 114-2002 (Aug 26/02) (102-2005)		*19
DELETED SECTION			

13.1.1.20	(Official Plan Policies for Moffat)	RV	*20
Various properties within the Hamlet of Moffat			
i) Only Uses Permitted <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) <i>art gallery</i>/framing/gift shop; f) furniture shop; g) photography/studio; h) saddlery; i) flower shop; 			

13.1.1.21	61-85	C2	*21
NE Corner of Thompson Road & Louis St. Laurent Avenue (Manaman Commercial)			
i) Special Site Provision <ul style="list-style-type: none"> a) the area within a rectangle measured 30m 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>. 			

13.1.1.22	61-85 109-2004 (Dec 20/04)	RLD	*22
16 James Street (Waldie's Blacksmith Shop)			
i) Only Uses Permitted <ul style="list-style-type: none"> a) Living Museum 			
ii) Special Site Provisions <ul style="list-style-type: none"> a) A living museum means the <i>use</i> of a <i>premises</i> for the demonstration of historic activities to groups and the public at large and includes <i>school</i> and other tours and also associated administrative or education meetings. <i>Accessory</i> retail sales of goods is also permitted. 			

13.1.1.23	61-85	OS	*23
Lot 18, Concession III (Nassagaweya) (Kaitlyn Brook)			
i) Only Uses Permitted <ul style="list-style-type: none"> a) <i>Conservation Use</i>; b) <i>Forestry Use</i>; c) <i>Buildings and structures accessory</i> to permitted uses located within the adjacent zone on the same property. 			

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

13.1.1.24	61-85	A2	*24
Part Lot 12, Concession III (Nassagaweya) (Christoforou)			
i) Additional Permitted Use a) Farm Help House ii) Special Site Provisions a) Maximum of two <i>dwelling</i> s on one property iii) Zone Standards a) Maximum separation distance between <i>dwelling</i> s of 300m			

13.1.1.25	61-85	C4	*25
Part of Lot 7, Concession III (Nassagaweya) (Ridley Windows & Doors)			
i) Additional Permitted Uses a) Warehouse facility with associated retail showroom and ancillary business offices ii) Zone Standards a) Maximum <i>Lot Coverage</i> : 4.25%			

13.1.1.26	61-85	EMP	*26
Part of Lot 15, Concession IV (Esquesing) (First Gulf)			
i) Special Site Provisions a) Definitions, general provisions, permitted <i>uses</i> and <i>Zone</i> standards set out in Schedule E to this By-law shall apply.			

13.1.1.26(ii)	44-2007 (Apr 23/07)	EMP	*26(ii)
Part of Lot 15, Concession IV (Esquesing) (Wal-Mart)			
1) i) Additional Permitted Uses a) "Food Store" as defined in Schedule E to By-law 144-2003, as a component of the main Department Store type building; ii) Special Site Provisions a) Maximum Total Floor Area 17,775m ² of which up to 4,450m ² (GFA) may be used for a "food store" as a component of the main Department Store type building.			

13.1.1.27	61-85 47-2005	M2	*27
Part Lot 6, Concession II (Nassagaweya) and Part Lot 13, concession VIII (Trafalgar)			
i) Only Uses permitted a) <i>Equipment Sales and Rental</i> ; b) <i>Industrial Use</i> ; c) <i>Outdoor Storage</i> ; d) <i>Motor Vehicle</i> and Equipment Storage; e) <i>Seasonal Vehicle Storage</i> ;			

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

<ul style="list-style-type: none"> f) <i>Service and Repair Shop</i>; g) <i>Transportation Terminal</i>; h) <i>Veterinary Clinic – Small Animal</i>; i) <i>Veterinary Clinic – Large Animal</i>; j) <i>Veterinary Hospital- Small Animal</i>; k) <i>Warehouse Distribution Centre</i>; l) a <i>dwelling</i> for a watchman or caretaker or other similar person employed on the <i>premises</i> concerned.

13.1.1.28	61-85	C5	*28
Part Lot 4, Concession III (Trafalgar Truck Stop)			
i) Only Uses Permitted <ul style="list-style-type: none"> a) <i>Convenience Store</i>; b) <i>Drive Through Service Facility</i>; c) <i>Motor Vehicle Gas Bar</i>; d) <i>Motor Vehicle Service Station</i>; e) <i>Propane Facility, Retail</i>; f) <i>Restaurant</i> 			

13.1.1.29	61-85	C2	*29
Derry Centre			
i) Additional Permitted Uses <ul style="list-style-type: none"> a) <i>Dry Cleaning Establishment</i> 			
ii) Zone Standards <ul style="list-style-type: none"> a) Maximum Total Gross Floor Area of <i>Dry Cleaning Establishments</i>: 120m² 			

13.1.1.30	61-85	C1-B	*30
Bronte Street, North of Main Street (Durante)			
i) Additional Permitted Uses <ul style="list-style-type: none"> a) <i>Commercial storage facility</i> 			

13.1.1.31	61-85 109-2004 (Dec 20/04)	EMP	*31
Virgoan			
i) Additional Permitted Uses <ul style="list-style-type: none"> a) <i>Gas bar accessory to a permitted motor vehicle related retail use</i>; b) <i>Retail Store 2</i>; c) <i>Retail Store 3</i> 			
ii) Zone Standards <ul style="list-style-type: none"> a) Minimum <i>Lot Area</i>: 0.8 ha; b) Maximum <i>Lot Coverage</i>: 45%; c) Minimum <i>Front Yard</i>: <ul style="list-style-type: none"> A) where <i>Building Height</i> is 11.0m or less: 5.0m; 			

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

- a) Each *parking space* shall provide a minimum size of 2.7m x 5.5m, with a rectangular shape and be readily accessible at all times for the parking and removal of a *motor vehicle* without the necessity of moving any other vehicle or obstruction. Accessibility shall not apply to a *parking space* in a garage that is for the exclusive use of the *dwelling unit*, provided the *driveway* serving the garage has a minimum length of 5.5m;
- b) In no case, shall any two *dwellings* located on abutting *lots* be less than 1.2m apart;
- c) Air conditioning and heat exchange units are permitted in rear or *interior side yards* only and may encroach up to 1.2m into the *required yard*, but in no case shall air conditioning or heat exchange units be located across *lot lines*.

13.1.1.36	61-85	GB	*36
Part Lot 14. Concession VII (Nassagaweya) (Boy Scout / Girl Guide Camp)			
i) Additional Permitted Uses			
a) boy scout / girl guide camp.			
ii) Special Site Provisions			
a) For the purposes of this section, 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 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 <i>use</i> of mobile homes or <i>trailers</i> for habitation.			

13.1.1.37	OMB ORDER	GB	*37
Kalmoni			
i) Only Uses Permitted			
a) <i>Driveways</i> , pathways, trails and linear utilities.			
ii) Special Site Provisions			
a) Such areas shall remain in a natural state and shall not be cleared for <i>building</i> construction or installation of septic tile fields.			

13.1.1.38		M1	*38
150 Steeles Avenue West (Meritor)			
i) Special Site Provisions			
a) <i>Outdoor storage</i> accessory to the existing <i>industrial use</i> shall be permitted provided that:			
A) it complies with the minimum <i>setback</i> requirements of the applicable <i>Zone</i> ;			
B) it is <i>setback</i> a minimum of 18.0m from any <i>street line</i> and is not located in a <i>front yard</i> ;			
C) it does not cover an area exceeding 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,			
D) 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> .			

13.1.1.39	35-2004 (May 25/04)	C5	*39
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20 Market Drive (Canadian Tire)			
i) Additional Permitted Uses			
a) Hardware store;			
b) Tire Sales Establishment;			
c) <i>Retail Store</i>			
ii) Special Site Provisions			
a) Maximum <i>Lot Coverage</i> : 23%;			
b) Maximum <i>Gross Floor Area</i> of a <i>Retail Store</i> : 360m ² ;			
c) Minimum <i>Landscape Buffer</i> abutting a <i>street line</i> : where the width of the boulevard in a public road allowance exceeds 10m in width, the minimum <i>landscape buffer</i> abutting a <i>street line</i> may be reduced to 3.0m;			
d) Minimum Required Ingress Spaces For A <i>Drive-Through Restaurant</i> (Coffee Shop): 6;			
e) Minimum <i>Setback</i> for Propane Dispensing Facility: 4.5m from the nearest <i>lot line</i> ;			
f) <i>Loading Space</i> Requirements: designated <i>loading spaces</i> are not required for a <i>restaurant, convenience store</i> or a <i>retail store use</i> provided that a loading area independent of any required <i>parking spaces</i> is provided adjacent to the <i>building</i> for which the loading area is to be used;			
g) Location of <i>Waste Storage Facility</i> : where a <i>waste storage facility</i> is located within an <i>accessory building</i> or <i>structure</i> , it may be permitted in an <i>interior side yard</i> .			

13.1.1.40	147-2003 (Oct 20/03)	RV	*40
Lot 18, Concession III (Nassagaweya) (Kaitlyn Brook)			
i) Permitted Uses			
a) Lands within an OS <i>Zone</i> may only be used for a <i>conservation use, a forestry use</i> and for <i>buildings and structures accessory</i> to permitted uses located within the adjacent <i>zone</i> on the same property			
ii) Special Site Provisions			
a) Within a RV*40 <i>Zone</i> , lands within a GA <i>Zone</i> may be used to satisfy the <i>lot frontage</i> requirement for <i>Lot 17</i> ;			

13.1.1.41	147-2003 (Oct 20/03)	RV	*41
Lot 18, Concession III (Nassagaweya) (Kaitlyn Brook)			
i) Zone Standards			
a) Minimum <i>Lot Frontage</i> : 35m for <i>Lot 10</i>			

13.1.1.42	147-2003 (Oct 20/03)	RMD1	*42
180 & 182 Bronte Street South (Prezel Construction)			
i) Zone Standards			
a) Minimum <i>Lot Frontage</i> : 20.0m;			
b) Minimum Required <i>Rear Yard</i> : 37.5m;			
c) Minimum Required <i>Interior Side Yard</i> : 4.5m;			
d) Minimum Off-Street Parking Requirements: 2 <i>parking spaces</i> per <i>Dwelling Unit</i> ;			
e) Maximum Number of <i>Multiple Dwellings</i> Per <i>Lot</i> : 3;			
f) Maximum Number of <i>Dwelling Units</i> : 14			

13.1.1.43	24-2004 (Mar 29/04) 109-2004 (Dec 20/04) 47-2005 (Apr 25/05)	C6	*43
<p>Bronte Street North Part of Lot 14, Concession 2, NS (Canadian National Railway – Dennis Durante In Trust)</p>			
<p>i) Only Uses Permitted</p> <ul style="list-style-type: none"> a) <i>Artist's Studio</i>; b) <i>Commercial School – Skill</i>; c) <i>Dry Cleaning Depot</i>; d) <i>Office</i>; e) <i>Retail Store 1</i>; f) <i>Service Commercial Uses</i>; g) <i>Veterinary Clinic- Small Animal</i>; h) <i>Veterinary Clinic – Large Animal</i>; <p>ii) Zone Standards</p> <ul style="list-style-type: none"> a) Minimum <i>Lot Area</i>: 850m²; b) Maximum <i>Lot Area</i>: 5400m²; c) Maximum <i>Lot Coverage</i>: 20%; d) Minimum <i>Gross Floor Area</i>: no minimum; e) Maximum <i>Gross Floor Area</i>: 1080m²; f) North-westerly <i>Interior Side Yard</i>: 3.0m; g) Minimum <i>Front Yard Depth</i>: 1.0m; h) Maximum <i>Front Yard Depth</i>: 11.0m; i) Minimum <i>Landscape Buffer</i>: <ul style="list-style-type: none"> A) Abutting a <i>street line</i>: 1.0m; B) Abutting a <i>Residential Zone</i>: 4.0m; C) Abutting a <i>Greenlands A Zone</i>: 7.5m; D) Abutting an <i>Open Space (OS) Zone</i>: 1.0 m; j) A <i>landscape buffer</i> shall be provided within an <i>Open Space (OS) Zone</i> in conjunction with the public pedestrian multi-use trail. Full screening shall be required along the mutual <i>lot line</i> where a non-residential <i>use</i> abuts a <i>Residential Zone</i> and will be provided through the <i>use</i> of privacy fencing and landscaping. <p>ii) Special Site Provisions</p> <ul style="list-style-type: none"> a) <i>Open Storage</i>: no open storage of goods, materials or <i>wastes</i> shall be permitted; b) <i>Required Parking</i>: <ul style="list-style-type: none"> A) 1 space/25m² of <i>gross floor area</i>; B) Minimum <i>Parking Space Size</i>: 2.7m X 5.6m; C) Minimum <i>Parking Space Size</i> for Disabled Persons: 3.7m X 5.6m c) No <i>loading spaces</i> are required for the subject property; d) <i>Service Commercial Use</i> means a <i>premises</i> 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 <i>uses</i> as <i>personal service uses</i> such as florists, <i>dry cleaning depots</i>, tailors, travel agents, diet centres, day spas, tanning parlours, <i>personal service shops</i>, shoe repair, <i>specialty food stores</i> and <i>video retail stores</i> but does not include a 			

Night Club, an office building, an Adult Entertainment Use, or any premises containing Video Game and Pinball Machines.

13.1.1.44	OMB Decision/ Order No. 1155 (July 7/04) 100-2006 (Sept 25/06)	M1	*44
<p>150 Steeles Ave E Part of Lot 15, Concession 2, N.S., Part 5 of RP 20R-2956 more particularly described as the severed parcel 'B' on the Severance Plan prepared by Gagnon Law Bozzo Urban Planners Ltd., File #854SEV_030804A dated March 8, 2004. (Meritor)</p> <p>i) Additional Permitted Use: a) <i>Motor vehicle Dealership</i></p> <p>ii) Excluded Uses: a) <i>Dry Cleaning Establishment</i></p> <p>iii) Special Site Provisions a) For the purposes of this section, a <i>motor vehicle dealership</i> shall mean a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> or <i>motor vehicle body shop</i> but shall not include a <i>motor vehicle service station</i> or <i>motor vehicle gas bar</i>; b) Outdoor Auditory Systems: The <i>use</i> of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.</p>			

13.1.1.45	60-2004 (July 26/04)	RO	*45
<p>337 Ontario Street South (HD Investments)</p> <p>i) Only Permitted Uses a) <i>Apartment building</i>; b) <i>Office building</i>; c) <i>Office uses</i></p> <p>ii) Zone Standards a) <i>Minimum Required Rear Yard</i>: 5.0m; b) <i>Minimum Required Exterior Side Yard</i>: 0.0m; c) <i>Maximum Height</i>: 4 storeys to a maximum of 14.0m</p> <p>iii) Special Site Provisions a) <i>Landscaped Open Space</i> Abutting a Greenlands A Zone: a strip of land exclusively devoted to landscaping shall be provided abutting a Greenlands A Zone having a minimum width of 7.5m adjacent to any <i>building</i> or <i>structure</i> and having a minimum width of 4.5m adjacent to any <i>parking area</i>; b) <i>Minimum Size of Perpendicular Off-street Parking Spaces</i>: 6.0m long and 2.75m wide; c) <i>Parking Area Location on a Lot</i>: <i>parking areas</i> shall be <i>Setback</i> a minimum of 1.2m from any <i>building</i> or <i>structure</i> and may be provided in all <i>yards</i> provided that no part of any <i>parking area</i>, other than ingress or egress points, is located closer than 4.75m to any <i>street line</i> and no closer than 2.0m to any</p>			

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other lot line;
 d) Off-street *loading spaces* are not required.

13.1.1.46	61-2004 (July 26/04)	RMD1	*46
Part of Lot 8, Concession V (Trafalgar) (York Trafalgar Corp.)			
i) Additional Permitted Uses a) <i>Office use</i> within an existing <i>building</i>			
ii) Special Site Provisions a) <i>Parking Area Location On A Lot:</i> permitted in all <i>yards</i> provided that no part of any <i>parking area</i> is located closer than 10.0m to any abutting residentially <i>Zoned</i> property; b) <i>Surface Treatment of Parking Areas:</i> a maximum of 50% of the required <i>parking spaces</i> may be surface treated with grass paving; c) Off-street <i>loading spaces</i> are not required.			

13.1.1.47	OMB Decision/ Order No. 1155 (July 7/04)	RLD	*47
475 Bronte Street (Fred & Hilda Rigo)			
i) Special Site Provisions a) one of the following <i>uses</i> may also be permitted as a <i>home occupation</i> : A) an office of a medical practitioner; B) a hairstylist; C) an aesthetician; b) Two (2) non-resident employees may be engaged in a permitted <i>home occupation</i> ; c) One (1) <i>parking space</i> shall be required for each non-resident employee engaged in the <i>home occupation</i> .			

13.1.1.48	OMB Decision / Order No. 1548 (Sept 23/04)	A2	*48
Part of Lot 14, Concession VII (Nassagaweya) (Boy Scout / Girl Guide Camp)			
i) Only Uses Permitted a) <i>Agricultural Operation</i> ; b) <i>Bed and Breakfast Establishment</i> ; c) Boy Scout/Girl Guide Camp; d) <i>Conservation Use</i> ; e) <i>Cottage Industry</i> ; f) <i>Detached Dwelling</i> ; g) <i>Forestry Use</i> ; h) <i>Group Home Type 1</i> ; i) <i>Group Home Type 2</i> ; j) <i>Home Occupation</i> ; k) <i>Horticultural Nursery</i> ; l) <i>Storage Building</i> for Agricultural Equipment or Produce			
ii) Special Site Provisions			

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- a) For the purposes of this section, 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 educational and conservation activities and camping experiences, including *accessory* facilities such as picnic shelters, lodge houses and equipment storage *buildings*, but not including the *use* of mobile homes or *trailers* for habitation.

13.1.1.49	115-2004 (Dec 20/04)	M1	*49
Part of Lot 14, Concession VII (Nassagaweya) (Boy Scout / Girl Guide Camp)			
<p>i) Additional Permitted Uses</p> <ul style="list-style-type: none"> a) <i>Equipment Sales and Rental Business</i>; b) <i>Drive –Through Service Facility</i>; c) <i>Restaurant</i>; d) <i>Motor Vehicle Washing Establishment</i>; e) <i>Motor Vehicle Repair Garage</i>; f) <i>Motor Vehicle Dealership</i> <p>ii) Zone Standards</p> <ul style="list-style-type: none"> a) The specific zoning provisions of Auto Commercial (C5) <i>Zone</i> in Section 7.2 -Table 7D shall apply to the following <i>uses</i>: <ul style="list-style-type: none"> A) <i>Drive-Through Service Facility</i>; B) <i>Restaurant</i>; C) <i>Motor Vehicle Washing Establishment</i>; D) <i>Motor Vehicle Repair Garage</i>; E) <i>Motor Vehicle Dealership</i>; b) For the purposes of this section, <i>equipment sales and rental</i> means a <i>premises</i> in which machinery and equipment are offered or kept for rent, lease or hire under agreement for compensation and does not include the sale or rental of any material handling equipment which shall constitute, but not be limited to forklifts, front–end loaders, backhoes, cement rollers, excavators, off-highway haulers or trucks, bull dozers, tractors or other similar equipment. In addition, household items, accessory to the <i>equipment sales and rental use</i>, which are offered or kept for rent, lease or hire under agreement for compensation shall also be permitted; c) For the purposes of this section, <i>motor vehicle repair garage</i> means a <i>premises</i> used to conduct major and minor mechanical repairs of <i>motor vehicles</i> but does not include a <i>motor vehicle gas bar</i> or <i>motor vehicle service station</i> as an <i>accessory use</i>. <p>iii) Special Site Provisions</p> <ul style="list-style-type: none"> a) Maximum <i>Gross Floor Area</i> for <i>Equipment Sales and Rental Business</i>: 620m²; b) An <i>outdoor display</i> area which is accessory only to the equipment and sales rental business is permitted subject to the following: <ul style="list-style-type: none"> A) Maximum area: 27m²; B) Solely for the display of propane tanks; C) The <i>outdoor display</i> area does not obstruct pedestrian or vehicular traffic and shall be appropriately screened; c) No open storage of goods, materials or <i>wastes</i> shall be permitted; d) Required parking for the existing <i>building</i> and the <i>equipment sales and rental use</i> only will be: <ul style="list-style-type: none"> A) Minimum <i>Parking Space Size</i>: 2.7m x 5.6m; 			

B) Minimum Size of *Parking Space* for Disabled Persons: 4.6m x 5.6m;
 e) One (1) *loading space* is required for the *equipment sales and rental* business.

13.1.1.50	11-2005 (Jan 24/05)	RLD	*50
142 Martin Street (DeBrouwer / Ball)			
i) Additional Permitted Uses			
a) <i>Office use</i> within an existing <i>building</i>			
ii) Special Site Provisions			
a) Minimum <i>Parking Lot / Driveway</i> set back from <i>Interior Side Yard</i> (south side): 7.0m;			
b) Off-street <i>loading spaces</i> are not required;			
c) Minimum <i>Interior Side Yard</i> : 4.0m			

13.1.1.50	11-2005 (Jan 24/05)	RLD	*50
142 Martin Street (DeBrouwer / Ball)			
i) Additional Permitted Uses			
a) <i>Office use</i> within an existing <i>building</i>			
ii) Special Site Provisions			
a) Minimum <i>Parking Lot / Driveway</i> set back from <i>Interior Side Yard</i> (south side): 7.0m;			
b) Off-street <i>loading spaces</i> are not required;			
c) Minimum <i>Interior Side Yard</i> : 4.0m			

13.1.1.51	OMB Decision / Order No. 1762 (Nov 9/04)	C1-E	*51
805 Nipissing Road (St. Marys Cement)			
i) Additional Permitted Uses			
a) Concrete batching plant and <i>accessory uses, buildings and structures</i> .			
ii) Zone Standards			
a) the following shall apply to the concrete batching plant and <i>accessory uses, buildings and structures</i> :			
A) Minimum <i>Front Yard</i> : 62.0m;			
B) Minimum <i>Rear Yard</i> : 5.0m;			
C) Minimum <i>Interior Side Yards</i> : 9.0m			

13.1.1.52	13-2005 (Jan 24/05)	M2	*52
312 Campbell Avenue			
i) Only Uses Permitted			
a) <i>Industrial Use</i> ;			
b) <i>Outdoor Storage</i> ;			
c) <i>Motor Vehicle</i> and <i>Equipment Storage</i> ;			
d) <i>Service and Repair Shop</i> ;			
e) <i>Warehouse Distribution Centre</i> ;			
f) <i>Dwelling</i> for a watchman or caretaker or other similar person employed on the <i>premises</i> concerned.			

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13.1.1.53	16-2005 (Jan 24/05)	C5	*53
9301 Second Line (Nassagaweya) (KOA Kampground)			
i) Only Uses Permitted			
a) <i>Recreational vehicle</i> and tent camping and <i>accessory uses</i> not exceeding 2000m ² in <i>gross floor area</i> .			
13.1.1.54	OMB Decision / Order No. 1762 (Nov 9/04)	C1-E	*54
900 Nipissing Road (Milton Baptist Church – Montessori Daycare)			
i) Additional Permitted Use			
a) <i>Day Nursery</i>			
13.1.1.55	OMB Decision / Order No. 1762 (Nov 9/04)	C1-E	*55
800 Nipissing Road (Little Kids Daycare)			
i) Additional Permitted Use			
a) <i>Day Nursery</i>			
13.1.1.56	45-2005 (Apr 25/04)	M1	*56
1195 Steeles Avenue W. Pcl 7-2 Sec 20M-468, Pt. Lt.7, Plan 20M-468, Parts 5 & 6, 20R-9332 (W.J.G. Steeles Holdings Ltd.)			
i) Additional Permitted Use			
a) <i>Motor Vehicle Dealership</i>			
ii) Special Site Provisions			
a) For the purposes of this section a <i>motor vehicle dealership</i> means a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> or <i>motor vehicle body shop</i> but shall not include a <i>motor vehicle service station</i> or <i>motor vehicle gas bar</i> .			
13.1.1.57	41-2005 (Apr 25/05)	FD	*57
NE corner Britannia Rd & First Line Part of Lot 6, Concession 2 (Trafalgar) (Main Sail Estates Inc.)			
i) Special Site Provisions			
a) Minimum <i>Required Front Yard</i> : 30.0m for any <i>buildings, structures</i> and/or golf range;			
b) Minimum <i>Exterior Side Yard</i> : 15.0m;			
c) <i>Parking Areas</i> may have a granular surface treatment;			
d) <i>Parking Area Location on Lot</i> : all <i>yards</i> provided that no part of any <i>parking area</i> , other than ingress and egress points used for access from the <i>street</i> , is located closer than 15m to any <i>street line</i> ;			
e) Golf Tee Off Areas adjacent to a <i>Public Street</i> . Golf tee off areas adjacent to a <i>public street</i> must be set at a minimum 20-degree angle away from the <i>public street</i> ;			
f) Parking Requirements: a <i>golf driving range</i> will require 1 <i>parking space</i> for each practice tee;			
g) Greenlands A (GA) <i>Zone</i> : no development shall take place within a Greenlands A (GA) <i>Zone</i> and any development must be set back a minimum of 15.0m from a Greenlands A (GA) <i>Zone</i> .			
13.1.1.58	53-2005 (May 24/05)	A2	*58

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3058 – 30 Side Road (PART OF LOT 30, CONC. 4) (NASSAGAWEYA) (Timmerman)			
i) Special Site Provisions			
a) A <i>garden suite</i> is permitted in the <i>rear yard</i> only.			

13.1.1.59	65-2005 (May 24/05)	RMD1	*59
Part of Lot 10, Concession III, N.S. (Trafalgar) (Mattamy (Brownridge) Limited - Lai-Jensen Lands)			
i) Special Site Provisions			
Lane Based Single Detached Dwellings			
a) Minimum <i>Lot Frontage</i> : 9.5m where the definition of <i>Frontage</i> is deemed to mean the following:			
A) <i>Frontage</i> on a <i>Street</i> : a <i>building</i> or <i>structure</i> with access to a <i>public lane</i> shall be deemed to conform to the requirements of Section 4.6, and further that <i>Front Lot Line</i> shall mean the following:			
i) <i>Front Lot Line</i> : where a <i>lot</i> does not have <i>frontage</i> on a <i>public street</i> , the <i>lot line</i> abutting an OS <i>Zone</i> shall be deemed to be the <i>front lot line</i> .			
Single Detached Dwelling – Lane Access Interior unit			
b) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i> : 0.6m			
Single Detached Dwelling – Lane Access Corner Unit			
c) Minimum <i>Lot Depth</i> : 27.0m;			
d) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i> : 0.6m			

13.1.1.60	65-2005 (May 24/05)	RMD1	*60
Part of Lot 10, Concession III, N.S. (Trafalgar) (Mattamy (Brownridge) Limited - Lai-Jensen Lands)			
i) Zone Standards			
Lane Based Townhouse Dwellings			
a) Townhouse Dwelling - Lane Access Interior Unit:			
A) Minimum <i>Lot Depth</i> : 18.0m;			
B) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i> : 0.6m			
b) Townhouse Dwelling - Lane Access End Unit:			
A) Minimum <i>Lot Depth</i> : 18.0m;			
B) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i> : 0.6 m			
c) Townhouse Dwelling – Lane Access End Corner Unit			
A) Minimum <i>Lot Depth</i> : 18.0m;			
B) Minimum <i>Required Rear Yard</i> to <i>Attached Garage</i> : 0.6m			

13.1.1.61	65-2005 (May 24/05)	C5	*61
Part of Lot 10, Concession III, N.S. (Trafalgar) Block 93 on Draft Plan 'R'			
i) Zone Standards			
a) Minimum <i>Lot Frontage</i> : 70.0m			

13.1.1.62	69-2005 (June 27/05)	GB	*62
8469 First Line (Nassagaweya) (Bija)			
i) Special Site Provisions			

<p>a) a <i>garden suite</i> shall only be permitted in the <i>front yard</i> subject to the following:</p> <p>A) Minimum <i>Front Yard</i>: 9.0m;</p> <p>B) Minimum Northerly <i>Interior Side Yard</i>: 9.0m;</p> <p>C) Minimum Southerly <i>Interior Side Yard</i>: 73.0m</p>

13.1.1.63	83-2005 (July 18/05)	C1-C	*63
55 Ontario Street (Pen Retail II, Milton Mall)			
i) Zone Standards			
<p>a) Minimum <i>Building Height</i>: 1 storey, 6m;</p> <p>b) Minimum <i>Rear Yard Depth</i>: 4.449m;</p> <p>c) Maximum <i>Exterior Side Yard Depth</i>: 17.716m;</p> <p>d) Minimum % <i>lot area</i> in <i>landscaped open space</i>: 8.7%;</p> <p>e) Minimum <i>Landscape Buffer</i> abutting a <i>street line</i>: 0.0m;</p> <p>f) <i>Parking area setback</i> from <i>buildings</i>: 0.0m;</p> <p>g) <i>Parking area setback</i> from a <i>street line</i>: 0.0m;</p> <p>h) Minimum number of <i>parking spaces</i>: 959 spaces;</p> <p>i) Minimum number of barrier free <i>parking spaces</i>: 15 spaces;</p> <p>j) <i>Setback</i> from railway: 14.5m;</p> <p>k) Location of <i>waste storage facility</i>: in any yard;</p> <p>l) Maximum <i>Driveway</i> width for two-way: 18.3m</p>			

13.1.1.64	85-2005 (July 18/05)	C1-C	*64
Nipissing Road			
i) Zone Standards			
<p>a) Minimum <i>Lot Area</i>: 2087.99m²;</p> <p>b) Maximum <i>Front Yard Depth</i>: 25.054m;</p> <p>c) Minimum <i>Interior Side Yard</i>: 2.911m;</p> <p>d) Minimum <i>Landscape Buffer</i> abutting a <i>street line</i>: 2.5m;</p> <p>e) Minimum <i>Landscape Buffer</i> abutting a residential zone: 2.911m</p> <p>f) <i>Setback</i> to any other <i>lot line</i> for <i>parking area</i>: 0.5m</p>			

13.1.1.65	103-2005 (Aug 8/05)	M1	*65
53-57 Steeles Avenue E. (1543469 Ontario Limited/ previously Rock'n'Bull)			
i) Additional Permitted Use			
a) <i>Motor vehicle repair garage</i> with the exception of a <i>motor vehicle service station</i> .			

13.1.1.66	132-2005 (Sept 26/05) 142-2009 (Oct 26/09)	M1	*66
433 Steeles Avenue East			
i) Additional Permitted Uses			
<p>a) <i>Drive Through Service Facility</i>;</p> <p>b) Bank</p>			
ii) Special Site Provisions			
a) Number of required <i>Loading Spaces</i> : 1;			

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<p>b) Minimum Setback of <i>Parking Area</i> to westerly lot line: 1.0m;</p> <p>c) Notwithstanding the non-residential parking requirements as set out in Section 5.13.2(i) – Table 5E to the contrary, a total of 147 parking spaces shall be provided on site for the following <i>uses</i>:</p> <p>A) Office (3000m²)</p> <p>B) Restaurant (168m²)</p> <p>C) Bank (400m²)</p> <p>D) Medical Clinic (470m²)</p> <p>Any change in <i>use</i> and/or expansion to the above noted <i>uses</i> shall be subject to the parking requirements as set out in Section 5.13.2(j) in the By-law.</p> <p>d) Notwithstanding Section 5.16.1(iii) of the By-law to the contrary, the total number of <i>parking spaces</i> for the disabled shall be inclusive of the required parking for the permitted <i>use</i>.</p>
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13.1.1.67	126-2005 (Sept 26/05)	RMD1	*67
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
i) Zone Standards			
a) Minimum <i>Lot Frontage</i> : 6.0m			

13.1.1.68	126-2005 (Sept 26/05)	RHD	*68
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
i) Zone Standards			
a) Maximum <i>Lot Coverage</i> : 26%;			
b) Minimum <i>Interior Side Yard</i> : 3.4m;			
c) Minimum <i>Required Rear Yard</i> : 3.7m;			
d) Maximum <i>Height</i> : 8 storeys to a maximum of 25m;			
e) <i>Landscaped Open Space</i> :			
A) Minimum Percentage of <i>Lot Area</i> : 35%;			
B) Minimum <i>Landscape Buffer</i> Abutting a <i>Street Line</i> (*1): 4.0m;			
f) Maximum <i>Fence Height</i> : 2.5m			
ii) Special Site Provisions			
a) <i>Setback of Parking Area</i> to a <i>Street Line</i> : 4.8m;			
b) <i>Setback of Parking Area</i> to a <i>Lot Line</i> : 3.0m;			
c) Underground Parking <i>Structure Setback</i> to a <i>Street line</i> (*1): 0.6m;			
d) Underground Parking <i>Structure Setback</i> to a <i>Lot Line</i> (*1): 0.0m			
Footnote to above provisions:			
(*1) Stairwells accessing underground parking <i>structures</i> may be located within the minimum <i>landscape buffer</i> abutting a <i>street line</i> .			

13.1.1.69	126-2005 (Sept 26/05)	RHD	*69
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
i) Additional Permitted Use			

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

<p>a) <i>Apartment Buildings</i></p> <p>ii) Zone Standards</p> <p>a) Street A (Laurier Avenue extension) shall be deemed to be the <i>Front Lot Line</i>;</p> <p>b) Minimum <i>Front Yard</i>: 7.5m;</p> <p>c) Minimum <i>Interior Side Yard</i>: 7.5m;</p> <p>d) <i>Landscaped Open Space</i>:</p> <p style="padding-left: 20px;">A) Minimum Percentage of <i>Lot Area</i>: 35%</p> <p>iii) Special Site Provisions</p> <p>a) <i>Setback of Parking Area to a Street Line</i>: 6.5m;</p> <p>b) <i>Underground Parking Structure Setback to a Lot Line</i>: 0.5m;</p> <p>c) <i>Balconies</i> shall be permitted in <i>interior side yards</i>;</p> <p>d) <i>Porches/Verandas</i> shall be permitted in <i>interior side yards</i>.</p>
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13.1.1.69	126-2005 (Sept 26/05)	RHD	*69
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
<p>i) Additional Permitted Use</p> <p>a) <i>Apartment Buildings</i></p> <p>ii) Zone Standards</p> <p>a) Street A (Laurier Avenue extension) shall be deemed to be the <i>Front Lot Line</i>;</p> <p>b) Minimum <i>Front Yard</i>: 7.5m;</p> <p>c) Minimum <i>Interior Side Yard</i>: 7.5m;</p> <p>d) <i>Landscaped Open Space</i>:</p> <p style="padding-left: 20px;">A) Minimum Percentage of <i>Lot Area</i>: 35%</p> <p>iii) Special Site Provisions</p> <p>a) <i>Setback of Parking Area to a Street Line</i>: 6.5m;</p> <p>b) <i>Underground Parking Structure Setback to a Lot Line</i>: 0.5m;</p> <p>c) <i>Balconies</i> shall be permitted in <i>interior side yards</i>;</p> <p>d) <i>Porches/Verandas</i> shall be permitted in <i>interior side yards</i>.</p>			

13.1.1.70	126-2005 (Sept 26/05) 34-2010 (Mar 20/10)	RHD	*70a *70b
Part of Lot 11, Concession IV (Trafalgar) [Valeri Developments Inc. (Valeri 1)]			
<p>i) For the purposes of this By-law, the definition for a Lot is as follows:</p> <p>Lot Means contiguous parcels of land which form part of a draft approved plan of condominium under separate ownership to be developed as a single lot for the purposes of administering the Zoning By-law.</p> <p>ii) For lands zoned Residential High Density – 70a (RHD*70a), the following standards and provisions apply:</p> <p>Only Permitted Uses:</p>			

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

Two ten-storey Apartment Buildings

iii) For lands zoned Residential High Density – 70b (RHD*70b), the following standards and provisions apply:

Only Permitted Uses:

Multiple Dwellings

Back-to-back Townhouses

iv) Special Zone Standards:

- | | | |
|----|--|-------------|
| a) | Front Yard 3.0 m | Minimum |
| b) | Exterior Side Yard for a multiple dwelling 2.4 m | Minimum |
| c) | Exterior Side Yard for an apartment building 9.0 m | Minimum |
| d) | Rear Yard 9.0 m | Minimum |
| e) | Interior Side Yard for a multiple dwelling 4.3 m | Minimum |
| f) | Interior Side Yard for an apartment building 10.0 m | Minimum |
| g) | Height for a multiple dwelling 4 storeys to a max. of 16.5 m | Maximum |
| h) | Height for an apartment building 33.5 m | Maximum |
| i) | Coverage 28% | Maximum Lot |
| j) | Landscaped Open Space 40% | Minimum |
| k) | Notwithstanding Section 4.1.1.5, air conditioners and heat exchange units may also be located in a <i>front yard</i> or <i>exterior side yard</i> provided that they are located on a <i>balcony</i> . | |

v) Special Parking Provisions:

- a) Setback of Parking Area to a Street Line: 10.0m
- b) Notwithstanding any provisions to the contrary, Section 5.5.2 shall apply to driveways for multiples and back-to-back townhouses.
- c) Notwithstanding Table 5D, the minimum required parking for an apartment building shall be 1.43 *parking spaces* per unit and 0.25 *parking spaces* for visitor parking in a designated visitor *parking area*.
- d) Notwithstanding Section 5.16.1 iii) *parking spaces* for the disabled shall be included in the parking requirements of the permitted use.

vi) Special General Provisions:

- i) Regulations for Accessory Buildings
 - a. Location any yard
 - b. Total Area of all Accessory *Buildings* and *Structures* (maximum): 40m²
 - c. *Height* of Accessory *Buildings* (maximum): 5.5 m
 - d. Setbacks to be in accordance with the setbacks for the principal use
- ii) *Balconies* are also permitted in an *interior side yard*.

13.1.1.71	142-2005 (Oct 24/05)	EMP	*71
<p>30 Market Drive (Balmoral Group Development Corporation) (Old Canadian Tire Site)</p>			
<p>i) Only Permitted Use</p> <p>a) <i>Commercial Self-Storage Facility</i></p>			
<p>ii) Zone Standards</p> <p>a) <i>Lot Area:</i> 0.79 ha; b) <i>Front Yard:</i> 1.0m; c) <i>Rear Yard:</i> 3.2m; d) <i>Interior Side Yard:</i> 0.0m abutting a railway right of way; e) Minimum <i>Landscape Buffer</i> Abutting a <i>Street Line:</i> 1.5m where the width of the boulevard in a public road allowance exceeds 10m in width.</p>			
<p>iii) Special Site Provisions</p> <p>a) <i>Waste Storage Facility</i> location on a Lot: <i>Interior Side Yard</i> provided the <i>waste storage facility</i> maintains a minimum 70m setback from the <i>front lot line</i>; b) <i>Parking Area</i> location on a Lot: 3.0m to a <i>street line</i> and 0.0m to a <i>side lot line</i>; c) Minimum Off-Street Parking Requirements: 30 spaces; d) <i>Loading Space</i> Requirements: designated <i>loading spaces</i> are not required for a <i>commercial self-storage facility use</i> provided that a <i>loading area</i> independent of any required <i>parking spaces</i> is provided adjacent to the <i>building</i> for which the <i>loading area</i> is to be used.</p>			

13.1.1.72	5-2006 (Jan 30/06) 120-2010 (Sep 27/10) 18-2012 (Feb 27/12)	C6	*72
<p>Part of Lot 14, Concession V (Trafalgar) (M. Durante Enterprises Inc.)</p>			
<p>i) Additional Permitted Use</p> <p>a) <i>Hotel</i> b) Commercial School – Trade/Profession c) Motor Vehicle Repair Garage</p>			
<p>ii) Special Site Provisions</p> <p>a) Total combined <i>Gross Floor Area:</i> 10, 332m²; b) <i>Lot Area:</i> 3.77 ha; c) Maximum <i>Building Height (hotel only):</i> 25m (7 storeys) b) For the purpose of this By-law, a motor vehicle repair garage shall be defined a premises used for the conduct of minor running mechanical repairs of motor vehicles such as fluid changes (i.e. engine oil, coolant, fuel, emission et.), filter replacement (i.e. air, cabin, fuel, emission) and other products or services such as batteries, belts, emission valves, wiper blades, windshield replacement,, lights, fuel system cleaning, engine flush and performance additives but does not include major motor vehicle repairs such as rebuilding or reconditioning of engines, transmissions or repairs that require significant disassembly and/or overnight on-site storage of vehicles.</p>			

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

iii) Zone Standards:

- a) Interior Side Yard Setback (Minimum): 0 metres

iv) Additional Special Site Provisions:

- a) Maximum Gross Floor Area (for individual buildings): 5,000 m²
- b) Notwithstanding Footnote (*1) associated with the Retail 1 use in Table 7B of the By-law to the contrary, this provision is not applicable for this site.
- c) Notwithstanding Section 7.3.2 (ii) of the By-law to the contrary, this provision shall not apply to this site.
- d) Notwithstanding Section 5.7- Table 5C of the By-law to the contrary, parking areas shall be able to be setback 0.0 metres from the interior side lot line.
- e) Notwithstanding Section 5.17.3 (iii) of the By-law to the contrary, loading areas shall be able to be setback 0.0 metres from the interior side lot line.

13.1.1.73	131-2002	GB	*73
185 Campbell Avenue West Part of Lot 1, Plan M-46 and Part of Lot 7, Concession 3 (Nassagaweya) Plan 20M-969 (Stokes Subdivision / Bridlewood Estates)			
i) Only Permitted Use			
a) Groundwater infiltration area.			
ii) Special Site Provision			
a) No <i>accessory building, structure</i> or <i>use</i> to a permitted main residential <i>use</i> located on the same <i>lot</i> is permitted.			

13.1.1.74	18-2006 (Feb 27/06)	RMD1	*74
Maple Avenue, between Thompson Road & Main Street Part of Lot 15, Concession IV (Trafalgar) (Octavian Meadows Estates Ltd.)			
i) Additional Permitted Uses			
a) <i>Office Use</i> ;			
b) <i>Day Nursery</i>			
ii) Additional Zone Provisions			
The following provisions apply to any <i>building</i> or <i>structure</i> used for an <i>office use</i> or a <i>day nursery use</i> :			
a) Minimum <i>Lot Frontage</i> : 30.0m;			
b) Minimum <i>Lot Area</i> : 0.2 ha;			
c) Maximum <i>Lot Coverage</i> : 30%;			
d) Minimum <i>Front Yard</i> : 6.0m;			
e) Minimum <i>Rear Yard</i> : 7.5m;			
f) Minimum <i>Interior Side Yard</i> : 6.0m;			
g) Maximum <i>Building Height</i> : 9.5m;			
h) <i>Landscaped Open Space</i> :			

<p>A) Minimum percentage of <i>Lot Area</i>: 20%; B) Abutting a <i>street line</i>: 4.5m; C) Abutting a <i>Residential Zone</i>: 4.0m;</p> <p>i) Parking and Loading Provisions: required parking for a <i>day nursery</i> or <i>office use</i> is permitted in 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 <i>street</i>, is located closer than 7.5m to any <i>street line</i> and no closer than 3.0m to any other <i>lot line</i>.</p>

13.1.1.75	18-2006 (Feb 27/06)	RMD2	*75
Maple Avenue, between Thompson Road & Main Street Part of Lot 15, Concession IV (Trafalgar) (Octavian Meadows Estates Ltd.)			
i) Special Site Provisions a) more than one <i>dwelling unit</i> may be permitted on a <i>lot</i> or block.			

13.1.1.76	35-2006 (Apr 24/06) OMB DECISION / ORDER 2016 (JULY 14/06)	RMD1	*76
Part of the Southwest and Northeast Halves of Lot 10, Concession I, N.S., (Trafalgar) MATTAMY (MILTON WEST) LIMITED - BIASON			
i) Zone Standards Single Detached Dwelling - Lane Access Interior Unit a) Minimum <i>Lot Depth</i> : 18.0m; b) Minimum <i>Required Rear Yard to Attached Garage</i> : 0.6m; Single Detached Dwelling – Lane Access Corner Unit c) Minimum <i>Lot Depth</i> : 18.0m; d) Minimum <i>Required Rear Yard to Attached Garage</i> : 0.6m			

13.1.1.77	41-2006 OMB Decision / Order No. 1038 (Apr 5/06) 10-2008 (Jan 28/08)	RMD1	*77
Part of Lots 11 and 12, Concession I (Trafalgar), N/S Derry Road (Fieldgate) (North Derry Developments Limited, South Derry Developments Limited, West Derry Developments Limited and Northwest Derry Developments Limited)			
i) Zone Standards a) Minimum <i>Required Rear Yard</i> : 7.0m ¹ ¹ On a <i>corner lot</i> , where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i> , the minimum <i>required rear yard</i> may be reduced to 0.6 m to a double car garage where a double car garage is provided and 3.9 m to a single car garage where a single car garage is provided.			
ii) Special General Provisions Special General Regulations Common to Both <i>Attached</i> and <i>Detached Garages</i> : a) The following provisions apply to <i>attached</i> and <i>detached garages</i> accessed over the <i>exterior side lot line</i> :			

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

- A) In no case shall the *garage face* be located any closer than 5.3m from the *exterior side lot line*;
- B) In no case shall the outside of the garage door be located any closer than 5.5m from the *exterior side lot line*;
- C) Within a double car garage accessed by one single garage door or two individual garage doors, the combined *parking spaces* shall have a minimum unobstructed size of 5.5m wide by 5.75m long by 2.1m high;

Special Regulations for *Attached Garages*:

- b) On a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, Section 4.1.1.2.1 does not apply;
- c) An *attached double car garage* accessed over the *exterior side lot line* shall have a minimum internal dimension of 6.55m wide by 5.75m long by 2.1m high;

Special Regulations for *Detached Garages*:

- d) On a *corner lot*, where a *detached garage* is accessed over the *exterior side lot line*, the minimum required *exterior side yard* is 5.5m;

Additional Regulations:

- e) Air Conditioners and Heat Pumps: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling unit* and the *attached garage*, however, such units are not permitted to encroach into the *exterior side yard*;
- f) Encroachments Into *Required Yards*: eaves and gutters may project into a *required front yard*, *rear yard*, *interior side yard* or *exterior side yard* a maximum distance of 0.45m provided that the eaves and gutters are 2.0m above *grade*;

Decks:

- g) On a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, a *deck* may be located within the *exterior side yard* provided that the *deck* complies with the greater of the minimum *exterior side yard* requirement applicable to the *dwelling unit* or the actual *exterior side yard* measured between the property line and the *dwelling face*.
- h) *Decks* having a *height* greater than 1.2m above finished *grade* shall be permitted in the *rear yard* provided:
 - A) The *deck* is not higher than the floor of the *first storey*;
 - B) The platform is no closer than 1.2m to a *side lot line*, except where a *side lot line* extends from a common wall dividing attached *dwelling units*, the platform shall be no closer than 0.6m;
 - C) The platform is located no closer than 5.0m from the *rear lot line*, except, for those *lots* backing onto open space of Greenlands B, the platform shall be located no closer than 4.0m to the *rear lot line*;
- i) Individual *Driveway* access to Residential *Dwelling Units*: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, in no case shall a *driveway* encroach into a *required rear yard*;
- j) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over an *exterior side lot line*, fences and walls, having a maximum *height* of 1.8 m, are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*;
- k) Visual Clearance at *Driveways*:
 - A) on all *lots* abutting a *driveway*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *driveway* edge and the *street line* and a line connecting them at points 2.0m from their intersection;
 - B) on any *lot* where a *driveway* enters a *street*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway* edge and a line

connecting them at points 2.0m from their intersection.

- l) Semi-link *Dwellings* for which a building permit or building permits have been issued and the *building* or *buildings* have been constructed prior to October 22, 2008, are permitted. In addition, Semi-link *Dwellings* are permitted on Lots 15, 19, 46, 47, 48, 49, 50, 51, 52, 53, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 110, 111, 112, 113, 114, 115, 161, 163, 176, 178, 206, 208, 209 on Registered Plan 20M-1020 and Lots 98, 121, 141, 143 on Registered Plan 20M-1021 and Lots 28, 30, 119, 122, 123, 125, 145, 146, 147, 148, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 187, 201, 232, 233, 234, 252, 253, 254, 255, 256, 259, 260, 261, 262, 263, 264, 265, 266 on Registered Plan 20M-1040. For the purposes of this subsection, a Semi-link *Dwelling* means two (2) *buildings* each of which consists of not more than one (1) *dwelling unit* attached solely below *established grade* by a connection spanning between the footings of each *building* consisting of a concrete wall which is a minimum of 0.5m in *height* and 10.0cm in thickness.

13.1.1.78	42-2006 OMB Decision / Order No. 1038 (Apr 5/06) 9-2008 (Jan 28/08)	RLD	*78
Part of Lot 13, Concession I (Trafalgar) (Main Street (Milton) Corp. and 774052 Ontario Limited – also referred to as Heron)			
<p>i) Only Permitted Use</p> <p>a) <i>Dwelling, Detached</i></p> <p>ii) Zone Standards</p> <p>a) Minimum <i>Lot Depth</i>: 27.4m; b) Maximum <i>Lot Coverage</i>: no maximum; c) Minimum <i>Required Rear Yard</i>: 7.0m¹</p> <p>¹ On a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, the minimum <i>required rear yard</i> may be reduced to 0.6m to a double car garage where a double car garage is provided and 3.9m to a single car garage where a single car garage is provided.</p> <p>iii) Special General Provisions</p> <p>a) Special General Regulations Common to Both <i>Attached</i> and <i>Detached Garages</i>:</p> <p>A) the following provisions apply to <i>attached</i> and <i>detached garages</i> accessed over the <i>exterior side lot line</i>:</p> <p>i) In no case shall the <i>garage face</i> be located any closer than 5.3m from the <i>exterior side lot line</i>; ii) In no case shall the outside of the garage door be located any closer than 5.5m from the <i>exterior side lot line</i>; iii) Within a double car garage accessed by one single garage door or two individual garage doors, the combined <i>parking spaces</i> shall have a minimum unobstructed size of 5.5 metres wide by 5.75 metres long by 2.1 metres high.</p> <p>b) Special Regulations for <i>Attached Garages</i>:</p> <p>A) On a <i>corner lot</i>, where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i>, Section 4.1.1.2.1 does not apply; B) an attached double car garage accessed over the <i>exterior side lot line</i> shall have a minimum internal dimension of 6.55 metres wide by 5.75 metres long by 2.1 metres high.</p>			

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

- c) Special Regulations for *Detached Garages*: where a *detached garage* is accessed over the *exterior side lot line*, the minimum *required exterior side yard* is 5.5m.
- d) Air Conditioners and Heat Pumps: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling unit* and the *attached garage*, however, such units are not permitted to encroach into the *exterior side yard*.
- e) Encroachments Into *Required Yards*: eaves and gutters may project into a *required front yard*, *rear yard*, *interior side yard* or *exterior side yard* a maximum distance of 0.45m provided that the eaves and gutters are 2.0m above *grade*.
- f) *Decks*: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, a *deck* may be located within the *exterior side yard* provided that the *deck* complies with the greater of the minimum *exterior side yard* requirement applicable to the *dwelling unit* or the actual *exterior side yard* measured between the property line and the *dwelling face*.
 - A) *Decks* having a *height* greater than 1.2 metres above finished grade shall be permitted in the *rear yard* provided:
 - i) The *deck* is not higher than the floor of the *first storey*;
 - ii) The platform is no closer than 1.2 metres to a *side lot line*, except where a *side lot line* extends from a common wall dividing attached *dwelling units*, the platform shall be no closer than 0.6 metre.
 - iii) The platform is located no closer than 5.0 metres from the *rear lot line*, except, for those *lots* backing onto open space of Greenlands B, the platform shall be located no closer than 4.0 m to the *rear lot line*.
- g) Individual *Driveway Access to Residential Dwelling Units*: on a *corner lot*, where an *attached or detached garage* is accessed over the *exterior side lot line*, in no case shall a *driveway* encroach into a *required rear yard*.
- h) Fencing: on a *corner lot*, where an *attached or detached garage* is accessed over an *exterior side lot line*, *fences* and *walls*, having a maximum *height* of 1.8m, are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*.
- i) Visual Clearance at *Driveways*:
 - A) on all *lots* abutting a *driveway*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *driveway edge* and the *street line* and a line connecting them at points 2.0 metres from their intersection; and
 - B) on any *lot* where a *driveway* enters a *street*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and a line connecting them at points 2.0 meters from their intersection.

13.1.1.79	42-2006 OMB Decision / Order No. 1038 (Apr 5/06) 9-2008 (Jan 28/08)	RMD1	*79
Part of Lot 13, Concession I (Trafalgar), S/S Main Street (Main Street (Milton) Corp. and 774052 Ontario Limited – also referred to as Heron)			
i) Zone Standards: <ul style="list-style-type: none"> a) Minimum <i>Required Rear Yard</i>: 7.0m ¹ ¹ On a <i>corner lot</i> , where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i> , the minimum			

required rear yard may be reduced to 0.6m to a double car garage where a double car garage is provided and 3.9m to a single car garage where a single car garage is provided.

ii) Special General Provisions:

- a) Special General Regulations Common to Both *Attached* and *Detached Garages*, the following provisions apply to *attached* and *detached garages* accessed over the *exterior side lot line*:
 - A) In no case shall the *garage face* be located any closer than 5.3m from the *exterior side lot line*;
 - B) In no case shall the outside of the garage door be located any closer than 5.5m from the *exterior side lot line*;
 - C) Within a double car garage accessed by one single garage door or two individual garage doors, the combined *parking spaces* shall have a minimum unobstructed size of 5.5m wide by 5.75m long by 2.1m high.
- b) Special Regulations for *Attached Garages*:
 - A) On a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, Section 4.1.1.2.1 does not apply;
 - B) an *attached* double car *garage* accessed over the *exterior side lot line* shall have a minimum internal dimension of 6.55m wide by 5.75m long by 2.1m high.
- c) Special Regulations for *Detached Garages*: on a *corner lot*, where a *detached garage* is accessed over the *exterior side lot line*, the minimum required *exterior side yard* is 5.5m.
- d) Air Conditioners and Heat Pumps: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling unit* and the *attached garage*, however, such units are not permitted to encroach into the *exterior side yard*.
- e) Encroachments Into *Required Yards*: eaves and gutters may project into a *required front yard*, *rear yard*, *interior side yard* or *exterior side yard* a maximum distance of 0.45m provided that the eaves and gutters are 2.0m above *grade*.
- f) *Decks*: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, a *deck* may be located within the *exterior side yard* provided that the *deck* complies with the greater of the minimum *exterior side yard* requirement applicable to the *dwelling unit* or the actual *exterior side yard* measured between the property line and the *dwelling face*.
Decks having a *height* greater than 1.2m above finished *grade* shall be permitted in the *rear yard* provided:
 - A) The *deck* is not higher than the floor of the *first storey*;
 - B) The platform is no closer than 1.2m to a *side lot line*, except where a *side lot line* extends from a common wall dividing attached *dwelling units*, the platform shall be no closer than 0.6m;
 - C) The platform is located no closer than 5.0m from the *rear lot line*, except, for those *lots* backing onto open space of Greenlands B, the platform shall be located no closer than 4.0m to the *rear lot line*.
- g) Individual *Driveway Access* to Residential *Dwelling Units*: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, in no case shall a *driveway* encroach into a *required rear yard*.
- h) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over an *exterior side lot line*, *fences* and walls, having a maximum *height* of 1.8m, are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*.
- i) Visual Clearance at *Driveways*:
 - A) on all *lots* abutting a *driveway*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *driveway edge* and the *street line* and a line connecting

them at points 2.0m from their intersection; and
 B) on any *lot* where a *driveway* enters a *street*, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and a line connecting them at points 2.0m from their intersection.

13.1.1.80	42-2006 OMB Decision / Order No. 1038 (Apr 5/06) 102-2008 (Aug 18/08) 103-2011 (Sept 26/11)		*80
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DELETED SECTION

13.1.1.81	42-2006 OMB Decision / Order No. 1038 (Apr 5/06)	RMD1	*81
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Part of Lot 13, Concession I (Trafalgar)
 (Main Street (Milton) Corp. and 774052 Ontario Limited – also referred to as Heron)

- i) Only Permitted Use**
 - a) *Dwelling, Townhouse*
- ii) Zone Standards**
 - a) Minimum *Required Interior Side Yard* for *Townhouses* Street Access End Units: 0.0m on interior side and 8.0m on the *exterior side*
- iii) Special General Provisions**
 - a) *Porches/Verandas*: the following provisions shall apply:
 - A) Single storey, unenclosed *porches/verandas* including any *stairs*, are permitted in the *interior side yard*;
 - B) Single storey, unenclosed *porches/verandas* including any *stairs* where located in an *interior side yard*, are permitted to encroach into the *required yard*, but at no time shall be closer than 6.25m to an *interior side lot line*.

13.1.1.82	43-2006 OMB Decision /Order No. 1263 (Apr 28/06)	RHD	*82
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NW corner Main Street & Maple Avenue
 Part of Lot 14, Concession IV (Trafalgar)
 (Maple Crossing Developments Inc. / Sutherland)

- i) Only Permitted Use**
 - a) *Apartment Buildings*
- ii) Zone Standards**
 - a) Maximum *Lot Coverage*: 27.0%;
 - b) Minimum *Required Front Yard*: 7.5m;
 - c) Minimum *Required Rear Yard*: 17.0m;

- d) Minimum *Required Exterior Side Yard*: 4.0m;
- e) Minimum *Required Interior Side Yard*: 4.0m;
- f) Maximum *Height*: 4 storeys to a maximum of 15.0m;
- g) *Landscaped Open Space*:
 - A) Minimum Percentage of *Lot Area*: 35%;
 - B) Minimum *Landscape Buffer*:
 - i) Abutting a *Street Line*: 4.0m;
 - ii) Abutting a *Residential Zone*¹: 17.0m

¹ A below *grade parking structure* and underground servicing infrastructure may be located within the *landscape buffer*.

iii) Special General Provisions

- a) Regulations for *Accessory Buildings*:
 - A) Location: any *yard* however in no case shall an *accessory building* be located within a *required rear yard*;
 - B) Total *Coverage* of all *Accessory Buildings and Structures* (maximum): 5% of the *lot area*;
 - C) *Height of Accessory Buildings* (maximum): 9.25m;
 - D) *Setbacks* (minimum)²: 1.5m
- ² Gazebo *structures* and entry features may be located within the minimum *landscape buffer* abutting a *street line*.
- b) *Fencing*: within a *front yard*, the maximum *fence height* shall be no higher than 1.2m.
- c) *Special Parking Provisions*:
 - A) *Setback of Parking Area to a Street Line*: 6.5m;
 - B) *Setback to an Interior Side Lot Line*: 2.5m

13.1.1.83	59-2006 (June 26/06)	M1	*83
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i) Additional Permitted Use

- a) *Motor vehicle Dealership*

ii) Special Site Provisions

- a) For the purposes of this section, a *motor vehicle dealership* shall mean 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* or *motor vehicle body shop* but shall not include a *motor vehicle service station* or *motor vehicle gas bar*;
- b) *Outdoor Auditory Systems*: the use of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.

13.1.1.84	116-2006 (Oct 23/06) 19-2008 (Feb 25/08)	C3	*83
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SE corner of Derry Road & Holly Avenue
 Block 284, Registered Plan 20M-960, Part Lot 10, Concession 3 N.S. (Trafalgar)
 [MATTAMY (BROWNRIDGE) LTD LAI]

i) Additional Permitted Uses

- a) *Fitness Centre*;

<ul style="list-style-type: none"> b) Self Brew Establishment; c) <i>Commercial School</i> <p>ii) Special Site Provisions</p> <ul style="list-style-type: none"> a) The <i>lot line</i> abutting Holly Avenue shall be deemed the <i>Front Lot Line</i>. b) Maximum <i>Lot Area</i>: 8500m²; c) Maximum <i>Lot Coverage</i>: 35%; d) Maximum <i>Gross Floor Area</i>: 2740m² <ul style="list-style-type: none"> A) ground floor: 1490m² B) second floor: 1250m²; e) Maximum <i>Building Height</i>: 11.5m; f) Minimum <i>Front Yard Depth</i>: 0.6m; g) Minimum <i>Landscape Buffer</i> <ul style="list-style-type: none"> A) Abutting a <i>street line</i>: 0.0m; B) Abutting a <i>Residential Zone</i>: 0.0m; h) Minimum <i>Setback</i> of a <i>Waste Storage Facility</i> from a <i>Residential Zone</i>: 5.0m; i) Maximum <i>height</i> permitted for an accessory <i>building</i> containing <i>waste storage facilities</i>: 4.0m; j) Permanent window awnings are permitted to encroach to the <i>front</i> and <i>exterior side</i> property lines providing they are 2.0m above <i>grade</i>. k) Number of required <i>Loading Spaces</i>: 1 space Minimum size 6.0m x 3.5m l) Section 7.3.2 “<i>Setbacks</i>” does not apply

13.1.1.85	116-2006 (Oct 23/06)	C6	*85
SE corner of Derry Road & Holly Avenue Block 284, Registered Plan 20M-960, Part Lot 10, Concession 3 N.S. (Trafalgar) [MATTAMY (BROWNRIDGE) LTD LAI]			
<p>i) Permitted Uses</p> <ul style="list-style-type: none"> a) <i>Dwelling unit</i>; b) <i>Art Gallery</i>; c) <i>Artist Studio</i>; d) <i>Commercial School</i>; e) <i>Bank</i>; f) <i>Medical clinic</i>; g) <i>Office</i>; h) <i>Personal service shop</i>; i) <i>Retail</i> (Ground/first floor only) <p>ii) Special Site Provisions</p> <ul style="list-style-type: none"> a) Minimum <i>Lot Area</i>: 115m²; b) Minimum <i>Lot Frontage</i>: 6m; c) Maximum <i>Lot Coverage</i>: 100%; d) Maximum <i>Gross Floor Area-Work</i> <ul style="list-style-type: none"> A) Maximum total <i>Gross Floor Area</i>: 1850m²; B) Maximum total <i>Gross Floor Area</i> (non residential-ground floor): 365m²; C) Maximum <i>Gross Floor Area</i> for individual Unit 82m²; e) Maximum <i>Building Height</i>: 12.0m; 			

<p>f) Minimum <i>Front Yard Depth</i>: 0.0m; g) Minimum <i>Rear Yard Depth</i>: 0.0m; h) Minimum <i>Exterior Side Yard</i>: 0.6m; i) Minimum <i>Interior Side Yard</i>: 1.2m; j) Minimum <i>Landscaped Open Space</i>: 0%; k) Minimum <i>Landscape Buffer</i> A) Abutting a <i>street line</i>: 0.0m; B) Abutting a <i>Residential Zone</i>: 0.0m; l) Permanent window awnings and balconies are permitted to encroach to the <i>front</i> and <i>exterior side</i> property lines provided they are 2.0m above <i>grade</i>. m) Section 7.3.2 “<i>Setbacks</i>” does not apply n) Minimum Off-Street Parking A) 2 <i>parking spaces per dwelling unit</i>; B) 1 <i>paring space per no-residential unit</i>, which is to be provided on abutting lands <i>Zoned C3*84</i>.</p>

13.1.1.86	88-2006 (Aug 8/06)	RMD1	*86
<p>South of CN tracks, E/S of Thompson Road Part of Lot 13, Concession IV (Trafalgar) (Beverly Hills Estates Holdings Inc.)</p>			
<p>i) Special Zone Provisions a) The following <i>Zone</i> standards and provisions apply to any <i>townhouse dwelling</i>: A) Minimum <i>Lot Frontage</i> for Street Access End Unit: 5.5m; B) <i>Decks</i>: the maximum <i>height</i> of a <i>deck</i> from finished <i>grade</i> is 4.0m.</p> <p>ii) Railway Rights-of-Way Setbacks: a) No <i>buildings</i> or <i>structures</i> shall be located closer than 29.0m from any railway right of way.</p>			

13.1.1.87	94-2006 (Aug 8/06) 102-2006 (Sept 25/06)	FD	*87
<p>Part of Lot 9, Concession 1 (Trafalgar) [Mattamy (Milton West) Limited]</p>			
<p>i) Special Site Provisions a) Minimum Required <i>Front yard</i>: 18.0m; b) Minimum Required <i>Rear Yard</i>: 18.0m; c) Minimum Required Side Yard: 9.0m; d) Minimum Setback to a Greenlands A (GA) <i>Zone</i>: 20.0m</p> <p>ii) Zone Standards a) Maximum <i>Height</i> of house assembly factory: 20m; b) All required <i>parking spaces</i> and <i>parking areas</i> shall be exempt from the surface treatment requirement; c) Sections 5.17.3(vii) and 5.5.1(i)(b) shall not apply.</p>			

13.1.1.88	103-2006 (Sept 25/06)	C1-A	*88
<p>164-174 Mill Street Block 5, Lots 50, 52 and 54 Martin Survey. (1450188 Ontario Inc - DiPalma)</p>			

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

<p>i) Additional Permitted Use a) Office Building</p> <p>ii) Special Site Provisions a) Office uses, Bank uses and commercial school (skill) uses are permitted in the first story of a building.</p>

13.1.1.89	103-2006 (Sept 25/06)	EMP	*89
150 Steeles Avenue Part of Lot 1, Plan 364 and Part of Lot 15, Concession 2, NS (Dobray Foods)			
<p>i) Additional Permitted Use a) Motor vehicle Dealership</p> <p>ii) Excluded Uses a) Daycare; b) Hotel; c) Place of Assembly; d) Place of Worship;</p> <p>iii) Special Site Provisions: a) For the purpose of this section, a motor vehicle dealership shall mean 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 or motor vehicle body shop but shall not include a motor vehicle service station or motor vehicle gas bar. b) Outdoor Auditory Systems: the use of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.</p>			

13.1.1.90	101-2006 (Sept 25/06)	RMD2	*90
Part of Lot 10, Concession 4 (Trafalgar) [Transcon Properties Limited (Redwood Homes (Milton) Inc)]			
<p>i) Zone Standards Townhouses a) Street Access Interior Unit – Minimum Lot Frontage: 5.9m; b) Street Access End Unit – Minimum Lot Frontage: 7.5m; c) Minimum required Exterior Side Yard adjacent to a common element parking area: 1.8m; d) Rear Yard Setback abutting a GB Zone: 7.5m;</p> <p>Back-to-Back Townhouses e) Minimum Lot Depth: 12.5m; f) Street Access Interior Unit - Minimum Lot Frontage: 5.9m; g) Street Access End Unit - Minimum Lot Frontage: 7.5m; h) Street Access Corner Unit - Minimum Lot Frontage: 7.2m; i) Street Access Corner Unit - Minimum Required Exterior Side yard: 2.2m; j) Minimum Required Front yard: 3.75m f) For the purpose of this section the definition of a daylight radii shall apply to a private street and street line shall also mean the boundary between a private street and a part lot. For the purpose of determining lot frontage and lot depth for a corner lot with corner daylight radii, the daylight radii is</p>			

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

deemed not to exist.
 g) Minimum *setback* from the *lot line* radius at the street intersection: 1.8m.
 h) Minimum required *Exterior Side Yard* adjacent to a common element *parking area*: 1.15m.

13.1.1.91	101-2006 (Sept 25/06)	EMP	*91
Part 1 on Reference Plan 200R-16541, Part Block 176, Registered Plan 20M-813. [4713015 Canada Inc. (Riocan Reit) and Home Depot Holdings Inc]			
i) Special Site Provisions			
a) The provisions of the site-specific EMP*31 will apply in addition to the following additional permitted uses: A) <i>Bank</i> ; B) <i>Drive-Through Service Facility</i>			

13.1.1.92			*92

13.1.1.93	128-2006 (Oct 23/06) 78-2007 (Aug 7/07)	EMP	*93
Steeles Avenue East Part Lot 1, Concession 4 and 5 and Part Lot 15, Concession 4, 1180 (First Gulf Development Corporation)			
i) Additional Permitted Uses			
a) <i>Drive-Through Service Facility</i> ; b) <i>Bank</i> ; c) <i>Personal Service Shop</i> ; d) <i>Convenience Store</i> ; e) <i>Video Retail Store</i> ; f) <i>Medical clinic</i> ; g) <i>Retail Store 1*</i> ; h) <i>Retail Store 2*</i> ; i) <i>Retail Store 3</i> * That up to 1,115m ² of the gross leasable area can be made up of <i>Retail Stores</i> individually having less than 280m ² .			
ii) Zone Standards			
a) <i>Front yard</i> : 3.0m; b) Minimum Landscaped Area: 10%; c) Minimum <i>Landscape Buffer</i> abutting a street: 3.0m; d) Parking: 1 space/20m ²			

13.1.1.94	130-2006 OMB Decision /Order No. 2916 (Oct 18/06) 9-2008 (Jan 28/08)	RLD	*94
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Section 13 – Special Provisions, Holding Provisions, Temporary Use Zones and Interim Control Zones

Part Lot 13, Concession 1 (Trafalgar) [Main Street (Milton) Corp. 774052 Ontario Ltd]			
<p>i) Only Permitted Use:</p> <p>a) <i>Dwelling, Detached</i></p> <p>ii) Zone Standards</p> <p>a) Minimum <i>Lot Depth</i>: 27.4m;</p> <p>b) Maximum <i>Lot Coverage</i>:</p> <p>A) 25% for <i>building height</i> greater than 8m from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</p> <p>B) 35% for <i>building height</i> of 8m or less from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</p> <p>c) Minimum Required <i>Front yard</i>: 7.5m;</p> <p>d) Maximum <i>Building Height</i>: 11m from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</p> <p>e) Minimum Required <i>Rear Yard</i>: 7.5m</p> <p>f) <i>Decks</i> having a <i>height</i> greater than 1.2m above finished <i>grade</i> shall be permitted in the <i>rear yard</i> provided:</p> <p>A) The <i>deck</i> is not higher than the floor of the <i>first storey</i>;</p> <p>B) The platform is no closer than 1.2m to a <i>side lot line</i>, except where a <i>side lot line</i> extends from a common wall dividing attached <i>dwelling units</i>, the platform shall be no closer than 0.6m.</p> <p>C) The platform is located no closer than 5.0m from the <i>rear lot line</i>, except, for those <i>lots</i> backing onto open space of Greenlands B, the platform shall be located no closer than 4.0m to the <i>rear lot line</i>.</p>			

13.1.1.95	130-2006 OMB Decision /Order No. 2916 (Oct 18/06) 9-2008 (Jan 28/08)	RLD	*95
Part Lot 13, Concession 1 (Trafalgar) [Main Street (Milton) Corp. 774052 Ontario Ltd]			
<p>i) Only Permitted Use:</p> <p>a) <i>Dwelling, Detached</i></p> <p>ii) Zone Standards</p> <p>a) Minimum <i>Lot Depth</i>: 27.4m;</p> <p>b) Maximum <i>Lot Coverage</i>:</p> <p>A) 25% for <i>building height</i> greater than 8m from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</p> <p>B) 35% for <i>building height</i> of 8m or less from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</p> <p>c) Minimum Required <i>Front yard</i>: 7.5m;</p> <p>d) Maximum <i>Building Height</i>: 11m from the highest finished <i>grade</i> beside the <i>building</i> footprint to the peak of the <i>roof</i> (excluding chimneys);</p>			

<p>e) Minimum Required <i>Rear Yard</i>: 7.5m</p> <p>f) <i>Decks</i> having a <i>height</i> greater than 1.2m above finished <i>grade</i> shall be permitted in the <i>rear yard</i> provided:</p> <p>A) The <i>deck</i> is not higher than the floor of the <i>first storey</i>;</p> <p>B) The platform is no closer than 1.2m to a <i>side lot line</i>, except where a <i>side lot line</i> extends from a common wall dividing attached <i>dwelling units</i>, the platform shall be no closer than 0.6m.</p> <p>C) The platform is located no closer than 5.0m from the <i>rear lot line</i>, except, for those <i>lots</i> backing onto open space of Greenlands B, the platform shall be located no closer than 4.0m to the <i>rear lot line</i>.</p>
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13.1.1.96	55-2007 (May 28/07)	RHD	*96
Part of Lot 10, Concession IV (Trafalgar) (Summerwood Estates Inc)			
i) Only permitted Use			
a) Apartment <i>Buildings</i>			
ii) Special Zone Standards			
a) Minimum Required <i>Interior Side Yard</i> : 3.0m;			
b) Maximum <i>Height</i> : 5 storeys			

13.1.1.97	35-2007 (Mar 26/07)	GC	*97
11660 Guelph Line Part of Lot 20, Concession 3 (Nassagaweya) (Brookville <i>Golf Course</i>) (1621025 Ontario Ltd)			
i) Special Site Provisions			
a) <i>Golf course</i> related <i>uses</i> and facilities are permitted with the exception of any such facilities that would facilitate gathering or waiting of groups of people or individuals, including tees, greens and <i>buildings</i> or <i>structures</i> .			

13.1.1.98	35-2007 (Mar 26/07)	OS	*98
11660 Guelph Line Part of Lot 20, Concession 3 (Nassagaweya) (Brookville <i>Golf Course</i>) (1621025 Ontario Ltd)			
i) Special Site Provisions			
a) No <i>use</i> other than <i>golf course</i> related tees, greens, rough, fairway, irrigation or drainage facilities and cart paths; all requiring limited grading are permitted, provided they are outside of the drip line of the adjacent trees.			

13.1.1.99			*99

13.1.1.100	65-2007 (June 25/07)	M1	*100
405 Industrial Drive – Units 18 & 19 Part Block 1, R.P 20M-274, Halton Condo Plan 168, Level 1, Units 18 and 19 only (1275921 Ontario Inc – Motion Endeavours)			
i) Additional Permitted Uses			

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

a) <i>Motor Vehicle Dealership</i>			
ii) Special Site Provisions			
a) For the purpose of this section, a <i>motor vehicle dealership</i> shall mean a <i>premises</i> where new or used <i>motor vehicles</i> are offered for sale, rent or lease but shall not include a <i>motor vehicle repair garage</i> or <i>motor vehicle body shop</i> or the <i>outdoor display</i> or storage of <i>motor vehicles</i> .			
b) Outdoor Auditory Systems: The <i>use</i> of outdoor auditory signaling devices such as outdoor paging systems or outdoor speakers shall not be permitted.			
13.1.1.101	72-2007 (July 16/07)	RMD2	*101
426 Pine Street Part of Lot 1, Block 17, Registered Plan No. 9 Teetzels Survey			
i) Zone Standards			
Apartment Building			
a) Minimum <i>Lot Frontage</i> : 20.0m;			
b) Minimum Required <i>Front yard</i> : 3.0m;			
c) Minimum Required <i>Rear Yard</i> : 13.7m;			
d) Minimum Required <i>Interior Side Yard</i> (on western side of <i>building</i> only): 1.2m;			
e) Minimum Required <i>Interior Side Yard</i> (on eastern side of <i>building</i> only): 5.4m;			
f) Minimum <i>Landscape Open Space</i> : 14.5%;			
g) Minimum <i>Driveway Access</i> for a One-way <i>Driveway</i> : 5.1m;			
h) Minimum <i>Parking Area</i> Distance to <i>Lot Line</i> : 1.2m;			
i) Off Street Parking Requirement–Per Unit: 1 space;			
j) Barrier Free Parking Requirement: nil;			
k) Visitor Parking Requirement: nil;			
l) Minimum <i>Parking Space</i> width: 2.75m;			
m) Minimum <i>Parking Space</i> length: 5.49m;			
n) Minimum <i>Setback</i> of <i>Parking Area</i> to South Side of <i>Building</i> : 1 m;			
o) <i>Setback</i> of <i>Parking Area/Driveway</i> to East side of <i>Building</i> : 0.0m			
13.1.1.102	124-2007 OMB Decision /Order No. 1693 (June 19/07)	C3	*102
Part of Blocks 175 and 176, R.P 20M-813, Parts 1,2,5,6,7 on 20R-16541 (RioCan and Home Depot Holding Inc)			
i) Zone Standards			
a) <i>Gross Floor Area</i> (All <i>buildings</i> combined) – Maximum: 2000m ² ;			
b) Maximum <i>Front yard</i> Depth: 6.0m;			
c) Maximum <i>Exterior Side Yard</i> Depth: 6.0m			
13.1.1.103	123-2007 OMB Decision/ Order No. 1692 (June 19/07) OMB Decision/ Order No. 2269 (Aug 14/07)	EMP	*103
Part Lot 15, Concession 4 (Trafalgar), Part 1 on Reference Plan 20R-13327. (RioCan REIT – Sobeys)			

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

i) Additional Permitted Uses

- a) Gar Bar accessory to a permitted *motor vehicle* related retail use;
- b) Retail Store 2;
- c) Retail Store 3;
- d) Food Store

ii) Zone Standards

- a) Minimum Lot Area: 0.8 ha;
- b) Maximum Lot Coverage: 45%;
- c) Minimum Front Yard:
 - A) where Building Height is 11.0m or less: 5.0m;
 - B) Where Building Height is greater than 11.0m: 9.0m;
 - C) Canopy edge or roof over a fuel pump island:
 - i) 4.5m from any lot line;
 - ii) 45.0 m from any residential zone;
- d) Minimum Exterior Side Yard:
 - A) where Building Height is 11.0m or less: 5.0m;
 - B) Where Building Height is greater than 11.0m: 9.0m;
 - C) Canopy edge or roof over a fuel pump island:
 - i) 4.5m from any lot line;
 - ii) 45.0m from any residential Zone;
- e) Maximum Building Height:
 - A) Office Buildings and Hotels: 7 storeys, however, in no case shall they exceed 24.0ms;
 - B) All other permitted uses: 11.0m;
- f) Maximum Gross Floor Area for Food Store:
 - A) Food store is permitted to a maximum gross floor area of 3,251m²;

iii) Special Site Provisions

- a) Outdoor display is permitted in accordance with the provisions of Section 7.3.6 of this By-law.

13.1.1.104	134-2007 (Oct 22/07) 34-2008 (Mar 31/08)	RMD1	*104
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Part of the Southwest and Northeast Halves of Lot 10, Concession I, N.S., (Trafalgar)
[Mattamy (Milton West) Ltd, 'Biacon Phase 2-4']

i) Special Zone Standards

- a) Single Detached Dwelling-Street Access Corner: an attached garage may be located no closer than 0.6m from the rear lot line, if the garage is accessed by a driveway crossing the exterior side lot line.

ii) Special Residential Provisions

- a) Street Front Treatment of Detached Dwellings:
 - A) The dwelling shall have a minimum dwelling face, which may include the porch or veranda, of 3.3m provided that no more than 60% of the building face is used for the garage portion of the elevation;
 - B) In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch or veranda, of 2.5m, provided the setback from the dwelling face to the front lot line does not exceed the setback from the garage door to the front lot line;
 - C) Where a garage door faces the interior side lot line or the rear lot line the wall of the garage nearest

the *front lot line* and the wall of the garage nearest the *exterior lot line* shall be considered *dwelling face*.

iii) Special Zone Provisions

- a) Special General Rules for *attached garages*:
 - A) In the case of a staggered double car garage, one garage is permitted to have a minimum *setback* of 2.0m to the *front lot line* providing that the second garage has a minimum *setback* of 5.5m to the *front lot line*;
 - B) Where a garage door faces an interior side *lot line* the garage door and the wall of the garage nearest to the *front lot line* shall have a minimum *setback* of 2.0m;
- b) Air Conditioners and Heat Pumps on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the *dwelling unit* and the *attached garage*, however, such units are not permitted to encroach into the *exterior side yard*.
- c) *Porches* and *Verandas* are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9m to the *side lot line*;
- d) Landings shall have a maximum width of 3.0m along the rear *dwelling face* and a maximum depth of 1.5m;
- e) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, *fences* and walls having a maximum *height* of 2.0m are permitted to enclose that portion of the yard bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*;
- f) Visual Clearance at *Driveways*: on any *lot* where a *driveway* enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and the line connecting them at points 1.0 from their intersection.

13.1.1.105	134-2007 (Oct 22/07)	I-A	*105
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Part of the Southwest and Northeast Halves of Lot 10, Concession I, N.S., (Trafalgar)
[Mattamy (Milton West) Ltd, 'Bison Phase 2-4']

i) Special Site Provisions

- a) In addition to *uses* permitted in Minor Institutional (I-A) *Zone*, RMD1 *uses* in accordance with the provisions of Table 6C, and RMD2 *uses* in accordance with Table 6D shall be permitted.

13.1.1.106	34-2008 (Mar 31/08)	RO	*106
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Part of Lot 10, Concession 3 NS (Trafalgar)
(Mattamy Brownridge Ltd. McCann Property-Model Home Complex)

i) Special Zone Standards

- a) *Model homes* will be permitted on lands outside of a draft approved plan of subdivision.

13.1.1.107	26-2008 (Feb 25/08)	RO	*107
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Part 1 and 2, Plan 20R-16045, Part of Lot 11, Concession IV (Trafalgar)
(Loganbrook Development)

- i) For the purposes of this section, the definition for a *Live-Work Unit* is as follows: Means a *dwelling unit*, part of which may be used as a business establishment and the *dwelling unit* is the principal residence of the business operator.

- ii) a *live-work unit* is a permitted *use* and the following is the list of permitted *uses* as part of that *live-work*

unit.

- a) *Dwelling Unit*;
- b) *Art Gallery*;
- c) *Artist Studio*;
- d) *Commercial School - skill*;
- e) *Convenience Store*;
- f) *Cottage Industry*;
- g) *Dry Cleaning Depot*;
- h) *Bank*;
- i) *Fitness Centre*;
- j) *Home Day Care*;
- k) *Office*;
- l) *Personal Service Shop*;
- m) *Retail Store – Convenience Retail*;
- n) *Specialty Food Store*;

iii) General Provisions for *Live-Work Units* are as follows:

- a) The business establishment is restricted to the *first storey*;
- b) The *first storey* shall have a minimum ceiling *height* of 2.75m above *grade*;
- c) The business establishment may employ one or more persons residing within the associated household and no more than two additional employees;
- d) A live work unit may be located within a *building* containing no more than eight live-work units that is divided vertically and whereby each *dwelling unit* and each “work” unit has an independent entrance into the unit from the outside or containing no more than thirteen live-work units, provided that no more than seven of the units in the block are fronting onto the same street when fronting onto a *public street*.

iv) Special Site Provisions

- a) The Thompson Road *frontage* is deemed to be the *front yard* of the *lot*.
- b) The following provisions shall apply to *live-work units*:
 - A) Maximum *Lot Coverage*: 35%;
 - B) Maximum *Gross Floor Area* – Live Work Units:
 - i) Maximum total *Gross Floor Area*: 12,225m²
 - ii) Maximum *Gross Floor area* (non residential – ground floor): 3,500m²
 - iii) Maximum *Gross Floor Area* for individual unit (non-residential): 125m²
 - C) Minimum Required *Front yard*: 1.5m
 - D) Minimum Required *Exterior Side Yard*: 1.5m
 - E) Minimum Required Distance between *Buildings* containing live-work units: 3.7m
 - F) Maximum *Building Height*: 12.5m
 - G) Minimum Required *Landscaped Open Space*: 22%
 - H) Minimum Required *Landscape Buffer* adjacent to a residential *Zone*: 4.0m
 - I) Minimum required *landscape buffer* along a *front yard* or an *exterior side yard*: 1.5m
- c) The following provisions shall apply to a Parcel of Tied Land only, as defined in the Condominium Act and the entrance to the work portion of the *live-work unit* is deemed to be the *front yard*:
 - A) Minimum required *Lot Depth*: 25m
 - B) Minimum required *lot frontage*: 6m
 - C) Minimum required *Front yard* depth: 0m

- D) Minimum required *rear yard* depth: 5.8m
 - E) Minimum required *setback* from all other *lot lines*: 0m
 - F) Minimum required *amenity area* per unit: 10m²
 - G) Minimum required *landscape buffer* along a *front yard* is the *front yard* depth.
- v) For the purposes of this section, the definition for *Cottage Industry* is as follows: Means an activity conducted as an accessory *use* within the work portion of a *live work unit* by one or more of its residents. A *cottage industry* may include activities such as dress making, upholstering, weaving, ceramic making, painting and sculpting.
- vi) For the purposes of this section, the definition for *Home Day Care* is as follows: Means a private residence or the work portion of a *live-work unit* 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.
- vii) For the purposes of this section, the definition for *Retail Store-Convenience Retail* is as follows: Means a *premises*, with a *gross floor area* of less than 125m², for sale of goods such as bake shop, beauty products, computers and computer supplies, crafts and craft supplies, fashion and accessories (including hats, jewellery, scarves, etc) florist, gifts, naturopathic and healthy food products, pet supplies and may also include pet grooming (but not the boarding of animals), photographic supplies, seasonal goods, specialty goods, sports equipment, stationary, but shall not include a furniture store, hardware store, pharmacy or the sale of alcoholic beverages.
- viii) For the purpose of this section, the definition for *Specialty Food Store* is as follows: Means a *premises*, with a *gross floor area* of less than 125m², specializing in the sale of a specific type or class of foods, such as a bakeshop, butcher, delicatessen, coffee shop, ice cream parlour, fish, gourmet, or similar foods, and may include a seating area for no more than 6 persons in association with a bakery, delicatessen, coffee shop or ice cream parlour, but does not include a fast food retail outlet, *restaurant* or on-site food preparation that involves frying.
- ix) The minimum off-street parking requirements for a *live-work unit* are as follows:
 - a) 2 spaces per *dwelling unit*, and
 - b) 1 space per 30m² of *Gross Floor Area* of the business establishment of “work” component in a common *Parking Area*.
- x) *Parking area setback* to a *street line* of a local road shall be a minimum of 0.0m provided that a *landscape buffer* of a minimum of 1.5m wide is maintained for 50% of the length.
- xi) Minimum *driveway* width shall be 2.75m where *driveways* are adjoining for four *live-work units*.

13.1.1.108	34-2008 (Mar 31/08)	RO	*108
Part of Lot 10, Concession 3 NS (Trafalgar) (Mattamy Brownridge Ltd. McCann Property-Model Home Complex)			
i) Permitted Uses			
<ul style="list-style-type: none"> a) <i>Townhouse Dwelling Unit</i>, b) <i>Art Gallery</i>; 			

- c) *Artist Studio*;
- d) *Commercial School*;
- e) *Dry Cleaning Depot*;
- f) *Bank*;
- g) *Medical Office*;
- h) *Office*;
- i) *Personal Service Shop*;
- j) *Retail 1*

ii) Zone Standards

- a) For the purposes of this section, the definition of “Live-Work Unit” is as follows: Means a *dwelling unit*, part of which may be used as a business establishment.

ii) General Provisions for Live-Work Units

- a) the business establishment is restricted to the *first storey*;
- b) the *first storey* shall have a minimum ceiling *height* of 2.75m above *grade*;
- c) a live-work unit may be located within a *building* containing no more than eight live-work units that is divided vertically and whereby each *dwelling unit* and each business establishment has an independent entrance into the unit from the outside;
- d) units must front onto a *public street*.

iii) Additional Zone Standards

- a) section 4.18.2 “Natural Gas Distribution Systems” does not apply;
- b) The minimum off-street parking requirements for a live-work unit are as follows:
 - A) 2 spaces per *dwelling unit*; and,
 - B) 2 spaces per business establishment.

iv) Special Site Provisions

- a) Minimum *Lot Area*: 115m²
- b) Minimum *Lot Frontage*: 6.0m
- c) Minimum *Lot Depth*: 18.0m
- d) Maximum *Lot Coverage*: 80%
- e) Maximum *Gross Floor Area* – Live-Work Units:
 - A) Maximum Total *Gross Floor Area*: 375m² (per unit)
 - B) Maximum *Gross Floor Area* (non-residential-ground floor): 125m² (per unit)
- f) Maximum *Building Height*: 12.5m
- g) Minimum *Front yard* Depth: 0.0m
- h) Minimum *Rear Yard* Depth: 0.0m
- i) Minimum *Interior Side Yard*: 1.5m
- j) Minimum *Landscaped Open Space*: 15%
- k) Permanent window awnings and balconies are permitted to encroach to the *front* and side yards provided that they are 2.0m above *grade*.

13.1.1.109	34-2008 (Mar 31/8)	RMD1	*109
Part of Lot 10, Concession 3 NS (Trafalgar) (Mattamy Brownridge Ltd, McCann Property-Model Home Complex)			

i) Special Zone Standards

- a) Lane Based Single *Detached* and *Townhouse Dwellings* (RMD1*109):
 - A) *Frontage* on a street: a *building* or *structure* with access to a public *lane* shall be deemed to conform to the requirements of Section 4.6, and further that *Front Lot Line* shall mean the following: where a *lot* does not have *frontage* on a *public street*, the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.
- b) Lane Based Single *Detached Dwellings*:
 - A) Lane Access Interior Unit:
 - i) Minimum *Lot Depth*: 18.0m
 - ii) Minimum required *rear yard* to *attached garage*: 0.6m
 - B) Lane Access Corner Unit:
 - i) Minimum *Lot Depth*: 18.0m
 - ii) Minimum required *rear yard* to *attached garage*: 0.6m
- c) Lane Based *Townhouse Dwellings*:
 - A) Lane Access Interior Unit:
 - i) Minimum *Lot Depth*: 18.0m
 - ii) Minimum required *rear yard* to *attached garage*: 0.6m
 - B) Lane Access End Unit:
 - i) Minimum *Lot Depth*: 18.0m
 - ii) Minimum required *rear yard* to *attached garage*: 0.6m
 - C) Lane Access Corner Unit:
 - i) Minimum *Lot Depth*: 18.0m
 - ii) Minimum required *rear yard* to *attached garage*: 0.6m

13.1.1.110			*110

13.1.1.111	33-2008 (Mar 31/8)	RMD1 RMD2	*111
Blocks 14 & 15 of Plan 20M-974; Blocks 223, 224 & 228 and Lot 178 of Plan 20M-1013 and Block 329 of Plan 20M-925 (Milton East Lands Inc)			

i) Special Site Provisions

- a) The provisions of the site-specific RMD1*35 will apply in addition to the following lot specific minimum *Lot Frontages*:
 - A) 370 Black Drive (Block 329, Part 1, Plan 20M-925): 6.62m;
 - B) 391 Greenless Circle (Lot 178, Plan 20M-1013): 9.37m;
 - C) 395 Bussel Crescent (Block 223, Unit 1, Plan 20M-1013): 5.63m;
 - D) 403 Bussel Crescent (Block 223, Unit 5, Plan 20M-1013): 6.89m;
 - E) 385 Bussel Crescent (Block 224, Unit 1, Plan 20M-1013): 6.45m;
 - F) 391 Bussel Crescent (Block 224, Unit 4, Plan 20M-1013): 6.22m;
 - G) 319 Bussel Crescent (Block 228, Unit 1, Plan 20M-1013): 5.32m;
 - H) 327 Bussel Crescent (Block 228, Unit 5, Plan 20M-1013): 5.94m

ii) Additional Site Provisions

- a) the following Minimum *Lot Frontages* apply for the following lands in the RMD2*111 zone:

A) 353 Hobbs Crescent (Block 14, Unit 1, Plan 20M-974): 5.84m;
B) 345 Hobbs Crescent (Block 15, Unit 1, Plan 20M-974): 5.58m;
C) 351 Hobbs Crescent (Block 15, Unit 4, Plan 20M-974): 5.84m

13.1.1.112			*112

13.1.1.113	64-2008 (May 26/08)	RLD	*113
E/S of Tremaine Road, between Main Street and Derry Road Part of Lot 11 and 12, Concession 1 NS (Trafalgar) (North, South, West and Northwest Derry Developments Limited)			
i) Special Site Provisions			
a) Fencing: subsection 4.5.2(i) shall only apply to the <i>rear yard</i> and that portion of the <i>interior side yard</i> abutting the <i>rear yard</i> and subsection 4.5.2(ii) shall apply to the <i>front yard</i> , the <i>exterior side yard</i> and that portion of the <i>interior side yard</i> adjacent to the <i>dwelling</i> .			
ii) Special Zone Standards			
a) for the purposes of this section, the Savoline Boulevard <i>frontage</i> is deemed to be the <i>front lot line</i> ;			
b) the garage is permitted to be in the <i>rear yard</i> only.			

13.1.1.114	64-2008 (May 26/08)	RMD1	*114
E/S of Tremaine Road, between Main Street and Derry Road Part of Lot 11 and 12, Concession 1 NS (Trafalgar) (North, South, West and Northwest Derry Developments Limited)			
i) Special Zone Standards			
a) Minimum Required <i>Rear Yard</i> : 7.0m, except on a <i>corner lot</i> where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i> , the minimum required <i>rear yard</i> may be reduced to 0.6m to a double car garage and 3.9m to a single car garage;			
b) Minimum Required <i>Interior Side Yard</i> : 0.6m, where there is a separation between two <i>dwelling units</i> or multiple attached <i>dwelling units</i> , the minimum separation distance between exterior walls of <i>dwelling units</i> shall be 1.8m, no side yard individually shall be less than 0.6m adjacent to an exterior wall. The minimum aggregate side yards per <i>lot</i> shall be 1.8m in total for both side yards of a <i>lot</i> .			
ii) Special General Provisions			
a) <i>Attached Garages</i> on a <i>corner lot</i> , where an <i>attached garage</i> is accessed over the <i>exterior side lot line</i> , Section 4.1.1.2.1 does not apply;			
b) <i>Detached Garages</i> on a <i>corner lot</i> , where it is accessed over the <i>exterior side lot line</i> , the minimum required <i>exterior side yard</i> is 5.5m;			
c) Air Conditioners and Heat Pumps: on a <i>corner lot</i> , where an <i>attached garages</i> is accessed over the <i>exterior side lot line</i> , air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the <i>dwelling unit</i> and the <i>attached garage</i> , however, such units are not permitted to encroach into the <i>exterior side yard</i> ;			
d) Encroachments Into <i>Required Yards</i> : eaves and gutters may project into a required <i>front yard</i> , <i>rear yard</i> , <i>interior side yard</i> or <i>exterior side yard</i> a maximum distance of 0.45m provided that the eaves and			

- gutters are 2.0m above *grade*.
- e) *Decks*: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, a *deck* may be located within the *exterior side yard* provided that the *deck* complies with the greater of the minimum *exterior side yard* requirement applicable to the *dwelling unit* or the actual *exterior side yard* measured between the *property line* and the *dwelling face*.
 - f) Notwithstanding Subsection 4.1.1.7, *decks* having a *height* greater than 1.2m above finished *grade* shall be permitted in the *rear yard* provided that:
 - A) the *deck* is not higher than the floor of the *first storey*;
 - B) the *deck* is located no closer to the *exterior side* and *interior side lot line* than the *principal building*;
 - C) the *deck* does not project more than a maximum of 3m into the *rear yard* from the wall of the *principal building* closest to the *rear lot line* (other than a garage) and maintain a minimum *setback* of 3m from the *rear lot line*;
 - g) *Individual Driveway Access to Residential Dwelling Units*: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, in no case shall a *driveway* encroach into a required *rear yard*;
 - h) *Fencing*: on a *corner lot*, where an *attached* or *detached garage* is accessed over an *exterior side lot line*, *fences* and *walls*, having a maximum *height* of 1.8m are permitted to enclose that portion of the yard bounded by the *dwelling unit*, the *exterior side lot line* and the *driveway*;
 - i) *Visual Clearance at Driveways*:
 - A) on all *lots* abutting a *driveway*, no obstruction to sight view, including *fencing*, shall be permitted within the triangular area formed by the *driveway edge* and the *street line* and a line connecting them at points 2.0m from their intersection; and,
 - B) on any *lot* where a *driveway* enters a street, no obstruction to sight view, including *fencing*, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and a line connecting them at points 2.0m from their intersection.

13.1.1.115	70-2008 (June 23/08)	C3	*115
Part Lot 10, Conc 1 NS (MATTAMY MILTON WEST LTD – BIASON COMMERCIAL)			
<p>i) Special Zone Standard</p> <ul style="list-style-type: none"> a) The <i>lot line</i> abutting Derry Road shall be deemed the <i>front lot line</i>. <p>ii) Additional Permitted Uses</p> <ul style="list-style-type: none"> a) <i>Fitness Centre</i>; b) <i>U-Brew Establishment</i>; c) <i>Commercial School</i>; d) <i>Food Store</i>; f) <i>Retail Store 2</i> <p>iii) Special Site Provisions</p> <ul style="list-style-type: none"> a) Maximum <i>Lot Area</i>: 12,700m²; b) Maximum <i>Lot Coverage</i>: 33%; c) Maximum <i>Gross Floor Area</i>: 3,700m²; d) Maximum <i>Gross Floor Area</i> for a <i>Food Store</i>: 2,787m²; e) Maximum <i>Building Height</i>: 12m; f) Minimum <i>Landscape Buffer</i> abutting a <i>street line</i>: 0.0m; g) Minimum <i>Setback</i> of a <i>Waste Storage Facility</i> from a Residential Zone: 7.1m; h) Maximum <i>height</i> permitted for an <i>accessory building</i> containing <i>waste storage facilities</i>: 4m; 			

- i) Permanent window awnings are permitted to encroach to the *front* and *exterior side* property lines provided they are 2m above *grade*;
- j) Number of Required Loadings Spaces: 1 space minimum 6m x 3.5m;
- k) The minimum *setback* to a queuing *lane* from any *street line* or Residential Zone: 6m;
- l) An entrance feature with a maximum size of 23m² with a maximum *height* of 7m, and 0.0m *setback* from any *street line* is permitted in the *front yard*, and in the landscape butter strip required by this By-law;
- m) Section 7.3.2 “*Setbacks*” does not apply.

13.1.1.116	72-2010 (June 3, 2010)	RHD	*116
PART OF THE NORTH EAST HALF OF LOT 10, CONCESSION I, NS (TRAFALGAR), FILE: Z-29/05			
<p>THAT Section 13.1, Subsection 13.1.1.116 is amended by adding the following provisions: For lands zoned Residential High Density Special 116 (RHD*116), the following provisions apply:</p> <ul style="list-style-type: none"> i) Notwithstanding the provisions in Table 4A, the maximum height of an accessory building or structure is 4.5 metres and the maximum area of all accessory buildings and structures is 40m² or less; ii) Notwithstanding the requirements in Table 50, the minimum off-street parking requirements for a residential care facility is as follows: <ul style="list-style-type: none"> • 0.5 space per dwelling unit iii) Notwithstanding the provisions in Table 5C, the setback of a parking area to the street line of an arterial road shall be a minimum of 6.0 metres, the setback of a parking area to the street line of a local road shall be a minimum of 4.0 metres and the setback to an interior side yard shall be 2 metres. iv) Notwithstanding Section 5.5.1 i), the maximum driveway width for a two way driveway shall be 14.0 metres. v) Notwithstanding Section 5.16.1 iii), the total number of <i>parking spaces</i> for the disabled shall be included in the parking requirements of the permitted <i>use</i>, as <i>part</i> of overall <i>parking area</i> total. vi) Special Site Provisions: <ul style="list-style-type: none"> (a) For the purposes of this by-law, the Bronte Street South frontage is deemed to be the front lot line of the lot. (b) The maximum height is 5 storeys to a maximum of 18 metres. 			

13.1.1.117	77-2008 (June 23/08)	C3	*117
SE corner Derry Road & Thompson Road Part of Lot 10, Conc 4 NS			
<p>i) Permitted Uses</p> <ul style="list-style-type: none"> a) <i>Artist’s Studio</i>; b) <i>Commercial School – Skill</i>; c) <i>Convenience Store</i>; d) <i>Day Nursery</i>; e) <i>Dry Cleaning Depot</i>; f) <i>Bank</i>; g) <i>Medical clinic</i>; h) <i>Personal Service Shop</i>; i) <i>Restaurant</i>; j) <i>Retail Store 1</i>; k) <i>Veterinary Clinic – small animal</i> 			

ii) Special Site Provisions			
a) Maximum Lot Area: 3,099m ²			

13.1.1.118	76-2008 (June 23/8)	C1-E	*118
BLOCKS 31 & 32, PART OF LOT 4, PLAN 20M-285			
i) Additional Permitted Uses			
a) A Place of Worship			

13.1.1.119	83-2008(July 21/08)	C2	*119
6432 First Line Part Lot 8, Conc 1 (Trafalgar)			
i) Special Site Provisions			
a) for the purposes of this section, a <i>food store</i> means a <i>building</i> or part of a <i>building</i> which is used primarily for the retail sale of food as well as personal and household items. A <i>food store</i> may include a <i>convenience</i> or specialty <i>food store</i> which generally contains less than 3,250m ² of floor space. A <i>food store</i> which contains 3,250m ² or more of floor space may be referred to as a grocery store of supermarket and may also provide a wider range of retail goods and services.			
ii) Zone Standards			
a) Maximum Lot Area: 8.0 ha;			
b) Maximum Gross Floor Area (all buildings combined): 14,864m ²			

13.1.1.120	104-2008 (Aug 18/08)	RLD	*120
245 COMMERCIAL STREET			
i) Only Permitted Uses			
a) Office Use			

13.1.1.121	104-2008 (Aug 18/08)	C3	*121
3006 DERRY ROAD WEST			
i) Only Permitted Uses			
a) Medical Clinic;			
b) Office Use;			
c) Restaurant;			
d) Pharmacy;			
e) Medical Supply Store			
ii) Special Site Provisions			
a) For the purposes of this section, a Pharmacy shall mean a <i>premises</i> where prescription drugs and over the counter medications are available or dispensed.			
b) For the purposes of this section, a Medical Supply Store shall mean a <i>premises</i> where goods and wares are sold for the treatment/support of some kind of medical condition.			

13.1.1.122	23-2009 OMB Order (Apr 9/08)	EMP	*122
3037 Derry Rd W Part of Lot 11, Conc 1 (Trafalgar) First Capital Reality Corp			
i) Permitted Uses			

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

- a) *Commercial School – Skill*;
- b) *Commercial School – trade/profession*;
- c) *Day Nursery*;
- d) *Dry Cleaning Depot*;
- e) *Fitness Centre*;
- f) *Bank* subject to the provisions of subsection 13.1.1.122 (iii)(e);
- g) *Industrial Use* subject to Section 8.1;
- h) *Office Building*;
- i) *Office Use*;
- j) *Place of Assembly*;
- k) *Place of Entertainment*;
- l) *Place of Worship*;
- m) *Recreation and Athletic Facility*;
- n) *Research and Technology Use*;
- o) *Restaurant*;
- p) *U-Brew Establishment*;
- q) *Veterinary Clinic – Small Animal*;
- r) the following local commercial uses shall also be permitted but only if located in the *first storey* of a mixed use building containing second storey office uses:
 - A) *Artist’s Studio*;
 - B) *Convenience Store*, not exceeding 903m² of gross floor area;
 - C) *Drive-through Service Facility* subject to the provisions of subsection 13.1.1.122(iii)(f);
 - D) *Personal Service Shop*;
 - E) *Retail Store 1*
- s) *Drug Store* not exceeding 1860m²;
- t) *Medical Clinic* not including accessory dispensary facilities

ii) Zone Standards

- a) Maximum yard abutting Bronte Street: 3m;
- b) Minimum yard abutting Derry Road W: 3m;
- c) Maximum yard abutting Derry Road W: 6m;
- d) *Landscaped Buffer* abutting Bronte Street: None

iii) Special Site Provisions

- a) The total gross floor area of all commercial and retail uses permitted under Section 13.1.1.122(i)(r) and (s), shall not exceed 4650m²;
- b) For the purposes of this section, a Drug Store shall be defined as a retail store which dispenses prescription drugs and which also sells non-prescription medicine, health and beauty products, and household convenience items;
- c) Required parking shall be provided at a rate of 1 parking space for every 20m² of gross floor area;
- d) No off-street loading spaces shall be required for Banks or restaurants;
- e) Banks are a permitted use only in the first storey of a mixed use building containing second storey office uses, to a maximum total ground floor area for all Bank uses of 1115m²;
- f) A drive-through service facility is permitted only in association with a permitted Bank or restaurant use

13.1.1.123	113-2008 (Sept 22/08)	EMP	*123
NW corner Maple Avenue & Fox Crescent			

Block 38, Plan 20M-1004, S/T Easement in Gross HR560743 over Part 1, 20R-17156 (Milton Investments 2007 Inc)			
i) Additional Permitted Uses			
a) <i>Retail Store 1*</i> ;			
b) <i>Retail Store 2</i> ;			
c) <i>Retail Store 3</i> ;			
d) <i>Food Store</i> ;			
e) <i>Drive Through Service Facility</i>			
*That up to a maximum of 695m ² of the gross leasable area can be made up of <i>retail stores</i> individually having a <i>gross floor area</i> less than 280m ² .			
ii) Zone Standards			
a) Maximum <i>Gross Floor Area</i> for <i>Food Store</i> : 3251m ² ;			
b) Minimum Side Yard abutting a Residential <i>Zone</i> : 6.0m;			
c) <i>Landscaped Open Space</i> : minimum <i>landscaped buffer</i> abutting a <i>street line</i> may be reduced from 6.0m to 0.0m for a 128m portion along the northern <i>lot line</i> (abutting Hwy 401);			
d) <i>Landscaped Open Space</i> : a <i>waste storage facility</i> or screened refuse area (i.e. garbage container) may encroach into the required 6.0m <i>landscaped buffer</i> (abutting a <i>street line</i>) along the northern property line.			
iii) Special Site Provision			
a) the minimum amount of <i>parking spaces</i> to be provided on the site shall be 282 <i>parking spaces</i> .			

13.1.1.124	112-2008 (Sept 22/08)	M2	*124
2999 James Snow Pkwy Block 15 and 16 Plan 20M-530, Part of Lot 4, Conc 3 (Gordon Food Service)			
i) Additional Permitted Use			
a) Parking as a Principal Use			

13.1.1.125	123-2008 (Oct 27/08)	RMD1	*125
E/S Tremaine Road, between Main Street & Derry Road Part of the west half of Lot 12, Concession I NS (Trafalgar) (MATTAMY DEVELOPMENT – CIVIERO PHASE 2)			
i) Special Zone Standards			
a) Single <i>Detached Dwelling</i> – Street Access Corner: an <i>attached garage</i> may be located no closer than 0.6m from the <i>rear lot line</i> if the garage is accessed by a <i>driveway</i> crossing the <i>exterior side lot line</i> .			
ii) Special Residential Provisions			
a) Street Front Treatment of <i>Detached Dwellings</i> :			
A) the <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include the <i>porch</i> or <i>veranda</i> , of 3.3m provided that no more than 60% of the <i>building face</i> is used for the garage portion of the elevation;			
B) in the case of a staggered double car garage, the <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include a <i>porch</i> or <i>veranda</i> , of 2.5m, provided the <i>setback</i> from the <i>dwelling face</i> to the <i>front lot line</i> does not exceed the <i>setback</i> from the garage door to the <i>front lot line</i> .			
C) where a garage door faces the <i>interior side lot line</i> or the <i>rear lot line</i> the wall of the garage nearest			

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the *front lot line* and the wall of the garage nearest the *exterior lot line* shall be considered *dwelling face*.

iii) Special General Provisions

a) Special General Rules for *attached garages*:

A) in the case of a staggered double car garage, one garage is permitted to have a minimum *setback* of 2.0m to the *front lot line* providing that the second garage has a minimum *setback* of 5.5m to the *front lot line*;

B) where a garage door faces an *interior side lot line* the garage door and the wall of the garage nearest to the *front lot line* shall have a minimum *setback* of 2.0m;

b) Air Conditioners and Heat Pumps: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling unit* and the *attached garage*, however such units are not permitted to encroach into the *exterior side yard*.

c) *Porches* and *Verandas* are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9m to the *side lot line*.

d) *Landings* shall have a maximum width of 3.0m along the rear *dwelling face* and a maximum depth of 1.5m.

e) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, *fences* and walls having a maximum *height* of 2.0m are permitted to enclose that portion of the *yard* bounded by the *dwelling unit*, the *exterior lot line* and the *driveway*.

f) Visual Clearance at *Driveways*: on any *lot* where a *driveway* enters a street, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *driveway edge* and the line connecting them at points 1.0 from their intersection.

g) *Lane Based Single Detached and Townhouse Dwellings*:

A) *Frontage* on a Street: a *building* or *structure* with access to a public *lane* shall be deemed to conform to the requirements of Section 4.6, and further that *Front Lot Line* shall mean the following: where a *lot* does not have *frontage* on a public street the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.

h) *Lane Based Single Detached Dwellings*:

A) *Lane Access Interior Unit*:

Minimum *Lot Depth*: 18.0m

Minimum Required *Rear Yard* to *attached garage*: 0.6m

B) *Lane Access Corner Unit*:

Minimum *Lot Depth*: 18.0m

Minimum Required *Rear Yard* to *attached garage*: 0.6m

i) *Lane Based Townhouse Dwellings*:

A) *Lane Access Interior Unit*:

Minimum *Lot Depth*: 18.0m

Minimum Required *Rear Yard* to *attached garage*: 0.6m

B) *Lane Access End Unit*:

Minimum *Lot Depth*: 18.0m

Minimum Required *Rear Yard* to *attached garage*: 0.6m

c) *Lane Access End Corner Unit*:

Minimum *Lot Depth*: 18.0m

Minimum Required *Rear Yard* to *attached garage*: 0.6m

13.1.1.126	72-2009 (May 25/09)	C1-A	*126
16 Hugh Street (Part Lot 6, Block 8 Foster Survey, Plan 20M-116758)			
<p>i) Uses also permitted on the ground floor:</p> <ul style="list-style-type: none"> a) <i>Commercial School – Skill</i> b) <i>Bank</i> c) <i>Office use</i> <p>ii) Additional Permitted Use:</p> <ul style="list-style-type: none"> a) <i>Office Building</i> 			
13.1.1.127	152-2008 (Dec 15/08)	C5	*127
360 Steeles Avenue East Part Lot 15, Conc 2 (Trafalgar), Part 1 Plan 20R-2782 & Parts 1 & 2, Plan 20R-3745			
<p>i) Additional Permitted Use:</p> <ul style="list-style-type: none"> a) <i>Automotive Parts and Industrial Parts Sales and Service Use</i> 			
13.1.1.128	9-2009 (Jan 26/09)	I-A	*128
E/S Fourth Line, close to its intersection with Clarke Blvd (Part Lot 8, Conc 5, Part 1 on 20R-3897)			
<p>i) Permitted Uses:</p> <ul style="list-style-type: none"> a) <i>Day Nursery</i> only within the existing <i>building</i> <p>ii) Special Site Provisions: The following provisions shall apply to the <i>Day Nursery</i>:</p> <ul style="list-style-type: none"> a) <i>Minimum Lot Frontage: 45.72m;</i> b) <i>Minimum Lot Area: 0.42 ha;</i> c) <i>Minimum Rear Yard Setback for an Accessory Building: 0.63m;</i> d) <i>Minimum Interior Side Yard Setback: 3.07m;</i> e) <i>Minimum Setback for an Accessory Building: 2.67m;</i> f) <i>Landscape Buffer</i> abutting a Greenlands A by the side of the existing <i>building</i> only: 3.0m; <p>iii) Special General Provisions: The following provisions shall apply to the <i>Day Nursery</i>:</p> <ul style="list-style-type: none"> a) all <i>buildings</i> or <i>structures</i>, apart from the existing shed, shall be located no closer than 7.5m from the Greenlands A Zone. 			
13.1.1.129	4-2009 (Jan 26/09)	RLD	*129
E/S Tremaine Road, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar) [Intracorp Projects (Milton on the Escarpment) Ltd]			
<p>i) Only Permitted Uses:</p> <ul style="list-style-type: none"> a) <i>Detached Dwellings;</i> b) <i>Group Home Type 1;</i> c) <i>Home Occupation</i> <p>ii) Special Zone Standards:</p> <ul style="list-style-type: none"> a) <i>Minimum lot frontage for a detached dwelling: 14.9m;</i> 			

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<ul style="list-style-type: none"> b) Minimum required <i>exterior side yard</i>: 4.0m; c) Maximum <i>lot coverage</i>: 30%; d) Minimum required <i>rear yard</i> for <i>lots</i> immediately abutting a commercial zone: 9.0m; e) within an <i>interior side yard</i> or <i>rear yard</i>, the maximum <i>fence height</i> shall be 2.0m; f) within a <i>front yard</i> or an <i>exterior side yard</i>, the maximum <i>fence height</i> shall be no higher than 1.0m, except for that portion of the <i>exterior side yard</i> which adjoins the <i>rear yard</i> of a <i>corner lot</i>, the maximum <i>fence height</i> along the common property boundary may be no higher than 2.0m.

13.1.1.130	4-2009 (Jan 26/09)	RMD1	*130
E/S Tremaine Rd, between Main Street & Derry Road Part Lot 13, Conc 1 NS (Trafalgar) [Intracorp Projects (Milton on the Escarpment) Ltd]			
i) Only Permitted Uses: <ul style="list-style-type: none"> a) <i>Detached Dwellings</i>; b) <i>Group Home Type 1</i>; c) <i>Group Home Type 2</i> (subject to Footnote *1); d) <i>Home Occupation</i> 			
ii) Special Zone Standards: <ul style="list-style-type: none"> a) Minimum required <i>rear yard</i> for <i>lots</i> immediately abutting a commercial zone: 9.0m. 			

13.1.1.131	4-2009 (Jan 26/09) 120-2011 (Nov 21/11)	C3	*131
PART OF LOT 13, CONCESSION I (TRAFALGAR), BLOCK 108, R.P. 20M-1091, DURLAND PROPERTIES INC., 3340 MAIN STREET, SCHEDULE A, FILE Z-05/11			
THAT Section 13.1 is amended by repealing the entire zone standards and special provisions table in Section 13.1.1.131 and replacing to read as follows:			
i) Additional Permitted Uses: <ul style="list-style-type: none"> Gas Bar; Motor Vehicle Washing Establishment; Drive Through Service Facility; 			
ii) Special Zone Standards: <ul style="list-style-type: none"> (a) For the purposes of this section, the Main Street Frontage is deemed to be the front yard of the lot; (b) Lot Area: Minimum 10,000 m² Maximum 14,000 m² (c) Gross Floor Area (all buildings combined): No minimum, Maximum 2325 m². (d) Gross Floor Area (individual buildings): No minimum, Maximum 2325 m². (e) Front Yard Setback: Minimum 4.5 m Maximum 12.0 m (f) Exterior Side Yard Setback: Minimum 4.5 m Maximum 6.5 m (g) Rear Yard Setback: Minimum 3.0 m (h) Interior Side Yard Setback: 6.0 m (i) Minimum Landscape Buffer <ul style="list-style-type: none"> a) Abutting a Street Line: 4.5m b) Abutting Kincardine Terrace: 3.0 m c) Abutting a Residential Zone: 4.0 m (j) Notwithstanding the setback provisions for buildings, fuel pump islands and weather canopies must be set back a minimum of 15 metres from the rear and interior side (eastern) lot lines. 			

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(k) Notwithstanding Section 5.17.1 of the By-law to the contrary, 2 loading areas are required for the site being a minimum of 6.0 m long, 3.5 m wide and have a vertical clearance of at least 3.0 m.

13.1.1.132	45-2009 (Mar 30/09)	M1	*132
8611 Escarpment Way Part Block 4, Plan 20M-952			
<p>i) Additional Permitted Uses:</p> <ul style="list-style-type: none"> a) <i>Motor Vehicle Dealership;</i> b) <i>Motor Vehicle Washing Establishment;</i> c) <i>Convenience Store;</i> d) <i>Motor Vehicle Gas Bar;</i> e) <i>Drive Through Service Facility (only associated with motor vehicle washing establishment)</i> <p>ii) Special Site Provisions:</p> <ul style="list-style-type: none"> a) For the purpose of this section a <i>motor vehicle dealership</i> shall be defined as “a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> and/or a <i>motor vehicle body shop</i>; b) Tandem parking is permitted if it is over and above the minimum required amount of parking for the site; c) Required parking for the subject property will be 1 <i>parking space</i> per 28m² of <i>gross floor area</i>. 			

13.1.1.133	46-2009 (Mar 30/09)	M1	*133
8521 Escarpment Way Part Block 15, Plan 20M-952			
<p>i) Additional Permitted Uses:</p> <ul style="list-style-type: none"> a) <i>Motor Vehicle Dealership;</i> b) <i>Bank;</i> c) <i>Restaurant;</i> d) <i>Drive Through Service Facility (only associated with a Bank).</i> <p>ii) Special Site Provisions:</p> <ul style="list-style-type: none"> a) For the purpose of this section a <i>motor vehicle dealership</i> shall be defined as “a <i>premises</i> where new or used <i>motor vehicles</i> are displayed and/or offered for sale, rent or lease and in conjunction with which there may be a <i>motor vehicle repair garage</i> and/or a <i>motor vehicle body shop</i>; 			

13.1.1.134	23-2010 (Feb 15/10) OMB PL090394	RLD	*134
350 Ontario Street S			
<p>i) Additional Permitted Use:</p> <p style="padding-left: 40px;">Day Nursery</p> <p>ii) Special Site Provisions:</p> <ul style="list-style-type: none"> a. The day nursery is permitted a maximum number of 20 children. b. The day nursery will be permitted only within the existing building at the time of the passing of this By-law. c. Any permitted residential use must comply with Section 5.5.2 of By-law 144-03, as amended. 			

- d. The existing accessory structure may have a rear yard setback of 0.2 metres.

iii) Zone Standards:

- a. For the purposes of this By-law, a parking area is required and both parking areas and parking spaces are subject to the provisions of Section 5 of By-law 144-2003, as amended.
 b. Notwithstanding Section 5.15.1 (iii) of By-law 144-2003 to the contrary, the total number of parking spaces for the disabled shall be included in the required number of parking spaces for the permitted use (s).
 c. Minimum Side Yard Setback of 1.5 metres from property line to parking area.
 d. Maximum Fence height of 2.0 metres in the front yard.

13.1.1.135	58-2009 (Apr 27/09)	I-B	*135
SW corner Fourth Line & Louis St Laurent Ave Part Lot 8, Conc 4 NS (Trafalgar)			
i) Special Site Provisions:			
a) The <i>parking spaces</i> per classroom is 4 spaces per classroom.			

13.1.1.136	75-2009 (May 25, 2009)	C1-A	*136
189 Mill Street Lot 57 and Part of Lots 53 & 55, Plan 6 (Martins Survey)			
*BY-LAW UNDER APPEAL			

13.1.1.137	76-2009 (May 25, 2009)	RMD2	*137
SE corner Derry Rd & Farmstead Drive Part of Lot 10, Conc 2 (Trafalgar)			
i) Additional Permitted Uses:			
a) <i>Dwelling, Retirement</i>			
ii) Special Zone Standards:			
a) Minimum off-street parking requirements for a retirement residence: 51 <i>parking spaces</i> ;			
b) Minimum <i>setback</i> from a common <i>parking area</i> to a <i>street line</i> : 4.5m;			
c) Minimum <i>setback</i> from a common <i>parking area</i> to the southerly <i>lot line</i> : 1.8m;			
iii) Special Site Provisions:			
a) Minimum Required <i>Rear Yard Setback</i> : 7.5m;			
b) Maximum <i>Height</i> : 4 storeys to a maximum of 17.5m			

13.1.1.138	85-2009 (June 29, 2009) 126-2009 (Sept 28, 2009)	RO	*138
SW corner Main St E & Sinclair Blvd Block 212 & Part Block 221, Plan 20M-821			
i) Only Permitted Uses:			
a) <i>Apartment Buildings</i>			
ii) Zone Standards:			
a) Maximum <i>Lot Coverage</i> : 30%;			
b) Minimum Required <i>Rear Yard</i> : 6.0m;			
c) Minimum <i>Landscaped Buffer</i> abutting a <i>street line</i> : 4.0m;			

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d) Maximum *Building Height*: 4 storeys, to a maximum of 15m

iii) Special General Provisions:

- a) Fencing: a *fence* located within a *front* or *exterior side yard* shall have a maximum *height* of 1.2m. The maximum *fence height* shall not apply to an entry feature;
- b) *Accessory Uses*:
 - A) a Clubhouse is permitted in any *yard* in accordance with the *setbacks* for the *principal use*;
 - B) the maximum area of all *Accessory Buildings* and *Structures* is 300m²
 - C) the maximum *height* of a Clubhouse is 8.0m;
 - D) *Lot Coverage* includes the Ground Floor Area of a Clubhouse;
 - E) Gazebo *structures* and entry features may be located within the minimum *landscape buffer* abutting a *street line*;
- c) Parking Provisions:
 - A) the Parking requirement for an apartment *building* shall be 1.5 spaces per unit, notwithstanding the foregoing, the rate for one bedroom units shall be 1.25 spaces per unit. Visitor parking shall be provided at a rate of 0.25 spaces per unit;
 - B) Parking shall not be required for an *accessory clubhouse building*;
 - C) a Below *Grade Parking Structure* shall be subject to the *yard* requirements for a *principal building*. A vent shaft may encroach 1.5m into a required *yard* and into a *landscape buffer*;
 - D) structural columns in an underground parking *structure* may encroach 0.22m into a parking stall;
- d) *Waste Storage Facilities* including recycling facilities, are permitted as an *accessory use* provided they are contained within the main *building*, but may be located in a common underground *parking area*.

13.1.1.139	89-2003 (July 20/09)	EMP	*139
121 Chisholm Drive Part Lot 2, Conc 2 NS (Esquesing)			
i) Additional Permitted Use			
a) In addition to the list of permitted <i>uses</i> in Table 8A, a <i>banquet facility</i> and catering service facility is a permitted <i>use</i> .			
ii) Special Site Provisions			
a) For the purposes of this section, a catering service facility means an establishment in which food and beverages are prepared on the premises for consumption off the premises, but does not include a restaurant or take-out restaurant.			
iii) Special Parking Provisions			
a) A minimum of 155 parking spaces shall be provided for the <i>banquet facility</i> , catering service facility and associated <i>office uses</i> and patio of the subject property.			
iv) Zone Standards			
a) Minimum <i>Landscape Buffer</i> abutting a Greenlands A <i>Zone</i> : 3.0m.			

13.1.1.140	93-2009	RMD2	*140
Part Lot 10, Conc 11 (Trafalgar) (Miltonbrook Landholdings Corp, Milton Hospital Lands Incorporree)			
i) Special Definitions			

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- a) For the purposes of this section, a LANE shall mean a public or private thoroughfare which affords only a secondary means of access to abutting *lots* and which is not intended for general traffic circulation;
- b) For the purposes of this section, a LANE ACCESS TOWNHOUSE shall mean a townhouse with a *detached garage* in the *rear yard* accessed by a private lane;
- c) For the purposes of this section, where the *front* or *rear lot line* of a *corner lot* has a curved radius, for the purposes of determining *lot frontage* and/or *lot depth*, the radius shall be deemed not to exist.

ii) Zone Standards

- a) Townhouses:
 - A) Minimum Lot Frontage: 5.9m for street access interior unit, 7.5m for street access end unit, 6.5m for street access end corner unit;
 - B) For POTL's abutting common element parking areas, the minimum required *exterior side yard* shall be 1.8m.
- b) Lane Access Townhouses:
 - A) Minimum *Lot Frontage* for street access end corner unit: 7.0m;
 - B) Minimum *Lot Depth*: 28.5m;
 - C) Minimum *Exterior Side Yard Setback*: 1.7m;
 - D) Minimum Required *Rear Yard*: 13.25m;
 - E) Maximum *Residential Driveway* width for lane access townhouses: 6.0m;
 - F) A *detached garage* shall be located no closer than 0.8m to the *rear lot line*;
 - G) Parking of a motor vehicle is permitted in the required *rear yard*.

iii) Special Site Provisions

- a) Parking:
 - A) *Parking Areas* may be set back 0.0m to the POTL lines;
 - B) The parking requirement for townhouses shall be 2 spaces per *dwelling unit* plus 0.25 spaces per *unit* for visitors on a lot with 4 or more POTL's.

13.1.1.141	100-2009 (July 20/09)	RMD1	*141
Part Lot 9, Conc 1 NS (Trafalgar) [Mattamy (Milton West) Ltd]			
i) Special Zone Standards			
a) Single <i>Detached Dwelling</i> – Street Access Corner: an <i>attached garage</i> may be located no closer than 0.6m from the <i>rear lot line</i> , if the garage is accessed by a <i>residential driveway</i> crossing the <i>exterior side lot line</i> .			
ii) Special Site Provisions			
a) Street Front Treatment of Street Access Interior Single <i>Detached Dwellings</i> :			
A) The <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include the <i>porch/veranda</i> , of 3.3m provided that no more than 60% of the <i>building face</i> is used for the garage portion of the elevation;			
B) In the case of a staggered double car garage, the <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include a <i>porch/veranda</i> , of 2.5m, provided the <i>setback</i> from the <i>dwelling face</i> to the <i>front lot line</i> does not exceed the <i>setback</i> from the garage door to the <i>front lot line</i> ;			
C) Where the garage door faces the <i>interior side lot line</i> or the <i>rear lot line</i> the wall of the garage nearest the <i>front lot line</i> and the wall of the garage nearest the <i>exterior side lot line</i> shall be considered <i>dwelling face</i> .			
b) Street Front Treatment of Street Access Corner Single <i>Detached Dwellings</i> :			

- A) In the case of a staggered double car garage, the *dwelling* shall have a minimum *dwelling* face, which may include a *porch/veranda*, of 2.5m;
- B) Where a garage door faces the *interior side lot line* or the *rear lot line* the wall of the garage nearest the *front lot line* and the wall of the garage nearest the *exterior side lot line* shall be considered *dwelling* face.
- c) *Attached Garages*:
 - A) In the case of a staggered double car garage, one garage is permitted to have a minimum *setback* of 2.0m to the *front lot line* providing that the second garage has a minimum *setback* of 5.5m to the *front lot line*;
 - B) Where a garage door faces an *interior side lot line* the garage door and the wall of the garage nearest to the *front lot line* shall have a minimum *setback* of 2.0m.
- d) Air Conditioners and Heat Pumps: on a *corner lot*, where an *attached garage* is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling* unit and the *attached garage*, however such units are not permitted to encroach into the *exterior side yard*.
- e) *Porches/Verandas*: are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9m to the *interior side yard*.
- f) Landings: shall have a maximum width of 3.0m along the rear *dwelling* face and a maximum depth of 1.5m,
- g) Fencing: on a *corner lot*, where an *attached* or *detached garage* is accessed over the *exterior side lot line*, *fences* and walls having a maximum height of 2.0m are permitted to enclose that portion of the *yard* bounded by the *dwelling* unit, the *exterior side lot line* and the *residential driveway*.
- h) Visual Clearance at Driveways: on any *lot* where a *residential driveway* enters a *street*, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *residential driveway* edge and the line connecting them at points 1.0 from their section.
- i) Lane Based Single *Detached* and *Townhouse Dwellings*:
 - A) Frontage on a Street: a *building* or *structure* with access to a *public lane* shall be deemed to conform to the requirements of Section 4.6, and further that *Front Lot Line* shall mean where a lot does not have frontage on a *public street* the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.
- j) Lane Based Single *Detached Dwellings*:
 - A) Minimum *Lot Depth* - Lane Access Interior Unit: 18.0m;
 - B) Minimum required *Rear Yard* to *attached garage* – Lane Access Interior Unit: 0.6m;
 - C) Minimum *Lot Depth* – Lane Access Corner Unit: 18.0m;
 - D) Minimum required *Rear Yard* to *attached garage* – Lane Access Corner Unit: 0.6m
- k) Lane Based *Townhouse Dwellings*:
 - A) Minimum *Lot Depth* - Lane Access Interior Unit: 18.0m;
 - B) Minimum required *Rear Yard* to *attached garage* – Lane Access Interior Unit: 0.6m;
 - C) Minimum *Lot Depth* - Lane Access End Unit: 18.0m;
 - D) Minimum required *Rear Yard* to *attached garage* – Lane Access End Unit: 0.6m;
 - E) Minimum *Lot Depth* – Lane Access Corner Unit: 18.0m;
 - F) Minimum required *Rear Yard* to *attached garage* – Lane Access Corner Unit: 0.6m.

13.1.1.142	115-2009 (Aug 24/09)	C3	*142
NW Corner Derry Rd & Scott St (South Derry Developments Ltd)			

i) Additional Permitted Uses

- a) *Food Store*;
- b) *Retail Store 2*;

ii) Zone Standards

- a) Maximum *Lot Area*: 14,105m²;
- b) Maximum *Gross Floor Area* (All *Buildings* Combined): 2975m²;
- c) Maximum *Gross Floor Area* (Individual *Buildings*): 2750m²;
- d) Maximum *Front Yard Setback*: 9.0m;
- e) Minimum *Exterior Side Yard Setback* for *buildings* with drive-through: 1.0m;
- f) Maximum *Exterior Side Yard Setback*: 12.5m;

iii) Special Site Provisions

- a) *Food Store* is permitted to a maximum *gross floor area* of 1579m²;
- b) Maximum *height* of openings: 4.5m;
- c) All walls facing a *public street* having a length of more than 15m shall be articulated such that the wall is offset a minimum of 0.2m over a minimum length of 8m.

13.1.1.143	148-2009 (Nov 23/09)	C3	*143
SW corner of Part Lots 11 & 12, Conc 1 (Trafalgar) (North Derry Developments Ltd, South Derry Developments Ltd, West Derry Developments Ltd & Northwest Derry Developments Ltd)			
<p>i) Permitted Uses</p> <p>Notwithstanding the permitted <i>uses</i> in Table 7B, the only permitted <i>uses</i> are:</p> <ul style="list-style-type: none"> a) <i>Convenience Store</i>; b) <i>Dry Cleaning Depot</i>; c) <i>Drive-through Service Facility</i> for a <i>motor vehicle washing establishment</i>; d) <i>Motor Vehicle Gas Bar</i>; e) <i>Motor Vehicle Washing Establishment</i>; f) <i>Office</i>; g) <i>Personal Service Shop</i>; h) <i>Retail Store 1</i> (*1) <p>(*1) <i>Retail Store 1</i> is permitted to have a <i>Gross Floor Area</i> of no more than 464.5m² and shall only be permitted in a development having a minimum of 3 units.</p>			
<p>ii) Special Zone Standards:</p> <ul style="list-style-type: none"> a) For the purposes of this by-law, the Derry Road frontage is deemed to be the <i>front lot line</i>; b) Maximum <i>Lot Area</i>: 8500m²; c) Maximum <i>Building Height</i>: 9.5m; d) Minimum <i>Front Yard Setback</i>: 6m; e) Minimum <i>Exterior Side Yard Setback</i>: 6m; f) <i>Rear Yard Setback</i>: 12m; g) Minimum <i>Landscape Buffer</i>: abutting a street line: 6m; abutting a Residential <i>Zone</i>: 6m; h) Notwithstanding the <i>setback</i> provisions for <i>buildings</i>, fuel pump islands and weather canopies must be <i>setback</i> a minimum of 7.5m from any <i>lot line</i> and a <i>building</i> used for a <i>motor vehicle washing establishment</i> must be <i>setback</i> a minimum of 12m front any <i>lot line</i>. 			

13.1.1.144	006-2010 (Jan 25/10)	RLD	*144
995 Thompson Rd S (Part Lot 9, Conc 4 NS)			
<p>i) Only Permitted Uses:</p> <ul style="list-style-type: none"> a) <i>Single Detached Dwelling</i>; b) <i>Office Use</i>; c) <i>Medical Clinic</i>; d) <i>Personal Service Shop</i>; <p>ii) Special Site Provisions:</p> <ul style="list-style-type: none"> a) The <i>medical clinic, office and personal service uses</i> will be permitted only within the existing <i>building</i> at the time of passing of this By-law or future additions to a maximum of 10% of existing <i>gross floor area</i> of the <i>building</i>; b) Any permitted residential <i>use</i> must comply with Section 5.5.2 of By-law 144-2003, as amended; c) Any non-residential <i>use</i> permitted by this By-law must comply with Section 5.5.1 of By-law 144-2003, as amended; d) Notwithstanding Section 5.7 of the By-law, as amended, to the contrary, any permitted non-residential <i>use</i> may have a 0.0m setback. <p>iii) Zone Standards:</p> <ul style="list-style-type: none"> a) For the purposes of this By-law, a <i>parking area</i> is required and both <i>parking areas</i> and <i>parking spaces</i> are subject to the provisions of Section 5 of By-law 144-2003, as amended. 			

13.1.1.145			*145

13.1.1.146	33-2010 (Mar 29/10) 35-2010 (Mar 29/10)	RMD1	*146 *146a
SW corner of Part Lots 11 & 12, Conc 1 (Trafalgar) (North Derry Developments Ltd, South Derry Developments Ltd, West Derry Developments Ltd & Northwest Derry Developments Ltd)			
<p>For lands zoned Residential Medium Density 1*146 (RMD1*146) and Residential Medium Density 1*146a (RMD1*146a), the following standards and provisions also apply:</p> <p>Notwithstanding Section 6.1 Permitted Uses, Table 6A, only the following uses shall be permitted: Detached Dwellings, Group Home Type 1, and Home Occupation.</p> <p><u>Special Zone Standards:</u></p> <p>Minimum Required Rear Yard 7.0 m¹ Minimum Required Front Yard 4.0 m² Minimum Required Interior Side Yard 1.2 m² Minimum Required Exterior Side Yard 4.0 m^{2,3}</p> <p>¹ On a corner lot, where an attached garage is accessed over the exterior side lot line, the minimum</p>			

required rear yard may be reduced to 0.6 m to a double car garage and 3.9 m to a single car garage.

² applicable to RMD1*146a only

³ including interior side yards abutting Main Street and associated buffer blocks

Special General Provisions:

Special Regulations for Detached Garages

Notwithstanding Section 4.1.1.2.2 vii), on a corner lot, where a detached garage is accessed over the exterior side lot line, the minimum required exterior side yard is 5.5 m.

Air Conditioners and Heat Pumps

Notwithstanding the provisions of Section 4.1.1.5 to the contrary, on a corner lot, where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however, such units are not permitted to encroach into the exterior side yard.

Encroachments Into Required Yards

Notwithstanding the provision of Section 4.3 ii) to the contrary, eaves and gutters may project into a required front yard, rear yard, interior side yard or exterior side yard a maximum distance of 0.45 m provided that the eaves and gutters are 2.0 m above grade.

Decks

In addition to the provisions of Section 4.1.1.7, on a corner lot, where an attached garage is accessed over the exterior side lot line, a deck may be located within the exterior side yard provided that the deck complies with the greater of the minimum exterior side yard requirement applicable to the dwelling unit or the actual exterior side yard measured between the property line and the dwelling face.

Individual Driveway Access to Residential Dwelling Units

In addition to the provisions of Section 5.5.2 ii), on a corner lot, where an attached or detached garage is accessed over the exterior side lot line, in no case shall a driveway encroach into a required rear yard.

Fencing

Notwithstanding Section 4.5 Fencing, subsection 4.5.2 i) and 4.5.2 ii):

- a. Within an interior side yard or rear yard, the maximum fence height shall be 2.0 metres;
- b. Within a front yard or an exterior side yard, the maximum fence height shall be no higher than 1.0 m*, except that for that portion of the exterior side yard which 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. (* 1.2m for an open wrought iron fence)

- c. For Lots abutting Main Street and associated buffer blocks, the interior side lot line adjacent to Main Street will be considered to be an exterior side yard for the purposes of determining the fence height.

Visual Clearance at Driveways

Notwithstanding any other provisions of this By-law to the contrary:

- a) on all lots abutting a driveway, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the driveway edge and the street line and a line connecting them at points 2.0 metres from their intersection; and
- b) on any lot where a driveway enters a street, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the street line, the driveway edge and a line connecting them at points 2.0 meters from their intersection.

13.1.1.147	33-2010 (Mar 29/10)	RMD1	*147
SW corner of Part Lots 11 & 12, Conc 1 (Trafalgar) (North Derry Developments Ltd, South Derry Developments Ltd, West Derry Developments Ltd & Northwest Derry Developments Ltd)			
For lands zoned Residential Medium Density 1*147 (RMD1*147), the following standards and provisions also apply:			
<u>Special Zone Standards:</u>			
Minimum Required Rear Yard 7.0 m ¹			
¹ On a corner lot, where an attached garage is accessed over the exterior side lot line, the minimum required rear yard may be reduced to 0.6 m to a double car garage and 3.9 m to a single car garage.			
<u>Special General Provisions:</u>			
Special Regulations for Detached Garages			
Notwithstanding Section 4.1.1.2.2 vii), on a corner lot, where a detached garage is accessed over the exterior side lot line, the minimum required exterior side yard is 5.5 m.			
Air Conditioners and Heat Pumps			
Notwithstanding the provisions of Section 4.1.1.5 to the contrary, on a corner lot, where an attached garage is accessed over the exterior side lot line, air conditioning and heat exchange units are permitted to be located within that portion of the yard located between the dwelling unit and the attached garage, however, such units are not permitted to encroach into the exterior side yard.			
Encroachments Into Required Yards			

Notwithstanding the provision of Section 4.3 ii) to the contrary, eaves and gutters may project into a required front yard, rear yard, interior side yard or exterior side yard a maximum distance of 0.45 m provided that the eaves and gutters are 2.0 m above grade.

Decks

In addition to the provisions of Section 4.1.1.7, on a corner lot, where an attached garage is accessed over the exterior side lot line, a deck may be located within the exterior side yard provided that the deck complies with the greater of the minimum exterior side yard requirement applicable to the dwelling unit or the actual exterior side yard measured between the property line and the dwelling face.

Individual Driveway Access to Residential Dwelling Units

In addition to the provisions of Section 5.5.2 ii), on a corner lot, where an attached or detached garage is accessed over the exterior side lot line, in no case shall a driveway encroach into a required rear yard.

Fencing

In addition to the provisions of Section 4.5, on a corner lot, where an attached or detached garage is accessed over an exterior side lot line, fences and walls, having a maximum height of 1.8 m, are permitted to enclose that portion of the yard bounded by the dwelling unit, the exterior side lot line and the driveway.

Visual Clearance at Driveways

Notwithstanding any other provisions of this By-law to the contrary:

- c) on all lots abutting a driveway, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the driveway edge and the street line and a line connecting them at points 2.0 metres from their intersection; and
- d) on any lot where a driveway enters a street, no obstruction to sight view, including fencing, shall be permitted within the triangular area formed by the street line, the driveway edge and a line connecting them at points 2.0 meters from their intersection.

13.1.1.148	April 26/10	EMP	*148
330-336 Bronte St			
i) Additional Permitted Use:			
School			
ii) Zone Standards:			
a) Front Yard Setback (Minimum): 4.5 m			

b) Landscape Buffer Abutting a Street (Minimum): 4.5 m

13.1.1.149	084-2010 (June 28/10)	RMD2	*149
PART OF THE NORTH EAST HALF OF LOT 10, CONCESSION I, NS (TRAFALGAR), FILE: Z-29/05			
For lands zoned Residential Medium Density 2 *149 (RMD2*149), the following provisions apply:			
i)	Notwithstanding Section 6.2 Table 6A to the contrary, a semi-detached dwelling is a permitted use and shall comply with all of the applicable requirements of the RMD1 zone.		
ii)	Notwithstanding Section 5.5.2 iii), b) to the contrary, for lots with adjoining Residential Driveways on abutting properties, the minimum residential Driveway width shall be 3.2 m each, with a minimum combined width of 6.4 m.		
iii)	Notwithstanding Section 5.5.2 iii) e) to the contrary, no person shall permit a Residential Driveway exceeding the width of 3.35m for lots having a frontage of less than or equal to 6.5 m.		

13.1.1.150	89-2010 (July 19/10)	RMD1	*150
PART OF LOTS 8 AND 9, CONCESSION 2, N.S., (TRAFALGAR), MACRI DIXON INVESTMENTS INC., 6720137 CANADA LIMITED, 2040485 ONTARIO LIMITED (MATTAMY DEVELOPMENT CORPORATION), FILE Z-17-08 (24T-08004/M) (PD-025-2010)			
i)	<u>Special Zone Standards:</u>		
Single Detached Dwelling – Street Access Interior			
Minimum <i>lot frontage</i> – 9.15 metres			
Single Detached Dwelling-Street Access Corner			
An attached garage may be located no closer than 0.6m from the <i>rear lot line</i> , if the garage is accessed by a <i>residential driveway</i> crossing the <i>exterior side lot line</i> .			
Notwithstanding Section 5.7, Table 5C, to the contrary, for corner lots at the intersection of 2 local <i>public streets</i> , no part of any <i>residential driveway</i> shall be located closer than 4.7 metres from the point of intersection of the two local <i>street lines</i> .			
Notwithstanding Section 6, Table 6C and Section 4.1.1.2 iii), to the contrary, on a corner lot at the intersection of 2 local <i>public streets</i> , the outside of the garage door shall not be located any closer than 5.45 metres from the corner rounding.			
ii)	<u>Special Residential Provisions:</u>		
Street Front Treatment of Street Access Interior Single Detached Dwellings			
The <i>dwelling</i> shall have a minimum <i>dwelling face</i> , which may include the <i>porch/veranda</i> , of 3.3 metres provided that no more than 60% of the <i>building face</i> is used for the garage portion of the elevation.			

In the case of a staggered double car garage, the dwelling shall have a minimum dwelling face, which may include a porch/veranda, of 2.5 m provided the dwelling face or porch/veranda is even with or projects beyond the garage face.

Where a garage door faces the *interior side lot line* or the wall of the garage nearest the *front lot line* and the wall of the garage nearest the *exterior side lot line* shall be considered *dwelling face*.

Street Front Treatment of Street Access Corner Single Detached Dwellings

The *dwelling* shall have a minimum *dwelling face*, which may include the *porch/veranda*, of 3.3 metres provided that no more than 62% of the *building face* is used for the garage portion of the elevation.

Notwithstanding Section 6.3.1.1 iii), to the contrary, the garage portion of the elevation may project beyond the *dwelling face* or *porch/veranda* portion of the elevation.

In the case of a staggered double car garage, the *dwelling* shall have a minimum *dwelling face*, which may include a *porch/veranda*, of 2.5 metres.

Where a garage door faces the *interior side lot line* or the *rear lot line* the wall of the garage nearest the *front lot line* and the wall of the garage nearest the *exterior side lot line* shall be considered *dwelling face*.

Special General Rules for attached garages

In the case of a staggered double car garage, one garage is permitted to have a minimum *setback* of 2.0 metres to the *front lot line* providing that the second garage has a minimum *setback* of 5.5 metres to the *front lot line*.

Where a garage door faces an *interior side lot line* the garage door and the wall of the garage nearest to the *front lot line* shall have a minimum *setback* of 2.0 metres

a. Air conditioners and Heat Pumps

Notwithstanding the provisions of Section 4.1.1.5 to the contrary, on a *corner lot*, where an attached garage is accessed over the *exterior side lot line*, air conditioning and heat exchange units are permitted to be located within that portion of the *yard* located between the *dwelling unit* and the attached garage, however such units are not permitted to encroach into the *exterior side yard*.

b. Porches/Verandas

Notwithstanding to the contrary the provisions of Section 4.1.1.9, *Porches/Verandas* are permitted to encroach into the required *interior side yard*, but at no time shall they be located closer than 0.9 metres to the *interior side lot line*.

c. Landings

A landing shall have a maximum width of 3.0 metres along the rear *dwelling* face and a maximum depth of 1.5 metres.

d. Fencing

In addition to the provisions of Section 4.5, on a *corner lot*, where an attached or detached garage is accessed over the *exterior side lot line*, fences and walls having a maximum height of 2.0 metres are permitted to enclose that portion of the *yard* bounded by the *dwelling* unit, the *exterior side lot line* and the *residential driveway*.

e. Visual Clearance at Driveways

Notwithstanding any provision of this By-law to the contrary:

On any *lot* where a *residential driveway* enters a *street*, no obstruction to sight lines, including fencing, shall be permitted within the triangular area formed by the *street line*, the *residential driveway* edge and the line connecting them at points 1.0 from their intersection.

Special Setbacks – Natural Gas Distribution System

Notwithstanding any provision of this By-law to the contrary:

No Building or Structure shall be located any closer than 13m to any natural gas transmission pipeline, or any natural gas facility or equipment operated as part of a natural gas transmission system.

ii) *Lane Based Single Detached and Townhouse Dwellings*

Frontage on a *street*.

Notwithstanding the provisions of Section 4.6 to the contrary, a *building or structure* with access to a *public lane* shall be deemed to conform to the requirements of Section 4.6, and further that *Front Lot Line* shall mean the following:

Front Lot Line:

Notwithstanding the definition of *front lot line* in Section 3, where a *lot* does not have *frontage* on a *public street* the *lot line* abutting an OS Zone shall be deemed to be the *front lot line*.

Lane Based Single Detached Dwellings

Single Detached Dwelling – Lane Access Interior Unit

Minimum *Lot Depth* – 18.0m

Minimum required *rear yard* to attached garage 0.6m

Single Detached Dwelling – Lane Access Corner Unit

Minimum *Lot Depth* – 18.0m

Minimum required *rear yard* to attached garage 0.6m

Lane Based Townhouse Dwellings

Townhouse Dwelling – Lane Access Interior Unit

Minimum *Lot Depth* – 18.0m

Minimum required *rear yard* to attached garage – 0.6m

Townhouse Dwelling – Lane Access End Unit

Minimum *Lot Depth* – 18.0m

Minimum required *rear yard* to attached garage – 0.6m

Townhouse Dwelling – Lane Access End Corner Unit

Minimum *Lot Depth* – 18.0m

Minimum required *rear yard* to attached garage – 0.6m

13.1.1.151	89-2010 (July 19/10)	RMD1	*151
PART OF LOTS 8 AND 9, CONCESSION 2, N.S., (TRAFALGAR), MACRI DIXON INVESTMENTS INC., 6720137 CANADA LIMITED, 2040485 ONTARIO LIMITED (MATTAMY DEVELOPMENT CORPORATION), FILE Z-17-08 (24T-08004/M) (PD-025-2010)			
<p>i. <u>Only Permitted Uses:</u></p> <ul style="list-style-type: none"> a. Apartments – Minimum 70 units <p style="padding-left: 40px;">Permitted Uses in addition to an Apartment Building:</p> <ul style="list-style-type: none"> b. Back to Back Townhouses c. Multiple Attached Dwellings d. Townhouses <p>ii. <u>Zone Standards for Apartment Uses:</u></p> <ul style="list-style-type: none"> a) Louis St Laurent shall be deemed to be the <i>Front Lot Line</i>; b) Maximum Lot Coverage: 30% c) Minimum Front Yard Setback abutting Louis St. Laurent: 6.0m d) Maximum Front Yard Setback abutting Louis St. Laurent: 10.0m <ul style="list-style-type: none"> e) Minimum <i>Rear Yard Setback</i>: 10.5 m f) Minimum Exterior Side Yard Setback abutting Bronte Street: 6.0m g) Maximum Exterior Side Yard Setback abutting Bronte Street: 10.0m h) Minimum Interior Side Yard Setback: 6.0m 			

- i) Minimum Height: 4 storeys
- j) Maximum Height: 10 storeys
- k) The parking requirement for an apartment building shall be 1.5 spaces per unit. Notwithstanding the foregoing, the rate for one bedroom units shall be 1.25 spaces per unit.

Visitor parking shall be provided at a rate of 0.25 spaces per unit.

iii) Zone Standards for Multiple Dwellings:

- a. Shall be subject to the RMD2 requirements and restrictions;
- b. The private road shall be deemed to be the *Front Lot Line*;

iv) Zone Standards for Back to Back Townhouses:

- a. Shall be subject to the RMD2 requirements and restrictions;
- b. The private road shall be deemed to be the *Front Lot Line*;

v) Zone Standards for Townhouses:

- a. Shall be subject to the RMD2 requirements and restrictions;
- c. The private road shall be deemed to be the *Front Lot Line*;

vi) Special Site Provisions:

- a. Setback of Parking Area to a Street Line: 3.0 m
- b. The minimum exterior side yard is 2.0m if the yard abuts a public or private right of way of less than 18m wide
- c. Underground Parking Structure Setback to a Street Line: 0.6m
- d. Underground Parking Structure Setback to a Lot Line: 0.0m
- e. Stairwells accessing underground parking structures may be located within the minimum landscape buffer abutting a street line;
- f. Balconies shall be permitted in interior side yards;
- g. Setback of Entrance and Exit Ramps of a Parking Structure to a Street Line: 4.5m

13.1.1.152	107-2010 (Aug 23/10)	RMD1	*152
PART OF LOT 11, CONCESSION IV (TRAFALGAR), MILTON MOSAICS LIMITED.			
Special Zone Provisions			
Notwithstanding any provisions of Table 6C to the contrary, for lands zoned RMD1*152, the following provisions apply to any single detached and townhouse dwellings:			
Zone Standards:			
Minimum Lot Depth: 23.8 metres			
Special Site Provisions:			

- a. A driveway is permitted to encroach into a required interior side yard.
- b. Bay or box projection, be it a window or door, with or without foundations to a maximum of 1.00m into any required front, rear or flankage yard and maximum 4.00m wide.

13.1.1.153	132-2010 (Oct 12/10)	RMD2	*153																	
PART OF LOT 10, CONCESSION 11, (TRAFALGAR), TOWN OF MILTON MILTONBROOK LANDHOLDINGS CORPORATION, MILTON HOSPITAL LANDS INCORPOREE (MILTONBROOK), FILE: D.14 Z-27/05, 24T-05011/M – PHASE 3																				
<p>Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 2*153, the following standards and provisions apply:</p> <ul style="list-style-type: none"> a) For the purpose of this By-law, a lane is defined as a public or private thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation. b) For the purpose of this By-law, a lane access townhouse shall be defined as a townhouse with a detached garage in the rear yard accessed by a private lane. c) For the purposes of this By-law where the front or rear lot line of a corner lot has a curved radius, for the purposes of determining lot frontage and/or lot depth, the radius shall be deemed not to exist. <p>Zone Standards</p> <p>Townhouses</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Minimum Lot Frontage:</td> <td style="width: 30%;">Street Access Interior Unit:</td> <td style="width: 40%;">5.9 metres</td> </tr> <tr> <td></td> <td>Street Access End Unit:</td> <td>7.5 metres</td> </tr> <tr> <td></td> <td>Street Access End Corner Unit:</td> <td>6.5 metres</td> </tr> </table> <p>Notwithstanding the exterior side yard setback to the contrary, for POTL's abutting common element parking areas, the minimum required exterior side yard shall be 1.8 metres.</p> <p>Lane Access Townhouses</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 30%;">Minimum Lot Frontage:</td> <td style="width: 70%;">Street Access end Corner Unit: 7 metres</td> </tr> <tr> <td>Minimum Lot Depth:</td> <td>28.5 metres</td> </tr> <tr> <td>Minimum Exterior side Yard Setback:</td> <td>1.7 metres</td> </tr> <tr> <td>Minimum Required Rear Yard:</td> <td>13.25 metres</td> </tr> </table> <p>Notwithstanding Section 5.5.2 iii) e) A) of the By-law to the contrary, for the lane access townhouses the maximum driveway width shall be 6.0 metres.</p> <p>Notwithstanding Section 4.1.1.2.2. (iv) of the By-law to the contrary, a detached garage shall be located no closer than 0.8 metres to the rear lot line.</p> <p>Notwithstanding Section 6.2 (Table 6D) (Footnote *2) of the By-law to the contrary, parking of a motored</p>				Minimum Lot Frontage:	Street Access Interior Unit:	5.9 metres		Street Access End Unit:	7.5 metres		Street Access End Corner Unit:	6.5 metres	Minimum Lot Frontage:	Street Access end Corner Unit: 7 metres	Minimum Lot Depth:	28.5 metres	Minimum Exterior side Yard Setback:	1.7 metres	Minimum Required Rear Yard:	13.25 metres
Minimum Lot Frontage:	Street Access Interior Unit:	5.9 metres																		
	Street Access End Unit:	7.5 metres																		
	Street Access End Corner Unit:	6.5 metres																		
Minimum Lot Frontage:	Street Access end Corner Unit: 7 metres																			
Minimum Lot Depth:	28.5 metres																			
Minimum Exterior side Yard Setback:	1.7 metres																			
Minimum Required Rear Yard:	13.25 metres																			

vehicle is permitted in the required rear yard.

Notwithstanding Section 6.3.2.3 Porches/Verandas are permitted in the exterior, *interior* and front yards.

Special Site Provisions:

Parking:

Notwithstanding Section 5.7 (Table 5C) of the By-law to the contrary, parking areas may be set back 0.0 metres to POTL lines.

Notwithstanding Section 5.13.1 (Table 5D) of the By-law to the contrary, for townhouses the parking requirement is 2 spaces per dwelling unit plus 0.25 spaces per unit for visitors on a lot with 4 or more POTL's.

13.1.1.154	013-2011 (Jan 24/11)	OS	*154
PART LOT 12 AND 13, CONCESSION II (TRAFALGAR), FILE: Z-05/10			
1.			
i) The minimum width of a landscape buffer shall be 3.0 metres abutting a street line or a residential zone.			
ii) The minimum yard setbacks shall not apply to the following cemetery uses: a plot for interment and the placement of an associated memorial stone.			

13.1.1.155	021-2011 (Feb 28/11)	I-A	*155
LOT 10, CONCESSION IV, N.S., (TRAFALGAR), (SUMMERWOOD ESTATES INC. Phase 2), FILE Z-07/05 (24T-05004/M)			
i) LOT AREA maximum 3.5 ha.			

13.1.1.156	062-2011 (June 27, 2011)	RMD2	*156
PART OF LOT 8, CONCESSION 2, N.S., (TRAFALGAR), MATTAMY (WILLMOTT) LIMITED, FILE Z-02/10 (24T-10001/M) PD-041-11			
THAT Section 13.1 of Comprehensive By-law 144-2003 is hereby further amended by adding subsection 13.1.1.156* as follows:			
Residential Medium Density II -Special Section (RMD2*156) Zone			
i) <u>Zone Standards for Street Access Townhouse Uses:</u>			
a. Minimum lot frontage, street access Interior Unit – 5.5m			
b. Minimum lot frontage, street access End Unit – 7m			
c. Minimum lot frontage, street access End Corner Unit – 8.5m			
d. The dwelling shall have a minimum dwelling face, which may include the porch or veranda, of 2.0m provided that no more than 65% of the building face is used for the garage portion of the elevation.			
ii) <u>Zone Standards for Lane Based Townhouse Uses:</u>			

<ul style="list-style-type: none"> e. Minimum lot frontage, lane access Interior Unit – 4.4m f. Minimum lot frontage, lane access End Unit – 5.9m g. Minimum lot frontage, lane access End Corner Unit – 5.9m h. Minimum lot depth – 18.5m i. Minimum rear yard setback to the attached garage – 0.6m
<p>iii) <u>Zone Standards for Back to Back Townhouse Uses:</u></p> <ul style="list-style-type: none"> a. Minimum Lot Frontage, private street access End Corner Unit – 8.0m
<p>iv) <u>Zone Standards for Multiple Dwellings:</u></p> <ul style="list-style-type: none"> a. The front lot line shall be deemed the lot line opposite the private street; b. Minimum lot frontage – 18.5m c. Minimum lot depth – 18.5m d. Minimum front yard setback – 1.5m e. Minimum rear yard setback – 1.5m f. Minimum exterior side yard setback – 2.0m if the yard abuts a public or private right of way less than 18m; g. Minimum exterior side yard setback – 2.4m if yard abuts a public right of way greater than 18m; h. Minimum Interior side yard setback end unit – 1.2m i. Minimum rear yard setback to the attached garage – 5.5m j. Minimum landscaped open space – no minimum k. Balconies are permitted in the rear yard, but at no time shall be permitted closer than 1.5m to the property line.
<p>iv) <u>Special Site Provisions:</u></p> <ul style="list-style-type: none"> a. Minimum setback of a visitor parking area to a dwelling or structure – 1.5m b. Minimum setback of visitor parking area to a street line - 3.0 m c. Minimum setback of a visitor parking area to a lot line – 0m

13.1.1.157	064-2011 (July 18/11)	GB	*157
PART LOT 12 AND 13, CONCESSION II (TRAFALGAR), FILE: Z-05/10 Evergreen Cemetery			
THAT Section 13.1 is amended by adding subsection 13.1.1.157 and Section 13.1.1.157 to read as follows:			
<ul style="list-style-type: none"> i) Permitted uses will include a cemetery use, limited to a soft surface looped trail, 1.5 metres in width, with an area, 1.5 metre in width, on either side of the trail for the interment of cremated remains, columbaria, memorial stones and benches. 			

13.1.1.158	114-2011 (Oct 24, 2011)	RMD2	*158
PART OF BLOCK 213, REGISTERED PLAN 20M-821, CANCAST INC., FILE Z-09/10 (PD-071-11)			
THAT Section 13.1 of Comprehensive By-law 144-2003 is hereby further amended by adding subsection			

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

13.1.1.158 as follows:

i. For the purposes of this By-law, a Live-Work Unit means

“Live-Work Unit” means a dwelling unit within a building divided vertically, containing not more than 7 units, in which the portion of the building at grade level may be used as a business establishment and whereby each “live” and “work” component within the dwelling unit has an independent entrance from the outside.

ii. Permitted Uses

- a. Live-Work Units
- b. Back-to-Back Townhouse Dwellings

iii. Notwithstanding the provisions of Section 3 to the contrary:

- a. One of the following uses may be permitted within the work component of a live work unit:
 - 1) a cottage industry
 - 2) a home daycare
 - 3) a retail store having a maximum gross floor area of 75 square metres
- b. A back-to-back townhouse dwelling may contain a maximum of 20 dwelling units
- c. A balcony may be supported by vertical uprights

iv. For the purpose of this By-law, the Front Lot Line for the Live-Work Units is deemed to be the lot line abutting Main Street.

v. Notwithstanding the provisions of Section 4 and 6 to the contrary:

- a. No air conditioning units or heat pumps shall be placed at grade level.
- b. No air conditioning units or heat pumps shall be positioned in a way that obstructs required parking spaces.
- c. Air conditioning units or heat pumps shall be screened from any street.
- d. Porches and balconies are permitted on each back-to-back dwelling unit provided that they are no closer than 1.8 metres to a street and 1.0 metre to a sidewalk.
- e. Balconies are permitted on each Live-Work Unit provided that they are no closer than 1.5 metres to a street.
- f. No fences, walls or hedges are permitted at grade, apart from on the easterly lot line of Block 213, Registered Plan 20M-821, where a fence not exceeding 2m in height is permitted.
- g. Privacy screens are only permitted along the dividing wall between two adjoining balconies and porches. Privacy screens shall not exceed a maximum height of 1.5m above grade or floor level.
- h. A maximum of 11 residential buildings are permitted within an RMDII*158 Zone.
- i. A landscape buffer having a minimum width of 2 metres is required along the

east lot line of Block 213, Registered Plan 20M-821.

- j. The provisions of Section 4.9 do not apply to a cottage industry operating as a business establishment within the first storey of a Live-Work Unit.

- vi. Notwithstanding the provisions of Section 5 to the contrary:
 - a. A parking area is permitted 0.0m from the western side lot line.
 - b. The minimum length of a residential driveway shall be 5.8 metres.
 - c. The minimum width of a single residential driveway shall be 3 metres and the minimum combined width of two abutting driveways shall be 6 metres.
 - d. A residential driveway is permitted in the rear yard of a Live-Work Unit.
 - e. The minimum setback from a common parking area to any building or structure shall be 1.5 metres;
 - f. A minimum of 2 parking spaces per dwelling unit, plus 0.25 spaces per unit for visitors in a common element parking area, are required for each Back-to-Back Townhouse Dwelling Unit.
 - g. The minimum off-street parking requirements for each Live-Work Unit shall be:
 - 1) 1 residential parking space per unit located at the rear of each unit
 - 2) 1 commercial parking space per unit located at the rear of each unit
 - 3) 1.2 visitor parking spaces per unit
 - 4) 10 bicycle parking spaces
 - 5) The provisions of Section 5.14 do not apply.

- vii. Notwithstanding the provisions of Section 6 to the contrary:
 - a. The maximum number of back-to-back dwelling units shall be 128.
 - b. The minimum front yard setback from a street shall be 2.8 metres.
 - c. For the purposes of this by-law “front yard setback” for back-to-back dwelling units shall mean the distance from the private street to the nearest wall of the principal building, structure or use on the lot.
 - d. The minimum distance between buildings shall be 3.0 metres.

- viii. Notwithstanding the provisions of Section 6 to the contrary, for Live-Work Units:
 - a. A maximum of 25 Live-Work Units shall be permitted within the RMDII*158 zone
 - b. The business establishment shall only be located within the first storey.
 - c. The first storey shall have a minimum ceiling height of 2.75 metres above grade
 - d. All waste from the business establishment shall be stored internally to the Live-Work Unit.
 - e. The business establishment may employ one or more persons residing within the associated residential component and no more than two additional employees.
 - f. Notwithstanding the list of permitted uses in Section 6.1 – Table 6A to the contrary, only one of the following uses shall be permitted within a Live-Work Unit in addition to a dwelling unit:
 - 1) Art Gallery
 - 2) Convenience Store

<ul style="list-style-type: none"> 3) Cottage Industry 4) Home Day Care 5) Dry Cleaning Depot 6) Office 7) Personal Service Shop 8) Retail Store <p>g. Minimum front yard setback shall be 1.0 metre</p> <p>h. Minimum distance between buildings shall be 3.0 metres</p> <p>i. Maximum building height shall be 12.5 metres</p> <p>xi. Specific Site Provisions:</p> <p>Notwithstanding the provisions of Section 6 to the contrary, the following specific provisions shall apply to each Parcel of Tied Land, as defined in the Condominium Act:</p> <ul style="list-style-type: none"> a. Minimum required lot depth for a back-to-back dwelling unit shall be 10.0 metres, measured from the street line to the rear property line. b. Minimum required lot depth for a live-work unit shall be 19.0 metres. c. Minimum required p-o-t-l lot frontage width shall be 3.0 metres. d. Minimum required front yard setback for a back-to-back dwelling shall be 2.8 metres from a street. e. For the purposes of this by-law “front yard setback” for back-to-back dwelling units shall mean the distance from the private street to the nearest wall of the principal building, structure or use on the lot. f. Minimum required front yard setback for a live-work unit shall be 1.0 metres. g. Minimum required setback from all other lot lines shall be 0.0 metres. h. Minimum width of required landscape buffer along the front lot line of back to back units shall be 1.2 metres. i. A landscape buffer shall not be required along the front lot line of the live-work units.
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13.1.1.159	113-2011 (Oct 24, 2011)	A2	*159
PART 1, PLAN 20R-18154, PART OF LOT 13, CONCESSION III NASSAGAWEYA), FILE: Z-06/10			
<p>THAT Section 13.1 is amended by adding subsection 13.1.1.159 to read as follows:</p> <ul style="list-style-type: none"> iii) Notwithstanding that Sections 4.13, 4.14 and 4.15 do not apply: <ul style="list-style-type: none"> a. The condominium units are deemed to comply with the zone standards for lot frontage and lot depth. b. The buildings and structures, as shown on Schedule B, as existing on the day of the passing of this amending by-law, are deemed to comply with the zone standards. c. Notwithstanding any other provision, any new structures, buildings, building and structure additions, swimming pools, tennis courts, patios or expansions of these shall comply with the then current zone standards. iv) Notwithstanding Section 4.6 and Section 5.1 ii), the surface treatment for the driveways, 			

	parking spaces and parking areas may be granular.	
v)	The required setback from a wetland shall constitute a “Vegetation Protection Zone”.	
vi)	For the purposes of this By-law, a Vegetation Protection Zone shall mean a vegetated buffer area to consist of natural self-sustaining vegetation. The only permitted uses in a Vegetation Protection Zone shall be those uses permitted in a Greenlands A Zone.	
vii)	Notwithstanding iv) above, a driveway, including a common driveway, may be located within a Vegetation Protection Zone, subject to all required permits.	
viii)	Notwithstanding Section 5.7, Table 5C, a driveway may be 1.5 metres from an interior side lot line.	
ix)	Notwithstanding Section 5.5.1 i) b) the minimum width for a two-way driveway shall be 4.0 metres.	
x)	Notwithstanding Table 10A, the only permitted uses are an agricultural operation, a conservation use, a cottage industry, a detached dwelling and a home occupation.	
xi)	Notwithstanding any provisions to the contrary, for lands zoned Rural *159 (A2*159), the following standards and provisions shall apply:	
a.	Lot coverage	max. 5% ¹
b.	Impervious area	max. 10% ¹
c.	Disturbed area/ building envelope	max. 25% ¹
d.	Natural self-sustaining vegetation	min. 30% ^{1, 2, 3}
e.	Setback from a flood plain	min. 15 m
f.	Setback from a wetland	min. 30 m
g.	Lot area for an agricultural operation	min. 1.17 ha ⁴
h.	Interior side yard setback	min. 10 m
i.	Height (from the established grade to the ridge)	max. 8.5 m
¹	as a percentage of the developable area of the lot, the developable area of a lot shall not include a Vegetation Protection Zone	
²	except for an agricultural use	
³	notwithstanding the definition of a Vegetation Protection Zone, for an agricultural operation, the lands used for agricultural purposes shall not be subject to the requirement of establishing natural self-sustaining vegetation in a Vegetation Protection Zone.	
⁴	only to permit an agricultural operation as existing on the day of passing of this by-law	

13.1.1.160	124-2011 (Dec 19/11)	RMD2	*160
PART OF LOT 10, CONCESSION I, N.S., (TRAFALGAR), MATTAMY (MILTON WEST) LIMITED, “BIASON PHASE 6A”, FILE Z-01/11 SOUTH EAST CORNER DERRY ROAD AT TREMAINE ROAD			
1. THAT Section 13.1 of Comprehensive By-law 144-2003 is hereby further amended by adding subsection 13.1.1.160 as follows:			
Residential Medium Density 2*160-Special Section, (RMD2*160) Zone			
i) <u>Zone Standards for Townhouse Uses:</u>			

j.	Definition: Dwelling, Townhouse Means a building containing no more than 10 dwelling units that is divided vertically and where each unit is divided by a common wall and whereby each 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.	
k.	Derry Road and Tremaine Road shall be deemed the Front Lot Line for units fronting on to Derry Road and Tremaine Road;	
l.	The private road shall be deemed to be the <i>Front Lot Line</i> for all other units;	
m.	Section 5.5.2. iv) shall not apply.	
n.	Minimum lot frontage, private street access Interior Unit-	4.2m
o.	Minimum lot frontage, private street access End Unit-	5.9
p.	Minimum lot frontage, private street access End Corner Unit-	5.9m
q.	Minimum lot depth-	18.5m
r.	Minimum rear yard setback-	3.5m
s.	Minimum rear yard setback for units fronting onto Tremaine Road-	1.9m
	except for Block 1, Unit 6 which may be setback-	1.47m
t.	Minimum rear yard setback for units fronting onto Derry Road-	2.70m
	Block 5, Unit 1 which may be setback-	1.16 m
u.	Porches/verandas and balconies where located in the rear yard are permitted to encroach to a maximum of 1.0m to the rear property line.	
v.	Porches/verandas and balconies where located in the rear yard of units fronting onto Tremaine Road are permitted to encroach to a maximum of 1.0m to the rear property line.	
w.	Porches/verandas and balconies where located in the rear yard of units fronting onto Derry Road are permitted to encroach to a maximum of 1.9m to the rear property line.	
x.	Minimum structural setback to the Greenlands A zone shall not apply.	
y.	No more than 80% of the main floor building face is to be used for the garage portion of the front elevation.	
z.	Section 4.11.3 shall not apply.	
ii)	<u>Zone Standards for Back to Back Townhouse Uses:</u>	
a.	The private road shall be deemed to be the Front Lot Line.	
b.	Minimum Lot Frontage, private street access End Corner Unit-	8.0m
iii)	<u>Special Site Provisions:</u>	
d.	Minimum setback of a parking area to a dwelling or structure-	1.2m
e.	Minimum setback of a parking area to a lot line-	0m
f.	The minimum exterior side yard is 1.2m	
g.	Balcony Means a platform that may be partially enclosed projecting from the main wall of a building which may not be supported by vertical uprights other than the wall itself except when located above a porch/veranda, patio or exclusive use driveway and which is only accessible from within a building	

- h. Section 5.5.2. iii) e) shall not apply.
- i. Section 5.5.2. iv) shall not apply.
- j. Section 5.5.2. v) shall not apply.
- k. Section 5.5.2. vi) b) shall not apply.

13.1.1.161	139-2011 (Dec 19/11)	C1-B	*161
<p>IDENTIFIED AS 407 PINE STREET AND PORTION OF BRUCE STEET UNOPENED ROAD ALLOWNACE, PART OF LOT 4, BLOCK 15, TEETZEL SURVEY, PART LOT 9, TEETZEL SURVEY AS CLOSED IN BY-LAW 387873 SFT 399439 BETWEEN PEARL STREET AND PINE STREET, PARTS 1,2 ,3 ON 20R-19054, TOWN OF MILTON, SCHEDULE A, FILE D14 Z-14/11</p>			
<p>THAT That Section 13 of Comprehensive Zoning By-law 144-2003 is hereby further amended by adding subsection 13.1.1.161 as follows:</p> <ul style="list-style-type: none"> i. Only Uses Permitted: <ul style="list-style-type: none"> a. Art Gallery; b. Commercial School- Skill; c. Commercial School - Trade; d. Office Use; e. Office Bulding; f. Medical Clinic; g. Personal Service Shop; h. Uses permitted within the I-B Zone ii. Zone Standards: <p>Notwithstanding the Section 7.2 (Table 7C) to the contrary, the following zone standards shall apply:</p> <ul style="list-style-type: none"> a. Front Yard Setback (Maximum): 10.5 m b. Rear Yard Setback (Minimum): 6.5 m c. West Side Interior Side Yard (Minimum): 0.47 m d. Landscape Buffer (abutting a residential zone): 0.47 m iii. Special Site Provisions: <ul style="list-style-type: none"> a. For the purposes of this By-law, Section 7.3.1 i) (Table 7E) regarding openings is not applicable. b. For the purposes of this By-law, Section 7.3.2 ii) regarding setbacks is not applicable. c. Standard perpendicular parking stalls may have a minimum length of 5.4 metres d. Handicap parking spaces may have a minimum length of 5.4 metres e. Handicap ramp may have a setback of 0 metres from front property line. f. Parking areas may be setback 0 metres from any building or structure. g. The existing parking spaces may encroach over the front lot line into the road allowance. h. i. Notwithstanding Section 5.13.2. (Table 5E) ("parking requirements") to the contrary, the following uses (or any combination thereof) shall only require 12 parking spaces (inclusive of two handicap parking spaces): Art Gallery; Commercial School- Skill; Commercial School - Trade; Office Use; Office Building; Medical Clinic; Personal Service Shop. <p>For the purposes of this By-law, the above noted zone standards and special site provisions shall apply to the existing site condition and any new development of the site must conform to the all of the applicable zone standards and provisions of By-law 144-03, as amended.</p>			

13.1.1.162			*162

13.2 HOLDING PROVISIONS (4-2009)(101-2009)(96-2010)

Notwithstanding any other provision in this By-law, where a Zone symbol is followed by the letter “H” and a number, such as 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 legally existed on the date this By-law was passed or for a model home on a lot within a Draft Approved plan of subdivision, until the (H) Holding Provision 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 the Town has received a copy of a notice from Halton Region’s Commissioner of Public Works to the owner of the land that either:
- a) development of the lands is able to proceed by the issuance of a building permit with residential water/waste water capacity, or
 - b) the Milton Release Projects under Halton Region’s Allocation Program will be operational within twelve (12) months of the giving of such notice.
- “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 and 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.
- “H5” – Shall not be removed until a detailed Woodlot Assessment Study has been submitted and the woodlot boundary has been established to the satisfaction of the applicable *Conservation Authority* and the Town of Milton.
- “H6” – Shall not be removed until a development plan has been provided to the satisfaction of the Town of Milton which reflects among other matters access requirements by the Town and/or Halton Region consistent with the proposed use or uses, compliance with urban design guidelines, a high quality of landscape site development abutting arterial and/or collector roads and a high quality landscape/noise attenuation buffer abutting a residential *zone* or use.
- “H7” – Shall not be removed until:
- a) The Region of Halton has advised that they are satisfied with the Owner’s Environmental Adaptive Management Plan with respect to the property;
 - b) The conditions in Appendix 4 to report PD-011-08 have been satisfied to the satisfaction of Conservation Halton and Halton Region and the Director of Planning and Development or Town Council is prepared to approve the Site Plan for the development and the use of a golf course on the lands and the Owner has entered into a site plan agreement with the Town with respect to the golf course and has posted the associated securities, and;
 - c) The Owner has satisfied all of its obligations pursuant to the Tree Compensation Agreement between the Owner and the Town.

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(s)	By-law No.	Conditions for Removal	Date Enacted / Date Lifted
Property Address and/or Legal Description				
Permitted <i>Uses</i> (Prior to “H” Being Lifted)				
13.2.1.1	M2	61-85 36-95	H1	Apr 18, 1995 / May 25, 2004
Blocks 15 & 16, Plan 20M-530, Part of <i>Lot 4</i> , Concession 3				
a) a <i>use</i> that would otherwise be permitted in an M2 <i>Zone</i> that does not require the use of water or the discharge of wastewater				
b) a parking lot as long as there is no requirement for water or wastewater discharge				
13.2.1.2	I-A*12	61-85 34-2002	H1	March 25, 2002 / June 25, 2007 (lifted)
6620 Thompson Road				
a) <i>Place of Worship</i>				
b) <i>Day Nursery</i>				
c) Memorial garden with columbarium				
d) <i>Recreational uses</i>				
e) <i>Place of Assembly</i>				
f) <i>Private School</i>				
g) Other non-commercial <i>uses</i> to serve the surrounding community.				
13.2.1.3	C5*18	61-85 99-95	Conditions for Removal	November 6, 1995
North of 401 Lands (certain parcels)				
a) Automobile display and sales; and,				
b) <i>Accessory buildings</i> and <i>structures</i> that do not require water and wastewater services.				
13.2.1.4		61-85	H1	
S/S Steeles Avenue, west of Ontario Street Part of Lot 15, Conc 2 NS (Abandoned Rail Line / Jim Gorman)				
N/A				
13.2.1.5	C1-C, C1-E & C1-F	61-85	H2	October 20, 2003
Various Properties in Central Business District				
N/A				

13.2.1.6	C4*32	61-85	H1	October 20, 2003
Lotts				
a) Existing <i>Uses</i>				
13.2.1.7	C6	61-85	H3	
Durante (Highpoint)				
a) <i>Industrial use</i>				
b) <i>Motor vehicle service station</i>				
c) <i>Restaurant with a maximum of 1 drive-through service facility, and</i>				
d) <i>Vehicle rental agency</i>				
13.2.1.8	M2	61-85	H1	
Part of Lot 5, Conc 3 (Oshawa Properties)				
N/A				
13.2.1.9	C5	61-85	H3	
SE corner James Snow Parkway & Regional Road 25 (Durante)				
a) Existing <i>Uses</i>				
13.2.1.10	C5*34	61-85	H2	
8619 Regional Road 25 (Kelly & Barry Dennis)				
a) Existing <i>Uses</i>				
b) <i>Service & Repair Shop</i>				
13.2.1.11	M1 & M2	61-85 84-2005	H4	/ July 18, 2005 (Lifted)
Part Lots 4 & 5, Conc 2 (Esquesing) (Best Pipe) (991045 Ontario Ltd. & Harry Snoek)				
N/A				
13.2.1.12	M1 & M2	61-85 60-2005	H4	/May 24, 2005 (Lifted)
Part of Lots 1 & 2, Conc IV (Esquesing) (991045 Ontario Ltd. & Total Developments International Inc.)				
N/A				
13.2.1.13	M2	61-85	H4	
Part of Lot 4, Conc 2 (Esquesing) (CIBC lands)				
N/A				
13.2.1.14	C6*43	24-2004	H1	March 29, 2004
Bronte Street North Part of Lot 14, Conc 2, NS (Canadian National Railway – Dennis Durante In Trust)				
N/A				
13.2.1.15	C1-E*51	OMB Decision / Order No. 1762	H2	November 9, 2004
805 Nipissing Road (St. Marys Cement)				
a) A concrete batching plant and <i>accessory uses, buildings and structures</i> , including <i>accessory office uses</i> and parking.				

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13.2.1.16	RMD2	OMB Decision / Order No. 1762	H5	May 24, 2005 / February 27, 2006
Part of Lot 10, Conc IV (Trafalgar) (TRANSCON PROPERTIES LTD.)				
a) Legally established existing uses only				
13.2.1.17	C1-C	144-2003 7-2007	H2	October 20, 2003 / January 29, 2007
185 Nipissing Road Part Lot 13, Conc III (New Survey) (Crosun Developments Inc)				
N/A				
13.2.1.19	C2*119	83-2008	H1 & H2	July 21, 2008
6432 First Line Part Lot 8, Conc 1 (Trafalgar) (Manaman Centre Inc)				
N/A				
13.2.1.20	RMD1*104 RMD1*109	100-2008	H1	August 18, 2008 /
Part of Lots 9 and 10, Concession I NS (Trafalgar) (Mattamy Brownridge Limited)				
N/A				
13.2.1.21	RMD2*80	102-2008 041-2010	H1	August 18, 2008 / March 29, 2010 (Lifted)
Part of Lot 13, Conc I NS (Trafalgar)				
N/A				
13.2.1.22	C3*131	4-2009 120-2011	H6	January 26, 2009 / Nov 21, 2011
E/S Tremaine Rd, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar)				
N/A				
13.2.1.23	RMD1*130	4-2009	H1	January 26, 2009 / July 19, 2010
E/S Tremaine Rd, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar)				
N/A				
13.2.1.24	RLD*129	4-2009	H1	January 26, 2009 / July 19, 2010
E/S Tremaine Rd, between Main St & Derry Rd Part Lot 13, Conc 1 NS (Trafalgar)				
N/A				
13.2.1.25	C5*4, GC*4, GA, GA*4a, GA*4b, GB*4a, GB*4b, OS, OS*4	101-2009	H7	July 20, 2009
9430 Guelph Line (Mohawk Racetrack – Woodbine Entertainment Group)				
a) only legally established existing uses are permitted until the conditions for removal of the H7 Holding Provision are satisfied				

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

13.2.1.27	RHD*68	040-2010	H1	March 29, 2010
Block 36, Plan 20M-1030				
1. only legally established existing uses are permitted until the conditions for removal Holding provision are satisfied.				

13.2.1.28	RMD2*149	084-2010 80-2011	H1	June 28, 2010 / Aug 15, 2011
Lot 7 of the draft plan of subdivision, for the lands consisting of part of the north east half of Lot 10, Concession I, NS				
1. only legally established existing uses are permitted until the conditions for removal identified in the "H1" Holding provision are satisfied				

13.2.1.32	C1-D	012-2011	H2	Jan 24, 2011
494-545, 547-555, 583, 593, 601-647, 655, 701-723, 725-747, 751,761, 775, 781, 785, 801, 821, 845, 863, 885 AND 925 MAIN STREET AND 18 THOMPSON ROAD				
1. Permitted uses				
<ul style="list-style-type: none"> • Artist Studio • Commercial School – Skill • Fitness Centre • Laundromat (only in first storey of a building) • Office Use • Office Building • Personal Service Shop (only in first storey of a building) • Retail Store 1* (only permitted to a maximum of 25% of total gross floor area of all buildings on the lot.) • Vet Clinic – Small Animal 				
Footnotes to List Above *1 and *2				
*1) Notwithstanding Tables 7A, 7D and 7E of By-law 144-03 , as amended, the above noted permitted uses shall not be subject to compliance with the applicable zone standards and provisions.				
*2) All permitted uses shall still be subject to the parking requirements as set out in Section 5 of By-law 144-03, as amended.				

13.2.1.34	RLD*113	112-2011	H1	/ Oct 24, 2011

13.2.1.113	64-2008	112-2011	H2	May 26, 2008
E/S of Tremaine Road, between Main Street and Derry Road Part of Lot 11 & 12, Conc 1 NS (Trafalgar) (North, South, West and Northwest Derry Developments Limited)				
a) <i>Uses existing prior to passing of 64-2008 and a use by a public authority</i>				

13.2.1.118	C1-E*118	76-2008	H2	June 23, 2008
Block 31 & 32, Part Lot 4, Plan 20M-285				
a) C1-E uses and a <i>Place of Worship</i>				

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.

(r) 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	Date Enacted	Date Permissions Terminate
Property Description				
Additional Permitted <i>Uses</i>				

13.3.1.1		T1-A1	June 18/01	June 18/04 LAPSED
East Side of Regional Road No. 25, South of Derry Road (Marchiello)				
a) A nine hole <i>golf course</i> b) A <i>miniature golf course</i>				

13.3.1.2	11-2001 5-2004	T2-C1E	Jan 29/01	Jan 26/07
917 Nipissing Road (Milton Community Resource Centre)				
a) A nursery school				

13.3.1.3	71-2001 38-2004 109-2004	T3-C1A	June 18/01	June 18/04
26 Charles Street				
a) one apartment unit on ground				

13.3.1.4	41-2005	T4-FD*57	Apr 25/05	Apr 25/08
NE corner of Britannia & First Line Part of Lot 6, Conc 2 (Trafalgar) (Main Sales Estates Inc)				

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a) a <i>golf driving range</i>

13.3.1.5	53-2005	T5-A2*58	May 24/05	May 24/15
3058 30 Side Road Part Lot 30, Conc 4 (Nassagaweya) (Timmerman)				
a) a <i>garden suite</i>				

13.3.1.6	69-2005	T6-GB*62	June 27/05	June 27/15
8469 First Line (Nassagaweya) (Bija)				
a) a <i>garden suite</i>				

13.3.1.7	103-2005	T6-GB*62	Aug 8/05	Aug 8/08
53-57 Steeles Avenue East (1543469 Ontario Limited/ <i>previously Rock'n'Bull</i>)				
a) a <i>motor vehicle repair garage</i> with the exception of a <i>motor vehicle service station</i>				

13.3.1.7	103-2005	T6-GB*62	Aug 8/05	Aug 8/08
53-57 Steeles Avenue East (1543469 Ontario Limited/ <i>previously Rock'n'Bull</i>)				
a) a <i>motor vehicle repair garage</i> with the exception of a <i>motor vehicle service station</i>				

13.3.1.8	94-2006 102-2006	T8-FD*87	Sept 25/06	Sept 25/09
Part Lot 9, Conc 1 (Trafalgar) [Mattamy (Milton West) Limited]				
a) a <i>house assembly factory</i>				

13.3.1.9	71-2007	T9-IA	July 16/07	July 16/10
263 Britannia Road East Part Lot 6, Conc 7 (Trafalgar) (French Catholic Elementary <i>School</i>)				
a) An elementary <i>school</i> (Grades JK-8)				

13.3.1.10				

13.3.1.11	OMB Order 2885 (20-2009)	T11-FD*112	June 3/08	June 3/11
6566 Sixth Line Part Lot 9, Conc VI (Trafalgar)				

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

(Radha Soami Society Beas – Canada)
<p>i) Additional Permitted Uses</p> <p>a) Study Centre</p> <p>ii) Special Definition</p> <p>Study Centre means a non-profit, non-commercial organization which carries on cultural, social, athletic or recreational activities and includes the <i>premises</i> of a fraternal or charitable organization</p> <p>iii) Special Site Provisions</p> <p>The following site specific provisions shall apply to the temporary use:</p> <p>a) the required <i>parking spaces</i> may have a gravel or grassed surface treatment with a minimum of 40 spaces having a gravel surface and the required disabled <i>parking spaces</i> having a hard surface treatment;</p> <p>b) the <i>driveway</i> access may be gravel surface treatment with the exception of the first 30m adjacent to Sixth Line which shall have an asphalt surface treatment, and the <i>driveway</i> access shall have a minimum width of 6.0m and a maximum width of 7.5m;</p> <p>c) parking shall be provided on the basis of the greater of 1 <i>parking space</i> per 4 seat capacity or 1 <i>parking space</i> per 9m² of <i>gross floor area</i></p>

13.3.1.110	49-2008 67-2011	T10-FD*110	Apr 28/08 Jul 18/11	Apr 28/11 Jul 18/14
8750 Regional Road 25 Part Lot 5, Conc 2				
<p>i) Only Permitted Uses:</p> <p>Builders Supply Outlet Commercial School - Skill Commercial School - Trade Profession Dry Cleaning Depot Dry Cleaning Establishment Industrial Use (subject to Footnotes to Table 5A of Comprehensive Zoning Bylaw144-03, as amended) Motor Vehicle Dealership Motor Vehicle Rental Agency Motor Vehicle Repair Shop Motor Vehicle Body Shop Office Use Place of Entertainment Place of Worship Research and Technology Use Restaurant Service and Repair Shop U-Brew Establishment Veterinary Clinic- Small Animal Veterinary Clinic - Large Animal Warehouse/Distribution Centre</p>				

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

ii) Special Site Provisions:

i) Notwithstanding Section 5 of Comprehensive Zoning By-law 144-2003, as amended, to the contrary, the permitted uses within the existing building on the subject property as shown on Schedule A to this By-law, shall be exempt from providing any additional parking. In no case, shall existing parking spaces be removed or otherwise occupied.

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.

(s) 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.	Zoning Designation	Date Enacted	Date Permissions Terminate
Property Description				
Applicable Provisions				
13.4.1.1	039-2010	All	March 29, 2010	March 28, 2011
Town wide				
Notwithstanding the permitted uses and regulations of By-law 144-2003, as amended, no person shall use any land, building or structure, or expand any use on the land, or use or erect any building or structure, including any addition for the purposes of a power generation facility with capacity of greater than 10 megawatts.				

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

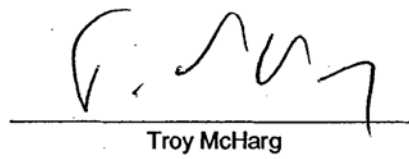
READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS

_____ 20th day of _____ October _____, 2003.





Gordon A. Krantz Mayor



Troy McHarg Town Clerk

**SCHEDULES
TO
BY-LAW 144-2003**