Zoning By-law Number 60-94
as Amended

Note:

(a) This edition is prepared for the purposes of convenience only. For accurate reference, recourse should be made to the original by-law in the City Clerk's office.

(b) Certain sections of this by-law are subject to appeal to the Local Planning Appeal Tribunal. Please contact the Development Services Department for further information in this regard.

(c) Other by-law amendments have been passed by City Council prior to the date of this edition but have yet to come into effect. As a result, these amendments are not reflected in this edition. Please contact the Development Services Department for further information in this regard.

Last Updated: August 2025

This page was intentionally left blank.

How to Use the By-law

For most zones, there are a list of permitted uses and a number of regulations such as lot area, lot frontage, yards required, coverage, etc.

The location of the zones is shown on the Schedule “A” Zoning Maps. The specific uses and regulations applicable to each zone are found in the section of the By-law which bears the same zone symbol.

In order to determine the provisions of this By-law that affect your property, it is suggested that you use the following technique:

1. Locate your property on the Index Map immediately following the last page of the text.

2. From the Index Map you will be able to identify the Zoning Map on which your property is located.

3. Turn to the appropriate Zoning Map and identify the zone that has been applied to your land (e.g. R1-A for Residential, or PCC-B for Planned Commercial Centre, etc.).

4. Once you have identified the zone, turn to the appropriate Section of the By-law. For example, if your lands are zoned Residential (R1-A), you will turn to Section 6 and Table 6.2 to determine the specific zone provisions affecting your land.

5. It should also be noted, however, that most of the general provisions contained under Section 4 also affect your property. Care should be taken to review these provisions as well as the applicable definitions in Section 2.

This page was intentionally left blank.

Table of Contents ..... **Page No**

Section 1: Administration, Enforcement and Interpretation **1.1**

1.1 Title 1.1
1.2 Compliance and Enforcement 1.1
1.3 Severability Provision 1.1
1.4 Compliance with Other Restrictions 1.1
1.5 Gender and Number 1.1
1.6 Headings 1.1
1.7 Numbering System 1.2
1.8 Measurements 1.2
1.9 Use and Occupancy 1.2
1.10 And/Or 1.2
1.11 References to Legislation and Agencies 1.3
1.12 Examples and Illustrations 1.3
1.13 Repeal of Existing By-Laws 1.3
1.14 Effective Date 1.3

Section 2: Definitions **2.1**

Section 3: Zones and Zone Symbols **3.1**

3.1 Establishment of Zones 3.1
3.2 Zone Variations and Special Conditions 3.3
3.3 Regulatory Zones 3.3
3.4 Schedules and Tables 3.6
3.5 Holding “h” Zones 3.6
3.6 Compound Zones 3.52
3.7 Multiple Zones 3.53
3.8 Determining Zone Boundaries 3.53
3.9 Map Details 3.56
3.10 Hazard Lands 3.56
3.11 Waste Disposal Assessment Areas 3.56
3.12 Temporary Use Zones 3.56
3.13 Oak Ridges Moraine Conservation Plan 3.57

Section 4: General Provisions **4.1**

A. General Provisions Affecting Many Zones 4.1
4.1 Non-Complying Uses 4.1
4.2 Non-Conforming Uses 4.2
4.3 Lot Area or Lot Frontage Less Than Required 4.2
4.4 Lot Reduction 4.2
4.5 Corner and Driveway Sight Triangles 4.2
4.6 Permitted Yard Encroachments 4.3
4.7 Height Exemption 4.5
4.8 Access Regulations 4.5
4.9 Landscaped Open Space 4.6
4.10 Parking Locations 4.6
4.11 Minimum Front Lot Line 4.7
4.12 [Not in Use] 4.8

4.13 Temporary Leasing or Sales Office and Model Homes 4.8
4.14 Building Form 4.9
4.15 Multiple Main Buildings on a Lot 4.9
4.15A Municipally Prohibited Uses 4.10
4.15B Lodging Houses 4.10
B. General Provisions Affecting Residential Zones 4.10
4.16 Front Yard Depth Reduction in Built-Up Residential Zones 4.10
4.17 Satellite Dishes 4.10
4.18 Commercial Vehicles in Residential Zones 4.11
4.19 Driveways Leading to Private Garages 4.11
4.20 Storage or Parking of Recreational Vehicles, Boats, Trailers and Snowmobiles 4.11
4.21 Required Parking Space 4.12
C. General Provisions Affecting Industrial Zones 4.12
4.22 Minimum Ground Floor Area on Certain Streets 4.12
4.23 Municipally Prohibited Uses 4.12
D. General Provisions Affecting Methadone Clinics 4.13
4.24 Methadone Clinic Prohibited Area 4.13
E. [Not In Use] 4.13
4.25 [Not in Use] 4.13
F. General Provisions Affecting Zones in the Oak Ridges Moraine 4.13
4.26 Existing Uses, Buildings and Structures on the Oak Ridges Moraine 4.13

Section 5: Uses Permitted in Certain Zones 5.1

5.1 Accessory Uses, Buildings and Structures 5.1
5.2 Group Homes 5.4
5.3 Home Occupations 5.4
5.4 Public Uses 5.5
5.5 Outdoor Storage 5.6
5.6 Signs, Fences and Hedges 5.7
5.7 Earth Berms and Storm Water Management Facilities 5.7
5.8 Automated Banking Machines 5.7
5.9 Bed And Breakfast Establishments 5.7
5.10 Place of Amusement 5.8
5.11 Refreshment Vehicles 5.8
5.12 Accessory Apartments 5.9
5.13 Parcel of Tied Land 5.13
5.14 Craft Brewery 5.13
5.15 Vehicle Drive-through Facilities 5.14
5.16 Short-Term Rental 5.16
5.17 Payday Loan Establishment, Tattoo Parlour, Pawn Shop, Vapour Product Shop, Adult Use Store 5.16

Section 6: R1 Residential Zones 6.1

Section 7: R2 Residential Zones 7.1

Section 8: R3 Residential Zones 8.1

Section 9: R4 Residential Zones 9.1

Section 10: R5 Residential Zones 10.1
Section 11: R6 Residential Zones 11.1
Section 12: R7 Residential Zones 12.1
Section 13: R8 Residential Zones 13.1
Section 14: SO – Specialized Office Zones 14.1
Section 15: OC – Office Conversion Zones 15.1
Section 16: UGC – Urban Growth Centre Zones 16.1
Section 17: PCC – Planned Commercial Centre Zones 17.1
Section 18: PSC – Planned Strip Commercial Zones 18.1
Section 19: SPC – Special Purpose Commercial Zones 19.1
Section 20: CC – Convenience Commercial Zones 20.1
Section 21: SSC – Automobile Service Station Zones 21.1
Section 22: HMC – Hamlet Commercial Zones 22.1
Section 23: HBC – Harbour Commercial Zones 22.2
Section 24: CIN – Community Institutional Zones 24.1
Section 25: MIN – Major Institutional Zones 25.1
Section 26: OS – Open Space Zones 25.1
Section 27: PI – Prestige Industrial Zones 27.1
Section 28: SI – Select Industrial Zones 28.1
Section 29: GI – General Industrial Zones 29.1
Section 30: SPI – Special Industrial Zones 30.1
Section 31: HI – Hamlet Industrial Zones 31.1
Section 32: AG – Agricultural Zones 32.1
Section 33: AP – Airport Zones 33.1
Section 34: UT – Utilities Zones 34.1
Section 35: MA – Mineral Aggregate Zones 35.1
Section 36: CE – Cemetery Zones 36.1
Section 37: FD – Future Development Zones 36.2
Section 38: EU – Existing Use Zones 38.1
Section 38(A): SW – Special Waterfront Zones ..... 38(A).38.1
Section 38(B): MU – Mixed Use Zones ..... 38(B).38.1
Section 39: Parking and Loading 39.1
39.1 Parking and Loading Requirement 39.1
39.2 Multiple Uses 39.1

39.3 Number of Parking Spaces Required 39.1
39.4 Parking Space Standards 39.10
39.5 Calculation of Requirement 39.11
39.6 Number of Loading Spaces Required 39.11
39.7 Loading Space Standards 39.11
39.8 Loading Space Requirements 39.12
39.9 Driveway Requirements 39.12
39.10 Exemption 39.12

Schedules

Schedule “A” – Zoning Maps

Schedule “B” – Hazard Lands

Schedule “B-1” – Goodman Creek Two Zone Flood Plain Management Policy

Schedule “B-2” – Goodman & Oshawa Creek Two Zone Flood Plain Management Policy

Schedule “C” – Waste Disposal Assessment Areas

Schedule “D” – Downtown Parking/Loading Exempt Area

Schedule “E” – Methadone Clinic Prohibition Area

Schedule “F” – Maximum Permitted Heights in the Downtown Oshawa Urban Growth Centre

Schedule “G” – Main Shopping and Pedestrian Streets in the Downtown Oshawa Urban Growth Centre

Schedule “H” – [Not in use]

Schedule “I” – Urban Growth Centre

Schedule “J” – Bloor Street Intensification Area

Schedule “K” – King Street/Thornton Road Intensification Area

Schedule “L” – Taunton Road East Intensification Area

Schedule “M” – Simcoe Street North Intensification Area

Appendices

Appendix “A” – Examples and Illustrations

Note: This Table of Contents is provided for convenience purposes only and does not form part of this By-law.

By-law Number 60-94 of
The Corporation of the City of Oshawa

BE IT ENACTED AND IT IS HEREBY ENACTED as a by-law of The Corporation of the City of Oshawa by the Council thereof as follows:

Section 1: Administration, Enforcement and Interpretation

1.1 Title

1.1.1 This By-law is cited as the “Zoning By-law” of the City of Oshawa.

1.2 Compliance and Enforcement

1.2.1 No person shall use any lot or part of a lot, or erect or use any building or structure, except in compliance with the provisions of this By-law.

1.2.2 Every person who contravenes any of the provisions of this By-law shall be guilty of an offence and, on conviction, shall be liable to the penalties provided by the Planning Act.

1.3 Severability Provision

1.3.1 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.

1.4 Compliance with Other Restrictions

1.4.1 This By-law shall not be construed so as to reduce or mitigate any restrictions or regulations lawfully imposed by the City or by any governmental authority having jurisdiction to make such restrictions or regulations.

1.5 Gender and Number

1.5.1 In this By-law, unless the contrary intention is indicated, words used in the singular shall include the plural and words used in the male gender shall include the female gender and vice versa.

1.6 Headings

1.6.1 The headings of Sections, Subsections and Articles in this By-law are inserted for ease of reference only, and do not affect the interpretation of this By-law.

1.6.2 Municipal addresses are inserted for ease of reference only and do not affect the interpretation of this By-law.

1.7 Numbering System

1.7.1 The numbering system for sections, articles and sentences for this By-law is explained as follows:

Each “section” is numbered with an Arabic numeral. The second Arabic numeral following the first (separated by a decimal) describes the “subsection”. The third Arabic numeral (where one appears) following the second (separated by a decimal) describes the “article”. The fourth Arabic numeral (where one appears) following the third (separated by parentheses) describes the “sentence”.

For illustrative purposes, an example is:

Section 5:	**Uses Permitted in Certain Zones**
Subsection 5.1	Accessory Uses, Buildings and Structures
Article 5.1.4	Lot Requirements or Location
Sentence 5.1.4(1)	Accessory buildings....

The sole variance to the numbering system, as described, occurs in Section 4, where the letters A., B. and C. denote subtitles, e.g. B. General Provisions Affecting Residential Zones.

1.7.2 Lists of items, provisions or requirements within subsections, articles or sentences are defined by alphabetic characters enclosed by parentheses. Lists within lists are defined by Roman numerals enclosed by parentheses.

For illustrative purposes, an example is the list of permitted uses in the OSH(1) Zone under Sentence 26.3.2(1).

1.8 Measurements

1.8.1 All measurements in this By-law are in metric. The abbreviation “m” stands for metres, “m^2” stands for square metres, “ha” stands for hectares and “N/A” stands for not applicable.

1.9 Use and Occupancy

1.9.1 In this By-law, unless the context requires otherwise, the verb “use” shall include “intend to use”, “design to use” and “cause or permit to use”; and the verb “occupy” shall include “intend to occupy”, “design to occupy” and “cause or permit to occupy”.

1.10 And/Or

1.10.1 The word “and” is an inclusive conjunction, the use of which indicates that all items or phrases in the article, sentence or list in which it appears are permitted or required, as the case may be. The word “or” is an alternate

conjunction, the use of which indicates that alternate or optional items or phrases in the article, sentence or list in which it appears are permitted or required, as the case may be; however, notwithstanding the foregoing, where the context permits, the word “or” may also be an inclusive conjunction having the same meaning as the word “and”.

1.11 References to Legislation and Agencies

1.11.1 All references to names of Acts of the Legislature in this By-law, unless otherwise noted, are references to the R.S.O. 1990 edition, as amended from time to time, including successor legislation.

1.11.2 All references to specific government and other agencies, departments, ministries and boards shall be interpreted to extend to their successors, as applicable. **(62-2000)**

1.12 Examples and Illustrations

1.12.1 Examples and illustrations are for the purpose of clarification and convenience, and do not form part of this By-law (see Appendix “A”.)

1.13 Repeal of Existing By-Laws

1.13.1 The following By-laws are hereby repealed:

(a) By-law Numbers 3415 and 55-73 of the City of Oshawa and all subsequent amendments to those By-laws; and,

(b) By-law Number 1757, as passed by the former Township of East Whitby, and all subsequent amendments to that By-law.

1.14 Effective Date

1.14.1 A provision of this By-law implementing an Oshawa Official Plan Amendment that has not been approved either by the Minister of Municipal Affairs and Housing or the Local Planning Appeals Tribunal before the date of passage of this By-law does not come into force or take effect until the related Oshawa Official Plan Amendment is approved.

This page was intentionally left blank.

Section 2: Definitions

2.1 For the purpose of interpreting the provisions set forth in this By-law, the following definitions shall apply.

"**ACCESSORY**" is an adjective used to describe a building, structure or use. When so used, it means that the building, structure, or use has the following characteristics:

(a) It is a building, structure, or use which is commonly incidental, subordinate or secondary and exclusively devoted to the main building or structure, or the main, principal or primary use;

(b) It is located on the same lot as the main building or structure, or the main, principal or primary use; and

(c) An "accessory building" shall mean a detached building not used for human habitation except in the case of a building accessory to a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or street townhouse dwelling that contains a lawful accessory apartment. **(66-2023)**

"**ACCESSORY APARTMENT**" means a self-contained dwelling unit subservient to the main, principal or primary dwelling unit, within a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or converted dwelling or street townhouse dwelling, or within a building accessory to a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or converted dwelling or street townhouse dwelling. **(89-2014, 66-2023)**

"**ACQUISITION**" means a process by which one comes into possession of a good by any means including, without limitation, by means of purchase, receipt, trade, taking in exchange or holding. "**ACQUIRE**" has a corresponding meaning. **(37-2004)**

"**ADULT SECONDARY SCHOOL**" means a Secondary School identified as a centre for learning for persons who are mature students, rather than of compulsory school age, intending to complete some or all of their secondary education.

"**ADULT USE STORE**" means a retail store in which ten percent (10%) or more of the gross floor area is used for the sale or rental of goods appealing to or designed to appeal to erotic or sexual appetites or inclinations, but does not include a retail store in which ninety percent (90%) or more of the gross floor area is used for the sale of clothing. **(37-2004)**

"**ADULT VIDEO TAPE**" means a video tape classified by the Ontario Film Review Board as "restricted", with the added information piece "adult sex film". **(49-1998)**

"**AGRICULTURAL USE**" means an area of land with or without accessory buildings, structures or outdoor storage which is used primarily for: (a) the growing and harvesting of vegetables, fruits, field crops, mushrooms, berries, trees, flowers, cannabis or landscaping materials, and may include woodlot and forest tree uses; (b) the breeding, training, raising or boarding of birds, fish or animals of any kind; (c) the erection and use of greenhouses and/or controlled environment agriculture facilities; (d) the packing, crating, storing, and sale of produce grown on the premises; or (e) other similar uses customarily carried on in the field of general agriculture, but does not include a kennel. **(52-2018, 112-2024)**

"**AIRPORT**" means a facility for the takeoff and landing and handling of aircraft and their passengers and freight and without limiting the generality of the foregoing may include terminal buildings, control facilities, hangars, taxiways, aircraft storage, tie-down areas and aviation fuel storage and handling. **(OMB R940316-2)**

"**AIRPORT BUFFER SPACE**" means open space on a lot which is used for landscaping of any kind or land which is used for any accessory recreational purpose and, notwithstanding the generality of the foregoing, includes lawns, flower beds, shrubbery, trees and other plantings, decorative pools, ponds and natural water bodies, public and private walkways, recreational trails, patios, tennis courts, shuffleboard courts, playgrounds, decks and similar recreational facilities, and includes any driveway. **(OMB R940316-2)**

"**AISLE**" means an unobstructed and maintained surfaced area immediately adjacent to each parking space or loading space in a parking lot or parking garage and capable of vehicular ingress and egress at all times.

"**AMUSEMENT MACHINE**" means any mechanical or electronic machine or device intended for use as a game or source of entertainment or amusement offered for use by the public or by any person and shall include a pinball machine, television game, shooting gallery or other similar machine or device including an automatic machine or slot machine that dispenses as prizes one or more free games, but shall not include any machine used only for the purpose of vending merchandise or services or playing recorded music or any billiard, pool or bagatelle table or any machine that would render the premises a common gaming house within the meaning of The Criminal Code of Canada.

"**ANIMAL HOSPITAL**" means a building or part of a building or structure, with no outdoor animal facilities, which is under the control and supervision of a qualified veterinarian who is a member of the Ontario Veterinarian Association, where animals, fish or birds are given medical treatment and also means a pet grooming establishment. **(66-1998, 39-2004)**

"**APARTMENT BUILDING**" means a building or part of a building containing three or more dwelling units, including stacked townhouses, but does not include flats, block townhouses, back-to-back street townhouse buildings or street townhouse buildings. For the purpose of this definition "Dwelling Unit" means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities. **(24-2014, 62-2025)**

"**APARTMENT HOTEL**" means a building that contains a general kitchen and dining room and other common rooms and the remaining rooms of which contain no provision for cooking and are usually hired by persons other than the travelling public as places of abode and no part of which building is licensed under the Liquor License Act.

"**ART GALLERY**" means a building or part of a building where works of art, such as paintings, sculpture, pottery, glass or weaving are displayed for public viewing.

"**ARTERIAL ROAD**" means a street that is designated as an arterial road in the City of Oshawa Official Plan. **(66-1998)**

"**ASSEMBLY FLOOR AREA**" means any floor area designed or intended to be used or actually used for the assembly of seventy-five (75) or more persons at one time with the occupant capacity arrived at on the basis of one person for each one square metre of floor area used or capable of being used for assembly purposes.

"**ASSEMBLY HALL**" means a building or part of a building designed or intended to be used for such purposes as civic meetings, educational meetings, political meetings, recreational activities or social activities and may include ancillary banquet facilities.

"**AUCTION ESTABLISHMENT**" means a building or part of a building used for the sale of articles or goods to the members of the public bidding the highest offer for the article or goods during the sale proceedings.

"**AUTOMOBILE BODY SHOP**" means an establishment for the repair of damage to a motor vehicle caused by collision, accident, corrosion or age and, without limiting the generality of the foregoing, may include the reconstruction of motor vehicles, the painting or repainting of motor vehicles, and the rebuilding or conversion of automotive engines or engine parts, but does not include an automobile repair garage, an automobile service station or a fuel bar.

"**AUTOMOBILE RENTAL ESTABLISHMENT**" means premises where vehicles are stored and rented or leased to the public. For the purposes of this definition "vehicles" shall only include automobiles, vans, passenger trucks and moving trucks but shall not include truck trailers or tractor trailers. **(107-2006)**

"**AUTOMOBILE REPAIR GARAGE**" means an establishment for the service or repair of vehicles or the installation or replacement of parts or accessories in a vehicle and, without limiting the generality of the foregoing, includes establishments for: (a) the repair, replacement, reconditioning or installation of such items and systems as mufflers, exhaust systems, shock absorbers, transmissions, gears, brakes, clutch assemblies, steering assemblies, radiators, heating or cooling systems, ignition systems, electrical systems, tires, wheels, windshields, windows and other mechanical or electrical parts or systems; (b) the installation of undercoating or rustproofing or detailing or pinstriping; (c) the tuning or lubrication of engines; and (d) engine conversion or replacement; but does not include an automobile body shop or a fuel bar. **(66-1998)**

"**AUTOMOBILE SALES AND SERVICE ESTABLISHMENT**" means premises used for the sale, lease or hire of new or used vehicles, which may include an accessory automobile body shop, an automobile repair garage or an automobile supply store. For the purposes of this definition "vehicles" shall not include motorized construction equipment, farm implements, truck bodies, truck tractors or tractor trailers.

"**AUTOMOBILE SERVICE STATION**" means a building or place with one or more fuel bars and an affiliated automobile repair garage.

"**AUTOMOBILE SUPPLY STORE**" means a building or part of a building used for the sale of equipment and parts used to repair, service or customize vehicles.

"**AVIATION RELATED**" means associated with or serving an airport or directly related to the operation of aircraft. **(OMB R940316-2)**

"**BACK-TO-BACK BLOCK TOWNHOUSE**" means a townhouse served by a private driveway or aisle and having dwelling units that share common rear walls with other dwelling units, and shall not include a stacked townhouse or a back-to-back street townhouse building. **(62-2025)**

"**BACK-TO-BACK STREET TOWNHOUSE BUILDING**" means a townhouse having dwelling units that share common rear walls with other dwelling units and where each dwelling unit has lot frontage on and direct vehicular access to an improved street that is maintained by a municipality. Notwithstanding any other provision of this By-law to the contrary, for the purpose of this definition, an improved street shall have the meaning defined in Section 2 of this By-law and not the meaning defined in Article 5.13.1. **(62-2025)**

"**BACK-TO-BACK STREET TOWNHOUSE DWELLING**" means one of the dwelling units originally constructed in a back-to-back street townhouse building. **(62-2025)**

"**BANQUET HALL**" means a building or part of a building where food and beverages are provided for immediate consumption on the premises by guests seated at tables inside the building.

"**BASEMENT**" means that part of a building which is between two floor levels and is partly below ground, and which has at least one-half but not more than two-thirds of its unobstructed interior height above the average level of the ground adjacent to its exterior walls.

"**BED AND BREAKFAST ESTABLISHMENT**" means a single detached or farm dwelling in which not more than three bedrooms are made available for the temporary accommodation of travellers, to whom meals may be furnished, but does not include a hotel or lodging house. **(17-1999)**

"**BLOCK TOWNHOUSE**" means a townhouse served by a private driveway or aisle, and includes a Back-to-Back Block Townhouse, but does not include a Street Townhouse Building or a Back-to-Back Street Townhouse Building. For the purpose of this definition "Dwelling Unit" means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities. **(24-2014, 52-2018, 62-2025)**

"**BODY RUB**" includes 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 to do so under the laws of the Province of Ontario. **(37-2004)**

"**BODY RUB PARLOUR**" includes any premises or part thereof where a Body Rub is performed, offered or solicited, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered to do so under the laws of the Province of Ontario. **(37-2004)**

"**BREW YOUR OWN OPERATION**" means a service use where members of the public can make their own beer, wine or other beverages, for consumption off the premises, and where the owner or operator may retail related equipment or ingredients.

"**BUILDING**" means any structure consisting of a roof supported by walls or columns which is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, goods, chattels or equipment and includes a carport.

"**BULK BEVERAGE STORE**" means a retail store devoted to the sale of packaged beverages in quantities, such as by the case or other large quantity, but not by individual unit or portion.

"**BULK SALES ESTABLISHMENT**" means an establishment where land, buildings or structures are used for the purpose of selling lumber, wood, building materials, feed, fertilizer, ice or similar bulk commodities, but does not include any manufacturing or processing nor the sale of bulk foods.

"**BUSINESS OFFICE**" means a building or part of a building in which one or more persons are employed in the management, direction and conducting of a business, agency, brokerage or a labour or fraternal organization and includes a service office, but does not include a professional office.

"**CAMPGROUND**" means an area of land used or maintained as an overnight tenting or camping area, where people are temporarily accommodated in tents, trailers or similar facilities, whether or not a fee or charge is paid for the rental thereof, but does not include a mobile home park.

"**CAR WASH**" means a building or structure for use by the general public containing facilities for the washing of motor vehicles for a fee.

"**CELLAR**" means that part of a building which is between two floor levels and which has more than one half of its unobstructed interior height below the average level of the proposed or finished ground adjoining all exterior walls. **(66-1998)**

"**CEMETERY**" means land set aside to be used for the interment of human or pet animal remains and may include a mausoleum, columbarium, crematorium or other buildings or structures intended for the interment of such remains and an accessory funeral visitation centre. **(61-2016)**

"**CINEMA**" means a building or part of a building or structure used for the showing and viewing of motion pictures.

"**CITY**" means the Corporation of the City of Oshawa.

"**CLINIC**" means a building or part of a building in which the practice of one or more of the self governing health professions listed in Schedule 1 to the *Regulated Health Professions Act,* 1991 S.O. 1991 c.18, excluding a pharmacy as a main use, is carried on or in which the treatment of humans by an ophthalmologist or a drugless practitioner, occurs and may include medical laboratories or an ancillary pharmacy. **(61-2010, 72-2024)**

"**CLUB**" means a nightclub or a building or part of a building where athletic, recreational, social or fraternal activities are carried on, whether for commercial purposes and profit or not, and having either private or public membership and may include an ancillary banquet hall. **(62-2000)**

"**COMMERCIAL RECREATION ESTABLISHMENT**" means a building or part of a building where entertainment is offered for a fee including such uses as an arena, stadium, auditorium, banquet hall, assembly hall, billiard hall, bingo hall, bowling alley, dance hall, gym or fitness centre, ice or roller rink, curling rink, indoor track, indoor racquet courts, indoor swimming pool, sport simulator and any other such similar use, but does not include a place of amusement, cinema or theatre. **(112-2024)**

"**COMMERCIAL SCHOOL**" means a school, other than a private school, operated by one or more persons for gain or profit.

"**COMMERCIAL VEHICLE**" means any vehicle licensed or used for commercial purposes and, without limiting the generality of the foregoing, shall include a tractor trailer and a dump truck. **(67-1998)**

"**COMMUNITY COLLEGE**" means a college of applied arts and technology established under any provincial statute. **(61-2010)**

"**COMMUNITY HUB**" means a school that offers co-located or integrated services only including office and personal service establishment uses. **(42-2017)**

"**CONDOMINIUM**" means a building administered and maintained, or proposed to be administered and maintained, by a corporation created pursuant to the provisions of the Condominium Act.

"**CONFORMING**" means, when used to describe any land, building, structure or use, that the use of the land, building or structure is permitted by the By-law in the zone in which the land, building, structure or use is located. "**CONFORMITY**" shall have a similar meaning.

"**CONSENT**" means the final approval to the severance of land pursuant to the relevant provisions of the Planning Act.

"**CONTRACTING YARD**" means the yard of any general contractor or builder where equipment and materials are stored or where a general contractor or builder performs shop or assembly work but does not include any other yard otherwise defined or classified in this By-law.

"**CONTROLLED ENVIRONMENT AGRICULTURE FACILITY**" means a premises used for the cultivation of plants or other organisms through methods including, but not limited to, aquaponics, aquaculture, aeroponics, and hydroponics within a wholly enclosed building that is not a greenhouse. A Controlled Environment Agriculture Facility shall not include cannabis cultivation. **(112-2024)**

"**CONVENIENCE STORE**" means a retail food store, confectionery, delicatessen, grocery store or groceteria or any such similar use where a variety of both household and grocery items are offered for sale primarily to serve the residents of the surrounding neighbourhood and may include such accessory uses as the rental of videos, an automated banking machine or depots for such items as film or postal services but does not include the serving and/or consumption of alcohol. **(74-2021)**

"**CONVENTION CENTRE**" means a building designed to accommodate gatherings for specific events such as conferences, meetings and rallies and may include assembly halls, restaurants, theatres and a hotel.

"**CORNER LOT**" means a lot, the street line or street lines of which is/are composed of two or more straight lines, or of one or more curves, or of any combination of a straight line or straight lines and a curve or curves, such that the defining angle is not greater than one hundred and thirty-five (135) degrees. The corner of a corner lot shall be deemed to be the point on the street line nearest to the point of intersection of the two straight lines forming the defining angle. For the purposes of this definition, any 0.3m reserve between a street line and an exterior side yard shall be deemed to be part of the street and the lot line abutting the 0.3m reserve, rather than the actual street line abutting the 0.3m reserve, shall be deemed to be the street line. **(66-1998)**

"**CORRECTIONAL GROUP HOME**" means a group home containing one or more persons who have been placed on probation, released on parole, admitted for correctional purposes, or found to be not criminally responsible for a crime by virtue of mental incapacity. **(62-2000)**

"**COUNCIL**" means the elected Council of the City.

"**CRAFT BREWERY**" means a building or part of a building where beverages are prepared and offered for retail sale to the public for consumption on or off the premises and where the use may be associated with a restaurant. **(61-2016)**

"**CRISIS CARE RESIDENCE**" means an establishment that provides a means of immediate, temporary accommodation and assistance for a short-term period, which is generally less than one week for the majority of the residents and includes a hostel.

"**DATA PROCESSING CENTRE**" means a building or part of a building used for the input, processing and printing of computerized data.

"**DAY CARE CENTRE**" means a building or part of a building where more than five persons are housed on a regular daily basis, primarily for the purpose of the provision of temporary supervision and care of those persons by the operators of the use. **(66-1998)**

"**DEFINING ANGLE**" means the interior angle of a corner lot contained at the intersection of two straight lines produced from the two extremities of the street line or street lines and coincident with or tangent to such street line or street lines at such extremities. **(66-1998)**

"**DENSITY**" means the ratio between the number of dwelling units located or proposed to be located on a lot and the lot area, expressed in units per hectare. In the application of this definition, the number of dwelling units permitted shall be rounded to the nearest whole number.

"**DEVELOPMENT**" means the erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or usability thereof, or the laying out or establishment of a commercial parking lot.

"**DISPOSITION**" means the loss of possession of a good by any means including, without limitation, by way of sale, lease, trade or exchange. "**DISPOSE**" has a corresponding meaning. **(37-2004)**

"**DRIVEWAY**" means a continuous, unobstructed and maintained surfaced vehicular way of access from an improved street to a parking area or loading space or garage.

"**DRUGLESS PRACTITIONER**" means a person who practices the treatment of any ailment, disease, defect or disability of the human body by manipulation, adjustment, manual or electro-therapy or by any similar method but does not include body rub. **(72-2024)**

"**DRY CLEANING AND LAUNDRY DEPOT**" means a building or part of a building used for the purpose of receiving articles of clothing to be subjected to the process of dry cleaning, dry dyeing or washing elsewhere, or on the premises if the processing element is restricted to closed, unvented dry cleaning equipment, and for the pressing and distribution of any such articles or goods which have been subjected to any such process, but shall not include a laundromat.

"**DRY CLEANING AND LAUNDRY PLANT**" means a building or part of a building where dry cleaning, dry dyeing, washing or pressing of articles of clothing is carried on.

"**DUPLEX**" means the whole of a building, which was not originally constructed as a single detached dwelling, that consists of two dwelling units, one of which has at least fifty percent (50%) of its gross floor area located wholly or partially above the other and each of which has an independent entrance either directly from the outside or through a common vestibule or hallway. **(89-2014)**

"**DWELLING UNIT**" means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities and which is designed for use as a single housekeeping establishment. Notwithstanding the foregoing, a suite with a bedroom and bathroom but not a kitchen within a Long Term Care Facility, Nursing home or Retirement home shall be considered a Dwelling Unit for purposes of calculating Density. **(42-2017, 69-2019)**

"**EAT-IN RESTAURANT**" means a restaurant where food is sold primarily for immediate consumption on the premises and food is served in non-disposable containers and shall not include a fast food restaurant.

"**ELEMENTARY SCHOOL**" means a school, under the jurisdiction of any School Board created by the Province of Ontario, used primarily for the instruction of students receiving primary education, and may also include an accessory community hub as a subordinate use to the school. **(62-2000, 42-2017)**

"**ESTABLISHED BUILDING DEPTH**" means the distance between the street centreline adjacent to a lot and the nearest part of an existing building, excluding stoops, decks, porches, verandahs, balconies, exterior steps and architectural adornments.

"**EXISTING**" means lawfully existing on the effective date of this By-law. "**EXIST**" and "**EXISTED**" shall have similar meanings.

"**EXTERIOR SIDE YARD**" means a side yard immediately adjacent to an improved street or a 0.3 metre reserve.

"**FAMILY VIDEO RENTAL ESTABLISHMENT**" means a video rental establishment in which there is no display, sale or rental of any adult video tape. **(49-1998)**

"**FARM DWELLING**" means a single detached dwelling which is located or intended to be located on a lot used for agricultural purposes but shall not include a seasonal worker housing unit. **(72-2024)**

"**FAST FOOD RESTAURANT**" means a restaurant, including a take-out restaurant, that has all of the following characteristics:

(a) Food is served in disposable containers;
(b) Food is consumed either on the premises, in a motor vehicle on the premises, or off the premises; and
(c) It shall not include an eat-in restaurant.

"**FINANCIAL INSTITUTION**" means an establishment which provides money management services directly to the public, including a bank, trust company, credit union, securities firm, finance company, mortgage brokerage or any other similar use.

"**FIVEPLEX**" means an apartment building containing only 5 dwelling units. **(66-2023)**

"**FLANKING STREET**" means an improved street adjacent to an exterior side yard or a 0.3 metre reserve.

"**FLAT**" means a dwelling unit with the following characteristics:

(a) It is located within a building not exceeding four storeys in height, which building contains commercial uses on the first floor;
(b) If located on the first floor a Flat must be located behind the non-residential uses located at the front of the building adjacent to the street line; **(61-2016)**
(c) It is completely separated from Commercial Uses; and
(d) It has an independent entrance either directly from the outside or through a common vestibule or hallway.

For the purposes of this definition, the "first floor" is the floor, other than a basement, closest to the ground level.

(62-2000, 62-2025)

For the purpose of this definition "Dwelling Unit" means a unit consisting of one or more rooms, which unit contains toilet and cooking facilities. **(24-2014)**

"**FLEA MARKET**" means a building or part of a building where sales to the public are made, with the only goods available for sale being two or more of the following:

(a) Antiques
(b) Foodstuffs
(c) Handicrafts
(d) Newspapers or periodicals
(e) Tobacco or articles required for the use of tobacco
(f) Second hand goods

and provided that no individual establishment shall occupy more than 233m^2 of gross floor area.

"**FLOOR SPACE INDEX**" means the ratio of the total of all the floor areas in a building or buildings on a lot, measured from the exterior faces of the exterior walls, to the lot area, excluding floor areas in cellars, basements and garages. The floor space index in each zone shall be deemed to apply only to that portion of such lot which is located within that zone.

"**FOOD PREPARATION PLANT**" means a building or part of a building in which food and beverage products are cooked, baked, mixed, packaged, or otherwise prepared, for distribution to wholesale or retail outlets and also means a food catering business and warehousing of food. **(66-1998, 39-2004, 61-2016)**

"**FRONT LOT LINE**" means the lot line that abuts an improved street, but,

(a) In the case of a corner lot or through lot, except as provided in paragraph (c), the shorter lot line that abuts an improved street shall be deemed to be the front lot line and the longer lot line that abuts an improved street shall be deemed to be the side lot line or the rear lot line, as the case may be; and

(b) In the case of a corner lot or through lot with two lot lines of equal length that abut improved streets, the lot line that abuts the wider street shall be deemed to be the front lot line, but where the streets are of equal width, the lot line that abuts a Regional Road shall be deemed to be the front lot line, and in the case of both streets being under the same jurisdiction and of the same width, the City may designate which street line shall be the front lot line; and

(c) In the case of a corner lot or through lot on which a back-to-back street townhouse building or a street townhouse building is to be erected, the lot line that abuts the street opposite the main entrances to the back-to-back street townhouse dwellings or the street townhouse dwellings shall be deemed to be the front lot line. **(62-2025)**

"**FRONT YARD**" means a yard extending across the full width of a lot between the front lot line and the nearest wall of any main building or structure on the lot. **(39-2004)**

"**FOURPLEX**" means an apartment building containing only 4 dwelling units. **(66-2023)**

"**FUEL BAR**" means one or more fuel pumps for the sale of motor fuels and related products for vehicles, together with the necessary fuel pump islands, light standards, kiosks, concrete aprons, canopies, storage tanks and related facilities required for the dispensing of fuel and may include a related convenience store. For the purpose of this definition, an electric vehicle charging station ancillary to a parking space is not a Fuel Bar. **(52-2018)**

"**FUEL PUMP ISLAND**" means a structure used for the retail sale of motor fuels, that includes fuel pumps, a concrete base and canopies.

"**FUNERAL HOME**" means a building or part of a building wherein a licensed undertaker prepares human remains for interment and may include a chapel for funeral services or a crematorium.

"**FUNERAL VISITATION CENTRE**" means a premise established for the purpose of temporarily displaying a deceased person or their ashes for public viewing and may also include a chapel and for the delivery of rites, blessings and associated ceremonies and social visitation. A funeral visitation centre is not a funeral home and does not include the care and preparation of human remains. **(61-2016)**

"**GAMING ESTABLISHMENT**" means a building or part of a building used for the purpose of operating games of chance or gambling, such as but not limited to playing at cards, dice, gaming tables or wheels or video lottery terminals, whether by wager of money or other valuable thing, and shall include such establishments as casinos and permanent charity gaming clubs, but shall not include Monte Carlo Events. **(70-1997)**

"**GOLF COURSE**" means an area of land operated for the purpose of playing golf and may include a restaurant, a facility for the sale of golf equipment, a banquet hall or assembly hall, accessory miniature golf courses, driving ranges, putting greens or similar accessory uses.

"**GRADE**" means:

(a) When used with reference to a street, the elevation of the centre line of the street abutting the lot in question, as established by the City for the top of the permanent surface constructed or to be constructed on such street;

(b) When used with reference to a structure, the average elevation of the finished surface of the ground where it meets the structure, exclusive of any artificial embankment;

(c) When used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building, exclusive of any artificial embankment. (The "front of such building" means the main wall of the building facing the front lot line.)

"**GROSS FLOOR AREA**" means the sum total of the horizontal areas of the floors in a building, measured from the exterior faces of the exterior walls or, where calculated individually for one or more uses in a building, measured from the centreline of the common wall separating the uses and, where provided, shall include:

(a) Cellars, basements, corridors and lobbies;
(b) Half-storeys and mezzanines; and
(c) Areas occupied by interior walls or partitions;

but does not include elevator shafts, stairwells, roof areas, crawl spaces, mechanical rooms, electrical rooms, indoor refuse storage or collection areas, mechanical or electrical penthouses, areas used for residential uses nor areas used for parking or loading whether in the main building or in an accessory building.

(66-1998, 62-2000, 39-2004)

"**GROSS LEASABLE FLOOR AREA**" means the total area of all floors in a building or part of a building designated for tenant occupancy and the tenants' exclusive use, measured from the centre line of joint partitions and from the exterior faces of the exterior walls, including floor areas in basements, cellars, mezzanines, upper floor areas and integral storage areas, but not including common corridors, lobbies, roof areas, stairwells, elevator shafts, crawl spaces, mechanical rooms, electrical rooms, indoor refuse storage or collection areas, mechanical or electrical penthouses, covered mall areas and areas devoted to residential uses, nor areas used for parking or loading.

(66-1998, 39-2004)

"**GROUND FLOOR AREA**" means the area of that portion of a lot occupied by a building.

"**GROUP HOME**" means a dwelling unit housing three to ten persons, exclusive of staff, who by reason of their emotional, mental, social or physical condition or legal status require a group living arrangement for their wellbeing, and who live under responsible supervision, with the group home licensed or approved for funding under Provincial Statutes. **(66-1998)**

"**HALF STOREY**" means that portion of a building situated wholly or partly between a sloping roof and the ceiling of the storey next below in which there is sufficient space to provide a floor area equal to at least one-half but not greater than two thirds of the floor area of the storey next below and having side walls not less than 1.35m in height and a ceiling sloped so as to provide a minimum height of 2.0m over at least fifty percent (50%) of the floor area.

"**HEIGHT**" means, when used in reference to a building or structure, the vertical dimension between the grade of such building or structure and:

(a) In the case of a flat roof, the highest point of the roof surface or parapet wall;
(b) In the case of a mansard roof, the deck line;
(c) In the case of a gable, hip, gambrel or one-slope roof, the average level between eaves and ridge, except that a one-slope roof having a slope of less than twenty (20) degrees from the horizontal shall be considered a flat roof for the purposes of this By-law;
(d) In the case of a structure not having a roof, the top of such structure; or
(e) Where an exterior wall other than a required fire wall extends above the top of the roof of a building, the top most part of such exterior wall.

"**HOBBY SHOP**" means a retail store devoted to the retailing of hobby and craft items and supplies. **(49-1998)**

"**HOME AND AUTO SUPPLY STORE**" means a retail store in which merchandise for the home and automobile is offered for sale, including such goods as paint, hardware, electrical supplies, plumbing supplies, housewares, home appliances, sporting goods, lawn and garden supplies and automobile supplies, and may include an affiliated automobile repair garage.

"**HOME APPLIANCE STORE**" means a retail store in which household equipment is offered for sale, such as major and small appliances, electronic devices, computers and audio and visual equipment.

"**HOME CENTRE**" means a group of commercial establishments in which goods, wares, articles and things relating to home improvements and furnishings are displayed and offered for sale or rental, and which may include but not be limited to furniture, drapes, wallpaper, carpets, paint supplies, plumbing supplies, electrical supplies, hardware, appliances, building supplies, stereo and home entertainment equipment, sports and recreational equipment, interior and exterior decorating supplies, plants and flowers, garden tools and supplies, and other similar types of products.

"**HOME DECORATING STORE**" means a retail store in which goods and materials required for decorating the interior of a dwelling unit or office are offered for sale, including floor, wall and window coverings, light fixtures, bathroom and kitchen fixtures, and accessories.

"**HOME FURNISHING STORE**" means a retail store in which movable contents of a room, dwelling unit or office are offered for sale, including such goods as furniture, light fixtures, clocks, organs and pianos, carpet and indoor window coverings.

"**HOME IMPROVEMENT STORE**" means a retail store in which goods or materials required for the construction or alteration of buildings are offered for sale, including such merchandise as wall panelling, wood products, sheet glass products, windows, mirrors, floor, wall and ceiling tiles, paint, wallpaper, bathroom and kitchen cupboards and fixtures, landscaping materials and similar goods.

"**HOME OCCUPATION**" means an occupation or business conducted for gain or profit within a dwelling unit by any resident of that dwelling unit, excluding the following occupations or businesses: kennels or other animal services, automobile repair garage or automobile body shop or paint shop, medical offices with the exception of massage therapy, restaurants (not including the food catering and food preparation), taxi services, bed and breakfast establishments and newspaper or catalogue distribution centres. **(69-2019, 62-2000, 118-2020, 62-2025)**

"**HOSPITAL**" means any institution, land, building, or part of a building, structure or other premises or place established for the diagnosis or treatment of persons afflicted with or suffering from sickness, disease or injury, including mental or nervous illness, or for the treatment of convalescent or chronically ill persons.

"**HOT DOG CART**" means a refreshment vehicle that is operated or licensed for a period greater than three (3) hours and less than nine (9) hours in any day from one location. **(6-2008)**

"**HOTEL**" means a building, or part of a building or group of buildings mainly used for the purpose of catering to the needs of the travelling public by furnishing sleeping accommodation, and includes a motel or motor hotel but does not include a bed and breakfast establishment, a lodging house nor an apartment-hotel. **(66-1998)**

"**IMPROVED STREET**" means a road allowance which has been dedicated as a public highway and which is or will be fully maintained year round, including winter snow and ice control by the City or the Region of Durham.

"**INDUSTRIAL MALL**" means a building or group of buildings held in single ownership or in common ownership or by participants in a condominium corporation or cooperative, and which is divided into units for separate occupancy by different industrial and commercial uses permitted in an Industrial Zone.

"**INDUSTRIALLY ORIENTED OFFICE**" means a building or part of a building where persons are employed in the management, direction and conducting of a business related to an assembly, manufacturing or processing plant, a food preparation plant, a warehouse or a wholesale distribution centre, wherein such office uses are not required to be located on the same lot as the related plant, warehouse or wholesale distribution centre.

"**INTERIOR LOT**" means a lot other than a corner lot.

"**INTERIOR SIDE YARD**" means any side yard other than an exterior side yard.

"**KENNEL**" means any lot, building, or structure, on or within which three or more domesticated animals are housed, groomed, bred, boarded, trained or sold, for profit or gain, and which may offer provisions for minor medical treatment to such animals.

"**LANDSCAPED OPEN SPACE**" means open space on a lot which is used for landscaping of any kind or land which is used for any accessory recreational purpose and, notwithstanding the generality of the foregoing, includes lawns, flower beds, shrubbery, trees and other plantings, decorative pools, ponds and other natural water bodies, private walkways, patios, unenclosed porches, tennis courts, shuffleboard courts, playgrounds, swimming pools, pool areas, decks and similar recreational facilities, but does not include any parking space, aisle, driveway or loading space. **(39-2004)**

"**LAUNDROMAT**" means a building or part of a building wherein machines and facilities for wet laundering and drying are available for public use at a charge, and may include a dry cleaning and laundry depot.

"**LOADING SPACE**" means an unobstructed and maintained surfaced area suitable for the temporary parking of a motor vehicle for the purpose of loading and unloading at the building which it is intended to serve and which space is clear of improved streets, aisles, driveways and parking spaces and is accessible at all times under all conditions of use.

"**LODGER**" means any person who pays rent, fees or other valuable consideration to a proprietor for living accommodation in which cooking or washroom facilities are shared with other persons.

"**LODGING HOUSE**" means a building or a part of a building, containing three to ten lodging units, which does not appear to function as a dwelling unit, although one may be included with the lodging units. It includes, without limitation, a rooming house and a boarding house, a fraternity or sorority house. It does not include a hotel, a crisis care residence, a hospital, a group home, a correctional group home, a bed and breakfast establishment, a nursing home, a flat, an apartment building or a block townhouse. A lodging house may involve shared cooking or washroom facilities. Meals may or may not be provided to residents. Common areas, such as living rooms, may or may not be provided. **(66-1998, 62-2000, 61-2010)**

"**LODGING UNIT**" means one or more rooms within a lodging house used or designed to be used for sleeping accommodations. Lodging units may contain cooking or washroom facilities, but not both. **(62-2000)**

"**LONG TERM CARE FACILITY**" means a building or part of a building established and maintained under the Long Term Care Homes Act. **(69-2019)**

"**LOT**" means a parcel of land which is:

(a) Shown as a lot or block on a registered plan of subdivision; or
(b) Described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

"**LOT AREA**" means the total horizontal area within the lot lines of a lot.

"**LOT COVERAGE**" means that percentage of the lot area covered by all buildings above ground level, excluding a fruit cellar and building features that project beyond the main walls of a building such as window sills, cornices, pilasters, cantilevered canopies or roofs, eaves, gutters, bay windows, chimney breasts, unenclosed decks, unenclosed porches or unenclosed platforms, cantilevered balconies whether open or enclosed, and roof projections supported by one or more columns not associated with unenclosed porches, decks, steps and ramps. **(39-2004, 69-2019, 66-2023)**

"**LOT DEPTH**" means the horizontal distance between the front and rear lot lines but, where the front and rear lot lines are not parallel, the lot depth is the length of a line joining the midpoints of such lot lines.

"**LOT FRONTAGE**" means the length of that segment of a straight line contained within a lot which is parallel to a line which joins the points of intersection of the side lot lines with the front lot line and which is a perpendicular distance of 6.0m from the front lot line. **(66-1998)**

"**LOT LINE**" means any boundary of a lot.

"**LOW INTENSITY RECREATION**" shall mean recreational uses in the Oak Ridges Moraine that have minimal impact on the natural environment, require very little terrain or vegetation modification and few buildings and structures and shall include non-motorized trails, natural education and appreciation areas and picnic areas. For the purposes of this By-law, low intensity recreation shall not include an outdoor skeet, trap and gun club. **(38-2006)**

"**MAIN**" means, when used to describe a use, the principal use carried out on the lot and, when used to describe a building or structure, means the building or structure in which is conducted the principal use carried out on the lot.

"**MEDICAL OFFICE**" means a building or part of a building in which the practice of one or more of the self-governing health professions listed in Schedule 1 to the *Regulated Health Professions Act,* 1991 S.O. 1991 c.18, excluding a pharmacy, is carried on or in which the treatment of humans by an ophthalmologist or a drugless practitioner, occurs. **(60-2005, 61-2010, 72-2024)**

"**MERCHANDISE SERVICE SHOP**" means a business where goods, wares, articles and things are repaired or serviced and includes the regular place of business of a master electrician or master plumber but shall not include a manufacturing plant, nor any establishment used for the repair or servicing of motorized vehicles.

"**METHADONE CLINIC**" means a building or part of a building in which Methadone is prescribed or dispensed. **(OMB 132-2003)**

"**MINERAL AGGREGATE EXTRACTION OPERATION**" means a place where sand, gravel, shale, limestone, dolostone, sandstone and other mineral materials suitable for construction, industrial manufacturing or maintenance purposes, excluding metalliferious minerals, fossil fuels and non-aggregate industrial minerals, are being or have been removed by means of an open excavation, excluding a wayside pit or wayside quarry operated pursuant to the *Mineral Aggregate Resources Act*.

"**MIXED USE BUILDING**" means a development in which more than one main use is or is to be carried on in one or more buildings on a single lot.

"**MOBILE HOME**" means a trailer, with or without running gear and whether or not it is resting upon wheels, that is used as a permanent dwelling unit, is usually connected to utilities and is designed without a permanent foundation.

"**MODEL HOME**" means a single detached dwelling, semi-detached dwelling, back-to-back street townhouse building, block townhouse building or street townhouse building constructed or to be constructed on lands in an approved draft plan of subdivision or in an approved draft plan of condominium or in relation to a common elements draft plan of condominium, with or without service connections, for the purpose of display and sale of dwelling units to be constructed on lots in the plan of subdivision or in the plan of condominium or in relation to a common elements draft plan of condominium.
(66-1998, 52-2018, 62-2025)

"**MONTE CARLO EVENT**" means a building or part of a building used for the purpose of operating on a temporary basis for a charitable object or purpose, games of chance or gambling such as but not limited to playing at cards or gaming tables or wheels, whether by wager of money or other valuable thing, and shall have all requisite approvals and licenses and shall be ancillary to and in combination with a commercial recreation establishment, a club, an assembly hall or a recreational use. **(70-1997)**

"**MUSEUM**" means a building or part of a building and land associated therewith used for the storing, preservation and exhibition of works of art, thematic items, antiques and objects of history and the sciences, together with any libraries, reading rooms, laboratories or other offices and premises used in connection therewith.
(OMB R940316-2)

"**NIGHTCLUB**" means a building or part of a building where alcoholic beverages are served with or without food, and with or without live entertainment or pre-recorded music, and which has an occupant load of 650 persons or more, calculated in accordance with Subsection 3.1.16 of the Ontario Building Code 1997. Private or public membership may or may not be required. **(62-2000)**

"**NON-COMPLYING**" means, when used to describe any land, building, structure or use, that the building, structure, or use does not meet one or more of the provisions set out in this By-law for the zone in which the land, building, structure or use is located. "**NON-COMPLIANCE**" shall have a similar meaning. **(66-1998, 24-2014)**

"**NON-CONFORMING**" means, when used to describe any land, building, structure or use, that the use of the land, building, or structure is not permitted by this By-law in the zone in which the land, building, structure or use is located. "**NON-CONFORMITY**" shall have a similar meaning.

"**NURSERY AND GARDEN STORE**" means a business where trees, shrubs and plants are grown, stored and sold, together with soil, planting materials, fertilizers and similar gardening materials.

"**NURSING HOME**" means a building or part of a building in which rooms or lodging are provided in conjunction with the provision of meals, personal care, nursing services and medical care and treatment, but does not include a hospital.

"**OBNOXIOUS**" means, when used to describe a use, any use which is offensive by reason of the emission of odour, smoke, dust, noise, gas fumes, vibration or refuse matter.

"**OFFICE**" means a building or part of a building containing any type of office use as defined by this By-law.

"**OSHAWA**" means the geographical area comprised of land, air and water which exists within the Regional Municipality of Durham and is legally referred to as the Corporation of the City of Oshawa.

"**OUTDOOR STORAGE**" means the storage of raw materials, machinery, equipment, unlicensed vehicles, or other goods or materials, in an area not enclosed within a building or structure but this shall not include a parking lot, an outdoor retail display area, mineral aggregate extraction operations, a transport terminal, a salvage yard, the temporary storage of refuse in accessory bulk containers or receptacles or other similar uses.

"**OUTPATIENT CLINIC**" means any building or part of a building devoted to and exclusively used by registered outpatients for diagnosis and treatment.

"**PARCEL OF TIED LAND**" means any parcel of land legally bound and tied to a common element condominium. A Parcel of Tied Land must front on either an improved street or a condominium common element road and shall, subject to the regulations of this by-law that relates strictly to Parcels of Tied Land, be regarded as a lot. **(61-2016)**

"**PARK**" means an area of land, consisting of primarily open space, used for active or passive recreational purposes with or without recreational buildings or structures.

"**PARKING ANGLE**" means the angle, which is equal to or less than a right angle, formed by the intersection of the side of a parking space and a line parallel to the adjacent aisle.

"**PARKING AREA**" means an open, unobstructed and maintained surfaced area, consisting of an aisle or aisles or one or more parking spaces and which is served by one or more driveways, and includes queuing spaces, and areas used for the display or offering for sale of vehicles. **(60-2005, 107-2006)**

"**PARKING GARAGE**" means a building or part of a building which is provided and maintained for the purpose of storing or parking vehicles, but shall not include a private garage.

"**PARKING LOT**" means a lot or part of a lot which is provided and maintained for the purpose of the temporary storing or parking of licensed vehicles.

"**PARKING SPACE**" means an unobstructed and maintained surfaced area, exclusive of driveways, aisles, ramps or columns, provided for the purpose of storing or parking one vehicle for purposes other than for the display or offering for sale of such vehicle.

"**PAWN SHOP**" means a retail store in which a pawnbroker carries on the business of taking by way of pawn or pledge any article for the repayment of money lent thereon. **(61-1999)**

"**PEDDLE**" means to sell or to offer for sale goods, wares or merchandise from a particular location elsewhere than from within a building. **(122-2012)**

"**PERSON**" means an individual, association, firm, partnership, corporation, trust, organization, trustee or agent and the heirs, executors or legal representatives of the person to whom the context can apply according to law.

"**PERSONAL SERVICE ESTABLISHMENT**" means a building or part of a building in which persons are employed in furnishing services and otherwise administering to the individual and personal needs of persons, and without limiting the generality of the foregoing may include the establishment of a barber, hairdresser, beautician, tailor, dressmaker or shoemaker, as well as a laundromat, dry cleaning and laundry depot, and may also include the sale of merchandise as an accessory use to the personal service provided.

"**PET GROOMING ESTABLISHMENT**" means a building or part of a building in which domesticated animals are groomed for a fee, but shall not include outdoor animal facilities. **(66-1998)**

"**PHARMACY**" means a retail store in which prescription drugs are dispensed and in which, among other things, non-prescription medicines, health and beauty products, and associated sundry items, may be sold. **(66-1998)**

"**PLACE OF AMUSEMENT**" means a building or part of a building within which three or more amusement machines are available to the public.

"**PLACE OF WORSHIP**" means a building or part of a building owned or occupied by a religious congregation or religious organization and dedicated to worship and related religious, social or charitable activities, and may include an assembly hall, convent, monastery, office of a clergyman, day care centre or a rectory or parsonage, as accessory uses. **(62-2025)**

"**POST-SECONDARY SCHOOL**" means a Community College or a University.

"**PRINTING ESTABLISHMENT**" means a building or part of a building used for the primary purpose of printing, lithographing or publishing.

"**PRIVATE GARAGE**" means either a detached building accessory to a dwelling unit, or a part of a building which also contains a dwelling unit, designed or used for the parking or storage of vehicles of the occupants of the dwelling unit and in which there are no facilities for repairing or servicing such vehicles for gain or profit. For the purposes of this By-law, a private garage includes a carport.

"**PRIVATE OUTDOOR RECREATION CLUB**" means a premises used as a meeting place by an association of persons who are bona fide members paying dues, which association owns, hires or leases the premises or part thereof, the use of such premises being restricted to members and their guests for outdoor social, recreational or athletic purposes.

"**PRIVATE SCHOOL**" means a school, other than an elementary, secondary or commercial school, under the jurisdiction of a private non-profit board of trustees or governors, a religious organization or a charitable organization, used primarily for the instruction of students receiving education. The term private school shall include a montessori school.

"**PROFESSIONAL OFFICE**" means a building or a part of a building where professionally qualified persons and their staff provide services to clients or patients and shall only include a service office, a support office, a clinic, a medical office, the offices of a lawyer, an architect, an engineer, an accountant, a planner or a surveyor. **(42-2017)**

"**PUBLIC AUTHORITY**" means the Government of Canada, the Government of Ontario, and municipal corporations, as well as any department or board established thereby, including Hydro One Inc. (except with respect to Hydro One Inc. transformer stations that transform power down to 44kv), the Oshawa Power and Utilities Corporation and its subsidiaries, any Crown Agency and any college, university or other post secondary institution created by the Province of Ontario but not including any type of group home or any School Board created by the Province of Ontario.
(62-2000, 39-2004, 60-2005, 6-2008)

"**REAR LOT LINE**" means the lot line which is opposite the front lot line provided, however, that where the lot line opposite the front lot line is not a straight line, a straight line 6.0m in length, which is entirely within the lot and at the maximum possible distance from and parallel to a line joining the points of intersection of the side lot lines with the front lot line, shall be deemed to be the rear lot line. **(66-1998)**

"**REAR YARD**" means all of the yard on a lot which contains a building or buildings, which is situated behind the main building or buildings and extends from one side lot line to the other side lot line.

"**RECREATIONAL USE**" means an area of land or a building or part of a building used for active or passive recreation purposes, for a fee or without a fee, including such purposes as parks, trails, sports courts, fields or pitches, arena, stadium, auditorium, gym or fitness centre, ice or roller rink, bowling alley, miniature golf, golf driving range, virtual golf simulator, track, swimming pool or other such similar use, and shall include a park, low intensity recreation, day recreational use and private outdoor recreation club, but does not include a commercial recreation establishment, gaming establishment, golf course, campground, place of amusement, studio, cemetery, club, outdoor skeet, trap and gun club, billiard hall, or an assembly hall. When prefaced by the term "indoor", the recreational use shall be limited to recreational activities within a building or a part thereof. When prefaced by the term "outdoor", the recreational use shall be limited to recreational uses without buildings or structures. When prefaced by the term "day", the recreational use shall be limited to recreational uses without buildings or structures and only during daylight hours. **(72-2024)**

"**RECREATIONAL VEHICLE**" means a vehicle designed to be towed behind a motor vehicle or self-propelled, and includes such vehicles commonly known as travel trailers, camper trailers, pick-up coaches, motorized campers, motorized homes and other similar vehicles, which provide sleeping and other facilities for persons while travelling or vacationing.

"**REFRESHMENT VEHICLE**" means any vehicle that is used for the storage, preparation or sale of food or drink for immediate consumption by the public and which may contain cooking facilities. **(6-2008)**

"**RESEARCH AND DEVELOPMENT ESTABLISHMENT**" means a building or part of a building in which are located facilities for scientific research, investigation, testing, experimentation and product development.

"**RESTAURANT**" means a building or part of a building where food and beverages are prepared and offered for retail sale to the public for immediate consumption on or off the premises, including a licensed dining lounge, and also includes a food catering business, but excluding a tavern or nightclub. **(62-2000, 39-2004)**

"**RETAIL STORE**" means a building or part of a building in which goods, wares, merchandise, foodstuffs or farm produce and other substances, articles and things are displayed, stored and offered for wholesale or retail sale or rental and includes a convenience store and retail bakery but does not include an automobile rental establishment, an automobile sales and service establishment or a vehicle sales and service establishment. **(OMB R940316-5/R940316-7, 66-1998, 52-2018)**

"**RETAIL WAREHOUSE**" means a warehouse-type building or part of a building which has a gross floor area of not less than 1,550m^2 and where there is an integrated storage and sale of a selected range of goods, wares, merchandise and other substances, articles and things, and where ancillary services may be provided, but does not include a supermarket.

"**RETIREMENT HOME**" means a residence providing accommodation primarily for persons or couples of 65 years of age or over where each living unit has a private bedroom, a private washroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.

"**RIDING STABLE**" means an establishment which offers horses for hire or equestrian instruction.

"**SALES OUTLET**" means a use accessory to an assembly, manufacturing or processing industry, a food preparation plant, a merchandise service shop, a wholesale distribution centre, or a warehouse, wherein products assembled, manufactured, processed, prepared, serviced or stored are kept or displayed for rent or for wholesale or retail sale, and wherein orders may be taken for future delivery of such products.

"**SALVAGE YARD**" means land, building or structure used for wrecking, dismantling, storing and selling used goods, wares or materials, which may include, but not so as to limit the generality of the foregoing, rugs, bottles, metals, clothing, furniture, paper, machinery, building materials or vehicles and parts thereof.

"**SATELLITE DISH**" means an antenna which receives television or microwave transmissions or other signals from orbiting satellites or other devices.

"**SCHOOL**" means an institution for education or instruction, which may also be used or permitted to be used for community oriented functions such as live theatre, concerts, gymnastics and similar audience related activities, normally under the jurisdiction of a School Board created by the Province of Ontario, and shall include any type of school defined in this by-law. **(62-2000)**

"**SEASONAL PRODUCE**" means produce harvested or capable of being harvested within the Region of Durham during the season in which it is offered for sale, and including Christmas trees.

"**SEASONAL WORKER HOUSING UNIT**" means a dwelling unit intended to accommodate full-time farm labour when additional labour is required due to the size and nature of the farm operation, and which is accessory to an agricultural use. **(72-2024)**

"**SECOND HAND GOODS**" includes goods acquired from a person who is not a manufacturer or a wholesaler. **(37-2004)**

"**SECOND HAND GOODS SHOP**" means any premises or part thereof where Second Hand Goods are acquired or disposed, but does not include a pawn shop. **(37-2004)**

"**SECONDARY SCHOOL**" means a school, under the jurisdiction of any School Board created by the Province of Ontario, used primarily for the instruction of students receiving secondary education, and shall also include an Adult Secondary School, and may also include an accessory community hub as a subordinate use to the school. **(62-2000, 42-2017)**

"**SELF-SERVE CAR WASH**" means a car wash in which the necessary car wash equipment is provided, but vehicles can only be washed manually. This does not include bays for accessory car wash activities contained within automobile service stations or automobile repair garages where the floor area is not designed or solely used for car washing purposes. **(62-2000)**

"**SELF-SERVE STORAGE BUILDING**" means a building or part of a building in which individual storage spaces are available to the public and where the public are permitted to access the building only to place or remove their property, and may also include a secure document storage building or area in a building. **(118-2020)**

"**SEMI-DETACHED BUILDING**" means a building containing two dwelling units, other than a duplex, with the following characteristics: **(89-2014)**

(a) The two dwelling units are attached vertically above and below grade by a common wall at least 6.0m in length and at least one storey, in addition to any basement, in height;
(b) Each of the two dwelling units has an independent entrance from the exterior; and
(c) Each of the two dwelling units directly faces the streetline.

Notwithstanding the foregoing, a single detached dwelling with an accessory apartment that has the characteristics outlined in (a), (b) and (c) above shall not be considered a semi-detached building. **(62-2025)**

"**SEMI-DETACHED DWELLING**" means one of the two main dwelling units constructed in a semi-detached building. **(62-2025)**

"**SENIOR CITIZENS APARTMENT BUILDING**" means an apartment building designed and intended for the accommodation of persons 65 years of age or over, which is owned and managed by a public housing authority or an incorporated non-profit organization or a charitable institution. **(66-1998)**

"**SERVICE INDUSTRY**" means a building or part of a building associated with the provision of a service or trade, including a plumber's shop, a painter's shop, a courier service, a carpenter's shop, an electrician's shop, a machine shop, a taxi establishment, telecommunications services, household maintenance services and other similar uses, but not including any automotive use nor a professional office.

"**SERVICE OFFICE**" means a building or part or part of a building in which one or more persons is employed in the management, direction or conducting of a ticket agency, travel agency, an insurance agency, a real estate agency or any similar agency.

"**SETBACK**" means the shortest distance between a property line of a lot and the nearest part of any building, structure, excavation or outdoor storage on a lot. **(66-1998)**

"**SHOPPING CENTRE**" means one or more buildings containing at least four individual business establishments, planned, developed, owned and managed as a unit, providing common on-site parking spaces, loading spaces, driveways, and other shared facilities, and which may be held in single ownership or common ownership or by participants in a condominium corporation or commercial cooperative.

"**SHORT-TERM RENTAL**" means all or part of a dwelling unit that is used to provide temporary accommodation, not including a cancer lodge, crisis care residence or university residence.

"**SIDE LOT LINE**" means a lot line other than a front lot line or rear lot line.

"**SIDE YARD**" means a yard extending from the front yard to the rear yard between the side lot line and the wall of any building or structure on the lot.

"**SINGLE DETACHED DWELLING**" means a building which is freestanding, separate and detached from other main buildings or main structures and which contains only a dwelling unit, but does not include a mobile home or an accessory building containing an accessory apartment. **(66-2023)**

"**SIGHT TRIANGLE**" means a triangular space bounded by the two straight lines which contain the defining angle of a corner lot and a straight line connecting the two points on the aforementioned two straight lines which are at a distance of 6.0m from the point of their intersection. **(66-1998)**

"**SIXPLEX**" means an apartment building containing only 6 dwelling units. **(66-2023)**

"**SPECIALTY FOOD STORE**" means a retail store not exceeding 750m^2 in gross floor area primarily devoted to the sale of specialized foods and, without limiting the generality of the foregoing, includes stores such as a grocery store, butcher shop, a retail bakery, a fruit or vegetable store, a chocolate or candy store, an ice cream store, a frozen meat store or a store for the sale of cultural foods, but shall not include a supermarket. **(49-1998)**

"**STACKED TOWNHOUSE**" means a building designed to contain three or more dwelling units attached side by side, two units high.

"**STATIONARY REFRESHMENT VEHICLE**" means a Refreshment Vehicle that is operated or licensed for a period greater than seven (7) days in any year from one location. **(6-2008)**

"**STOREY**" means a part of a building which is not a half-storey and which is situated between any floor level and the floor, ceiling or roof next above it but shall not include a basement, cellar or attic. **(45-2012)**

"**STREET CENTRELINE**" means the centreline of the original road allowance, as opposed to the centreline of the travelled roadway or any widened road allowance.

"**STREET LINE**" means the boundary between a lot or a 0.3m reserve and the street or streets upon which the lot or 0.3m reserve abuts.

"**STREET TOWNHOUSE BUILDING**" means a Townhouse with each Dwelling Unit having lot frontage and direct vehicular access to an improved street that is maintained by a municipality, but shall not include a Back-to-Back Street Townhouse Building. Notwithstanding any other provision of this By-law, for the purpose of this definition Improved Street shall have the meaning defined in Section 2 of the Zoning By-law and not the meaning defined in Article 5.13. **(52-2018, 62-2025)**

"**STREET TOWNHOUSE DWELLING**" means one of the dwelling units originally constructed in a street townhouse building, but shall not include a Back-to-Back Street Townhouse Building. **(62-2025)**

"**STRUCTURE**" means anything that is erected, and which is fixed to or supported by the soil, a building or another structure, but does not include a building. **(66-1998, 24-2014)**

"**STUDIO**" means a building or part or part of a building used as the workplace of a photographer, craftsperson or artist, including the instruction of art, music, dancing, languages or similar disciplines, and may include the sale of merchandise or artifacts produced therein as an accessory use to the studio.

"**SUPERMARKET**" means a retail store for which the gross floor area is no less than 750m^2 and for which no less than fifty percent (50%) of the gross floor area is used exclusively for the sale and storage of food. **(60-2005)**

"**SUPPORT OFFICE**" means a building or part of a building in which technical or para-professional consulting services are performed and only includes the offices of social workers, law clerks, real estate appraisers, architectural technicians or technologists, conveyancers, family counsellors or engineering technicians or technologists.

"**SURFACED**" means, when used to describe a driveway, aisle, parking space, parking area or loading space, an area covered with asphalt, concrete, interlocking brick or block, crushed stone, gravel, slag or other material capable of providing and maintaining a hard dust free surface. **(66-1998)**

"**TANDEM PARKING SPACES**" means two or more parking spaces, one behind the other, which area is accessed by the same driveway or aisle.

"**TATTOO PARLOUR**" means a commercial establishment that is primarily involved in the marking of skin with indelible pigment or other such substance so as to produce a permanent design, mark or similar feature on the skin. **(37-2004)**

"**TAVERN**" means a licensed drinking establishment, including a tavern lounge, beverage room, public house and entertainment lounge, where liquor, beer or wine are served, with or without food, but excluding a restaurant or nightclub. **(62-2000)**

"**TAXI**" means a vehicle licensed as such pursuant to the relevant City of Oshawa By-laws.

"**TAXI ESTABLISHMENT**" means a building or part of a building used for the dispatching of taxis, and may include the parking of taxis when not in service.

"**THEATRE**" means a building or part of a building used for the presentation of the performing arts.

"**THROUGH LOT**" means a lot bounded on opposite sides by streets.

"**TOWNHOUSE**" means a building divided vertically into at least three dwelling units, attached by common walls at least 6.0m in length and at least one storey in height, in addition to any basement, with each dwelling unit having a separate entrance from the outside.

"**TRADE CENTRE**" means a building or part of a building in which facilities are provided for the temporary exhibition, temporary storage and temporary associated sale of goods, wares, merchandise or produce or other articles and things, and may include an assembly hall or restaurant.

"**TRANSPORT TERMINAL**" means a premises used for the transferring of goods, the loading and unloading of freight-carrying trucks, and may include the storing, parking, servicing and dispatching of freight-carrying trucks.

"**TRIPLEX**" means an apartment building containing only 3 dwelling units. **(66-2023)**

"**TUCK SHOP**" means a part of an apartment building not exceeding 24m^2 in gross floor area in which goods, merchandise, substances and articles are displayed, stored and offered for retail sale or rental for the residents of the apartment building or for staff and visitors to the building or residential complex in which it is located.

"**UNIVERSITY**" means a university established under any provincial statute. **(61-2010)**

"**UNIVERSITY RESIDENCE**" means a building or part of a building that is owned, leased or operated by a university or community college, that contains residential accommodation for students, employees or persons in short-term residence at such university or community college, whether or not shared cooking facilities are provided in the building. **(106-2006, OMB PL060815)**

"**VAPOUR PRODUCT SHOP**" means a retail store in which ten percent (10%) or more of the gross floor area is used for the sale of vapour products. Vapour product means an electronic cigarette, any substance that is manufactured or sold to be used in an electronic cigarette, or any component of an electronic cigarette and includes the package in which the electronic cigarette, substance or component is sold. **(112-2024)**

"**VEHICLE**" means an automobile, truck or other motor vehicle, including farm implement or equipment, motor home, motorized construction equipment, motorcycle, snowmobile, boat, recreational vehicle, aeroplane, trailer and any other device which is capable of being driven, propelled or drawn by any kind of power, excluding devices powered solely by means of human or animal effort, such as bicycles, wheelchairs, wagons, carts or skateboards.

"**VEHICLE DRIVE-THROUGH FACILITY**" means the use of land, buildings or structures, or parts thereof, to provide or dispense products or services, either wholly or in part, through/by an attendant or a window or automated machine, to persons remaining in vehicles that are in a Vehicle Queuing Lane but does not include a car wash or kiosks and automated machines located within a parking garage or public parking lot. **(75-2017)**

"**VEHICLE QUEUING LANE**" means an on-site, unobstructed, continuous lane or a dual lane that includes Vehicle Queuing Spaces, other than an aisle or a parking space and which does not obstruct any required Fire Route. **(75-2017)**

"**VEHICLE QUEUING SPACE**" means an area occupied or intended to be occupied by a motor vehicle within a Vehicle Queuing Lane while awaiting service from a Vehicle Drive-through Facility. **(75-2017)**

"**VEHICLE SALES AND SERVICE ESTABLISHMENT**" means premises where new or used vehicles are stored and displayed for the purpose of sale, lease, or hire and shall include facilities for the storage and sale of parts accessory to such vehicles, together with the repair and service of the vehicles. For the purpose of this definition, "vehicles" shall be restricted to motorized construction equipment or machinery, truck bodies, truck tractors, tractor trailers, trains, buses, commercial vehicles, recreational vehicles and farm implements or equipment, but shall not include automobiles or passenger trucks.

"**VIDEO RENTAL ESTABLISHMENT**" means a retail store used for the rental of video tapes or video related equipment and may include the sale of video tapes and video related equipment and convenience foods as accessory uses.

"**WAREHOUSE**" means a building or part of a building which is used primarily for the storage of goods, wares, merchandise or other materials, and includes a self-serve storage building but does not include a bulk storage tank except as an accessory use.

"**WAYSIDE PIT**" or "**WAYSIDE QUARRY**" means a temporary mineral aggregate extraction operation opened and used by a public road authority or its agents solely for the purpose of a public project or contract of road construction, but not located on the road right-of-way.

"**WHOLESALE DISTRIBUTION CENTRE**" means a building or a part of a building where finished products are stored or kept in bulk for sale to retail establishments, but shall not include a retail store other than a sales outlet.

"**YARD**" means any portion of a lot which is unoccupied by buildings or structures, except as accessory uses expressly permitted in this By-law.

"**YARD DEPTH**" means the shortest distance between the lot line forming one limit of the yard and any point in the wall of the building or structure forming the other limit of the yard in question.

Section 3: Zones and Zone Symbols

3.1 Establishment of Zones

3.1.1 For the purposes of this By-law and the maps contained in Schedule "A" hereto, the following zones are established and may be referred to by class, symbol or name:

(a) **Class: Residential**

Symbol	Name
R1	R1 Residential Zone
R2	R2 Residential Zone
R3	R3 Residential Zone
R4	R4 Residential Zone
R5	R5 Residential Zone
R6	R6 Residential Zone
R7	R7 Residential Zone
R8	R8 Residential Zone

(b) **Class: Office**

Symbol	Name
SO	Specialized Office Zone
OC	Office Conversion Zone

(c) **Class: Commercial**

Symbol	Name	
UGC	Urban Growth Centre Zone	**(112-2024)**
PCC	Planned Commercial Centre Zone	
PSC	Planned Strip Commercial Zone	
SPC	Special Purpose Commercial Zone	
CC	Convenience Commercial Zone	
SSC	Automobile Service Station Zone	
HMC	Hamlet Commercial Zone	
HBC	Harbour Commercial Zone	

(d) **Class: Institutional**

Symbol	Name
CIN	Community Institutional Zone
MIN	Major Institutional Zone

(e) **Class: Open Space**

Symbol	Name
OS	Open Space Zone
OSU	Urban Open Space Zone
OSR	Rural Open Space Zone
OSP	Park Open Space Zone
OSH	Hazard Lands Open Space Zone
OSE	Environmentally Sensitive Open Space Zone
OSW	Waterfront Open Space Zone
OSB	Open Space Buffer Zone
OS-ORM	Oak Ridges Moraine Open Space Zone

(38-2006, 138-2008)

(f) **Class: Industrial**

Symbol	Name
PI	Prestige Industrial Zone
SI	Select Industrial Zone
GI	General Industrial Zone
SPI	Special Industrial Zone
HI	Hamlet Industrial Zone

(g) **Class: Other**

Symbol	Name	
AG	Agricultural Zone	
AP	Airport Zone	
UT	Utilities Zone	
MA	Mineral Aggregate Zone	
CE	Cemetery Zone	
FD	Future Development Zone	**(66-2023)**
EU	Existing Use Zone	
SW	Special Waterfront Zone	
AG-ORM	Oak Ridges Moraine Agricultural Zone	

(62-2000, 38-2006)

(h) **Class: Regulatory**

Symbol	Name	
D	Density	
F	Lot Frontage	
I	Floor Space Index	
L	Lot Area	
T	Height	
Y	Front Yard Depth	
R	Rear Yard Depth	
DB	Density Block	
C	Lot Coverage	**(4-1998)**

(i) **Class: Mixed Use** **(106-2006, OMB PL060815)**

Symbol	Name
MU	Mixed Use Zone

3.2 Zone Variations and Special Conditions

3.2.1 The term “zone variations” is used to describe the subdivisions of the zones established by Subsection 3.1. For example, the R6 Residential Zone has zone variations which include R6-A, R6-B, R6-C and R6-D. Each zone variation has different regulations applicable to the permitted uses within that zone or the uses permitted in each zone variation are different. Table 11.2 sets out the regulations for each R6 zone variation. The word “zone” includes each of the zone variations within the zone.

3.2.2 A “special condition” permits additional uses or further restricts the use of specific property in various zones and zone variations or provides regulations applicable to uses permitted at specific locations that differ from the regulations applicable to the standard zones or zone variations. An example is the R6-C(1) Zone established under Article 11.3.1.

3.3 Regulatory Zones

3.3.1 Explanation

3.3.1(1) The T, I, D, F, L, Y, R, DB and C regulatory zones provide individual regulations with respect to height (T), floor space index (I), density (D), minimum lot frontage (F), minimum lot area (L), minimum front yard depth (Y), minimum rear yard depth (R), density in blocks in a registered plan of subdivision (DB) and maximum lot coverage (C). These regulatory zones are used in conjunction with one or more use zones. The regulatory zones take precedence over any applicable maximum height, maximum floor space index, maximum density, minimum lot frontage, minimum lot area, minimum front yard depth, minimum rear yard depth and maximum lot coverage regulations set out in the relevant use zone. **(4-1998)**

3.3.2 T – HEIGHT

3.3.2(1) The maximum height of main buildings and main structures permitted on any lot is determined by the HEIGHT regulatory zone. If no height regulatory zone is noted on the zoning maps, the height regulations of the applicable use zone apply.

3.3.2(2) Each T - HEIGHT regulatory zone permits a maximum building height expressed in “metres”, indicated by the number following the letter T on the zoning maps attached to this By-law.

3.3.3 **I – FLOOR SPACE INDEX**

3.3.3(1) The maximum floor space index permitted on any lot is determined by the FLOOR SPACE INDEX regulatory zone. If no floor space index zone is noted on the zoning maps, the floor space index regulations of the applicable use zone apply.

3.3.3(2) Each I - Floor Space Index regulatory zone permits a maximum floor space index, indicated by the number following the letter I on the zoning maps attached to this By-law.

3.3.4 **D – DENSITY**

3.3.4(1) The maximum number of dwelling units permitted on any lot is determined by the DENSITY regulatory zone. If no density zone is noted on the zoning maps, the density regulations of the applicable use zone apply.

3.3.4(2) Each D - Density regulatory zone permits a maximum number of dwelling units per hectare, indicated by the number following the letter D on the maps attached to this By-law.

3.3.5 **F – FRONTAGE**

3.3.5(1) The minimum lot frontage of any lot is determined by the LOT FRONTAGE regulatory zone. If no lot frontage is noted on the zoning maps, the frontage regulations of the applicable use zone apply.

3.3.5(2) Each F - Frontage regulatory zone requires the minimum lot frontage expressed in metres (m), indicated by the number following the letter F on the zoning maps attached to this By-law.

3.3.6 **L – LOT AREA**

3.3.6(1) The minimum lot area of any lot is determined by the LOT AREA regulatory zone. If no minimum lot area is noted on the zoning maps, the lot area regulations of the applicable use zone apply.

3.3.6(2) Each L - Lot Area regulatory zone requires the minimum lot area expressed in square metres (m^2), indicated by the number following the letter L on the zoning maps attached to this By-law. **(58-1996)**

3.3.7 **Y – FRONT YARD DEPTH**

3.3.7(1) The minimum front yard depth requirement of any lot is determined by the FRONT YARD DEPTH regulatory zone. If no front yard depth zone is noted on the zoning maps, the front yard depth regulations of the applicable use zone apply.

3.3.7(2) Each Y - Front Yard Depth regulatory zone requires the minimum front yard depth expressed in metres (m), indicated by the number following the letter Y on the zoning maps attached to this By-law.

3.3.8 **R – REAR YARD DEPTH**

3.3.8(1) The minimum rear yard depth requirement of any lot is determined by the REAR YARD DEPTH regulatory zone. If no rear yard depth zone is noted on the zoning maps, the rear yard depth regulations of the applicable use zone apply.

3.3.8(2) Each R - Rear Yard Depth regulatory zone requires the minimum rear yard depth expressed in metres (m), indicated by the number following the letter R on the zoning maps attached to this By-law.

3.3.9 **DB – DENSITY IN BLOCKS IN A REGISTERED PLAN OF SUBDIVISION**

3.3.9(1) The maximum density requirement in any block in a registered plan of subdivision can be determined by the DENSITY BLOCK regulatory zone. If no density block zone is noted on the zoning maps, the density regulations of the applicable use zone apply.

3.3.9(2) Each DB - Density Block regulatory zone permits a maximum number of dwelling units per hectare in the applicable block within a registered plan of subdivision, indicated by the number following the letters DB on the maps attached to this By-law.

3.3.10 **C – LOT COVERAGE** **(4-1998)**

3.3.10(1) The maximum lot coverage of any lot is determined by the LOT COVERAGE regulatory zone. If no lot coverage regulatory zone is noted on the zoning maps, the lot coverage regulations of the applicable use zone apply.

3.3.10(2) Each C – Lot Coverage regulatory zone permits a maximum lot coverage expressed in a percentage of the lot area indicated by the number following the letter C on the zoning maps attached to this By-law.

3.3.11 **DBR – DENSITY BLOCK RANGE IN BLOCKS IN A REGISTERED PLAN OF SUBDIVISION** **(119-2018)**

3.3.11(1) The density block range (minimum density to maximum density requirement) in any block in a registered plan of subdivision can be determined by the DENSITY BLOCK RANGE regulatory zone. If no density block range zone is noted on the zoning maps, the density regulations of the applicable use zone apply.

3.3.11(2) Each DBR - Density Block Range regulatory zone permits a minimum and maximum number of dwelling units per hectare in the applicable block within a registered plan of subdivision, indicated by the number following the letters DBR on the maps attached to this By-law.

3.4 Schedules and Tables

3.4.1 All Schedules and Tables attached to this By-law form part of the By-law except as may be noted elsewhere in this By-law.

3.5 Holding "h" Zones

3.5.1 Use of "h" Symbol

3.5.1(1) Where the symbol "h" appears on a zoning map as a suffix to a zone, a zone variation or a compound zone applying to certain lands, notwithstanding the provisions of that zone unless this By-law has been amended to remove the "h" symbol, those lands shall not be developed or used except in compliance with the provisions of the applicable zone for existing uses, or for such other uses set out in the relevant Holding Zone Provisions of Article 3.5.2. The relevant Holding Zone Provisions are denoted by the number immediately following the symbol "h" on the zoning map.

3.5.2 Holding Zone Provisions

3.5.2(1) **h-1 Zone (west of Stevenson Road South, north of Champlain Avenue) (102-2005)**

Purpose: To ensure that:

(a) The City has granted site plan approval and the following matters have been addressed to the satisfaction of the City: **(72-2024)**

(i) Approval for driveway access all to the satisfaction of the MTO and the Region;

(ii) Agreement in principle for mutual access/egress to Champlain Avenue through the lands to the west and any other access/egress through adjacent lands to the north to the City's satisfaction, by way of registered access easements;

(iii) Agreement in principle for storm servicing acceptance points, the provision of stormwater quality and quantity control on the adjacent lands and registered servicing easements with the adjacent owner for both the major and minor storm flows generated from the subject site. The approved overall scheme for stormwater management as prepared for the Champlain East Sector shall form the basis

of any agreement for site servicing and necessary easements;

(iv) Agreement in principle for the proposed site grading adjacent to the abutting lands and approval in writing from MTO and the Region for the proposed site grading adjacent to Stevenson Road South and Champlain Avenue;

(v) Preparation of a comprehensive stormwater management report and site servicing brief. The proposal shall comply with City's policies and by-laws with regard to stormwater management and also the approved overall scheme for stormwater management for the Champlain East Sector. Additionally, the report shall have regard for previous studies/reports already done for the abutting lands north and west of the subject site. The report must address all of the water resource issues identified below:

- Water quality and quantity control;
- Overland flow routes including lands external to the site;
- A physical storm sewer outfall for the site;
- Erosion and sedimentation control for the site;

(vi) Noise mitigation to the City's satisfaction; and

(vii) Building siting and landscaping to the City's satisfaction.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone. **(66-2023)**

3.5.2(2) **h-2 Zone (certain lands located adjacent to Branch 6 of the Harmony Creek immediately south of Highway 401 and Bloor Street East and east of Farewell Street above the 1:100 year storm floodline under future development conditions) (OMB Z950159)**

Purpose: To ensure that:

(a) Engineering and environmental studies shall be prepared to the satisfaction of the Central Lake Ontario Conservation Authority and the City to address floodplain and stormwater management issues and any potential environmental impacts of the proposed development on the Harmony Creek and Second Marsh;

(b) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services to serve the development; and

(c) The City has granted site plan approval. **(72-2024)**

Permitted Interim Uses:

(a) All uses permitted in an OSE Zone.

3.5.2(3) **h-3 Zone (south of Taunton Road East, west of Langley Circle) (17-2021)**

Purpose: To ensure that:

(a) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services and facilities to serve this development and included in a subdivision agreement which is executed.

(b) Verification is provided to the satisfaction of the City and Region which indicates the soils of the subject site are suitable for the proposed use. A Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks shall be required if required by the Region's Site Contamination Protocol.

(c) Noise mitigation to the satisfaction of the City and Region.

(d) Dust and odour mitigation to the satisfaction of the City and Region.

(e) An archaeological assessment is completed to the satisfaction of the Ministry of Heritage, Sport, Tourism and Culture Industries.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law, provided that for those lands where an “h-74” holding symbol also applies, the “h-79” holding symbol is removed.

(c) All permitted interim uses under the “h-81” holding symbol, for those lands where the “h-81” holding symbol applies.

3.5.2(4) **h-4 Zone (671 Bloor Street East) (71-1997)**

Purpose: To ensure that:

(a) The City is advised, in writing, by the Central Lake Ontario Conservation Authority (CLOCA) that the owner has addressed CLOCA’s concerns on the installation of a backflow prevention device; and

(b) The City has granted site plan approval for an apartment building.

Permitted Interim Uses:

(a) All uses permitted in a R2 Zone. **(82-1998, 44-1999)**

3.5.2(5) **h-5 Zone (McKim Street and James Street, north of Stacey Avenue) (71-1996)**

Purpose: To ensure that:

(a) A servicing agreement is executed with the City;

(b) Verification is provided to the satisfaction of the City and the Ministry of Environment, Conservation and Parks which indicates that the soils of the subject site are suitable for the proposed residential development; and

(c) A noise study is prepared to the satisfaction of the City and the Canadian National Railway.

Permitted Interim Uses:

(a) All existing uses.

3.5.2(6) **h-6 Zone (918 to 926 Simcoe Street North)**

Purpose: To ensure that:

(a) A fence and certain rear yard landscape improvements are installed and completed to the satisfaction of the City of Oshawa.

Permitted Interim Uses:

(a) All uses permitted in a R1-A Zone.

3.5.2(7) **h-7 Zone (63 Albany Street) (44-2025)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses landscaping, streetscape design, fencing, lighting and refuse/recycling pickup.

(b) Noise and vibration mitigation to the satisfaction of the City.

(c) A traffic impact study is completed to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone.

3.5.2(8) **h-8 Zone (southeast Quadrant of Taunton Road East and Clearbrook Drive)** **(17-2021)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as landscaping, fencing and lighting.

(b) A noise study is completed to the satisfaction of the City.

(c) Dust and odour mitigation to the satisfaction of the City and Region.

(d) Cross access easements are granted to lands to the east known municipally as 679, 695, 725, 737, 741, 745 and 757 Taunton Road East to the satisfaction of the City and Region.

(e) The building design(s) is compatible with the operation of the Oshawa Executive Airport.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(9) **h-9 Zone (southern portion of 135 Bruce Street)** **(66-1996)**

Purpose: To ensure that:

(a) A subdivision agreement is executed with the City;

(b) Verification is provided to the satisfaction of the City and the Ministry of Environment, Conservation and Parks which indicates that the soils of the subject site are suitable for the proposed residential development; and

(c) A noise study for the entire site and a vibration study for all building envelopes within 75.0m of the railway right-of-way, are prepared to the satisfaction of the City and CN.

Permitted Interim Uses:

(a) All existing uses.

3.5.2(10) **h-10 Zone (721 King Street West)** **(25-2006)**

Purpose: To ensure that:

(a) The City has granted site plan approval for an apartment building.

Permitted Interim Uses:

(a) All uses permitted in a R2 Zone.

3.5.2(11) **h-11 Zone (133 Ritson Road North)** **(56-2020)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as landscaping, fencing and lighting levels;

(b) Arrangements have been made to the satisfaction of the Region of Durham and the City on any necessary transportation improvements (e.g. driveway entrance design and related road improvements);

(c) A noise study is completed to the satisfaction of the City;

(d) A vibration study is completed to the satisfaction of the City to review the impact of the construction of the proposed development on adjacent buildings, and any necessary mitigation measures are implemented ; **(72-2024)**

(e) Sufficient lands are conveyed to the City at no cost to accommodate an appropriate termination and 0.3m reserve for the cul-de-sac for Colborne Street East at the southeast corner of the site to the satisfaction of the Commissioner of Development Services;

(f) Stormwater management matters are addressed to the satisfaction of the City, Region of Durham and Central Lake Ontario Conservation Authority;

(g) Any necessary cross-access easements are created in favour of the lands to the north to the satisfaction of the City; and,

(h) A Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks is provided to the satisfaction of the City and the Region of Durham, indicating that the site is suitable for residential development in accordance with the appropriate Provincial guidelines/criteria.

Permitted Interim Uses:

(a) All existing uses.

3.5.2(12) **h-12 Zone (2029-2043 Simcoe Street North)** **(58-2011)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements shall be made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development to the satisfaction of the City and Region;

(c) Driveway access to the satisfaction of the City and Region;

(d) Noise mitigation to the City's satisfaction; and

(e) Any necessary cross-access easements are created to the satisfaction of the City. **(89-2014)**

Permitted Interim Uses:

(a) Any single detached dwelling existing as of April 11, 2011 on a lot existing as of April 11, 2011. The regulations in Table 6.2 and the relevant provisions of this By-law applicable to the R1-C Zone shall apply to such use, including any expansion to the dwelling.

(b) Notwithstanding the definition of a "Lodging House" in Section 2, to the contrary, a lodging house with a maximum of 5 lodging units in an existing single detached dwelling as of July 1, 2012. The regulations in Table 12.2 and the relevant provisions of this By-law applicable to a lodging house in a R7-A Zone shall apply to such use. **(45-2012, 89-2014)**

3.5.2(13) **h-13 Zone (part of the former Gifford Farm located within 40.0m of the Lake Ontario Shoreline) (OMB Z960129)**

Purpose: To ensure that:

(a) A study shall be completed to the satisfaction of the City of Oshawa that indicates that:

(i) Section 3.1 of the Provincial Policy Statement regarding lands subject to erosion hazards is met; **(72-2024)**

(ii) Development will not have an adverse impact on the ecological function of the shoreline area; and

(iii) Development will not significantly interfere with the view of Lake Ontario from the crest of the Gifford Hill; and

(b) The City has granted site plan approval. **(72-2024)**

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(14) **h-14 Zone (various locations)** **(50-1997, OMB PL020751)**

Purpose: To ensure that:

(a) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services and facilities to serve this development and included in a subdivision agreement which is executed. **(39-2004)**

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(15) **h-15 Zone (west of Thornton Road South, north and south of the future Consumers Drive extension)** **(79-2009)**

Purpose: To ensure that:

(a) Development of these lands does not proceed until the alignment of the Consumers Drive extension has been finalized to the satisfaction of the City of Oshawa and the Region of Durham; and

(b) Suitable arrangements have been made with the Region for the acquisition of the land required from the subject site for the extension of Consumers Drive.

Permitted Interim Uses:

(a) All existing uses.

3.5.2(16) **h-16 Zone (1709 Harmony Road North)** **(6-2025)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as lighting, landscaping, fencing, driveway access, grading, stormwater management, and noise mitigation.

(b) A traffic impact study is submitted to the satisfaction of the Region of Durham.

Permitted Interim Uses:

(a) A place of worship in an existing building. **(62-2025)**

3.5.2(17) **h-17 Zone (west side of Fox Street)** **(54-2008)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements are made for the provision of adequate sanitary, water, storm and transportation services to serve this development to the satisfaction of the City and the Region of Durham;

(c) Appropriate engineering and environmental studies are prepared to address any potential environmental impacts of the proposed development to the satisfaction of the City;

(d) Written confirmation is received from GO Transit that the proposed development is acceptable;

(e) A market study is prepared to the satisfaction of the City to ensure the additional medical office/clinic floor space mentioned in Sentence 19.3.12(7) will not have a negative impact on the Oshawa Main Central Area; **(112-2011, 92-2016)**

(f) An archaeological study is completed to the satisfaction of the Ministry of Tourism, Culture and Sport; **(92-2016)**

(g) A vibration study is completed to the satisfaction of the City, if necessary; **(92-2016)**

(h) The environmental condition of the site is suitable for the proposed uses to the satisfaction of the City and Region; and **(92-2016)**

(i) Upon completion of an Environmental Assessment to determine the final road alignment the owner conveys to the City or Region any lands required for the future east west Type “C” Arterial road to connect Thornton Road North to Laval Drive. **(69-2019)**

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(18) **h-18 Zone (southwest Quadrant of Taunton Road East and Clearbrook Drive)** **(17-2021)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as building siting, landscaping, fencing and lighting.

(b) Appropriate arrangements are made for municipal servicing, including stormwater management matters;

(c) A noise study is completed regarding noise from the proposed development and implementation of noise mitigation from existing

abutting industrial and commercial facilities for existing and planned residential lands to the east, to the satisfaction of the City.

(d) Satisfactory arrangements are made with the City and Region on any transportation improvements.

(e) An odour study is completed for any restaurant use.

(f) All waste storage shall be located within an enclosed building or a partially in-ground waste storage bin.

(g) The building design(s) is compatible with the operation of the Oshawa Executive Airport.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

(c) All permitted interim uses under the “h-81” holding symbol.

3.5.2(19) **h-19 Zone (northwest corner of Taunton Road West and Thornton Road North) (74-2008)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements are made for the provision of adequate sanitary, water, storm and transportation services to serve this development to the satisfaction of the City and the Region of Durham; and

(c) Appropriate engineering and environmental studies are prepared to address any potential environmental impacts of the proposed development to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in the SPC-A/SSC-C(1) Zones within existing buildings and structures and uses permitted in the FD Zone. **(66-2023)**

3.5.2(20) **h-20 Zone (west of Harmony Road North, south of Taunton Road East) (4-1998)**

Purpose: To ensure that:

(a) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services and

facilities to serve this development and included in a subdivision agreement which is executed and registered.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(21) **h-21 Zone (southwest of Bruce Street and Drew Street) (32-2006)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(22) **h-22 Zone (south of Taunton Road East, west of Harmony Road North) (23-2005)**

Purpose: To ensure that:

(a) The City granted site plan approval or an appropriate subdivision agreement is executed with the City. **(72-2024)**

Permitted Interim Uses:

(a) All existing R1-A uses as of February 28, 2005. Minor enlargements to existing single detached dwellings may be permitted in compliance with Article 38.2.2 of this By-law. Any minor enlargement shall comply with the R1-A regulations.

3.5.2(23) **h-23 Zone (various locations) (136-2008)**

Purpose: To ensure that:

(a) Site plan approval is granted by the City;

(b) Appropriate arrangements are made for servicing, including storm water management;

(c) An archaeological study is completed to the satisfaction of the City, if necessary;

(d) An environmental study is completed, if necessary, to the satisfaction of the Central Lake Ontario Conservation Authority and the City since a portion of the subject site is located within 120.0m of a Provincially Significant Wetland located north and south of Taunton Road West within the Goodman Creek valley;

(e) The site design is compatible with the operation of the Oshawa Airport; and

(f) Verification has been provided to the satisfaction of the City that the site is suitable for the proposed uses in accordance with the relevant Provincial guidelines in effect immediately prior to the issuance of any building permit or use of the site. A Record of Site Condition, if necessary, must be submitted to the Ministry of the Environment, Conservation and Parks.

Permitted Interim Uses:

(a) All uses permitted in the FD Zone. **(66-2023)**

3.5.2(24) **h-24 Zone (135 Bruce Street)** **(117-2018)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as landscaping, fencing and lighting levels;

(b) Appropriate arrangements are made for municipal servicing, including sanitary/water and stormwater management matters to the satisfaction of the City and the Region; and

(c) A new Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks, is provided to the satisfaction of the City and the Region, indicating that the site is suitable for residential development in accordance with the appropriate Provincial guidelines/criteria.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(25) **h-25 Zone (5055 Simcoe Street North)**

Purpose: To ensure that:

(a) The City has granted site plan approval; and **(72-2024)**

(b) A Record of Site Condition (RSC) acknowledged by the Ministry of the Environment, Conservation and Parks, has been provided to the satisfaction of the City, indicating that the soils of the site are suitable for commercial development in accordance with the Provincial guidelines in effect immediately prior to the issuance of a building permit.

Permitted Interim Uses:

(a) All AG-ORM uses. **(38-2006)**

3.5.2(26) **h-26 Zone (south of King Street West and east of Thornton Road South)** **(63-2011)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City for any apartment building or block townhouse which addresses such matters as:
   (i) Appropriate arrangements are made for the provision of adequate water, sanitary, storm, foundation drainage, and transportation services to the development to the satisfaction of the City and Region;
   (ii) A traffic impact study is prepared, as necessary, to the satisfaction of the City and Region;
   (iii) Driveway access is in a location to the satisfaction of the City and Region; and
   (iv) Noise mitigation is addressed to the City's satisfaction.

Permitted Interim Uses:

(a) All uses permitted in a R2 Zone.

(b) Notwithstanding the definition of a "Lodging House" in Section 2, to the contrary, a lodging house with a maximum of 5 lodging units in an existing single detached dwelling as of July 1, 2012. The regulations in Table 12.2 and the relevant provisions of this By-law applicable to a lodging house in a R7-A Zone shall apply to such use. **(45-2012)**

3.5.2(27) **h-27 Zone (185 Hillcroft Street)** **(95-2014)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as landscaping, fencing, lighting levels and the removal of asphalt on the City lands immediately south of the site and replacing it with sod;

(b) A noise study is completed to the satisfaction of the City;

(c) Appropriate arrangements are made for municipal servicing, including sanitary/water and stormwater management matters, to the satisfaction of the City and the Region; and

(d) A Record of Site Condition, acknowledged by the Ministry of the Environment, Conservation and Parks, has been provided to the satisfaction of the City, indicating that the site is suitable for

residential development in accordance with the appropriate Provincial guidelines.

Permitted Interim Uses:

(a) All legally existing uses as of June 23, 2014.

3.5.2(28) **h-28 Zone (southeast corner of Ritson Road South and King Street East) (72-1999)**

Purpose: To ensure that:

(a) Verification has been provided to the satisfaction of the City that the soils of the subject site are suitable for residential development in accordance with the relevant Provincial guidelines in effect immediately prior to the issuance of a building permit for a single detached dwelling.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) A parking lot in accordance with the relevant provisions of this By-law pertaining to the R1-C(7) Zone provided a site plan agreement has been executed with the City for the parking lot.

3.5.2(29) **h-29 Zone (1827 Thornton Road North) (70-2018)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as building siting, landscaping, fencing, lighting levels and any necessary easements for overland flow and maintenance access are created to the satisfaction of the City;

(b) A noise study is completed to the satisfaction of the City;

(c) An archaeological assessment is completed to the satisfaction of the Ministry of Tourism, Culture and Sport;

(d) Appropriate arrangements are made for the provision of adequate water, sanitary, foundation drainage and transportation services including driveway access to the development at no cost to and to the satisfaction of the City and Region; and

(e) Appropriate arrangements shall be made for the management of stormwater at no cost to the City and to the satisfaction of the City, Region and CLOCA.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(30) **h-30 Zone (various locations)** **(119-2018, 69-2020)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City; and

(b) Urban design guidelines are prepared to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(31) **h-31 Zone (671-723 Conlin Road East)** **(62-2012)**

Purpose: To ensure that:

(a) Site plan or subdivision approval is obtained from the City that addresses such matters as landscaping, fencing and lighting;

(b) A traffic impact study is completed to the satisfaction of the City;

(c) A noise study regarding noise from Conlin Road East is completed to the satisfaction of the City;

(d) An archaeological assessment is completed to the satisfaction of the Ministry of Tourism, Culture and Sport;

(e) Storm water management and environmental matters are addressed to the satisfaction of the City and the Central Lake Ontario Conservation Authority;

(f) The Oshawa Creek valley lands/floodplain and related environmental buffer are conveyed to the City at no cost and in a physical condition acceptable to the City;

(g) A Record of Site Condition acknowledged by the Ministry of Environment, Conservation and Parks, as may be required, to the satisfaction of the City indicating that the soils of the site are suitable for residential development in accordance with the appropriate Provincial guidelines;

(h) Adequate municipal water and sanitary services are provided to the satisfaction of the Region of Durham;

(i) Tree and vegetation preservation is implemented to the satisfaction of the City and the Central Lake Ontario Conservation Authority;

(j) A parking plan for any street townhouses shall be provided to the City's satisfaction which may lead to a restriction on the number of street townhouses. Also street townhouses will not be permitted with direct frontage on Conlin Road East;

(k) An Urban Design Study is prepared to the satisfaction of the City showing, amongst other matters, how any development addresses

Conlin Road East and how any development can be integrated with development on the subject lands and adjacent lands to the east.

Permitted Interim Uses:

(a) Any single detached dwelling existing as of June 25, 2012 on a lot existing as of June 25, 2012. The regulations in Table 6.2 and the relevant provisions of this By-law applicable to the R1-A Zone shall apply to such use, including any expansion to the dwelling.

3.5.2(32) **h-32 Zone (north side of King Street West, west of Goodman Creek) (62-2000)**

Purpose: To ensure that:

(a) Floodplain hazard issues are addressed to the satisfaction of the City and the Central Lake Ontario Conservation Authority.

Permitted Interim Uses:

(a) All existing uses.

(b) All uses permitted in an OSH Zone.

3.5.2(33) **h-33 Zone [Not in use] (72-2024)**

3.5.2(34) **h-34 Zone (former Montgomery Road Allowance, north of Bloor Street East) (45-2012)**

Purpose: To ensure that:

(a) Verification has been provided to the satisfaction of the City that the site is suitable for the proposed uses in accordance with the relevant Provincial guidelines in effect immediately prior to the issuance of any building permit or residential use of the site. A Record of Site Condition must be submitted to the Ministry of the Environment, Conservation and Parks.

Permitted Interim Uses:

(a) All uses permitted in the EU Zone.

3.5.2(35) **h-35 Zone (Bloor Street West and Champlain Avenue) (39-2004)**

Purpose: To ensure that:

(a) A Traffic Impact Study is undertaken to the City's and Region's satisfaction, and the development of retail warehouse space is phased.

Permitted Interim Uses:

(a) All existing uses;

(b) All SI-C uses on the lands also zoned SI-C along the north side of Champlain Avenue and along the south side of Bloor Street West; and

(c) All SI-A and GI uses on the lands also zoned SI-A/GI located on the south side of the future Consumers Drive extension, west of Thornton Road South.

and provided that the maximum gross floor area of retail warehouses does not exceed:

(i) 4,646m² until January 1, 2006
(ii) 13,940m² until January 1, 2011

in the entire areas zoned SPC-A(6) and SPC-A(7). **(79-2009)**

3.5.2(36) **h-36 Zone (northwest corner of Hospital Court and Simcoe Street North)** **(47-2002)**

Purpose: To ensure that:

(a) The City has granted site plan approval. **(72-2024)**

Permitted Interim Uses:

(a) All lawfully existing uses as of April 29, 2002.

3.5.2(37) **h-37 Zone (southeast corner of Adelaide Avenue East and Ritson Road North)** **(127-2013 – OMB PL140074)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as landscaping, fencing, lighting levels, hours for refuse pickup and hours for loading and unloading;

(b) Satisfactory arrangements are made with the Region of Durham and City on any transportation improvements (e.g. driveway entrance design and related road improvements);

(c) A noise study is completed to the satisfaction of the City;

(d) Sufficient lands are conveyed to the City at no cost to accommodate an appropriate termination and 0.3m reserve for Elgin Street East at the southeast corner of the site to the satisfaction of the Commissioner of Development Services;

(e) Stormwater management matters are addressed to the satisfaction of the City, Region of Durham and Central Lake Ontario Conservation Authority; and

(f) Any necessary cross-access easements are created in favour of the lands to the south to the satisfaction of the City.

Permitted Interim Uses:

(a) All legally existing uses as of December 16, 2013.

3.5.2(38) **h-38 Zone (various locations)** **(83-2012, 49-2023)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(39) **h-39 Zone (north side of Taunton Road West, east and west of Stevenson Road North)** **(6-2008)**

Purpose: To ensure that:

(a) Appropriate provisions have been made for municipal servicing, including stormwater management issues, and transportation facilities and services; and

(b) Site plan approval is obtained from the City.

Permitted Interim Uses:

(a) All existing uses in accordance with the EU Zone.

3.5.2(40) **h-40 Zone (southeast corner of Taunton Road East and Harmony Road North)** **(57-2005)**

Purpose: To ensure that:

(a) The City has granted site plan approval and the following matters have been addressed:

(72-2024)

(i) Noise mitigation to the City's satisfaction;
(ii) Building siting to the City's satisfaction;
(iii) Driveway access to the Region's satisfaction;

(iv) A stormwater management study, as necessary, to the City's and CLOCA's satisfaction; and

(v) The following site design matters for any Oil and lubrication centre:

- The building will be located in the centre of the southerly 0.4ha of the site with the drive-through doors oriented in an east-west manner;
- Fascia signage will only be permitted on the north and west face of the building;
- Any proposed pylon sign will be located at the common driveway entrance from Harmony Road North;
- The driveway entrance from Harmony Road North as constructed for the car wash, convenience store and fuel bar will be maintained as the only access to the subject site from Harmony Road North;
- All refuse/recyclable storage is to be internal to the building;
- Parking for any Oil and lubrication centre is to be located north of the southerly limit of the main building;
- Landscaping strips shall be provided having a minimum width of 8.5m from the east lot line and 6.0m from the south lot line and 6.0m abutting Harmony Road North. Coniferous planting shall be provided in the south-east area of the site, and said landscaping strip shall be greater in this area;
- A minimum 1.8m high acoustic fence shall be constructed along the south property line; and
- Noise mitigation measures, as appropriate, related to the use of air tools.

Permitted Interim Uses:

(a) A car wash, fuel bar, and convenience store are permitted on the northerly 0.8ha.

(b) All uses permitted in a FD Zone are permitted on the southerly 0.4ha. **(57-2005, 66-2023)**

3.5.2(41) **h-41 Zone (southeast corner of Taunton Road East and Grandview Street North) (OMB PL020751)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(42) **h-42 Zone (1226 King Street East) (73-2014)**

Purpose: To ensure that:

(a) The City has granted site plan approval; and, **(72-2024)**

(b) The owner conveys Part 5, Plan 40R-14385 as valley land and an appropriate access easement from King Street East to the valley land to the City's satisfaction and at no cost and in a condition acceptable to the City. **(72-2024)**

Permitted Interim Uses:

(a) All uses permitted in an EU Zone.

3.5.2(43) **h-43 Zone (southwest corner of Conlin Road East and Townline Road North) (21-2012)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City.

(b) Written confirmation is received from Trans-Canada Pipeline and Enbridge Pipeline that the proposed development is acceptable.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(44) **h-44 Zone (northwest of Stevenson Road South and Champlain Avenue) (2-2004)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services to

serve this development to the satisfaction of the City and the Region of Durham;

(c) Appropriate arrangements are made for the acquisition and development of the east-west collector road designated in the Oshawa Official Plan to the satisfaction of the City of Oshawa;

(d) Appropriate engineering and environmental studies are prepared that address any potential environmental impacts of the proposed development to the satisfaction of the City;

(e) Written confirmation is received from the Ministry of Transportation that the proposed development is acceptable;

(f) Written confirmation is received from GO Transit that the proposed development is acceptable;

(g) Written confirmation is received from Oshawa PUC Networks Inc. that suitable arrangements have been made for access to its storage yard; and

(h) Written confirmation is received from Canadian Pacific Railways that suitable arrangements have been made for access.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(45) **h-45 Zone (certain lands north and south of Winchester Road West and west of Simcoe Street North) (73-2014, 5-2025)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services to serve the development; and

(c) Upon completion of an Environmental Assessment to determine the final road alignment the owner conveys to the City any lands required for the future north south Collector Road to connect Windfields Farm Drive West to Winchester Road West. **(69-2019)**

Permitted Interim Uses:

(a) All uses permitted in an EU Zone.

3.5.2(46) **h-46 Zone (1464 Thornton Road North) (64-2012)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City including appropriate fencing, landscaping and lighting;

(b) Appropriate arrangements are made for municipal servicing, including stormwater management matters;

(c) A Record of Site Condition, acknowledged by the Ministry of the Environment, Conservation and Parks, has been provided to the satisfaction of the City, indicating that the soils of the site are suitable for industrial/commercial development in accordance with the appropriate Provincial guidelines;

(d) All of the requirements of Central Lake Ontario Conservation Authority are satisfied;

(e) A noise study is completed to the satisfaction of the City;

(f) Land use compatibility with respect to the Oshawa Municipal Airport is achieved through such matters as the location and design of the refuse enclosures (e.g. all refuse enclosures will be wildlife/bird proof);

(g) Opportunities for appropriate cross access easements are provided.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(47) **h-47 Zone (north side of Bloor Street East, east of Harmony Road South and west of the Harmony Creek) (126-2004)**

Purpose: To ensure that:

(a) The City has granted site plan approval; **(72-2024)**

(b) A traffic impact study is completed to the satisfaction of the City and Region;

(c) A noise study is completed to the satisfaction of the City;

(d) An up-dated cut and fill analysis is completed to the satisfaction of the Central Lake Ontario Conservation Authority;

(e) A stormwater management report is completed to the satisfaction of the City and the Central Lake Ontario Conservation Authority;

(f) An archaeological assessment is completed to the satisfaction of the Ministry of Tourism, Culture and Sport;

(g) An odour study is completed to the satisfaction of the City; and,

(h) An illumination study is completed to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in an OSH Zone.

3.5.2(48) **h-48 Zone (east and west side of Simcoe Street North, south of Conlin Road and southeast corner of Simcoe Street North and Conlin Road East) (106-2006, OMB PL060815)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements shall be made for the provision of adequate water, sanitary, storm, foundation drainage, and transportation services to the development to the satisfaction of the City and Region;

(c) Driveway access to the satisfaction of the City and Region;

(d) Noise mitigation to the City's satisfaction;

(e) Any necessary cross-access easements are created to the satisfaction of the City.

Permitted Interim Uses:

(a) All lawfully existing uses in existing buildings as of July 17, 2006.

(b) Notwithstanding the definition of a "Lodging House" in Section 2, to the contrary, a lodging house with a maximum of 5 lodging units in an existing single detached dwelling as of July 1, 2012. The regulations in Table 12.2 and the relevant provisions of this By-law applicable to a lodging house in a R7-A Zone shall apply to such use. **(45-2012)**

(c) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law. **(118-2018)**

3.5.2(49) **h-49 Zone (east side of Simcoe Street North, south of Taylorwood Road) (106-2006, OMB PL060815)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements shall be made for the provision of adequate water, sanitary, storm, foundation drainage, and transportation services to the development to the satisfaction of the City and Region;

(c) Driveway access to the satisfaction of the City and Region;

(d) Noise mitigation to the City's satisfaction; and

(e) Any necessary cross-access easements are created to the satisfaction of the City.

Permitted Interim Uses:

(a) Any single detached dwelling existing as of July 17, 2006 on a lot existing as of July 17, 2006. The regulations in Table 6.2 and the relevant provisions of this By-law applicable to the R1-C Zone shall apply to such use, including any expansion to the dwelling.

(b) Notwithstanding the definition of a "Lodging House" in Section 2, to the contrary, a lodging house with a maximum of 5 lodging units in an existing single detached dwelling as of July 1, 2012. The regulations in Table 12.2 and the relevant provisions of this By-law applicable to a lodging house in a R7-A Zone shall apply to such use. **(45-2012, 89-2014)**

3.5.2(50) **h-50 Zone (1600 Simcoe Street North) (106-2006, OMB PL060815)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City for an apartment building; and

(b) The automobile repair garage use is terminated prior to the development of an apartment building.

Permitted Interim Uses:

(a) An automobile repair garage and two flats in the building existing as of July 17, 2006 or in a replacement building on the building footprint existing as of July 17, 2006. In addition, a maximum of two used vehicles comprised of automobiles, vans or passenger trucks can be displayed for sale as an accessory use to an automobile repair garage.

3.5.2(51) **h-51 Zone (155 First Avenue) (123-2014)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City for both 144 and 155 First Avenue.

(b) Satisfactory arrangements are made with the Region of Durham, Ministry of Transportation and the City on any transportation improvements (e.g. road widening, driveway entrance design, potential traffic signals, safe pedestrian crossing and related road improvements).

(c) Stormwater management matters are addressed to the satisfaction of the City and the Central Lake Ontario Conservation Authority; and

(d) The environmental condition of the site is suitable for the proposed flea market use to the satisfaction of the City and Region of Durham.

Permitted Interim Uses:

(a) All uses permitted in a GI Zone and professional offices.

3.5.2(52) **h-52 Zone (north side of Harbour Road, east of Simcoe Street South) (27-2007)**

Purpose: To ensure that:

(a) The City has granted site plan approval or an appropriate subdivision agreement, where applicable, is executed with the City. (**72-2024)**

(b) Verification has been provided to the satisfaction of the City and the Region, in the form of a Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks, that the soils of the subject site are suitable for development in accordance with the relevant Provincial guidelines in effect immediately prior to the issuance of a building permit;

(c) A stormwater management study is prepared to the satisfaction of the City and the Central Lake Ontario Conservation Authority;

(d) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and foundation drainage services to serve this development to the satisfaction of the City and Region; and,

(e) An archaeological assessment is completed to the satisfaction of the Ministry of Tourism, Culture and Sport for lands within 300.0m of a waterway or waters within the Oshawa Harbour.

Permitted Interim Uses:

(a) All lawfully existing uses as of April 10, 2007 subject to Articles 38.2.2, 38.2.3, 38.2.4 and 38.2.5.

(b) Outdoor recreational uses without buildings or structures.

3.5.2(53) **h-53 Zone (north of Harbour Road, east of Simcoe Street South and Nelson Street) (27-2007)**

Purpose: To ensure that:

(a) A development plan and related urban design guidelines are prepared to the satisfaction of the City showing public or private roads, lotting patterns, mix and variety of dwelling unit types, building heights, building, parking area and amenity area footprints for the entire area subject to “h-53”.

(b) A transportation study that meets the requirements of the Municipal Class Environmental Assessment process, is completed to the satisfaction of the City showing a public or private road pattern, including addressing emergency access, for the entire area subject to “h-53”. Appropriate arrangements in the form of a plan of subdivision and subdivision agreement shall be made to the satisfaction of the City to implement any public roads identified in the transportation study. Appropriate arrangements to the City’s satisfaction shall be made to implement any private roads identified in the approved transportation study, including provision of any required cross-access easements. Notwithstanding the foregoing, implementation of the public or private road pattern may be phased, provided the City is satisfied that appropriate arrangements and agreements are in place to ensure adequate access, including provision for emergency access, is available for adjacent properties subject to the “h-53”.

(c) Environmental studies are undertaken and appropriate arrangements are made with the City, in the form of a subdivision or other agreement, to address the mitigation of noise, odour and vibration for the area subject to “h-53”. The development of the area and the removal of the “h” may be phased provided that the City is satisfied appropriate arrangements and agreements are in place to ensure development of adjacent lands is not compromised.

(d) Verification has been provided to the satisfaction of the City and the Central Lake Ontario Conservation Authority and appropriate arrangements have been made to implement any required mitigation to ensure that that there will be no negative impacts from development or site alteration on the Provincially Significant Oshawa Creek Wetland Complex, as per policy 2.1.3 and 2.1.6 of the Provincial Policy Statement, 2005.

Permitted Interim Uses:

(a) All lawfully existing uses as of April 10, 2007 subject to Articles 38.2.2, 38.2.3, 38.2.4 and 38.2.5.

(b) Outdoor recreational uses without buildings or structures.

3.5.2(54) **h-54 Zone (south of Wellington Avenue East, west of Nelson Street) (27-2007)**

Purpose: To ensure that:

(a) Environmental studies are undertaken and appropriate arrangements are made with the City, in the form of a subdivision or other agreement, to address the mitigation of noise, odour and vibration.

Permitted Interim Uses:

(a) All lawfully existing uses as of April 10, 2007 subject to Articles 38.2.2, 38.2.3, 38.2.4 and 38.2.5.

(b) Outdoor recreational uses without buildings or structures.

3.5.2(55) **h-55 Zone (lands south of Winchester Road, east and west of Simcoe Street North) (84-2012)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as landscaping, fencing, lighting and compliance with the approved Urban Design Guidelines;

(b) The site plan is generally consistent with the overall long term intent of the Region of Durham's Transit Oriented Development Guidelines to the satisfaction of the Region;

(c) Driveway access to the satisfaction of the City and the Region;

(d) Noise mitigation to the satisfaction of the City and the Region; and

(e) Urban Design Guidelines are prepared to the satisfaction of the City and the Region.

Permitted Interim Uses:

(a) All uses permitted in the FD Zone. **(66-2023)**

3.5.2(56) **h-56 Zone (lands south of Winchester Road, west of Simcoe Street North) (84-2012)**

Purpose: To ensure that:

(a) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services and facilities to serve this development and included in a subdivision agreement which is executed.

(b) A Master Environmental Servicing Plan is completed to the satisfaction of the City, the Region of Durham and the Central Lake Ontario Conservation Authority.

Permitted Interim Uses:

(a) All uses permitted in the FD Zone. **(66-2023)**

3.5.2(57) **h-57 Zone (lands south of Winchester Road, east and west of Simcoe Street North)** **(84-2012)**

Purpose: To ensure that:

(a) A Retail Market Study and peer review is completed to the City's and Region of Durham's satisfaction for any additional gross leasable floor area above 120,770m^2 and the development of gross leasable floor area is phased.

Permitted Interim Uses:

(a) Any PCC-A(4) use with a maximum of 120,770m^2 of gross leasable floor area provided the "h-14", "h-55" and "h-56" holding symbols are removed.

3.5.2(58) **h-58 Zone (71 Bruce Street)** **(86-2015)**

Purpose: To ensure that:

(a) Verification has been provided to the satisfaction of the City that the site is suitable for the proposed uses in accordance with the relevant Provincial guidelines in effect immediately prior to the issuance of any building permit or residential use of the site. A Record of Site Condition must be submitted to the Ministry of the Environment, Conservation and Parks.

Permitted interim Uses:

(a) Parking lot. **(66-2023, 112-2024)**

3.5.2(59) **h-59 Zone (360 Simcoe Street North)** **(68-2013)**

Purpose: To ensure that:

(a) Site Plan approval is obtained from the City;

(b) Appropriate arrangements are made for the provision of adequate sanitary, water and storm services, including foundation drainage, to serve this development to the satisfaction of the City and the Region of Durham;

(c) A noise study is completed to the satisfaction of the City and any recommendations are implemented; **(72-2024)**

(d) Any easements from the City required for stormwater management, servicing or fencing on the City-owned reserve are conveyed; and

(e) A 0.3m reserve along the north property boundary is conveyed to the City.

Permitted Interim Uses:

(a) All uses permitted in a R1-C Zone.

3.5.2(60) **h-60 Zone (north side of Taunton Road West, east and west of Stevenson Road North) (68-2013, 66-2023)**

Purpose: To ensure that:

(a) Site Plan approval is obtained from the City for a retail store;

(b) A transportation impact study is prepared to the satisfaction of the Region of Durham and the City; and

(c) A retail impact study is prepared to the satisfaction of the City in accordance with Subsection 2.4.5.16 of the Oshawa Official Plan.

Permitted Interim Uses:

(a) Any use permitted in a compound zone on the property subject to any holding provisions.

3.5.2(61) **h-61 Zone (64 Park Road North and 284 Buena Vista Avenue) (61-2016)**

Purpose: To ensure that:

(a) The City is advised, in writing, by the Region of Durham that the owner has conveyed a corner sight triangle road widening to the satisfaction of the Region of Durham.

Permitted Interim Uses:

(a) A dwelling unit on the second floor of the existing building and all uses permitted in the OC-B(4) Zone in the balance of the existing main building.

3.5.2(62) **h-62 Zone (north of Britannia Avenue West, west of Windfields Farm Drive) (87-2018)**

Purpose: To ensure that:

(a) Site Plan approval is obtained from the City which addresses such matters as stormwater management, noise mitigation, building siting and appropriate landscaping and fencing to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(63) **h-63 Zone (24 Beatrice Street West) (43-2016)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as landscaping, fencing and lighting levels;

(b) A noise study is completed to the satisfaction of the City;

(c) Any necessary cross access easements are created to the satisfaction of the City;

(d) Appropriate arrangements are made for the provision of adequate water, sanitary, foundation drainage and transportation services including driveway access to the development at no cost to and to the satisfaction of the City and Region;

(e) Appropriate arrangements shall be made for the management of stormwater at no cost to the City and to the satisfaction of the City and Region;

(f) A qualified person under the Environmental Protection Act and related regulations verifies, to the satisfaction of the City and Region, that the site is suitable for the proposed use. A Record of Site Condition acknowledged by the Ministry of Environment, Conservation and Parks shall only be required if required by the Region's Site Contamination Protocol.

Permitted Interim Uses:

(a) All uses permitted in an R2 Zone.

3.5.2(64) **h-64 Zone (3151 Wilson Road North)** **(43-2018)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City including provisions for adequate septic system, storm water management and firefighting services.

(b) A hydrological/well water supply report is prepared to the satisfaction of the City demonstrating that the well for the property has sufficient capacity to accommodate an agri-tourism and will not adversely impact neighbouring wells;

(c) That any necessary Environmental Site Assessment (ESA) and, if required by the ESA report, a Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks, are submitted to the satisfaction of the City regarding the conversion of the former barn into hotel rooms.

Permitted Interim Uses:

(a) All uses permitted in an AG-A Zone.

3.5.2(65) **h-65 Zone (east of Bridle Road, south of Winchester Road East)** **(72-2018)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as lighting, landscaping and fencing, including appropriate provisions related to golf course compatibility; and

(b) A noise study is completed to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(66) **h-66 Zone (450-464 Taunton Road West and 620 Taunton Road West)** **(72-2019, 10-2020)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City:

(b) Appropriate provisions have been made for municipal servicing, including stormwater management issues, and transportation facilities and services;

(c) An environmental impact study is completed to the satisfaction of the Central Lake Ontario Conservation Authority, the Region and the City;

(d) An archaeological assessment is completed to the satisfaction of the Ministry of Tourism, Culture and Sport;

(e) Any necessary cross-access easements to the west and east are created to the satisfaction of the City; and,

(f) A copy of the Region's Site Screening Questionnaire and any other additional supporting information in accordance with the Region's Site Contamination Protocol is provided to the satisfaction of the Region.

Permitted Interim Uses:

(a) All existing uses in accordance with the EU Zone.

3.5.2(67) **h-67 Zone (Southwest corner of King Street West and Cabot Street) (69-2019)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) A Flood Study, including hydraulics and balanced cut and fill analysis, is prepared and completed to the satisfaction of the City and CLOCA;

(c) An appropriate Vegetative Compensation Plan for the removal of any Natural Heritage Features on the property, is prepared to the satisfaction of the City and CLOCA; and

(d) A constraint map and an Environmental Impact Study demonstrating all proposed development from any environmental features and/or flood and erosion hazards and their appropriate buffers are prepared, to the satisfaction of the City and CLOCA.

Permitted Interim Uses:

(a) All uses permitted in a R2 Zone.

3.5.2(68) **h-68 Zone (east of Harmony Road North, north of Conlin Road East) (122-2018)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Urban Design Guidelines are prepared to the satisfaction of the City; and

(c) Any necessary cross-access easements on Block 47 in favour of the lands to the north are created to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(69) **h-69 Zone (east of Harmony Road North, north of Conlin Road East) (122-2018)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;
(b) Urban Design Guidelines are prepared to the satisfaction of the City; and
(c) Any necessary cross-access easements on Block 46 in favour of the lands to the south and east are created to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(70) **h-70 Zone [Not in use]** **(121-2023)**

3.5.2(71) **h-71 Zone (certain lands north of Taunton Road West, east of the Oshawa-Whitby boundary, south of Highway 407 East and west of the Oshawa Creek)** **(58-2019)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as a stormwater management plan using the results of the Master Stormwater Management Plan Study for the Northwood Business Park prepared by Greck and Associates Limited dated August 2016 as a resource to the satisfaction of the City and the Central Lake Ontario Conservation Authority;

(b) Appropriate arrangements are made for the provision of adequate sanitary, water and storm services to the satisfaction of the City, the Region of Durham and the Central Lake Ontario Conservation Authority; and

(c) Appropriate engineering and environmental impact studies are undertaken to address any potential environmental impacts on the natural heritage system to the satisfaction of the City and the Central Lake Ontario Conservation Authority.

Permitted Interim Uses.

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) [deleted]

(c) [deleted]

(d) Contracting Yard provided that there is a maximum of one building with a maximum gross floor area of 200 square metres (2,153 sq. ft.), processed under site plan control, which may be by way of a Letter of Undertaking. **(74-2021)**

(e) Recreational Vehicle Storage provided that there is a maximum of one building with a maximum gross floor area of 200 square metres (2,153 sq. ft.), processed under site plan control, which may be by way of a Letter of Undertaking. **(74-2021)**

3.5.2(72) **h-72 Zone (certain lands north of Conlin Road West, east and west of Thornton Road North) (58-2019)**

Purpose: To ensure that:

(a) Appropriate arrangements are made with the City for the acquisition of the land required from the subject site for construction of the Britannia Avenue West extension to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Contracting Yard provided that there is a maximum of one building with a maximum gross floor area of 200 square metres (2,153 sq. ft.), processed under site plan control, which may be by way of a Letter of Undertaking. **(74-2021)**

(c) Recreational Vehicle Storage provided that there is a maximum of one building with a maximum gross floor area of 200 square metres (2,153 sq. ft.), processed under site plan control, which may be by way of a Letter of Undertaking. **(74-2021)**

3.5.2(73) **h-73 Zone (certain lands north of Taunton Road West, east and west of Thornton Road North) (58-2019)**

Purpose: To ensure that:

(a) Appropriate arrangements are made with the City for the acquisition of lands required from the subject lands for construction of the east-west Type “C” Arterial Road between Stevenson Road North and the Oshawa-Whitby boundary north of the Trans-Northern Pipeline and that a Municipal Class Environmental Assessment is undertaken to determine the alignment of the Type “C” Arterial Road to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Contracting Yard provided that there is a maximum of one building with a maximum gross floor area of 200 square metres (2,153 sq. ft.), processed under site plan control, which may be by way of a Letter of Undertaking. **(74-2021)**

(c) Recreational Vehicle Storage provided that there is a maximum of one building with a maximum gross floor area of 200 square metres (2,153 sq. ft.), processed under site plan control, which may be by way of a Letter of Undertaking. **(74-2021)**

3.5.2(74) **h-74 Zone (1410 Stevenson Road North)** **(58-2019)**

Purpose: To ensure that:

(a) Site Plan approval is obtained from the City for a Place of Worship;

(b) Appropriate arrangements are made with the City for the acquisition of the land required from the subject site for construction of the Britannia Avenue West extension to the satisfaction of the City; and

(c) Appropriate arrangements are made with the City for the acquisition of lands required from the subject lands for construction of the east-west Type “C” Arterial Road between Stevenson Road North and the Oshawa-Whitby boundary north of the Trans-Northern Pipeline and that a Municipal Class Environmental Assessment is undertaken to determine the alignment of the Type “C” Arterial Road to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone **(66-2023)**
(b) Place of worship **(62-2025)**

3.5.2(75) **h-75 Zone (1680 Stevenson Road North)** **(58-2019)**

Purpose: To ensure that:

(a) A land division Committee application LD-2019-11 is completed.

Permitted Interim Uses:

(a) A severance of the lands in accordance with Land Division Committee application A-2019-11.

3.5.2(76) **h-76 Zone (various locations)** **(69-2019)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City; and

(b) For those lands abutting the Oshawa Creek a constraint map and/or studies demonstrating all proposed development is setback

from any environmental features and/or hazard and their appropriate buffers, are prepared and completed to the satisfaction of the City and CLOCA.

Permitted Interim Uses:

(a) All uses permitted in a R1-C Zone.

3.5.2(77) **h-77 Zone (various locations)** **(69-2019)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City; and

(b) For those lands abutting the Oshawa Creek a constraint map and/or studies demonstrating all proposed development is setback from any environmental features and/or hazard and their appropriate buffers, are prepared and completed to the satisfaction of the City and CLOCA.

Permitted Interim Uses:

(a) All uses permitted in a R2 Zone.

3.5.2(78) **h-78 Zone (various locations)** **(69-2019)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City.

Permitted Interim Uses:

(a) All uses permitted in a R1-C/OC-A Zone.

3.5.2(79) **h-79 Zone (north of Grand Ridge Avenue, west of Langley Circle)** **(17-2021)**

Purpose: To ensure that:

(a) Appropriate studies are completed in accordance with Ministry of the Environment, Conservation and Parks guidelines to the satisfaction of the City and Region demonstrating that mitigation measures are no longer required on lands subject to this Holding Zone to provide land use compatibility between nearby industrial and commercial land uses and the residential lands to the east and south.

(b) Site plan approval is obtained from the City for any block townhouses, which addresses such matters as landscaping, fencing and lighting.

(c) For any block townhouses, any necessary cross-access easements are created to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

3.5.2(80) **h-80 Zone (north of Grand Ridge Avenue, west of Langley Circle) (17-2021)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as landscaping, fencing and lighting.

(b) A noise study is completed to the satisfaction of the City.

(c) Dust and odour mitigation to the satisfaction of the City and Region.

(d) Any cross-access easements are created in favour of the lands to the southeast to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone. **(66-2023)**

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(81) **h-81 Zone (southwest quadrant of Taunton Road East and Clearbrook Drive) (17-2021)**

Purpose: To ensure that:

(a) Appropriate studies are completed in accordance with Ministry of the Environment, Conservation and Parks guidelines to the satisfaction of the City and Region demonstrating that mitigation measures are no longer required on lands subject to this Holding Zone to provide land use compatibility between nearby industrial and commercial land uses and the residential lands to the east.

(b) Site plan approval is obtained from the City which addresses such matters as building siting, landscaping, fencing and lighting.

(c) Appropriate arrangements shall be made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development to the satisfaction of the City and Region.

(d) An odour study is completed for any restaurant use.

(e) Noise mitigation to the City's satisfaction.

(f) All waste storage shall be located within an enclosed building or a partially in-ground waste storage bin.

(g) The building design(s) is compatible with the operation of the Oshawa Executive Airport.

Permitted Interim Uses:

(a) All uses permitted in a PCC-D Zone except for the following:

(i) Adult secondary school
(ii) Apartment building
(iii) Block townhouse
(iv) Commercial school
(v) Day care centre
(vi) Flat
(vii) Funeral home
(viii) Hotel
(ix) Long Term Care Facility
(x) Museum
(xi) Nursing home
(xii) Place of worship **(62-2025)**
(xiii) Private school
(xiv) Retirement home **(62-2025)**

(b) All permitted interim uses under the “h-18” holding symbol.

3.5.2(82) **h-82 Zone (64 Albany Street and 426 Front Street) (117-2021)**

Purpose: To ensure that:

(a) The City has granted site plan approval; **(72-2024)**

(b) Appropriate arrangements shall be made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development to the satisfaction of the City and the Regional Municipality of Durham; and

(c) Noise and vibration issues have been mitigated to the satisfaction of the City.

Permitted Interim Uses:

(a) All existing uses permitted as of the date of this By-law.

(b) A temporary sales office for the sale of units within the proposed building in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(83) **h-83 Zone (south of the future Beatrice Street East connection and east of Harmony Road North) (76-2021)**

Purpose: To ensure that:

(a) The City has granted site plan approval and an appropriate subdivision agreement is executed with the City. **(72-2024)**

(b) Appropriate arrangements shall be made for the provision of adequate sanitary, water, storm and transportation services and facilities to serve this development and included in a subdivision agreement which is executed or are addressed to the City's satisfaction at the time site plan approval is granted by the City. **(72-2024)**

(c) Appropriate arrangements are made with the City for the acquisition of the land required from the subject site for the construction of the future Beatrice Street East connection to the satisfaction of the City.

Permitted Interim Uses:

(a) All existing uses legally permitted as of the date of this By-law.

(b) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(84) **h-84 Zone (47 Simcoe Street South) (87-2022)**

Purpose: To ensure that:

(a) Appropriate arrangements shall be made for the provision of adequate parking spaces on-site and/or off-site to serve the development.

Permitted Interim Uses:

(a) Existing uses.
(b) Any use permitted in the UGC-A Zone provided that all required parking is provided on the lot. **(112-2024)**

3.5.2(85) **h-85 Zone (east side of Simcoe Street North, north of Taunton Road and south of Glovers Road) (20-2023)**

Purpose: To ensure that:

(a) The City has granted site plan approval. **(72-2024)**

(b) Appropriate arrangements shall be made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development to the satisfaction of the City and the Region of Durham.

(c) Noise issues have been mitigated to the satisfaction of the City and Region of Durham.

(d) A qualified person under the Environmental Protection Act and related regulations verifies, to the satisfaction of the City and Region of Durham, that the site is suitable for the proposed use. A Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks shall only be required if required by the Region's Site Contamination Protocol.

(e) Any cross-access easements are created in favour of the lands to the south to the satisfaction of the City.

Permitted Interim Uses:

(a) All existing uses lawfully permitted as of the date of this By-law.

(b) A temporary sales office for the sale of units within the proposed building in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(86) **h-86 Zone (70 King Street East) (130-2023)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City.

(b) Appropriate arrangements shall be made for the provision of adequate parking spaces on-site and/or off-site to serve the development.

(c) A noise study is completed that addresses implementation of mitigation of noise form adjacent stationary noise sources, to the satisfaction of the City.

Permitted Interim Uses:

(a) Existing uses.

3.5.2(87) **h-87 Zone (1081 and 1093 Harmony Road North and 836 Pinecrest Road) (59-2024)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City that addresses such matters as parking, waste storage and collection, landscaping, lighting, fencing, outdoor amenity area design and snow storage;

(b) Appropriate arrangements shall be made for the provision of adequate servicing, storm water management, foundation drainage, tree preservation, and transportation services to the development to the satisfaction of the City and Region; and,

(c) Noise mitigation to the satisfaction of the City.

Permitted Interim Uses:

(a) Existing uses.

(b) A temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(88) **h-88 Zone (480, 484, 490 and 506 Ritson Road South) (128-2023)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as landscaping (including appropriate buffer/screen planting along the west side of the property), fencing, lighting and waste collection.

(b) Noise mitigation to the satisfaction of the City.

(c) A Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks has been provided to the satisfaction of the City, indicating that the soils of the site are suitable for residential development.

(d) The City is satisfied that any proposed car lift can be operated by persons with accessibility needs.

Permitted Interim Uses:

(a) All uses permitted in a FD Zone.

3.5.2(89) **h-89 Zone (north of Shakespeare Avenue between Wilson Road South and Addison Street) (146-2023)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as landscaping, fencing, lighting, parkette design and compatibility with the C.P. Rail corridor.

(b) An updated noise and vibration study is completed to the satisfaction of the City and implemented accordingly.

(c) Appropriate arrangements are made for the provision of adequate water, sanitary, storm, foundation drainage and transportation services to the development, to the satisfaction of the City.

Permitted Interim Uses:

(a) All existing uses.

(b) A temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(90) **h-90 Zone (lands generally located at the southeast corner of Ritson Road North and Luple Avenue) (30-2024)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as landscaping, fencing, lighting and waste collection.

(b) Noise mitigation is addressed to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone.

3.5.2(91) **h-91 Zone (east of Harmony Road North, south of Greenhill Avenue) (14-2024)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City, including appropriate arrangements for the installation of a public trail connection between Greenhill Avenue and the Delpark Homes Centre and fencing abutting the Harmony Creek valley;

(b) Appropriate arrangements are made for the design, construction and conveyance to the City of the Greenhill Avenue connection between Harmony Road North and Irvine Scott Street; and

(c) Appropriate arrangements are made for the conveyance to the City of the open space/hazard lands associated with the Harmony Creek valley.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone.

3.5.2(92) **h-92 Zone (east of Harmony Road North, south of Greenhill Avenue) (14-2024)**

Purpose: To ensure that:

(a) Approval is obtained for a draft plan of subdivision and appropriate arrangements are made for the installation of a public trail connection between Greenhill Avenue and the Delpark Homes Centre, the provision of adequate sanitary, water, storm and transportation services and facilities to serve this development and included in a subdivision agreement which is executed;

(b) Stormwater management matters are addressed to the satisfaction of the City and the Central Lake Ontario Conservation Authority;

(c) Appropriate arrangements are made for the design, construction and conveyance to the City of the Greenhill Avenue connection between Harmony Road North and Irvine Scott Street;

(d) Appropriate arrangements are made for the conveyance to the City of the open space/hazard lands associated with the Harmony Creek valley and installation of fencing between the subdivision and the open space/hazard lands.

(e) The property owner has demonstrated to the satisfaction of the City that the lands are not required for a secondary school or another community use in accordance with Policy 8.5.9.7 of the Taunton Part II Plan of the Oshawa Official Plan.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone.

3.5.2(93) **h-93 Zone (555 Rossland Road West) (83-2024)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as waste collection, accessibility, parking, lighting, landscaping, driveway access, fencing and building architecture.

(b) Noise mitigation to the satisfaction of the City.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone.

(b) A temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(94) **h-94 Zone (13, 15 and 29 Charles Street) (145-2024)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as accessibility, driveway access, building architecture, landscaping, fencing, lighting and refuse/recycling pickup;

(b) A noise study is completed that addresses the implementation of noise mitigation from adjacent stationary noise sources to the satisfaction of the City;

(c) The City is satisfied that the design and layout of the residential component of the building and associated amenities reflects a purpose-built student housing project; and,

(d) A Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks has been provided to the satisfaction of the City, indicating that the soils of the site are suitable for residential development.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone.

3.5.2(95) **h-95 Zone (111 and 117 King Street East and 0 Athol Street East) (147-2024)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as accessibility, driveway access, streetscape design, building architecture, landscaping, fencing, lighting and refuse/recycling pickup;

(b) A noise study is completed that addresses the implementation of noise mitigation from adjacent stationary noise sources to the satisfaction of the City;

(c) Demolition approval under Section 34 of the Ontario Heritage Act has been granted by Council; and,

(d) A Record of Site Condition acknowledged by the Ministry of the Environment, Conservation and Parks has been provided to the satisfaction of the City, indicating that the soils of the site are suitable for residential development.

Permitted Interim Uses:

(a) All uses permitted in an FD Zone.

3.5.2(96) **[Not in use]**

3.5.2(97) **[Not in use]**

3.5.2(98) **h-98 Zone (North Kedron Industrial Area) (5-2025)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements including, but not necessarily limited to, supplementary work building off of the July 2019 Kedron Part II Planning Area Master Environmental Servicing Plan Addendum in order to identify servicing requirements for the North Kedron Industrial Area, are made for the provision of adequate sanitary, water, stormwater management and transportation services, to the

satisfaction of the City, the Region and the Central Lake Ontario Conservation Authority; and,

(c) Appropriate engineering and environmental impact studies are undertaken to address any potential environmental impacts on natural hazards and the natural heritage system to the satisfaction of the City and the Central Lake Ontario Conservation Authority, including the requirement that development shall not create new or aggravate existing hazards.

Permitted Interim Uses:

(a) All existing uses.

3.5.2(99) **h-99 Zone (easterly portion of North Kedron Industrial Area) (5-2025)**

Purpose: To ensure that:

(a) Appropriate arrangements are made for the provision of adequate transportation services, particularly the alignment of Grandview Street North in the vicinity of the southerly leg of the future Winchester Road East/Grandview Street North intersection.

Permitted Interim Uses:

(a) All existing uses.

3.5.2(100) **h-100 Zone (1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive) (15-2025)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City;

(b) Appropriate arrangements shall be made for the provision of adequate water, sanitary, storm, foundation drainage, and transportation services to the development to the satisfaction of the City and Region;

(c) Driveway access to the satisfaction of the City and Region;

(d) Noise mitigation to the City's satisfaction;

(e) Any necessary cross-access easements are created to the satisfaction of the City; and,

(f) Appropriate arrangements shall be made for the provision of traffic signals at the intersection of Simcoe Street North and the northerly leg of Niagara Drive to the satisfaction of the City and Region and at no capital cost to the City.

Permitted Interim Uses:

(a) All lawfully existing uses in existing buildings as of July 17, 2006.

(b) Notwithstanding the definition of a “Lodging House” in Section 2, to the contrary, a lodging house with a maximum of 5 lodging units in an existing single detached dwelling as of July 1, 2012. The regulations in Table 12.2 and the relevant provisions of this By-law applicable to a lodging house in a R7-A Zone shall apply to such use.

(c) Model homes and a temporary sales office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(101) **h-101 Zone (1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive) (15-2025)**

Purpose: To ensure that:

(a) Appropriate arrangements shall be made to permit a building to encroach over the Simcoe Street North road allowance to the satisfaction of the Region.

3.5.2(102) **h-102 Zone (121, 125 and 131 Bloor Street East) (28-2025)**

Purpose: To ensure that:

(a) Site plan approval is obtained from the City which addresses such matters as landscaping, fencing, lighting, noise and compatibility with the C.N. Rail corridor.

Permitted Interim Uses:

(a) All uses permitted in a PSC-A Zone within existing buildings and structures and uses permitted in the EU Zone.

3.5.2(103) **[Not in use]**

3.5.2(104) **[Not in use]**

3.5.2(105) **[Not in use]**

3.5.2(106) **h-106 Zone (737, 741 and 745 Taunton Road East) (72-2025)**

Purpose: To ensure that:

(a) Appropriate arrangements have been made for the provision of adequate sanitary, water, storm, and transportation services to serve this development and included in a subdivision agreement which is executed and registered;

(b) Site plan approval is obtained from the City that addresses such matters as parking, waste storage and collection, landscaping, lighting, fencing, outdoor amenity area design, cross access to the lands to the east and west and snow storage; and,

(c) Noise mitigation to the satisfaction of the City.

Permitted Interim Uses:

(a) All existing R1-A uses as of February 28, 2005. Minor enlargements to existing single detached dwellings may be permitted in compliance with Article 38.2.2 of this By-law. Any minor enlargement shall comply with the R1-A regulations.

(b) Model homes and a temporary sales or leasing office in accordance with the provisions of Subsection 4.13 of this By-law.

3.5.2(107) **h-107 Zone (portion of 374 Farewell Street) (71-2025)**

Purpose: To ensure that:

(a) Appropriate arrangements have been made for the provision of adequate sanitary, water, storm and transportation services and facilities to serve this development and included in a subdivision agreement which is executed;

(b) Noise and vibration mitigation is implemented in an appropriate development agreement(s); and,

(c) The rail safety report is implemented in an appropriate development agreement(s).

Permitted Interim Uses:

(a) All existing uses.

(b) All uses permitted in a CIN Zone.

(c) Model homes and a temporary sales or leasing office in accordance with the provisions of Subsection 4.13 of this By-law.

3.6 Compound Zones

3.6.1 Notwithstanding any other provision of this By-law, where two or more zoning symbols divided by an oblique line (“/”) are shown on the zoning maps as applying to a lot, or as compounded by a Special Condition, that lot may be used for any use permitted in any one of the zones included in the compound zone symbol, or for any combination of uses permitted in any of the zones included in the compound zone symbol, subject to compliance with the provisions of Articles 3.6.2 and 3.6.3.

3.6.2 The provisions prescribed in this By-law for the selected zone in the compound zone symbol in which the use is permitted shall be complied with in the development of the lands. When a combination of uses from two or more zones are to be developed on a lot, the zone provisions applicable to each use shall be complied with.

3.6.3 The parking facilities and loading spaces required by this By-law for each of the uses included in the development of the lands, whether for a single use or a combination of uses, shall be provided.

3.7 Multiple Zones

3.7.1 Where a lot is divided into two or more zones, each such portion of the lot shall be considered a separate lot for the purposes of this By-law and shall be used in accordance with the provisions of this By-law which are applicable to the zone wherein such portion of the said lot is located.

3.7.2 Notwithstanding Article 3.7.1 to the contrary, where a use or uses are permitted by the zones applying to two or more portions of the lot, those portions shall be considered to constitute a single lot as defined herein and the most restrictive zone provisions pertaining to such use or uses in all the pertinent zones shall apply to the whole lot, except as provided in Article 3.7.3.

3.7.3 Notwithstanding Article 3.7.2, any building erected or to be erected on a lot, which is divided into separate UGC-A and UGC-B zones, and which building will be partially located in each zone, shall be subject to the regulations set out in Table 16.2 for UGC-A zones, except that not more than twenty-five percent (25%) of the gross floor area or 90m^2 of that portion of the first storey of the building located in the UGC-B Zone shall be designated or used as retail store floor space. **(112-2024, 62-2025)**

3.8 Determining Zone Boundaries

3.8.1 The extent and boundaries of all zones are set out on the maps comprising Schedule “A” to this By-law.

3.8.2 Boundaries of zones shall be determined wherever possible to be concurrent with the following:

(a) The lot line of any lot, except where the lot line is a street line then the boundary is the centreline of the street;

(b) The centreline of a lane, railway right-of-way, transmission line, pipeline or watercourse;

(c) When running substantially parallel to a street line, where the distance from the street line is not indicated and the circumstances described in clauses (a) and (b) do not pertain, the boundary is

parallel to the street line and the distance therefrom shall be determined according to the scale shown on the zoning map;

(d) The more restrictive of any of the following:

(i) The regulatory flood line, as determined by the Central Lake Ontario Conservation Authority;

(ii) The erosion hazard line, as determined by the Central Lake Ontario Conservation Authority; or,

(iii) The top of a bank of a valley and, where the top of bank is or becomes the most restrictive, the boundary shall move with any change in such top of bank.

(66-1998, 60-2005, 66-2023)

3.8.3 Notwithstanding Articles 3.8.1 and 3.8.2 to the contrary, the western boundary of the OSE Zone affecting the area commonly referred to as the Second Marsh and located south of Colonel Sam Drive and north of the Harbour Road Extension is located 60m west of the applicable regulatory floodline on the west side of the Second Marsh, as determined by the Central Lake Ontario Conservation Authority. In the area south of the Harbour Road Extension, the western boundary of the OSE Zone is the applicable regulatory floodline on the west side of the Second Marsh as described above. **(OMB Z960129, 68-2013)**

3.8.4 Notwithstanding Articles 3.8.1 or 3.8.2 to the contrary, the boundaries of the OSH Zone along the Goodman Creek between King Street West and Stevenson Road South and between Lots 13 and 14, Concession 1, and Nassau Street shall be located 5.0m from the centreline of the Goodman Creek on both sides of the creek. **(43-1998)**

3.8.5 In the event that a street or lane which forms the boundary is closed or partially closed, the boundary between such zones shall remain as the former centreline of the closed street or lane as of the date of passage of this By-law.

3.8.6 Where uncertainty exists as to the location of a zone boundary on Schedule “A” hereto or a Schedule to any amendment to this By-law, reference shall be made to the Schedules at the original scales as contained in the Office of the Clerk.

3.8.7 Notwithstanding Articles 3.8.1 and 3.8.2 to the contrary, the boundaries of the lands zoned SI-C south of Bloor Street East, east of the existing west property line, north of Branch No. 6 of the Harmony Creek and west of Branch No. 1 of the Harmony Creek shall be interpreted as being the 1:100 year storm floodline under future development conditions as determined by the Central Lake Ontario Conservation Authority such that the lands zoned SI-C are above the 1:100 year storm floodline under future development conditions. **(OMB Z950159, 39-2004)**

3.8.8 Notwithstanding Articles 3.8.1 and 3.8.2 to the contrary, the easterly boundary of the lands zoned SI-C south of Bloor Street East, east of Farewell Street, north of the CN Rail mainline and west of Branch No. 6 of the Harmony Creek, shall be interpreted as being the 1:100 year storm floodline under future development conditions as determined by the Central Lake Ontario Conservation Authority, such that the lands zoned SI-C are above the 100 year storm floodline under future development conditions **(OMB Z950159, 39-2004)**

3.8.9 Notwithstanding Articles 3.8.1 and 3.8.2 to the contrary, the most easterly boundary of the lands zoned PCC-A(3) shall be interpreted as being 7.5m west of the top of bank of the Harmony Creek Valley as determined by the City. **(73-2003, 55-2006, OMB Z050045)**

3.8.10 Notwithstanding Articles 3.8.1 and 3.8.2 to the contrary, the easterly most boundary of the lands zoned SPC-A north of Bloor Street East, west of the Harmony Creek, shall be concurrent with the easterly limit of Part 2 on Plan 40R-23001. **(126-2004)**

3.8.11 Notwithstanding Articles 3.8.1 or 3.8.2 to the contrary, the boundaries of the OS-ORM Zone shall be interpreted as being 30.0m beyond the edge of the Natural Heritage Feature or Hydrologically Sensitive Feature and incorporates the Minimum Vegetation Protection Zone required by the Oak Ridges Moraine Conservation Plan. **(38-2006)**

3.8.12 Notwithstanding any Article in Subsection 3.8 to the contrary, the boundaries of the SPC-A(9) Zone for the former Fox Street road allowance on the west side of Fox Street, north of Champlain Avenue shall be interpreted as being the western limit of the former Fox Street road allowance rather than the centreline of the road allowance. **(42-2017)**

3.8.13 Notwithstanding any Article in Subsection 3.8 to the contrary, the boundaries of the OSE(1) Zone affecting the area commonly referred to as the Northwood Business Park and generally located north of Taunton Road West, east of the Oshawa-Whitby boundary, south of Highway 407 East and west of the Oshawa Creek may be adjusted following the preparation of either or both of an Environmental Impact Study or Engineering Study to the satisfaction of the City and the Central Lake Ontario Conservation Authority. **(58-2019)**

3.8.14 Notwithstanding any Article in Subsection 3.8 to the contrary, the boundaries of the OSE(1) Zone affecting the area commonly referred to as the North Kedron Industrial Area, generally located east of Ritson Road North, south and west of Highway 407 East and north of Nancy Diamond Boulevard, may be adjusted following the preparation of either or both of an Environmental Impact Study or Engineering Study to the satisfaction of the City and the Central Lake Ontario Conservation Authority. **(5-2025)**

3.9 Map Details

3.9.1 Any street, address, or other names, notes, property boundaries or physical features shown on the maps are for reference purposes only and do not form part of this By-law. This information may be amended from time to time without a statutory by-law amendment.

3.9.2 Any accretions to any land subject to this By-law shall be deemed to be subject to this By-law with respect to the respective zone or zones as shown on the zoning maps to which such accretions immediately abut.

3.10 Hazard Lands

3.10.1 The map comprising Schedules “B”, “B-1” and “B-2” is for information purposes only and does not form part of this By-law. This information is intended to assist property owners in knowing if their lands are affected by Hazard Lands as shown in the Oshawa Official Plan and thus likely subject to the provisions of the Conservation Authorities Act. The lands so shaded which lie within Hazard Lands may be subject to flooding and at a minimum may require floodproofing or safe access before any development or redevelopment may occur. Approvals pursuant to the Conservation Authorities Act may be required. Schedules “B”, “B-1” and “B-2” may be amended from time to time without a statutory by-law amendment.

3.11 Waste Disposal Assessment Areas

3.11.1 Waste Disposal Assessment Areas are symbolically shown on Schedule “C”. The map comprising Schedule “C” is for information purposes only and does not form part of this By-law. These areas symbolically indicate the general location of certain former waste disposal areas and their possible areas of influence. Prior to any development or redevelopment near the former waste disposal areas, approval from the Ministry of the Environment, Conservation and Parks may be required. Schedule “C” may be amended from time to time without a statutory by-law amendment.

3.12 Temporary Use Zones (160-2005)

3.12.1 Use of “TEMP” Symbol

3.12.1(1) Where the symbol “TEMP” appears on a zoning map as a suffix to a zone, a zone variation or a compound zone applying to certain lands, notwithstanding the provisions of that zone, one or more additional uses are permitted on the land as set out in Article 3.12.2 until the permission granted by the site specific Temporary Use by-law expires. The relevant Temporary Use Zone Provisions are denoted by the number immediately following the symbol “TEMP” on the zoning map.

3.12.2 **Temporary Use Zone Provisions** **(160-2005)**

3.12.2(1) **TEMP-1 Zone (1399 Simcoe Street North)**
(31-2007, 80-2009, 10-2013, 86-2015, 69-2019, 74-2001)

Notwithstanding any other provision of this By-law to the contrary, in any R6-C "Temp-1" Zone, a temporary automobile sales and service establishment for used vehicles shall be permitted until April 10, 2027.
(72-2024)

3.12.2(2) **TEMP-2 Zone (382 Simcoe Street North)** **(110-2016)**

(a) Notwithstanding any other provision of this By-law to the contrary, in any R1-C "TEMP-2" Zone, as shown on Schedule "A", a temporary administrative office for the Lakeridge Health Foundation shall be permitted in the main building lawfully existing on November 28, 2016 provided site plan approval has been obtained from the City. The temporary administrative office shall only be permitted until November 28, 2027. **(69-2019, 74-2021, 72-2024)**

(b) Notwithstanding any other provision of this By-law to the contrary, a minimum of four (4) parking spaces shall be required for an administrative office in a R1-C "TEMP-2" Zone.

(c) In any R1-C "TEMP-2" Zone, as shown on Schedule "A" to this By-law, the following definition shall apply:

"**ADMINISTRATIVE OFFICE**" means a building in which one or more persons are employed in the management of the Lakeridge Health Foundation and such activities shall only include budgeting, accounting, event planning, donor communication, and donor meetings.

3.12.2(3) **TEMP-3 Zone [Not in use]** **(73-2014)**

3.13 Oak Ridges Moraine Conservation Plan **(38-2006, 66-2023)**

3.13.1 Key Natural Heritage Features on the Oak Ridges Moraine shall include wetlands, significant portions of the habitat of endangered, rare and threatened species, fish habitat, areas of natural and scientific interest (life science), significant valleylands, significant woodlots, significant wildlife habitat, and sand barrens, savannahs and tallgrass prairies.

3.13.2 Hydrologically Sensitive Features on the Oak Ridges Moraine shall include permanent and intermittent streams, wetlands, kettle lakes and seepage areas and springs.

This page was intentionally left blank.

Section 4: General Provisions

A. General Provisions Affecting Many Zones

4.1 Non-Complying Uses

4.1.1 Nothing in this By-law shall prevent the rebuilding, repair or use of a building or structure which is either lawfully non-complying itself or is situated on a lawfully non-complying lot, provided that the use of the building or structure is conforming and that the non-compliance, if any, of the original building or structure is not increased, and the yards appurtenant thereto are not reduced except in accordance with the provisions of this By-law and provided, in the case of demolition or destruction of such building or structure, it is rebuilt within one (1) year of such demolition or destruction. **(66-1998, 60-2005, 24-2014)**

4.1.2 Enlargements, additions or alterations are permitted to buildings or structures, which are either lawfully non-complying themselves, or are situated on lawfully non-complying lots, provided that:

(a) The use of the lot and the building or structure is conforming; and

(b) The extent to which the building, structure or lot does not meet the requirements of this By-law is not increased; and

(c) None of the requirements of this By-law, which were not infringed by the building or structure as it existed immediately prior to the construction of any enlargement, addition or alteration hereby permitted, are affected. **(66-1998)**

4.1.3 The construction of accessory buildings or structures on a lawfully non-complying lot, or on a lot which contains one or more lawfully non-complying buildings or structures, is permitted, provided that:

(a) The use of the lot and the building or structure is conforming; and

(b) The accessory building or structure is located and constructed in compliance with the provisions of this By-law for an accessory building or structure; and

(c) The total allowable coverage of the lot is not exceeded. **(66-1998)**

4.1.4 Notwithstanding any other provision of this By-law to the contrary, all yard depths existing prior to January 1, 2015 for any building which is a permitted use in the zone in which it is located, shall be deemed to comply with the minimum requirements of this By-law. In addition, such buildings may be enlarged, repaired or rebuilt in accordance with Subsection 4.1 of this By-law as if the building is considered lawfully non-complying. **(62-2000, 39-2004, 138-2008, 68-2013, 52-2018)**

4.1.5 Notwithstanding the minimum length of a driveway leading to a private garage and the minimum yard depth requirements specified in this By-law, upon construction of a single detached dwelling, a semi-detached building or a semi-detached dwelling, and any building accessory thereto, on a lot, any yard having a depth deficiency of not more than 0.1m therefrom, and any driveway length having a deficiency of 0.1m shall be deemed to be in compliance with such requirements. **(62-2000, 68-2013)**

4.2 Non-Conforming Uses

4.2.1 No enlargement or addition is permitted to a building or structure which is lawfully non-conforming without the approval of the Committee of Adjustment or the Local Planning Appeal Tribunal, as set out in the Planning Act.

4.3 Lot Area or Lot Frontage Less Than Required

4.3.1 Where an existing vacant lot has a lot area or lot frontage which would be insufficient for a proposed permitted use on the lot in question, and:

(a) The lot is or has been held under distinct and separate ownership from abutting lots or was legally created prior to the passing of this By-law or was created as a result of natural severance such as the presence of a public road, a navigable waterway or a railway; and

(b) The lot has at least eighty percent (80%) of the required lot area and lot frontage;

then the said lot shall be deemed to comply to the requirements of this By-law with respect to lot area and lot frontage.

4.4 Lot Reduction

4.4.1 No lot shall be reduced in area by the conveyance or alienation of any portion thereof or otherwise so that such lot, any building or structure on such lot, or any use carried out upon such lot is changed from compliance with this By-law to non-compliance therewith or so that any existing non-compliance is increased.

4.4.2 Article 4.4.1 does not apply where portions of built upon lots are conveyed to, or acquired by, authorities with expropriation powers. In such cases, the resulting lot, and any existing building or structure on such lot, or any existing use carried out upon such lot, shall be deemed to remain in compliance with this By-law, and any existing non-compliance shall not be deemed to have been increased. **(74-2021)**

4.5 Corner and Driveway Sight Triangles **(86-2015)**

4.5.1 Notwithstanding any other provision of this By-law to the contrary, in a sight triangle, in all zones except a UGC Zone, no building, structure or

man-made feature is permitted to be erected or maintained to a height greater than 0.9m above the grade of the centreline of the abutting street, at any point in the sight triangle directly opposite that grade of the street. **(112-2024)**

4.5.2 Notwithstanding any other provision of this By-law to the contrary, on any lot, in a driveway sight triangle, in all zones except a UGC Zone, no building, structure or man-made feature is permitted to be erected or maintained to a height greater than 0.9m in any area which is bounded by the street line, the side of a driveway leading from that street, and a straight line joining the points in the streetline and the side of the driveway line which are a distance of 3.0m from the point of their intersection. **(112-2024)**

4.6 Permitted Yard Encroachments

4.6.1 No person shall obstruct in any manner whatsoever any minimum yard required to be provided under this By-law, but this prohibition shall not apply to prevent the encroachment by the building features and structures listed in Table 4.6 to the extent permitted therein.

Table 4.6

Structure or Building Feature	**Yard in which Encroachment is Permitted**	**Maximum Encroachment Permitted into Required Minimum Yards, Including Lawfully Non-Complying Yards or Yards Varied by the Committee of Adjustment**
(a) Window sills, cornices, pilasters, cantilevered canopies or roofs, eaves, gutters, bay windows, chimney breasts and vent pipes	All	0.6m
(b) Fire escapes	Side and rear	1.5m
(c) Unenclosed porches, decks, steps and ramps	Front and rear	2.4m
(d) Roof projections supported by one or more columns not associated with unenclosed porches, decks, steps and ramps	Front and rear	2.4m
(e) Unenclosed and uncovered landings, steps and ramps not more than 1.5m in height above grade	Side	1.2m
(f) Balconies and roofs over balconies on apartment buildings **(73-2014)**	All	1.5m

Structure or Building Feature	Yard in which Encroachment is Permitted	Maximum Encroachment Permitted into Required Minimum Yards, Including Lawfully Non-Complying Yards or Yards Varied by the Committee of Adjustment
(g) Parking structure, if totally below grade	All	Unlimited
(h) Heat pumps, air exchangers and/or air conditioners	All	1.2m provided the encroachment is no closer than 0.6m to a lot line.
(i) Privately owned outdoor swimming pools	Side and rear	Unlimited
(j) Unenclosed access ramps and lifts for persons with accessible needs	All	Unlimited
(k) Incidental ornamental or recreational equipment or appurtenances, such as light standards and basketball hoops/posts	All	Unlimited
(l) Cantilevered floor areas	Side and rear	0.4m
(m) Unenclosed porches, decks, steps and ramps	Exterior side	1.5m
(n) Roof projections supported by one or more columns not associated with unenclosed porches, decks, steps and ramps	Exterior Side	1.5m
(o) Fruit cellars located underneath unenclosed porches, decks, steps or ramps or totally below grade	Front and rear Exterior side	2.4m 1.5m
(p) Fruit cellars located underneath any unenclosed and uncovered landings, steps or ramps or totally below grade	Interior side	1.2m

(66-1998, 62-2000, 68-2013)

4.6.2 Notwithstanding any other provision of Table 4.6, if one minimum required side yard of any building, except a semi-detached building, is obstructed by stairs, the other minimum required side yard must not be obstructed in any way other than by the features indicated in Item (a) of Table 4.6.

(66-1998)

4.6.3 Notwithstanding any other provision of Table 4.6 to the contrary, no heat pump, air exchanger or air conditioner shall be located closer than 0.6m to any lot line. Notwithstanding the foregoing, any heat pump, air exchanger or air conditioner existing prior to January 1, 2015 shall be deemed to comply with the minimum requirements of the foregoing.
(39-2004, 138-2008, 86-2015, 52-2018)

4.6.4 Notwithstanding any other provision of this By-law, a balcony, deck or patio is not permitted in association with an accessory building when located on top of the building or in an elevated position greater than 0.6m in height above grade immediately adjacent to or attached to an accessory building. **(69-2019)**

4.6.5 Notwithstanding any other provision of Table 4.6 to the contrary, stairs associated with an unenclosed porch or deck in the front yard, exterior side yard or rear yard are permitted to encroach an additional 1.5m into the required yard beyond the encroachment permitted for the unenclosed porch or deck. **(69-2019)**

4.7 Height Exemption

4.7.1 Any height restrictions of this By-law shall not apply to the following:

(a) Place of worship spires, belfries, ornamental domes, cupolas, mechanical penthouses, flagpoles, clock towers, chimneys, ventilators, skylights, water tanks and bulkheads;
(39-2004, 62-2025)

(b) Hydro, radio, television or microwave towers and antennae and similar features or necessary mechanical appurtenances or electrical supply facilities usually situated above the roof level; and

(c) Any agricultural apparatus such as silos, conveyors or other non-residential farm building or structure.

4.8 Access Regulations

4.8.1 No person shall use any lot or erect any building or structure on any lot in any zone unless a driveway access from the travelled portion of an improved street to any required parking area or parking garage is provided and maintained.

4.8.2 Notwithstanding any provision of this By-law to the contrary, driveway access may be provided across one or more non-residential zoned lots to other non-residential zoned lots, subject to a right-of-way being registered on the title to each property. **(66-1998)**

4.8.3 Notwithstanding any provision of this By-law to the contrary, the width of a single driveway and the width of an associated aisle may span two

abutting residentially-zoned lots subject to a right-of-way for mutual access being registered on the title to each property. **(72-2024)**

4.9 Landscaped Open Space

4.9.1 Landscaped open space shall be provided in accordance with the zone provisions set out in this By-law for each zone, where applicable, and the general provisions of this Subsection.

4.9.2 Except for parking areas, loading spaces, driveways, outdoor storage and display areas, and other permitted uses, all yards in every zone shall be maintained as landscaped open space.

4.9.3 Not less than fifty percent (50%) of the front yard and fifty percent (50%) of an exterior side yard of every lot in every residential zone shall be maintained as landscaped open space and not less than fifty percent (50%) of the rear yard of every corner lot and not less than fifty percent (50%) of every individual Parcel of Tied Land with a rear yard and driveway abutting a common element condominium road in every residential zone containing a single detached dwelling, semi-detached dwelling, semi-detached building, block townhouse or duplex shall be maintained as landscaped open space. **(89-2014, 52-2018)**

4.9.4 Landscaped open space shall include landscaping upon the roof or deck of a parking garage provided that the roof or deck is not more than 0.9m above grade level and, except for access/egress ramp and driveway openings and exit stairs, any wall of the garage protruding above grade level is banked with fill on a slope of not more than one to one and sodded or suitably landscaped.

4.9.5 Where landscaped open space of any kind, including a planting strip, is required adjacent to any lot line or elsewhere on a lot, nothing in this By-law shall apply to prevent such landscaped open space from being traversed by pedestrian walkways or permitted driveways or other similar facilities.

4.10 Parking Locations

4.10.1 No person shall park or store any vehicle in the open in any yard except on a surfaced area as provided for in Table 4.10. **(66-1998)**

Table 4.10

Class/Zone/Use	Yard in Which Parking Permitted
(a) Specialized Office, Commercial excluding UGC zones, Industrial, Institutional, Open Space and other class	All yards provided that no part of any parking area is located closer than 3.0m to any street line.

Class/Zone/Use	Yard in Which Parking Permitted
(b) Office conversion zone	Any interior side yard or rear yard provided no part of any parking area is located closer than 3.0m to any street line.
(c) Residential - single detached dwelling, semi-detached dwelling, duplex, street townhouse, back-to-back street townhouse	Any side yard or rear yard (as may be applicable) and on driveways in the front yard
(d) All other residential uses in residential zones	Any interior side yard or rear yard and any front yard or exterior side yard for block townhouses directly in front of a private garage, provided that no part of any parking area is located closer than 3.0m to any street line. Notwithstanding the foregoing, parking spaces provide on individual driveways in front of private garages servicing block townhouse units or back-to-back block townhouse units may be located less than 3.0m to a street line, provided that the driveway is directly accessed from a local road.
(e) Central Business District zone	Any interior side yard, exterior side yard or rear yard provided that no part of any parking area is located closer than 3.0m to any street line.

(66-1998, 62-2000, 39-2004, 60-2005, 89-2014, 52-2018, 112-2024, 62-2025)

4.10.2 Notwithstanding Article 4.10.1 and Table 4.10 to the contrary, no parking space or any area used for the parking or storing of any vehicle including the display and offering for sale of a vehicle shall be permitted within a sight triangle. **(39-2004, 107-2006)**

4.11 Minimum Front Lot Line

4.11.1 Notwithstanding any other provision of this By-law, no person shall erect or use a building or structure on a lot unless the front lot line of the lot has a length equal to or greater than:

(a) One-half of the minimum required lot frontage established for the zone in which the lot is located; or

(b) 6.0m, where there is no minimum required lot frontage.

4.12 [Not in Use] (24-2014)

4.13 Temporary Leasing or Sales Office and Model Homes (66-2023)

4.13.1 Notwithstanding any other provision of this By-law, a temporary leasing or sales office, used exclusively for the lease of dwelling units in a building or sale of residential lots or dwelling units in a plan of subdivision or condominium, which has received draft plan approval in the case of a sales office or site plan approval in the case of a leasing office, may be located on lands within the approved draft plan or site plan subject to Article 4.13.3 until all of the lots or dwelling units have been sold in the case of a sales office or, in the case of a leasing office, all the dwelling units have been leased or the residential building for which the leased units are located in has become occupied

(39-2004, 66-2023)

4.13.2 None of the provisions of this By-law shall apply to prevent the issuance of conditional building permits for the erection of dwelling units, which may be used for model homes, in a plan of subdivision which has received draft plan approval, subject to compliance with clauses 4.13.2(a), (b) or (c), as applicable and Article 4.13.3. **(66-1998, 39-2004)**

(a) The total number of permits for single detached dwellings or semi-detached buildings shall not exceed the lesser of ten (10) or ten percent (10%) rounded to the nearest whole number of the total number of single detached and semi-detached building lots in the plan of subdivision. **(66-1998, 39-2004)**

(b) A permit may be issued for one back-to-back street townhouse building, one block townhouse or one street townhouse building only, provided that the building does not contain more than eight (8) dwelling units and the number of dwelling units therein does not exceed ten percent (10%) rounded to the nearest whole number of the total number of back-to-back street townhouse dwelling units, block townhouses or street townhouse dwelling units in the plan of subdivision or in the plan of condominium or in relation to a common elements draft plan of condominium.

(66-1998, 39-2004, 52-2018, 62-2025)

(c) The lands must be zoned to permit the proposed use and the proposed location of the buildings will comply with the provisions of this By-law upon registration of the plan of subdivision. **(66-1998)**

(d) Notwithstanding any other provisions of this By-law to the contrary, a maximum of 3 single detached dwellings used as model homes may be temporarily connected while they are used as model homes. **(39-2004)**

4.13.3 No model home, temporary leasing or sales office or dwelling unit shall be established until: **(39-2004, 66-2023)**

(a) The City has approved the location and the design for the access, parking area and grading for these uses and the access has been constructed to the satisfaction of the City;

(b) The City has approved the subdivision engineering for the lot upon which the model home or dwelling unit is to be located;

(c) The fire hydrants are fully operational to the satisfaction of the Region of Durham and in a location acceptable to the City's Fire Services for such uses in the Major Urban Area according to the Oshawa Official Plan, or an alternative firefighting system is fully operational to the satisfaction of the City's Fire Services. **(60-2005, 73-2014)**

4.14 Building Form

4.14.1 In any zone other than an Industrial Zone, buildings may take the form of single use buildings, mixed-use buildings or shopping centres subject to compliance with all other relevant provisions of this By-law.

4.14.2 In Industrial Zones, buildings may take the form of single use buildings, mixed use buildings or industrial malls subject to compliance with all other provisions of this By-law.

4.15 Multiple Main Buildings on a Lot

4.15.1 Except for single detached dwellings, semi-detached buildings, and duplexes, more than one main building may be permitted on a lot that complies with any applicable lot frontage and lot area requirements provided that all applicable minimum yard depths are provided and maintained, the maximum lot coverage is not exceeded, the maximum density is not exceeded, the maximum height is not exceeded, the minimum amount of landscaped open space is provided and maintained and the maximum floor space index is not exceeded. **(89-2014)**

4.15.2 Notwithstanding Article 4.15.1, a maximum of two single detached dwellings are temporarily permitted on a lot for up to a maximum of two years subject to the owner obtaining a conditional demolition permit for the first single detached dwelling prior to the issuance of a building permit for the proposed single detached dwelling. Notwithstanding the above the first single detached dwelling must be demolished within six months of occupancy being granted for the new dwelling. **(61-2016)**

4.15A Municipally Prohibited Uses (70-1997)

4.15A.1 Notwithstanding anything in this By-law to the contrary, no person shall use land or erect or use any building or structure for any of the following uses:

(a) Gaming Establishment

4.15B Lodging Houses (60-2005)

4.15B.1 Notwithstanding any provision of this By-law to the contrary, in any zone which permits a lodging house, no more than one lodging house shall be permitted on a lot as defined in Section 2.

B. General Provisions Affecting Residential Zones

4.16 Front Yard Depth Reduction in Built-Up Residential Zones

4.16.1 Notwithstanding any other provision of this By-law to the contrary, the minimum front yard depth required for a residential use on a lot in a Residential Zone shall be the lesser of:

(a) The average of the established building depths on the immediately adjoining lots which front onto the same street, provided that, where there is only one adjoining built upon lot fronting onto the same street, the minimum front yard depth shall be equal to the established building depth of such adjoining lot;

(b) The applicable minimum front yard depth required by the appropriate zone provisions; or

(c) The distance from the street line to the existing main front wall.

4.17 Satellite Dishes

4.17.1 No person shall locate any satellite dish in any Residential Zone except:

(a) In a rear yard at least 1.2m from any lot line, but not closer to any flanking street than the minimum required exterior side yard depth for the Residential Zone in which the lot is located, and provided that any such satellite dish is not of a height greater than 5.0m; or

(b) On the roof of any apartment building having a height of not less than three storeys;

provided, however, nothing in this subsection shall prevent the installation of any antenna required by any person holding a valid licence under the Radio Act or other legislation of Canada with respect to broadcasting.

4.17.2 Notwithstanding the provisions of Article 4.17.1 or Table 4.6 to the contrary, nothing shall prevent the installation of any satellite dish which does not exceed 65 cm in diameter. **(39-2004)**

4.18 Commercial Vehicles in Residential Zones

4.18.1 No person shall in any Residential Zone park or store any commercial vehicle which:

(a) Is in excess of four thousand six hundred (4,600) kilograms vehicle weight; or
(b) Has a length greater than 7.0m; or
(c) Has a height greater than 2.6m.

(62-2025)

This subsection shall not prevent the standing of any such vehicle for the purpose of, and while actively engaged in, loading or unloading merchandise or passengers. This subsection shall not prevent the parking in a Residential Zone of an ambulance, or a tow truck which is actively engaged in the business of providing towing services on public highways. **(67-1998)**

4.18.2 Notwithstanding Article 4.18.1, no person shall use any lot, building or structure in a Residential Zone for the parking or storage of more than one commercial vehicle the complies with the size limits outlined in 4.18.1. Any commercial vehicle that exceeds these size limits is prohibited in a Residential Zone, except for temporary loading or unloading purposes. **(62-2025)**

4.19 Driveways Leading to Private Garages

4.19.1 Any driveway leading to a private garage in a Residential Zone shall have a minimum length of 6.0m from the street line to the garage.

4.19.2 The minimum length of an individual driveway leading from a private road or aisle to a private garage of a dwelling unit in a Residential Zone shall be 5.75m. **(72-2024)**

4.20 Storage or Parking of Recreational Vehicles, Boats, Trailers and Snowmobiles

4.20.1 Subject to Articles 4.20.2, 4.20.3 and 4.20.4, no person shall in any Residential Zone park or store a recreational vehicle greater than 6.0m in length or greater than 2.6m in height in any part of a front yard or exterior side yard, nor in that portion of any rear yard of a corner lot which abuts an improved street or 0.3m reserve for that distance from the street which is equal to or less than the depth of the exterior side yard. **(39-2004, 62-2025)**

4.20.2 Notwithstanding Article 4.20.1 to the contrary, no person shall in any Residential Zone park or store a boat, snowmobile or any type of recreational vehicle or trailer which is designed to be towed behind a motor vehicle in any part of a front yard or exterior side yard, nor in that portion of any rear yard of a corner lot which abuts an improved street or 0.3m reserve for that distance from the street which is equal to or less than the depth of the exterior side yard. **(39-2004, 62-2025)**

4.20.3 Notwithstanding Article 4.20.1 and 4.20.2 the storage or parking of recreational vehicles, boats, trailers and snowmobiles is not permitted in a yard abutting an improved street for any Parcel of Tied Land. **(52-2018)**

4.20.4 Notwithstanding Articles 4.20.1, 4.20.2 and 4.20.3 to the contrary, a recreational vehicle that does not comply with the aforementioned articles may be stored or parked in any Residential Zone on a driveway on a lot for a period that is equal to or less than nine (9) consecutive days and not exceeding a combined total of twenty (20) days in a calendar year. **(62-2025)**

4.21 Required Parking Space

4.21.1 No person shall in a Residential Zone use a single detached dwelling, semi-detached dwelling, duplex, back-to-back street townhouse building, street townhouse building or bed and breakfast establishment upon any lot unless such lot has a driveway leading to a parking space in a side or rear yard or in a garage. **(66-1998, 17-1999, 89-2014, 62-2025)**

C. General Provisions Affecting Industrial Zones

4.22 Minimum Ground Floor Area on Certain Streets

4.22.1 No person shall in any Prestige Industrial Zone or in any Select Industrial Zone facing Colonel Sam Drive, Wentworth Street East, Phillip Murray Avenue, Boundary Road or Farewell Street north of Harbour Road erect or use any main building having a ground floor area less than 900m^2.

4.23 Municipally Prohibited Uses

4.23.1 No person shall use any land or erect or use any building or structure for any of the following industrial uses:

(a) Abattoir
(b) Ammonia, bleaching powder or chlorine manufacture
(c) Blast furnace
(d) Coke ovens
(e) Creosote treatment or manufacture
(f) Distillation of coal, bones or wood
(g) Fat, grease, lard or tallow rendering or refining

(h) Fish smoking
(i) Garbage dump
(j) Gunpowder, fireworks and explosives manufacture
(k) Incineration or dumping of garbage or dead animals
(l) Lamp black manufacture
(m) Offal or refuse incineration or dumping
(n) Paper and pulp manufacture except reprocessing
(o) Rock crusher
(p) Smelter
(q) Stockyard
(r) Tar distillation or manufacture

D. General Provisions Affecting Methadone Clinics

4.24 Methadone Clinic Prohibited Area (OMB 132-2003)

4.24.1 Notwithstanding any provision of this By-law to the contrary, the use of land, buildings or structures on all lands set out in Schedule “E”, save and accept for 32 Simcoe Street South, for the purposes of a Methadone Clinic is prohibited.

E. [Not In Use] (61-2010)

4.25 [Not in Use]

F. General Provisions Affecting Zones in the Oak Ridges Moraine (38-2006)

4.26 Existing Uses, Buildings and Structures on the Oak Ridges Moraine

4.26.1 Nothing in this by-law shall prevent, on lands regulated by the Oak Ridges Moraine Conservation plan, the rebuilding and repair within the same location and dimensions, of an existing building or structure that is damaged or destroyed by causes beyond the owner’s control, and the rebuilt or repaired building or structure shall be deemed to be an existing building or structure provided the use of the building is permitted in the zoning by-law and the building or structure is rebuilt within one (1) year of such damage. The area regulated by the Oak Ridges Moraine Conservation Plan is shown within the Oak Ridges Moraine Boundary outlined on the North Half Map.

4.26.2 Notwithstanding the definition of “existing” in Subsection 2.1 to the contrary, on lands regulated by the Oak Ridges Moraine Conservation Plan, as shown on Schedule “A” to this By-law, the term “existing” shall mean lawfully existing on November 15, 2001.

This page was intentionally left blank.

Section 5: Uses Permitted in Certain Zones

5.1 Accessory Uses, Buildings and Structures

5.1.1 Accessory Uses Permitted In All Zones

5.1.1(1) Where this By-law permits a lot to be used or a building or structure to be erected or used for a purpose, that purpose shall include any building, structure or use accessory thereto.

5.1.1(2) Notwithstanding any other provision of this By-law to the contrary, trailers, including any truck bodies, and school portables are prohibited from being used as accessory buildings to residential uses in any Residential Zone. **(63-2007)**

5.1.2 Lot Coverage

5.1.2(1) Subject to Sentences 5.1.2(2) and 5.1.2(3), the total combined lot coverage of all accessory buildings on a lot in any Residential Zone shall not exceed eight percent (8%) of the lot area. **(92-2007)**

5.1.2(2) Notwithstanding Sentence 5.1.2(1), the total combined lot coverage of all accessory buildings on a lot in any R1-A, R1-B, R1-C, R1-D, R1-E, R1-F, R2, R3 and R5 Residential Zone, excluding accessory buildings associated with apartment buildings in R5 Zones, shall not exceed the most restrictive of the following: **(92-2007)**

(a) Eight percent (8%) of the lot area;

(b) Fifty percent (50%) of the lot coverage of the main building on the lot; and

(c) 60m^2 of ground floor area. **(45-2005)**

5.1.2(3) Notwithstanding Sentence 5.1.2(1), the total combined lot coverage of all accessory buildings on a lot in any R1-G and R1-H Residential Zone shall not exceed the most restrictive of the following:

(a) Eight percent (8%) of the lot area;

(b) One hundred percent (100%) of the lot coverage of the main building on the lot; and

(c) 90m^2 of ground floor area. **(92-2007)**

5.1.2(4) The total combined lot coverage of all accessory buildings accessory to a single detached dwelling on a lot in any OSR Rural Open Space Zone shall not exceed the most restrictive of the following:

(a) Eight percent (8%) of the lot area; and
(b) 60m^2 of ground floor area. **(92-2007)**

5.1.2(5) The total combined lot coverage of all accessory buildings accessory to a single detached dwelling on a lot in any AG Agricultural Zone shall not exceed the most restrictive of the following:

(a) Eight percent (8%) of the lot area; and
(b) 150m^2 of ground floor area. **(92-2007)**

5.1.2(6) The lot coverage of accessory buildings is included in the total maximum lot coverage permitted on a lot. **(45-2005)**

5.1.2(7) The total combined lot coverage of all accessory buildings accessory to a single detached dwelling on a lot in an AG-ORM Oak Ridges Moraine Agricultural Zone shall not exceed the most restrictive of the following: **(38-2006)**

(a) Eight percent (8%) of the lot area; and
(b) 150m^2 of the ground floor area.

5.1.2(8) The total combined lot coverage of all accessory buildings accessory to a single detached dwelling on a lot in any OS-ORM Oak Ridges Moraine Open Space Zone shall not exceed the most restrictive of the following: **(38-2006)**

(a) Eight percent (8%) of the lot area; and
(b) 150m^2 of the ground floor area.

5.1.3 **Height Restrictions**

5.1.3(1) No accessory building or structure shall exceed the following height:

(a) The lesser of 4.5m or the actual height of the main building on a lot in any R1-A, R1-B, R1-C, R1-D, R1-E, R1-F, R2, R3 and R5 Residential Zone, excluding accessory buildings or structures associated with apartment buildings in R5 Zones. **(92-2007)**

(b) The lesser of 5.0m or the actual height of the main building on a lot in any R1-G and R1-H Residential Zone. **(92-2007)**

(c) 5.0m in all other Residential Zones not listed in Item (a), including accessory buildings and structures associated with apartment buildings in R5 Zones.

(d) 5.0m for any accessory building or structure accessory to a single detached dwelling in any OSR Rural Open Space Zone. **(92-2007)**

(e) 6.0m in all Office, Commercial, Mixed Use and Institutional Zones. **(106-2006, OMB PL060815)**

(f) 6.0m for any accessory building or structure accessory to a single detached dwelling in any Agricultural Zone. **(92-2007)**

(g) 12.0m in all other zones and for all other uses in any Agricultural Zone and any OSR Rural Open Space Zone not mentioned in Items (d) and (f). **(92-2007)**

(h) 6.0m for any accessory buildings or structures accessory to a single detached dwelling in an Oak Ridges Moraine Open Space Zone. **(38-2006)**

(i) 6.0m for any accessory buildings or structures accessory to a single detached dwelling in any Oak Ridges Moraine Agricultural Zone. **(38-2006)**

5.1.3(2) Notwithstanding the definition of the word “height” in Section 2 of this By-law, for the purposes of Items (a) and (d) only, the height is to be measured from grade to the highest point of the building or structure. **(92-2007)**

5.1.4 **Lot Requirements or Location**

5.1.4(1) Accessory buildings or structures are permitted in any yard, subject to the provisions of this Article.

5.1.4(2) In any AG, OSR, HMC or HI Zone, no accessory building or structure shall be permitted within a required minimum front yard or a required minimum exterior side yard or within any portion of an actual front yard which is closer to a street line than the minimum exterior side yard depth for that zone. **(66-1998, 62-2000, 92-2007)**

5.1.4(3) No accessory building or structure shall be closer than 0.6m to an interior side lot line or rear lot line. **(62-2000)**

5.1.4(4) When an accessory building or structure is located wholly or partially in a rear yard abutting a street or a 0.3m reserve, the minimum distance between the accessory building or structure and the street line or 0.3m reserve shall not be less than the required minimum exterior side yard depth for the zone in which the lot is located.

5.1.4(5) No accessory building or structure greater than 0.9m in height shall be erected or maintained in that part of any front yard, rear yard or exterior side yard within any triangular area which is bounded by the street line, the side of a driveway leading from that street, and a straight line joining the points in the street line and the side of the driveway line which are a distance of 3.0m from the point of intersection of the side of the driveway with the street line.

5.1.4(6) When an accessory building or structure is a gate house or guard house, it may be located in the front yard or the exterior side yard in an Industrial Zone. **(66-1998)**

5.1.4(7) No accessory building or structure shall be permitted within a front yard or within a required minimum exterior side yard within any zone. The provisions of this sentence shall not apply to the AG, OSR, HMC or HI Zones. **(62-2000, 92-2007)**

5.1.4(8) Notwithstanding the provisions of Articles 5.1.4(2), 5.1.4(4) and 5.1.4(7) to the contrary, an accessory building or structure not exceeding a ground floor area of $10m^2$ and 2.0m in height, may be located in a required minimum exterior side yard or that portion of a rear yard which extends from an abutting street or 0.3m reserve to a depth equal to or less than the required minimum exterior side yard depth, provided it shall be no closer than 0.6m to any lot line. **(62-2000, 39-2004, 69-2019)**

5.2 Group Homes

5.2.1 Group homes or correctional group homes are not permitted unless they comply with the provisions of this Subsection.

5.2.2 Group homes are only permitted within zones which permit dwelling units.

5.2.3 Correctional group homes are only permitted in R8 Zones.

5.2.4 A group home must comply with the regulations applicable to the zone in which the group home is or is to be located.

5.2.5 A correctional group home must comply with the regulations applicable to the Compound Zone.

5.2.6 Multiple group homes, including correctional group homes, are permitted on a lot, so long as the total number of persons residing in all the group homes on a particular lot does not exceed a maximum of ten. **(39-2004, 118-2020)**

5.3 Home Occupations

5.3.1 A home occupation is a permitted use in all the zones that permit dwelling units and in existing dwelling units in any FD or EU Zone, subject to the provisions of this Subsection. **(6-2008, 66-2023)**

5.3.2 The home occupation use shall be clearly secondary to the use of the dwelling unit and be carried out by a resident or residents of the dwelling unit.

5.3.3 The total floor area taken up by all home occupations shall be no more than twenty-five percent (25%) of the total floor area of the dwelling unit and shall be confined to one area and shall not exceed $28m^2$. **(61-2010)**

5.3.4 The home occupation shall not involve any changes to the external character of a building containing a dwelling unit. **(138-2008)**

5.3.5 The dwelling unit in which the home occupation is located shall be the principal residence, as defined in the Income Tax Act, of the person or persons engaged in the home occupation use.

5.3.6 Except for the home day care of a maximum of five persons (children or adults), no more than three persons shall be present in the dwelling unit at any time to receive treatment, services or instructions. **(39-2004)**

5.3.7 No retail sales shall be permitted as part of a home occupation use other than the sale of what is produced or repaired on-site.

5.3.8 The home occupation shall be restricted to the dwelling unit, except that it may be partially or wholly located in a garage attached to the dwelling unit provided the home occupation does not obstruct or eliminate a required parking space as set out in Article 4.21.1. **(66-1998)**

5.3.9 There shall be no outdoor storage or outdoor display of goods, materials or equipment.

5.3.10 The home occupation shall not generate adverse effects such as that from electrical interference, excessive traffic, parking, noise or odour.

5.3.11 Notwithstanding Section 39 to the contrary, no additional parking spaces need be provided for a home occupation use apart from what is required for the dwelling unit. **(66-1998)**

5.3.12 The property on which the home occupation is located shall not be used as a meeting place or point of departure for off-site work for any employees who are not residents of the dwelling unit. **(66-1998)**

5.3.13 No contracting equipment or supplies which are intended for use or consumption off-site, nor any bulk storage of hazardous or noxious chemicals or other materials, shall be permitted to be kept or stored on the property. **(66-1998)**

5.4 Public Uses

5.4.1 Subject to Article 5.4.3 and to Article 5.4.5, none of the provisions of this By-law shall apply to prevent the use of any land or the erection or use of any building or structure, or part thereof, by a public authority, nor the use of land or the use or erection of any structure in any zone for the purpose of essential services or utilities or work by any telephone, telecommunications, cable television or natural gas company or any railway or pipeline company, provided that where such land, building or structure is located in a Residential Zone: **(68-2013)**

(a) No goods, materials or equipment shall be stored in the open;

(b) The provisions prescribed for the use permitted in the zone which is most nearly similar to the use permitted by reason of this Subsection shall be complied with; and

(c) Any building or structure erected under the authority of this Subsection shall be designed and maintained whenever possible in general harmony with the buildings or structures of the type permitted in the zone in which it is located. **(60-2005)**

5.4.2 Subject to Article 5.4.3, none of the provisions of this By-law shall apply to prevent the use of any land or erection of any building or structure on land owned by the City.

5.4.3 Articles 5.4.1 and 5.4.2 and 5.4.4 shall not be interpreted to permit the use of any land or the erection or use of any building or structure for a use that does not conform to the Oshawa Official Plan, as amended from time to time. **(39-2004, 60-2005)**

5.4.4 Subject to Article 5.4.3, none of the provisions of this By-law shall apply to prevent the City's use of, or the erection of any building or structure used by the City on, any part of a lot leased to the City. The remainder of such lot shall not be rendered non-compliant with this By-law by reason only of such use or erection. **(60-2005)**

5.4.5 For the purpose of Article 5.4.1, "essential services or utilities or work" shall not include an office or a storage yard. **(60-2005)**

5.5 Outdoor Storage

5.5.1 Notwithstanding any provision of this By-law to the contrary, outdoor storage is subject only to the provisions of this Subsection. **(OMB R940316-12)**

5.5.2 Except for Residential Zones, outdoor storage is only permitted when specifically listed as a permitted use in a zone.

5.5.3 Outdoor storage shall not be permitted in any front yard or exterior side yard. **(66-1998)**

5.5.4 The minimum setback of outdoor storage shall be 9.0m from any street line or 0.3m reserve and the first 3.0m of this setback abutting the streetline or 0.3m reserve shall only be used for landscaped open space. **(39-2004)**

5.5.5 The minimum setback of outdoor storage shall be 6.0m from the boundary of any Residential or Open Space Zone.

5.5.6 The minimum setback of outdoor storage shall be 3.0m from the boundary of any zone other than Residential, Open Space, Industrial or Commercial Zones. **(39-2004)**

5.5.7 In a Commercial Zone, where it is permitted, the maximum height of goods, materials, machinery and equipment stored in an outdoor storage area shall be 4.0m.

5.5.8 An outdoor storage area shall not occupy more than sixty percent (60%) of the surface area of a lot located in a Select Industrial Zone.

5.5.9 Outdoor storage is permitted in any Residential Zone provided that it is accessory to a permitted residential use and is located in a rear yard or interior side yard; the foregoing setback provisions of this Subsection shall not apply to such outdoor storage. **(OMB R940316-12)**

5.6 Signs, Fences and Hedges (63-1996, 24-2014)

5.6.1 Notwithstanding any other provision of this By-law to the contrary, nothing in this By-law shall apply to regulate the erection or maintenance of a sign, fence or hedge, or natural feature nor to prohibit or restrict the location of any of them on any lot. **(66-1998, 24-2014)**

5.7 Earth Berms and Storm Water Management Facilities (OMB 960129)

5.7.1 Earth berms and storm water management facilities are permitted uses in any zone.

5.7.2 Notwithstanding Article 5.7.1, new stormwater management facilities are prohibited in any OS-ORM Oak Ridges Moraine Open Space Zone. **(38-2006)**

5.8 Automated Banking Machines (66-1998)

5.8.1 Automated banking machines, including free-standing non-accessory machines, shall be permitted in all Commercial Zones and in any other zone which permits a Financial Institution.

5.9 Bed And Breakfast Establishments (17-1999)

5.9.1 A bed and breakfast establishment is a permitted use in any zone that permits a single detached dwelling or farm dwelling, subject to the provisions of this subsection and the general provisions and parking provisions of this by-law applicable to a single detached or farm dwelling, as the case may be.

5.9.2 No meal service shall be provided to any person not staying at the bed and breakfast establishment nor shall meal service be provided by anyone not residing in the dwelling unit.

5.9.3 The dwelling unit in which the bed and breakfast establishment is located shall be the principal residence, as defined in the Income Tax Act, of the person or persons operating the bed and breakfast establishment.

5.9.4 Notwithstanding anything in this by-law to the contrary, no home occupation, other rental accommodation, group home or lodging house shall be permitted in any dwelling unit which contains a bed and breakfast establishment.

5.9.5 The minimum lot frontage for a bed and breakfast establishment shall be 18.0m and the minimum lot area shall be 550m^2 except that in any R1-F, R1-G, R1-H, OSR-A, OSR-B, AG-A or AG-B Zone, the minimum lot frontage and minimum lot area requirements of the applicable zone for a single detached dwelling or a farm dwelling, as the case may be, shall apply.

5.9.6 A bed and breakfast establishment shall not be established or operated in a manner which changes the external residential appearance of the dwelling unit or generates adverse effects such as those from excessive traffic, parking, noise and hours of operation. **(56-2001)**

5.10 Place of Amusement (62-2000)

5.10.1 A place of amusement shall be permitted as an accessory use in a commercial recreation establishment, cinema, hotel, restaurant and tavern, provided that the floor area devoted to amusement machines does not exceed twenty percent (20%) of the gross floor area of that use, up to a maximum of 15 amusement machines. **(6-2008)**

5.11 Refreshment Vehicles (6-2008)

5.11.1 Stationary refreshment vehicles are only permitted in any PCC Zone, PSC-A Zone, PSC-C Zone and SPC Zone that permit a fast food restaurant. **(62-2025)**

5.11.2 Stationary refreshment vehicles are only permitted on properties with other permitted main commercial buildings. Stationary refreshment vehicles are not permitted on vacant lots.

5.11.3 Hot dog carts are permitted in any Zone that permits a fast food restaurant.

5.11.4 A stationary refreshment vehicle may not be located within 80.0m of another stationary refreshment vehicle, a restaurant or playground equipment in a City park.

5.11.5 A minimum of five (5) parking spaces shall be provided for every stationary refreshment vehicle.

5.11.6 A Hot dog cart may not be located in the same location or on the same lot for a period exceeding nine (9) hours in one day.

5.12 Accessory Apartments **(89-2014, 66-2023)**

5.12.1 Accessory apartments shall be permitted within any single detached dwelling, semi-detached dwelling, semi-detached building, duplex, or street townhouse dwelling or within a building accessory to a single detached dwelling, semi-detached dwelling, semi-detached building, duplex, or street townhouse dwelling located in a R1, R2, R3, R5, OSR-A, OS-ORM, AG-A, AG-B or AG-ORM Zone, subject to the provisions of this subsection and the following: **(5-2025)**

(a) In addition to the regulations of Article 5.1.2, the maximum floor area of an accessory apartment in an accessory building in a R1-G, R1-H, OSR-A, OS-ORM, AG-A, AG-B or AG-ORM Zone shall be 60.0m^2 or one hundred percent (100%) of the floor area of the main dwelling unit, whichever is lesser. For the purposes of this Sentence, floor area shall not include a private garage. Notwithstanding the foregoing or any regulation under Article 5.1.2 to the contrary, the maximum floor area of an accessory apartment that was in existence as of February 19, 2025 in an accessory building in an OSR-A, OS-ORM, AG-A, AG-B or AG-ORM Zone shall be 70m². **(5-2025, 62-2025)**

(b) The accessory apartment shall not be located within any hazard lands as determined by the Central Lake Ontario Conservation Authority including, but not limited to, the regulatory flood limits, erosion hazard limits or areas without safe access in the event of a natural hazard emergency unless safe access is otherwise demonstrated to the satisfaction of the Central Lake Ontario Conservation Authority. Safe access shall mean access via an improved street that would not have roadway flood depths greater than 0.4m during a flood event as determined by Central Lake Ontario Conservation Authority. **(112-2024)**

(c) An accessory apartment shall only be permitted when the main dwelling is a permitted use within the zone in which it is located. Where the main dwelling is only permitted as an interim use by an “h” holding symbol, accessory apartments shall not be permitted.

(d) A lot containing an accessory apartment is subject to the provisions and regulations of this By-law applicable to the main use and main building, as the case may be.

(e) A lot containing one single detached dwelling, semi-detached dwelling or street townhouse dwelling may have a maximum of two accessory apartments in a single detached dwelling, semi-detached dwelling or street townhouse dwelling if there is no accessory apartment in an accessory building on the lot.

(f) A lot containing one single detached dwelling, semi-detached dwelling or street townhouse dwelling may have one accessory apartment in a single detached dwelling, semi-detached dwelling or

street townhouse dwelling and one accessory apartment in an accessory building on the lot.

(g) A lot containing one duplex may have one accessory apartment in the duplex or in an accessory building, but not in both. For clarity, this provision permits a maximum of three (3) dwelling units in total on a lot.

(h) A lot containing one semi-detached building may have one accessory apartment in the semi-detached building or in an accessory building, but not in both. For clarity, this provision permits a maximum of three (3) dwelling units in total on a lot.

(i) A lot containing two single detached dwellings may have an accessory apartment in a main building or in an accessory building provided that no more than three dwelling units in total occupy the lot.

(j) A lot containing two duplexes, two semi-detached buildings, or a single detached dwelling in combination with either a semi-detached building or duplex, may not have an accessory apartment in a main building or in an accessory building.

(k) A lot containing three or more single detached dwellings, semi-detached dwellings, duplexes or street townhouse dwellings, or any combination of the same that amounts to a total of three or more dwelling units on the lot, may not have an accessory apartment in a main building or in an accessory building.

(l) An accessory building containing an accessory apartment shall be separated from the main building by not less than 3.0m. In addition, an accessory building containing an accessory apartment in a R1-G, R1-H, OSR-A, OS-ORM, AG-A, AG-B or AG-ORM Zone shall be separated from the main building by not more than 15.0m. Notwithstanding the foregoing, in any OSR-A, OS-ORM, AG-A, AG-B or AG-ORM Zone, an accessory building containing an accessory apartment that was in existence as of February 19, 2025 shall be permitted in its in situ location as of that date.

(5-2025, 62-2025)

(m) An accessory building containing an accessory apartment shall be setback a minimum of 30m from any railway right-of-way.

(n) An accessory building containing an accessory apartment shall be setback a minimum of 14m from the Highway 401 or Highway 407 East property line.

(o) An accessory building containing an accessory apartment shall be setback a minimum of 7.0m from the outer limit of any gas or oil pipeline corridor.

(p) The exterior entrance to an accessory apartment shall be accessed by a minimum 0.81m wide unobstructed walkway provided from a

street line or 0.3m reserve. For the purpose of this sentence, a walkway is defined as a hard surface treated pathway that provides pedestrian access. Unobstructed means free of obstacles such as, but not limited to, fences without a gate, hedges, trees, heat pumps, air exchangers, air conditioners, downspouts, chimney breasts, bay windows, porches, vent pipes or ramps, steps or stairs not intended to provide pedestrian access between the street line or 0.3m reserve and the accessory building, up to a height of 2.3m. This provision shall not prevent the establishment of a gate to access the side yard or rear yard, or the establishment of parking spaces or a driveway.

(q) Notwithstanding the provisions of Articles 5.1.2, 5.1.3 and 5.1.4 and Sentence 5.12.1(l) of this By-law to the contrary, an accessory building existing as of May 29, 2023 that is accessory to a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or street townhouse dwelling may be used as an accessory apartment subject to the floor area of the accessory apartment in the accessory building not exceeding 60m^2 and compliance with the provisions in this Article.

(r) Notwithstanding Article 4.6.1 to the contrary, building features and structures are permitted to project from the exterior building walls of an accessory building containing an accessory apartment in accordance with Table 5.12 to the extent permitted herein:

Table 5.12

Structure or Building Feature	**Exterior Building Wall**	**Maximum Projection Permitted**
(a) Cantilevered canopies or roofs, bay windows, chimney breasts and vent pipes	All directions	0.6m
(b) Window sills, cornices, pilasters, eaves, gutters	Facing an exterior side lot line or the main building	0.6m
(c) Fire escapes	Facing an exterior side lot line or the main building	2.4m
(d) Unenclosed porches, decks, steps and ramps	Facing an exterior side lot line or the main building	2.4m
(e) Balconies and roofs over balconies	Facing an exterior side lot line or the main building	1.5m

Structure or Building Feature	Exterior Building Wall	Maximum Projection Permitted
(f) Heat pumps, air exchangers and/or air conditioners	Facing an exterior side lot line or the main building	1.2m
(g) Unenclosed access ramps and lifts for persons with accessible needs	Facing an exterior side lot line or the main building	Unlimited

5.12.2 In accordance with Table 39.3B of this By-law, one additional parking space shall be provided per accessory apartment, in addition to the minimum required number of parking spaces for a single detached dwelling, semi-detached dwelling, duplex or street townhouse dwelling as the case may be.

5.12.3 An accessory apartment is subject to the provisions of this subsection and the general provisions and regulations of this by-law applicable to a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or street townhouse dwelling, as the case may be.

5.12.4 Notwithstanding Articles 39.4.1 and 39.4.3 to the contrary, no aisle need be provided in conjunction with a parking space for any dwelling unit in accordance with Table 39.3B on a lot featuring a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or street townhouse dwelling as the main building, provided, however, that at least one parking space for each dwelling unit on the lot is directly accessible from a street and each parking space may be a tandem parking space only with other parking spaces assigned to the same dwelling unit.

5.12.5 An accessory apartment shall be located on the same lot as the main dwelling unit and the severance of an accessory apartment from the main dwelling unit is prohibited. **(72-2024, 62-2025)**

5.12.6 **Lot Frontage and Parking Exemption**

5.12.6(1) The minimum lot frontage and additional parking requirements for accessory apartments in Articles 5.12.1, 5.12.2, 5.12.4 shall not apply to the following:

(a) Any accessory apartment which existed prior to June 23, 2014 and is located within a single detached or semi-detached dwelling provided it complies with applicable Building Code, Fire Code and Property Standards By-law regulations and is registered with the City on or after June 23, 2014.

5.12.6(2) The provisions of Sentence 5.12.6(1) shall only apply until June 23, 2026. **(61-2016, 52-2018, 74-2021, 72-2024)**

5.12.6(3) Notwithstanding Article 5.12.4 and Article 39.3.1 of this By-law to the contrary, in cases where a complete building permit application has been received by the Chief Building Official between November 28, 2022 and May 29, 2023, inclusive, for a single detached dwelling, semi-detached dwelling, semi-detached building or street townhouse dwelling with one or two accessory apartments or the Committee of Adjustment has approved an application related to a single detached dwelling, semi-detached dwelling, semi-detached building or street townhouse dwelling between November 28, 2022 and May 10, 2023, inclusive, and the purpose of the building permit or Committee of Adjustment application is to facilitate the additional use of the lot for one or two accessory apartments, only one parking space per dwelling unit on the lot shall be required. **(72-2024)**

5.13 Parcel of Tied Land (61-2016, 72-2024)

5.13.1 For the purpose of this Article, a parcel of tied land shall be considered a lot and a common element condominium road shall be treated as an improved street. Not less than fifty percent (50%) of the front yard, exterior side yard and rear yard of every lot abutting an improved street in every Residential Zone shall be maintained as landscaped open space.

5.13.2 Notwithstanding any other provision of this By-law to the contrary, no person shall erect or use a building or structure on a parcel of tied land unless the property line of the parcel of tied land that is parallel to and abutting the common element condominium road has a minimum length of 5.5m.

5.13.3 For the purpose of this Article, a parcel of tied land shall be considered a lot. Notwithstanding any other provision of this By-law to the contrary, the total combined lot coverage of all accessory buildings on a parcel of tied land in any Residential Zone shall not exceed eight percent (8%) of the lot area.

5.13.4 Notwithstanding any other provision of this By-law to the contrary, on a parcel of tied land in a Residential Zone, no accessory building or structure shall be located between a main building and an improved street or a common element condominium road, and shall not be closer than 0.6m to a lot line of a parcel of tied land. For clarity, this Article shall not apply to a heat pump, air exchanger and/or air conditioner associated with a dwelling unit where the only exterior building wall of the dwelling unit at ground level is the building wall facing an improved street or a common element condominium road.

5.14 Craft Brewery (61-2016)

5.14.1 A maximum of one craft brewery is permitted on a lot in a permitted commercial zone and the craft brewery, excluding any retail or restaurant area, is restricted to a maximum gross floor area of 200m^2.

5.15 Vehicle Drive-through Facilities (75-2017)

5.15.1 The minimum lot area for a stand-alone vehicle drive-through facility associated with a restaurant, shall be 0.3ha.

5.15.2 The minimum required setbacks for vehicle drive-through facilities shall be in accordance with Table 5.15.2:

Table 5.15.2

Column I Zoning of the lot	Column II For Vehicle Drive-through facility associated with a restaurant, minimum required setback for (i) the portion of the Vehicle Queuing Lane from the order station to the pick-up window, (ii) the balance of the Vehicle Queuing Lane before the order station, from a lot zoned as per Column I (m)	Column III For all types of Vehicle Drive-through Facilities other than a Vehicle Drive-through Facility for a restaurant, minimum required setback for Vehicle Queuing Lane, order station and pick-up window, from a lot zoned as per Column I (m)
All Residential Zones	(i) 10 (ii) 3	3
All Commercial Zones	(i) 3 (ii) 3	3
All Institutional Zones	(i) 3 (ii) 3	3
All Industrial Zones	(i) 3 (ii) 3	3
Any other zones not included above	(i) 3 (ii) 3	3

5.15.3 For Compound Zones, the more restrictive zone provisions pertaining to setbacks in Table 5.15.2 shall apply.

5.15.4 A vehicle drive-through facility shall not be permitted on any lot which has a driveway onto a local road where such driveway is across from a lot zoned Residential that permits single detached dwellings, semi-detached dwellings, block townhouses, back-to-back street townhouse buildings, street townhouse buildings or duplexes. **(62-2025)**

5.15.5 A minimum of 18m shall be provided between the closest entranceway on a public street and the entrance of the vehicle queuing lane, as measured

from the property line at the entranceway to the nearest edge of the vehicle queuing lane, to avoid having the vehicle queuing lane obstruct access to parking aisles and parking spaces.

5.15.6 A minimum of 12m shall be provided between the closest entranceway on a public street and the exit of the vehicle queuing lane, as measured from the property line at the entranceway to the nearest edge of the vehicle queuing lane, to avoid having the vehicle queuing lane obstruct access to parking aisles and parking spaces.

5.15.7 Each vehicle queuing space shall be a minimum of 3m in width and a minimum of 6m in length.

5.15.8 The minimum number of vehicle queuing spaces required to be provided to a Vehicle Drive-through Facility shall be the greater of:

(a) The minimum number of vehicle queuing spaces established by a Traffic Study as requested by and acceptable to the City and prepared by a qualified expert at the owner's sole expense; or,

(b) The minimum number of vehicle queuing spaces provided in accordance with Table 5.15.8 as follows:

Table 5.15.8

Type of Vehicle Drive-through Facility	**Minimum Required Number of Vehicle Queuing Spaces**
Restaurant	16
Financial institutions, Retail stores and any other use	4

5.15.9 For greater clarity, the first vehicle queuing space required by Table 5.15.8 shall be located adjacent to the automatic teller machine for a financial institution and the pick-up window in the case of a restaurant, retail store or any other use, as the case may be.

5.15.10 A Traffic Study may be required to confirm the adequacy of the queuing requirements associated with a vehicle drive-through facility proposed in conjunction with a permitted use. A greater number of vehicle queuing spaces may be required, by a Traffic Study prepared in support of a vehicle drive-through facility subject to a peer review.

5.15.11 A vehicle drive-through facility is not permitted within the hatched area shown on Schedules "I", "J", "K", "L", "M", "N" and "O" to this By-law.

(75-2025)

5.16 Short-Term Rental (52-2018)

5.16.1 A short-term rental is a permitted use in all zones that permit dwelling units.

5.16.2 A short-term rental shall be used to provide temporary accommodation for any rental period that is less than 28 consecutive days and not exceeding a combined total of 180 days in a calendar year.

5.16.3 The dwelling unit in which the short-term rental is located shall be the principal residence, as defined in the Income Tax Act, of the person or persons operating and residing in the short-term rental.

5.16.4 Notwithstanding anything in this by-law to the contrary, no bed and breakfast, home occupation, other rental accommodation, group home or lodging house shall be permitted in any dwelling unit which contains a short-term rental.

5.16.5 A short-term rental shall not be established or operated in a manner which changes the external residential appearance of the dwelling unit or that contributes to adverse effects such as those from excessive traffic, parking, noise and hours of operation.

5.17 Payday Loan Establishment, Tattoo Parlour, Pawn Shop, Vapour Product Shop, Adult Use Store (112-2024)

5.17.1 No payday loan establishment, tattoo parlor, pawn shop, vapour product shop or adult use store situated on a lot outside of the hatched area shown on Schedule “I” to this By-law shall:

(a) Be located closer than 150m to another lot outside of the hatched area shown on Schedule “I” to this By-law occupied by the same use, as measured along a line connecting the two closest points of the respective lots; and,

(b) Be located closer than 400m to another lot within the hatched area shown on Schedule “I” to this By-law occupied by the same use, as measured along a line connecting the two closest points of the respective lots.

5.17.2 Notwithstanding any provision of this By-law to the contrary, no part of any lot featuring a vapour product shop shall be located within 150m of a lot containing any of the following uses:

(a) School
(b) Park
(c) Day Care Centre
(d) Hospital

Section 6: R1 Residential Zones

6.1 Permitted Uses

6.1.1 No person shall within any R1 Zone use any land or erect or use any building or structure for any purpose or use other than the following use:

(a) Single detached dwelling

6.2 Regulations

6.2.1 No person shall within any R1 Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 6.2 and this Subsection.

6.2.2 Notwithstanding the regulations set out in Table 6.2 to the contrary, any and all single detached dwellings constructed or to be constructed on lots or parts of lots within a plan of subdivision registered after January 1, 1987 and zoned R1-C may have a minimum front yard depth of 6.0m.

(66-1998)

Table 6.2 – Regulations for R1 Zones

Zones	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R1-G	R1-H
Minimum Lot Frontage (m)	18.0	15.0	13.5	12.0	9.0	30.0	30.0	30.0
Minimum Lot Area (m^2)	540	450	405	360	270	1800	4000	6000
Minimum Front Yard Depth (m)	9.0	6.0	9.0 (see Article 6.2.2)	6.0	6.0	12.0	15.0	15.0
Minimum Interior Side Yard Depth (m)	1.2	1.2	1.2	1.2	For interior lots, 1.2m on one side only, and for corner lots 0.0m, provided however, that, for both interior and corner lots, in no case shall the distance between dwelling units be less than 1.2m	5.0	5.0	5.0

Zones	R1-A	R1-B	R1-C	R1-D	R1-E	R1-F	R1-G	R1-H
Minimum Exterior Side Yard Depth (m)	2.4	2.4	2.4	2.4	2.4	5.0	5.0	5.0
Minimum Rear Yard Depth (m)	7.5	7.5	7.5	7.5	7.5	10.5	10.5	10.5
Maximum Lot Coverage (%)[1]	40	40	40	40	40	20	10	20
Maximum Height (m)	9.0	9.0	9.0	9.0	9.0	10.5	10.5	10.5

1 Maximum lot coverage of 45% permitted if the property has one or more accessory apartments and is serviced by municipal water and sanitary services as per Ontario Regulation 299/19.

(62-2000)

6.3 Special Conditions

6.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard R1 Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

6.3.2 **R1-C(1) Zone (1265 King Street East)**

6.3.2(1) Notwithstanding Subsection 5.3 and the definition of home occupation to the contrary, in any R1-C(1) Zone, as shown on Schedule "A" to this By-law, a chiropractic office may be permitted as a home occupation use provided the chiropractic office does not exceed 95m^2 of gross floor area.

6.3.3 **R1-E(1) Zone (112 Annis Street)** **(91-1995)**

6.3.3(1) Notwithstanding Article 4.9.3 to the contrary, not less than forty-five percent (45%) of the front yard shall be maintained as landscaped open space.

6.3.3(2) Notwithstanding Subsection 4.15 to the contrary, a maximum of two single detached dwelling units shall be permitted in any R1-E(1) Zone. **(60-2005)**

6.3.3(3) Notwithstanding Subsection 6.2 to the contrary, the following regulations shall apply to any R1-E(1) Zone:

(a) A minimum interior side yard depth of 7.5m shall be provided between any dwelling unit and the rear lot lines of the properties municipally known as 116, 120 and 130 Annis Street.

(b) A minimum northerly interior side yard depth of 17.0m shall be provided abutting CN Rail.

(c) A minimum rear yard depth of 4.0m shall be provided.

(d) A minimum distance separation of 2.4m shall be provided between each dwelling unit on the lot.

(e) A minimum front yard depth of 25.0m shall be provided.

6.3.3(4) Notwithstanding Sentence 5.1.2(2) and 5.1.3(1) to the contrary, in any R1-E(1) Zone, the total combined lot coverage of all accessory buildings on a lot shall not exceed eight percent (8%) of the lot area and the maximum height of any accessory building or structure shall be 5.0m. **(45-2005)**

6.3.4 **R1-B(1) Zone (east of Wilson Road North, north of Taunton Road East) (50-1997)**

6.3.4(1) Notwithstanding Subsection 6.2 to the contrary, the following regulations shall apply to any R1-B(1) Zone:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

6.3.5 **R1-D(1) Zone (east of Wilson Road North, north of Taunton Road East) (50-1997)**

6.3.5(1) Notwithstanding Subsection 6.2 to the contrary, the following regulations shall apply to any R1-D(1) Zone:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

6.3.6 **R1-C(2) Zone (55 Connaught Street) (63-1998)**

6.3.6(1) In addition to any R1-C use, in any R1-C(2) Zone, as shown on Schedule “A” to this By-law, a bed and breakfast establishment is also a permitted use.

6.3.6(2) Notwithstanding Sections 5.2 and 5.3 of the By-law to the contrary, group homes, home occupations and more than one roomer/boarder are not permitted when a bed and breakfast establishment is operating on this lot.

6.3.6(3) Notwithstanding the definition of bed and breakfast in Section 2 of the By-law to the contrary, in any R1-C(2) Zone the following definition shall apply:

"**BED AND BREAKFAST**" means a building or part of a building containing a dwelling unit occupied by the owners of the lot or the owners of the bed and breakfast establishment and no more than three rooms within the dwelling unit that are made available for the temporary accommodation of travellers, to whom meals may be furnished, but to whom no service is provided by any person not residing in the subject building, or for any person not staying at the bed and breakfast. This use does not include a hotel or lodging house.

6.3.6(4) The provisions of Section 5.9 of this By-law shall not apply to any bed and breakfast establishment in any R1-C(2) Zone. **(17-1999, 56-2001)**

6.3.7 **R1-C(3) Zone (1015 King Street East) (64-2017)**

6.3.7(1) Notwithstanding Subsection 6.2 to the contrary, the following regulation shall apply to any R1-C(3) Zone as shown on Schedule "A" to this By-law:

(a) A minimum front yard depth of 4.5m shall be provided.

6.3.8 **R1-E(2) Zone (west of Townline Road North, north of Andover Drive) (66-1997)**

6.3.8(1) Notwithstanding Subsection 6.2 to the contrary, the following regulations shall apply to any R1-E(2) Zone as shown on Schedule "A" to this By-law:

(a) For a corner lot, no minimum interior side yard depth need be provided or maintained, provided that in no case shall the distance between dwelling units be less than 1.2m. **(66-1998)**

6.3.9 **R1-D(4) Zone (east and west of Grandview Street North, north of Taunton Road East) (61-1998)**

6.3.9(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(4) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 400m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior

side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(e) A maximum lot coverage of forty-three percent (43%) shall be permitted.

(f) A maximum height of 10.5m shall be permitted.

6.3.9(2) Notwithstanding the provisions of Sentence 5.1.2(1) of this By-law to the contrary, in any R1-D(4) Zone, the total lot coverage of all accessory buildings on a lot shall not exceed 9.1 percent (9.1%) of the lot area, provided that in no case shall the ground floor area of any accessory building exceed $40m^2$.

6.3.9(3) Notwithstanding the provisions of Article 4.6.1 of this by-law to the contrary, in any R1-D(4) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.9(4) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(4) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.9(5) Notwithstanding the provisions of Article 5.1.4 of this By-law to the contrary, in any R1-D(4) Zone, no accessory building shall be permitted in any front yard.

6.3.9(6) Notwithstanding the definition of lot frontage in Section 2 of this By-law to the contrary, in any R1-D(4) Zone, lot frontage shall be measured at a perpendicular distance of 6.0m from the front lot line, rather than the required minimum front yard depth.

6.3.9(7) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(4) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.9(8) Notwithstanding any other provisions of this By-law to the contrary, in any R1-D(4) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.10 **R1-E(3) Zone (east of Grandview Street North, north of Taunton Road East) (61-1998)**

6.3.10(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(3) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 10.3m shall be provided.

(b) A minimum lot area of 260m^2 shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(g) A maximum height of 10.5m shall be permitted.

6.3.10(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(3) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.10(3) Notwithstanding the provisions of Article 5.1.4 of this By-law to the contrary, in any R1-E(3) Zone, no accessory building shall be permitted in any front yard.

6.3.10(4) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(3) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.10(5) Notwithstanding any other provisions of this By-law to the contrary, in any R1-E(3) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of the building.

6.3.10(6) Notwithstanding the definition of lot frontage in Section 2 of this By-law to the contrary, in any R1-E(3) Zone, lot frontage shall be measured at a

perpendicular distance of 6.0m from the front lot line, rather than the required minimum front yard depth.

6.3.10(7) Notwithstanding any other provisions of this By-law to the contrary, in any R1-E(3) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.11 **R1-B(2) Zone (east and west of Grandview Street North, north of Taunton Road East) (30-1999)**

6.3.11(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-B(2) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 580m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior sided yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(e) A maximum lot coverage of forty-two percent (42%) shall be permitted.

(f) A maximum height of 10.5m shall be permitted.

6.3.11(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-B(2) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.11(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-B(2) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.11(4) Notwithstanding the provisions of Article 5.1.4 of this By-law to the contrary, in any R1-B(2) Zone, no accessory building shall be permitted in any front yard.

6.3.11(5) Notwithstanding any other provision of this By-law to the contrary, in any R1-B(2) Zone, a private garage shall not project beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.11(6) Notwithstanding any other provision of this By-law to the contrary, in any R1-B(2) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.12 **R1-C(5) Zone (east of Wilson Road North, south of Conlin Road East) (116-1998)**

6.3.12(1) Notwithstanding Subsection 6.2 to the contrary, the following regulations shall apply to any R1-C(5) Zone:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

6.3.13 **R1-C(6) Zone (354 King Street East) (2-1999)**

6.3.13(1) In addition to any R1-C use, in any R1-C(6) zone, as shown on Schedule “A” to this By-law, a retirement home, housing up to ten persons exclusive of staff, may be permitted in the main building lawfully existing on January 18, 1999.

6.3.13(2) Notwithstanding the definition of retirement home in Section 2 of this By-law to the contrary, in any R1-C(6) Zone, a retirement home means a residence providing accommodation primarily for persons or couples of 65 years of age or over where each living unit has a private bedroom, a private or shared washroom and separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided, and where common lounges, recreation rooms and medical care facilities may also be provided.

6.3.14 **R1-B(3) Zone (west of Fleetwood Drive) (OMB PL980367)**

6.3.14(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-B(3) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot area of 400m^2 shall be provided.
(b) A minimum front yard depth of 3.0m shall be provided.
(c) A minimum exterior side yard depth of 2.0m shall be provided.
(d) A maximum height of 10.5m shall be permitted.
(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.14(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-B(3) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.14(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-B(3) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.14(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-B(3) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.14(5) Notwithstanding any other provision of this By-law to the contrary, in any R1-B(3) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.14(6) Notwithstanding any other provision of this By-law to the contrary, in any R1-B(3) Zone, any driveway leading to a private garage on any lot fronting on a road allowance of less than 20.0m, that does not have a sidewalk installed or planned for that side of the public highway, shall have a minimum length of 7.0m from the street line to the garage and the garage shall be equipped with a roll-up type garage door.

6.3.15 **R1-C(4) Zone (various locations) (58-2002)**

6.3.15(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-C(4) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot area of 360m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(e) A maximum height of 10.5m shall be permitted.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.15(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-C(4) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.15(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-C(4) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.15(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-C(4) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.15(5) Notwithstanding any other provision of this By-law to the contrary, in any R1-C(4) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.15(6) Notwithstanding any other provision of this By-law to the contrary, in any R1-C(4) zone, any driveway leading to a private garage on any lot fronting on a road allowance of less than 20.0m, that does not have a sidewalk installed or planned for that side of the public highway, shall have a minimum length of 7.0m from the street line to the garage and the garage shall be equipped with a roll-up type garage door.

6.3.16 **R1-D(2) Zone (various locations)** **(58-2002)**

6.3.16(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(2) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot area of 320m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(e) A maximum height of 10.5m shall be permitted.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.16(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(2) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.16(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-D(2) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.16(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(2) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.16(5) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(2) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.16(6) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(2) Zone, any driveway leading to a private garage on any lot fronting on a road allowance of less than 20.0m, that does not have a sidewalk installed or planned for that side of the public highway, shall have a minimum length of 7.0m from the street line to the garage and the garage shall be equipped with a roll-up type garage door.

6.3.17 **R1-E(5) Zone (Fleetwood Drive) (OMB PL98067)**

6.3.17(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(5) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 10.3m shall be provided.

(b) A minimum lot area of 260m^2 shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(f) A maximum height of 10.5m shall be permitted.

(g) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.17(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(5) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.17(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(5) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.17(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(5) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.17(5) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(5) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.17(6) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(5) Zone, any driveway leading to a private garage on any lot fronting on a road allowance of less than 20.0m, that does not have a sidewalk installed or planned for that side of the public highway, shall have a minimum length of 7.0m from the street line to the garage and the garage shall be equipped with a roll-up type garage door.

6.3.18 **R1-E(6) Zone (Fleetwood Drive) (OMB PL98067)**

6.3.18(1) Notwithstanding any other provision of this by-law to the contrary, in any R1-E(6) Zone, any driveway leading to a private garage on any lot fronting on a road allowance of less than 20.0m, that does not have a sidewalk installed or planned for that side of the public highway, shall have a minimum length of 7.0m from the street line to the garage and the garage shall be equipped with a roll-up type garage door.

6.3.19 **R1-C(7) Zone (southeast corner of Ritson Road South and King Street East) (72-1999)**

6.3.19(1) In addition to any R1-C use, in any R1-C(7) Zone, as shown on Schedule “A” to this By-law, an uncovered surfaced parking lot providing parking spaces exclusively devoted to the office uses at 249-255 King Street East and 16 Ritson Road South is also a permitted use. No part of

the parking area may be located closer than 3.0m to a street line, except for an aisle which may be located between 3.0m and 1.8m from the Ritson Road South street line.

6.3.20 **R1-E(16) Zone (west of Townline Road North, south of Taunton Road East) (127-2005)**

6.3.20(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(16) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 0.9m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(c) For a corner lot, a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(e) A maximum height of 10.5m shall be permitted.

6.3.21 **R1-E(8) Zone (east of Simcoe Street South, north of Wellington Avenue) (70-1999)**

6.3.21(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(8) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 7.3m shall be provided.

(b) A minimum lot area of 204m^2 shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 0.6m shall be provided.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(e) A maximum lot coverage of fifty percent (50%) shall be permitted.

(f) A maximum height of 10.5m shall be permitted.

6.3.21(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(8) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.5m into a required minimum exterior side yard; in addition, steps providing

access to a porch may project to the exterior side lot line, but no deck shall be permitted in the front yard.

6.3.21(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(8) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.21(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(8) Zone, a private garage shall not project more than 2.1m beyond either the front wall face of the ground floor of the dwelling on the lot or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.22 **R1-C(8) Zone (140 Stevenson Road North) (88-1999)**

6.3.22(1) In addition to the R1-C use, prescribed by Article 6.1.1(a), in any R1-C(8) Zone, as shown on Schedule "A" to this By-law, an apartment building containing no more than three dwelling units, is a permitted use in the main building lawfully existing on September 20, 1999. **(89-2014)**

6.3.22(2) Notwithstanding the provisions of Subsection 4.10 to the contrary, in any R1-C(8) Zone, as shown on Schedule "A" to this By-law, one parking space may be permitted in the front yard of an apartment building.

6.3.23 **R1-E(7) Zone (east of Grandview Street North) (39-2001)**

6.3.23(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(7) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) For an interior lot, a minimum interior side yard depth of 0.9m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

6.3.24 **R1-B(4) Zone (Waverly Street North and Stevenson Road North) (38-2002)**

6.3.24(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-B(4) Zone, as shown on Schedule "A" to this By-law the following regulations shall apply:

(a) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(b) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(c) A maximum lot coverage of forty-two percent (42%) shall be permitted.

6.3.24(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-B(4) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.24(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-B(4) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.25 **R1-B(5) Zone (Stevenson Road North) (38-2002)**

6.3.25(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-B(5) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(d) A maximum lot coverage of forty-two percent (42%) shall be permitted.

6.3.25(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-B(5) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.25(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-B(5) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.26 **R1-C(9) Zone (Stevenson Road North) (38-2002)**

6.3.26(1) Notwithstanding the provisions of Subsection 6.2 to this By-law to the contrary, in any R1-C(9) Zone, as shown on Schedule “A” to this By-law the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(d) A maximum lot coverage of forty-two percent (42%) shall be permitted.

6.3.26(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-C(9) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.26(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-C(9) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.27 **R1-D(5) Zone (Stevenson Road North) (38-2002)**

6.3.27(1) Notwithstanding the provisions of Subsection 6.2 to this By-law to the contrary, in any R1-D(5) Zone, as shown on Schedule “A” to this By-law the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(d) A maximum lot coverage of forty-two percent (42%) shall be permitted.

6.3.27(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(5) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.27(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(5) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.28 **R1-D(6) Zone (west of Wilson Road North, north of Coldstream Drive) (63-2002)**

6.3.28(1) Notwithstanding the provisions of Subsection 6.2 to this By-law to the contrary, in any R1-D(6) Zone, as shown on Schedule "A" to this By-law the following regulations shall apply:

(a) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot a minimum interior side yard depth of 0.6m shall be provided.

6.3.29 **R1-E(10) Zone (Kettering Drive, Aldershot Drive, Wadebridge Crescent and Margate Drive) (58-2002)**

6.3.29(1) Notwithstanding the provisions of Subsection 6.2 to this By-law to the contrary, in any R1-E(10) Zone, as shown on Schedule "A" to this By-law the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided, except for those lots that front onto Margate Drive where the minimum front yard depth shall be 6.0m.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) A maximum height of 10.5m shall be permitted.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.29(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(10) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.29(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(10) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing

access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.29(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(10) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.29(5) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(10) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.29(6) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(10) Zone, any driveway leading to a private garage on any lot fronting on a road allowance of less than 20.0m, that does not have a sidewalk installed or planned for that side of the public highway, shall have a minimum length of 7.0m from the street line to the garage and the garage shall be equipped with a roll-up type garage door.

6.3.30 **R1-D(7) Zone (Songbird Drive) (68-2002)**

6.3.30(1) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(7) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.30(2) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(7) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.31 **R1-E(11) Zone (Brasswinds Trail) (68-2002)**

6.3.31(1) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(11) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.31(2) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(11) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.32 **R1-H(1) Zone (105 Columbus Road West) (52-2003)**

6.3.32(1) In addition to any R1-H use, in any R1-H(1) Zone, as shown on Schedule “A” to this By-law, a psychologist’s office in conjunction with a dwelling unit within a single main building, is also a permitted use.

6.3.32(2) The psychologist that owns the psychologist’s office business shall be a resident of the dwelling unit.

6.3.32(3) The gross floor are devoted to a psychologist's office shall not exceed 150m^2.

6.3.32(4) The minimum floor area, excluding an attached private garage, devoted to the dwelling unit shall be 325m^2.

6.3.32(5) A maximum of three employees who do not reside in the dwelling unit may be permitted to work in the psychologist's office.

6.3.32(6) Notwithstanding any provision of this By-law to the contrary, a parking area accessory to the psychologist's office may be permitted in any yard provided it is located a minimum of 3.0m from a streetline.

6.3.33 **R1-A(1) Zone (east of Simcoe Street North, north of Conlin Road East) (128-2003)**

6.3.33(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-A(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 500m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty percent (50%) for any lot with a bungalow of which only forty-seven percent (47%) shall be devoted to the main building.

(f) A maximum height of 11.5m shall be permitted.

6.3.33(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-A(1) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.33(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-A(1) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.33(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-A(1) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.34 **R1-B(6) Zone (east of Simcoe Street North, north of Conlin Road East) (128-2003)**

6.3.34(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-B(6) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 415m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty percent (50%) for any lot with a bungalow of which only forty-seven percent (47%) shall be devoted to the main building.

(f) A maximum height of 11.5m shall be permitted.

6.3.34(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-B(6) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.34(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-B(6) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.34(4) Notwithstanding any other provision of this By-law to the contrary, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.35 **R1-D(3) Zone (east of Simcoe Street North, north of Conlin Road East) (128-2003)**

6.3.35(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(3) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 330m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty percent (50%) for any lot with a bungalow of which only forty-seven percent (47%) shall be devoted to the main building.

(f) A maximum height of 11.5m shall be permitted.

6.3.35(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-D(3) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.35(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(3) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.35(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(3) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.36 **R1-E(4) Zone (east of Simcoe Street North, north of Conlin Road East) (128-2003)**

6.3.36(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(4) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 250m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building.

(f) A maximum height of 11.5m shall be permitted.

6.3.36(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(4) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.36(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(4) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.36(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(4) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.37 **R1-A(2) Zone (924 Townline Road North) (136-2003)**

6.3.37(1) In addition to any R1-A use, in any R1-A(2) Zone, as shown on Schedule “A” to this By-law, an office for a chiropractor or naturopath, in conjunction with a dwelling unit within a single main building are also permitted uses provided any office use is located in the main building which lawfully existed on October 29, 2003. This provision does not prevent the existing dwelling unit from being enlarged for residential purposes, including the addition of an attached private garage.

6.3.37(2) The chiropractor that owns the chiropractor’s office business shall be a resident of the dwelling unit.

6.3.37(3) The naturopath that owns the naturopath’s office business shall be a resident of the dwelling unit.

6.3.37(4) The gross floor area devoted to an office use shall not exceed 160m^2 on the property.

6.3.37(5) The minimum floor area, excluding an attached private garage, devoted to the dwelling unit shall be 190m^2.

6.3.37(6) A maximum of two office employees who do not reside in the dwelling unit may be permitted to work on the property.

6.3.37(7) Notwithstanding any provision of this By-law to the contrary, parking spaces and an aisle accessory to an office for the chiropractor or naturopath may only be permitted in an interior side yard or rear yard and the parking spaces accessory to the dwelling unit may be permitted in any yard or in an attached private garage.

6.3.38 **R1-E(12) Zone (east of Grandview Street North, north of Coldstream Drive) (153-2004)**

6.3.38(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(12) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(d) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(e) A maximum height of 10.5m shall be permitted.

6.3.38(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(12) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.38(3) Notwithstanding any other provisions of this By-law to the contrary, in any R1-E(12) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of the building.

6.3.39 **R1-C(10) Zone (488 Simcoe Street North) (OMB PL020900)**

6.3.39(1) In addition to any R1-C use, in any R1-C(10) Zone, as shown on Schedule "A" to this By-law, the following use is also permitted:

(a) A single detached dwelling together with a parking lot accessory to the apartment buildings at 496 and 498 Simcoe Street North.

6.3.39(2) The parking lot accessory to the apartment buildings permitted in Sentence 6.3.39(1) shall be located in the rear yard of 488 Simcoe Street North and shall contain no more than 10 parking spaces.

6.3.39(3) Notwithstanding Subsection 39.4 to the contrary, in any R1-C(10) Zone, the minimum parking space length shall be 5.2m for any parking space located in the accessory parking lot permitted in Sentence 6.3.39(1).

6.3.39(4) Notwithstanding the provisions of Subsection 3.7 to the contrary, the lands municipally known as 488, 496 and 498 Simcoe Street North shall be considered one lot for the purposes of applying the regulations relating to the number of parking spaces for the apartment buildings provided all the lands meet the definition of lot in Section 2 of this By-law.

6.3.40 **R1-D(8) Zone (west of Harmony Road North, north of Grand Ridge Avenue) (OMB PL031190)**

6.3.40(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(8) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 340m^2 shall be provided.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.40(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(8) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.40(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(8) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.41 **R1-E(13) Zone (west of Harmony Road North, north of Grand Ridge Avenue) (OMB PL031190)**

6.3.41(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(13) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 250m^2 shall be provided.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided.

(d) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.41(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(13) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.41(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(13) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.42 **R1-C(11) Zone (east of Harmony Road North, south of Rossland Road East) (58-2004)**

6.3.42(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-C(11) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 0.6m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 1.2m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(d) A maximum lot coverage of forty-eight percent (48%) shall be permitted of which no more than forty-five percent (45%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty percent (50%) for any lot with a bungalow of which no more than forty-seven percent (47%) shall be devoted to the main building.

6.3.42(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-C(11) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.42(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-C(11) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.43 **R1-D(9) Zone (east of Harmony Road North, south of Rossland Road East) (58-2004)**

6.3.43(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(9) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 0.6m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 1.2m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(d) A maximum lot coverage of forty-eight percent (48%) shall be permitted of which no more than forty-five percent (45%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty percent (50%) for any lot with a bungalow of which no more than forty-seven percent (47%) shall be devoted to the main building.

6.3.43(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(9) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.43(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(9) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.44 **R1-E(14) Zone (east of Ritson Road North, south of Coldstream Drive) (142-2004)**

6.3.44(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(14) Zone, as shown on Schedule "A" to this By-law, a maximum lot coverage of forty-eight percent (48%) shall be permitted of which no more than forty-five percent (45%) shall be devoted to the main building.

6.3.45 **R1-B(7) Zone (Britannia Avenue and Avalon Street extended)**
(11-2005)

6.3.45(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-B(7) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(b) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(c) A maximum lot coverage of forty-five percent (45%) shall be permitted of which no more than forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be forty-seven percent (47%) for any lot with a bungalow of which no more than forty-five percent (45%) shall be devoted to the main building.

6.3.46 **R1-D(10) Zone (Britannia Avenue and Avalon Street extended)**
(11-2005)

6.3.46(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(10) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(b) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(c) A maximum lot coverage of forty-five percent (45%) shall be permitted of which no more than forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be forty-seven percent (47%) for any lot with a bungalow of which no more than forty-five percent (45%) shall be devoted to the main building.

6.3.47 **R1-D(11) Zone (west of Harmony Road North, north of Taunton Road East) (85-2005)**

6.3.47(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(11) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(b) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(c) A minimum front yard depth of 4.5m shall be provided.

(d) A maximum lot coverage of forty-three percent (43%) shall be permitted.

(e) A maximum height of 10.5m shall be permitted.

6.3.48 **R1-E(15) Zone (west of Harmony Road North, north of Taunton Road East) (85-2005)**

6.3.48(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(15) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.0m shall be provided.

(b) A minimum lot area of 330m^2 shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(e) A minimum front yard depth of 4.5m shall be provided.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(g) A maximum height of 10.5m shall be permitted.

6.3.49 **R1-D(12) Zone (east of Grandview Street North, south of Conlin Road East) (48-2006)**

6.3.49(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(12) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(b) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(c) A minimum front yard depth of 4.5m shall be provided.

(d) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(e) A maximum height of 10.5m shall be permitted.

6.3.50 **R1-E(17) Zone (east of Grandview Street North, south of Conlin Road East) (48-2006)**

6.3.50(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(17) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.0m shall be provided.

(b) A minimum lot area of 330m^2 shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(e) A minimum front yard depth of 4.5m shall be provided.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(g) A maximum height of 10.5m shall be permitted.

6.3.51 **R1-A(3) Zone (1231 Harmony Road North) (77-2007)**

6.3.51(1) In addition to any R1-A use, in any R1-A(3) Zone, shown on Schedule "A" to this By-law, an insurance and financial services office may be permitted within the main building which existed on July 3, 2007.

6.3.51(2) In any R1-A(3) Zone, shown on Schedule "A" to this By-law, financial services means financial and retirement planning that includes, but not limited to, services related to mutual funds, RESPs and RRSPs and vehicle financing. Transactional banking services shall not be permitted.

6.3.51(3) Notwithstanding Subsection 5.1, in any R1-A(3) Zone shown on Schedule "A" to this By-law, the only accessory building permitted is the accessory building existing on July 3, 2007.

6.3.51(4) Notwithstanding Subsection 39.4 and any other provision of this By-law to the contrary, in any R1-A(3) Zone, shown on Schedule "A" to this By-law, the 2 tandem parking spaces on the driveway on the north side of the existing main building may be permitted for an insurance and financial services office.

6.3.51(5) Notwithstanding Subsection 4.10, in any R1-A(3) Zone shown on Schedule "A" to this By-law, any parking related to an insurance and financial services office must be located in any side yard provided no part of any parking area shall be located closer than 3.0m to any streetline. These provisions shall not apply to the 2 tandem parking spaces and aisle located on the driveway on the north side of the existing main building.

6.3.52 **R1-E(9) Zone (Fleetwood Drive)**
(61-2009, OMB PL050999, OMB PL060698)

6.3.52(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(9) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 260m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) A maximum height of 10.5m shall be permitted.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

6.3.52(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(9) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

6.3.52(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(9) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.52(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(9) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.52(5) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(9) Zone, an unenclosed porch is considered to comprise part of the landscaped open space.

6.3.52(6) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(9) Zone, any driveway leading to a private garage on any lot fronting on a road allowance of less than 20.0m, that does not have a sidewalk installed or planned for that side of the public highway, shall have a minimum length of 7.0m from the street line to the garage and the garage shall be equipped with a roll-up type garage door.

6.3.53 **R1-C(12) Zone (364 Simcoe Street North) (52-2009)**

6.3.53(1) In addition to any R1-C use, in any R1-C(12) Zone, as shown on Schedule “A” to this By-law, a cancer lodge is also a permitted use.

6.3.53(2) In any R1-C(12) Zone, as shown on Schedule “A” to this By-law, the following definition shall apply:

“**CANCER LODGE**” means a residential building with shared and common facilities, not operated for gain, providing short-term living accommodation for cancer patients in bedrooms and short term living accommodation for hospital approved caregivers or cancer-care medical interns or trainees in apartment units.

6.3.53(3) Notwithstanding the provisions of Subsections 4.6, 4.10, 5.1, 6.2 and 39.3 or any other provision of this By-law to the contrary, in any R1-C(12) Zone as shown on Schedule “A” to this By-law, for a cancer lodge the following regulations shall apply:

(a) The maximum height shall be 9.2m;

(b) A minimum of 1 parking space for every 4 beds for cancer patients in bedrooms and 1.33 parking spaces for every apartment unit shall be provided;

(c) One parking space shall be permitted in the front yard;

(d) A maximum of five apartment units are permitted in the cancer lodge;

(e) A maximum encroachment of 4.2m for unenclosed porches, decks, steps and ramps into a minimum front yard shall be permitted; and

(f) A minimum distance to a rear lot line of 0.0m for an accessory building shall be permitted.

6.3.54 **R1-E(18) Zone (north of Woodstream Avenue) (82-2010)**

6.3.54(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(18) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.0m shall be provided.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(e) A minimum rear yard depth of 6.0m shall be provided.

(f) A maximum lot coverage of fifty-two percent (52%) shall be permitted of which only forty-eight percent (48%) shall be devoted to the main building.

(g) A maximum height of 10.5m shall be permitted.

6.3.55 **R1-E(19) Zone (south of Conlin Road East, west of Townline Road North) (21-2012)**

6.3.55(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(19) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.0m shall be provided.

(b) A minimum lot area of 330m² shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior

side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building.

(g) A maximum height of 11.5m shall be permitted.

6.3.55(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(19) Zone, unenclosed porches may encroach a maximum of 1.5m into a required minimum front yard and a maximum of 1.0m into a required minimum exterior side yard, provided that steps providing access to a porch may project to the front or exterior side lot line.

6.3.55(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(19) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of a building.

6.3.56 **R1-E(20) Zone (east of Bridle Road and north of Britannia Avenue) (83-2012)**

6.3.56(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(20) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot area of 300m^2 shall be provided.

(b) A minimum lot frontage of 11.0m shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be forty-seven percent (47%) for any

lot with a bungalow of which only forty-four percent (44%) shall be devoted to the main building.

(g) A maximum height of 11.5m shall be permitted.

6.3.56(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(20) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.57 **R1-E(21) Zone (east and west of Bridle Road and north of Britannia Avenue) (83-2012)**

6.3.57(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(21) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 300m^2 shall be provided.

(b) A minimum lot frontage of 11.0m shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(f) A maximum lot coverage of forty-seven (47%) shall be permitted of which only forty-four percent (44%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty-two percent (52%) for any lot with a bungalow of which only forty-eight percent (48%) shall be devoted to the main building.

(g) A maximum height of 11.5m shall be permitted.

6.3.57(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(21) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.58 **R1-E(22) Zone (east of Bridle Road and north of Britannia Avenue) (83-2012)**

6.3.58(1) Notwithstanding the provisions of Subsection 4.15 of this By-law to the contrary, in any R1-E(22) Zone, as shown on Schedule "A" to this By-law, more than one single detached dwelling may be permitted on a lot.

6.3.58(2) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any R1-E(22) Zone, as shown on Schedule "A" to this By-law, parking shall not be permitted in the front yard.

6.3.58(3) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(22) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 25.0m shall be provided.

(b) A minimum lot area of 7,000m^2 shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) A minimum interior side yard depth of 3.0m shall be provided.

(e) A minimum separation between single detached dwellings of 1.2m shall be provided.

(f) A minimum rear yard depth of 3.0m shall be provided.

(g) A minimum landscaped open space of thirty-five (35%) shall be provided.

(h) A maximum lot coverage of forty percent (40%) shall be permitted.

(i) A maximum height of 11.5m shall be permitted.

(j) A maximum density of 60 units per hectare shall be permitted.

6.3.59 **R1-E(23) Zone (south of Conlin Road East, west of Townline Road North) (47-2013)**

6.3.59(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(23) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall

be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) A maximum lot coverage of forty-eight percent (48%) shall be permitted of which only forty-five percent (45%) shall be devoted to the main building.

(e) A maximum height of 10.5m shall be permitted.

6.3.59(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(23) Zone, unenclosed porches may encroach a maximum of 1.5m into a required minimum front yard.

6.3.60 **R1-E(24) Zone (west of Simcoe Street North and north of Britannia Avenue)**

(56-2013)

6.3.60(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(24) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 250m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(f) A maximum height of 11.5m shall be permitted.

6.3.60(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(24) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that the steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.60(3) Notwithstanding the provisions of Item 5.1.2(2)(a) of this By-law to the contrary the total combined lot coverage of all accessory buildings on a lot in a R1-E(24) Zone shall be permitted to be a maximum of ten percent (10%) of the lot area.

6.3.61 **R1-E(25) Zone (north of Coldstream Drive, west of Grandview Street North) (121-2014)**

6.3.61(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(25) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.0m shall be provided.

(b) A minimum lot area of 330m² shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building.

(g) A maximum height of 11.5m shall be permitted.

6.3.61(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(25) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.61(3) Notwithstanding any other provisions of this By-law to the contrary, in any R1-E(25) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of the building.

6.3.62 **R1-E(26) Zone (south of Conlin Road East, west of Grandview Street North) (129-2014)**

6.3.62(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(26) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior

side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(d) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building.

(e) A maximum height of 11.5m shall be permitted.

6.3.62(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(26) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

6.3.62(3) Notwithstanding any other provisions of this By-law to the contrary, in any R1-E(26) Zone, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of a covered entry element (such as an unenclosed porch) on the front of the building.

6.3.63 **R1-E(27) Zone (north of Shankel Road, west of Townline Road North) (12-2018)**

6.3.63(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(27) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(c) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be forty-seven percent (47%) for any lot with a bungalow of which only forty-four percent (44%) shall be devoted to the main building.

(e) A maximum height of 11.5m shall be permitted.

6.3.63(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(27) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.64 **R1-E(28) Zone (west of Townline Road South, south of Carling Avenue) (71-2018)**

6.3.64.1 Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(28) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.3m shall be provided.

(b) A minimum lot area of 320m^2 shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(e) A maximum lot coverage of forty-seven percent (47%) shall be permitted of which only forty-four percent (44%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty-two percent (52%) for any lot with a bungalow of which only forty-eight percent (48%) shall be devoted to the main building.

6.3.64.2 Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(28) Zone, unenclosed porches may encroach a maximum of 2.0m into a required minimum front yard and a maximum of 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.65 **R1-C(13) Zone (west of Townline Road South, south of Carling Avenue) (71-2018)**

6.3.65.1 Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-C(13) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(b) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(c) A maximum lot coverage of forty-seven percent (47%) shall be permitted of which only forty-four percent (44%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty-two percent (52%) for any lot with a bungalow of which only forty-eight percent (48%) shall be devoted to the main building.

6.3.65.2 Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-C(13) Zone, unenclosed porches may encroach a maximum of 2.0m into a required minimum front yard and a maximum of 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.66 **R1-D(13) Zone (east of Bridle Road, south of Winchester Road East) (73-2018)**

6.3.66(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(13) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.0m shall be provided.

(b) A minimum lot area of 330m^2 shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building. However, notwithstanding the foregoing, the maximum lot coverage shall be fifty percent (50%) for any lot with a bungalow of which only forty-seven percent (47%) shall be devoted to the main building.

(g) A maximum height of 11.5m shall be permitted.

6.3.66(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-D(13) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.66(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-D(13) Zone, an unenclosed porch, with or without a cold cellar below, shall not be included in the calculation of lot coverage.

6.3.66(4) Notwithstanding any other provision of this By-law to the contrary, in any R1-D(13) Zone, an unenclosed porch is considered to comprise part of landscaped open space.

6.3.67 **R1-E(29) Zone (north of Britannia Avenue West, west of Windfields Farm Drive) (87-2018)**

6.3.67(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(29) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to Block SS:

(a) A maximum of twenty-two (22) Single Detached Dwellings are permitted if the block is served by a common element condominium road.

(b) The block and any Single Detached Dwellings constructed thereon do not require frontage on an improved street.

6.3.67(2) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(29) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply for each Single Detached Dwelling on an individual Parcel of Tied Land served by a common element condominium road:

(a) A minimum lot area of 250m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the

dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(f) A maximum height of 11.5m shall be permitted.

6.3.67(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(29) Zone, as shown on Schedule "A" to this By-law, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that the steps providing access to an unenclosed porch may project to the front or exterior side lot line.

6.3.67(4) Notwithstanding the provisions of Item 5.1.2(2)(a) of this By-law to the contrary the total combined lot coverage of all accessory buildings on a lot in a R1-E(29) Zone, as shown on Schedule "A" to this By-law, shall be permitted to be a maximum of ten percent (10%) of the lot area.

6.3.68 **R1-E(30) Zone (north of Britannia Avenue West, west of Windfields Farm Drive West) (87-2018)**

6.3.68(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(30) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to Block SS:

(a) A maximum of twenty-two (22) Single Detached Dwellings are permitted if served by a standard condominium road.

(b) The block and any Single Detached Dwellings constructed thereon do not require frontage on an improved street.

(c) A minimum lot area of 10,000m^2 shall be provided.

6.3.68(2) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(30) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply for each Single Detached Dwelling on a standard condominium served by a standard condominium road:

(a) A minimum front yard depth abutting a standard condominium road of 3.0m shall be provided.

(b) A minimum interior side yard depth of 2.4m shall be provided on one side and a minimum interior side yard depth of 0.6m shall be provided on the other side between the dwelling units, provided that

in no case shall the minimum distance between dwelling units be less than 1.2m.

(c) A minimum rear yard depth of 7.5m shall be provided.

(d) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(e) A minimum front yard landscape open space abutting a condominium road of fifty percent (50%) shall be provided.

(f) A maximum height of 11.5m shall be permitted.

6.3.69 **R1-D(14) Zone (north of Conlin Road East, east and west of Grandview Street North) (119-2018)**

6.3.69(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-D(14) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(c) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(d) A maximum height of 11.5m shall be permitted.

6.3.70 **R1-E(31) Zone (north of Conlin Road East, east and west of Harmony Road North) (119-2018)**

6.3.70(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(31) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(c) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(d) A maximum height of 11.5m shall be permitted.

6.3.71 **R1-E(32) Zone (west of Harmony Road North, north of Conlin Road East) (123-2018)**

6.3.71(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(32) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 252m^2 shall be provided.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) A minimum rear yard depth of 7.0m shall be provided.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(f) A maximum height of 11.5m shall be permitted.

6.3.72 **R1-C(14) Zone (291 King Street East) (71-2019)**

6.3.72(1) Notwithstanding Article 6.1.1 to the contrary, in any R1-C(14) Zone, as shown on Schedule "A" to this By-law, a dental office is also a permitted use within the existing building and a maximum 260m^2 gross floor area addition.

6.3.72(2) Notwithstanding any provision in this By-law to the contrary, in any R1-C(14) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to a dental office:

(a) A parking rate of 1 parking space per every 90m^2 of gross floor area shall apply to 24m^2 in the basement and 39m^2 on the third floor of the existing building to be used for storage related to a dental office;

(b) A minimum of 27 parking spaces must be provided for a dental office;

(c) Tandem parking is permitted for employees to a maximum of 4 parking spaces;

(d) A minimum landscaped open space of eighty percent (80%) in the front yard shall be provided;

(e) A minimum front yard depth of 7.5m shall be provided;

(f) A minimum westerly interior side yard depth of 3.0m shall be provided;

(g) A minimum easterly interior side yard depth of 8.5m shall be provided.

6.3.72(3) Notwithstanding any provision in this By-law to the contrary, in any R1-C(14) Zone, as shown on Schedule “A” to this By-law, a single detached dwelling is permitted subject to the regulations in Table 6.2 provided the front yard depth shall be a minimum of 7.5m.

6.3.73 **R1-E(33) Zone (north of Britannia Avenue East, between Ritson Road North and Wilson Road North) (59-2020)**

6.3.73(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(33) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot area of 240m^2 shall be provided.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) A minimum exterior side yard depth of 2.0m shall be provided.

(e) A minimum rear yard depth of 6.5m shall be provided for any lot having a lot depth of 29m or less, except that abutting a gas pipeline easement the minimum rear yard depth shall be 7.0m.

(f) A minimum rear yard depth of 7.5m shall be provided for any lot having a lot depth greater than 29m.

(g) A maximum lot coverage of fifty percent (50%) shall be permitted of which a maximum lot coverage of only forty-five percent (45%) shall be devoted to the main building.

(h) A maximum height of 11m shall be permitted.

6.3.73(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(33) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally below grade shall be permitted to encroach a maximum of 1.8m into the minimum required exterior side yard.

6.3.74 **R1-E(34) Zone (north of Conlin Road East, east of Harmony Road North) (123-2019)**

6.3.74(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(34) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(c) A maximum lot coverage of fifty percent (50%) shall be permitted.

(d) A maximum height of 11.5m shall be permitted.

6.3.75 **R1-E(35) Zone (north of Grand Ridge Avenue, west of Langley Circle) (17-2021)**

6.3.75(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(35) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11m shall be provided.

(b) A minimum lot area of 310m^2 shall be provided.

(c) A maximum height of 7.5m or 2 storeys, whichever is the lesser, shall be permitted.

6.3.76 **R1-E(36) Zone (north of Britannia Avenue East, between Wilson Road North and Grandview Street North) (15-2021)**

6.3.76(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(36) Zone, as shown on Schedule "A" to this Bylaw, the following regulations shall apply:

(a) A minimum lot area of 240m^2 shall be provided.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) A minimum exterior side yard depth of 2.0m shall be provided.

(d) A minimum rear yard depth of 7.0m shall be provided for any lot having a lot depth of less than 30.5m.

(e) A minimum rear yard depth of 7.5m shall be provided for any lot having a lot depth equal to or greater than 30.5m.

(f) A maximum lot coverage of fifty percent (50%) shall be permitted of which a maximum lot coverage of only forty-seven percent (47%) shall be devoted to the main building.

(g) A maximum height of 11 .5m shall be permitted.

6.3.76(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(36) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally below grade shall be permitted to encroach a maximum of 1.8m into the minimum required exterior side yard.

6.3.77 **R1-E(37) Zone (West of Park Road South, south of Renaissance Drive) (96-2023)**

6.3.77(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(37) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit.

(d) For a corner lot, a minimum interior side yard depth of 0.6m shall be provided.

(e) A maximum height of 10.5m shall be permitted.

6.3.77(2) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R1-E(37) Zone, a covered unenclosed porch located in the front yard, with or without a foundation or cold cellar below grade, shall not be included in the calculation of lot coverage.

6.3.77(3) Notwithstanding any other provision of this By-law to the contrary, a covered unenclosed porch located in the front yard, with or without a foundation or cold cellar below grade, is considered to be landscaped open space.

6.3.77(4) A balcony and roof over a balcony shall not project greater than 1.5m from the exterior building wall into the front yard or rear yard.

6.3.78 **R1-E(38) Zone (65 Athabasca Street) (161-2023)**

6.3.78(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(38) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 10.7m shall be provided.
(b) A minimum front yard depth of 4.5m shall be provided.
(c) A minimum exterior side yard depth of 2.0m shall be provided.
(d) A minimum rear yard depth of 6.5m shall be provided.
(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.
(f) A maximum height of 11.5m shall be permitted.

6.3.78(2) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(38) Zone, a minimum of forty-five percent (45%) of the front yard shall be maintained as landscaped open space for any lot having a lot frontage less than 11.0m.

6.3.78(3) Notwithstanding any other provision of this By-law to the contrary, in any R1-E(38) Zone, unenclosed porches or decks may encroach a maximum of 1.8m into a required exterior side yard.

6.3.79 **R1-E(39) Zone (east of Harmony Road North, south of Greenhill Avenue) (14-2024)**

6.3.79(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R1-E(39) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided.

(c) A maximum lot coverage of forty-five percent (45%) shall be permitted of which only forty-two percent (42%) shall be devoted to the main building.

(d) A maximum height of 11.5m shall be permitted.

6.3.79(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R1-E(39) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line, and no deck shall be permitted in the front yard.

Section 7: R2 Residential Zones

7.1 Permitted Uses

7.1.1 No person shall within any R2 Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Single detached dwelling
(b) Semi-detached building
(c) Semi-detached dwelling
(d) Duplex

(89-2014)

7.2 Regulations

7.2.1 No person shall within any R2 Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 7.2 and this Subsection.

Table 7.2 – Regulations for R2 Zones

Residential Type	**Single Detached Dwelling**	**Semi-Detached Building on a Corner Lot**	**Semi-Detached Building on Interior Lot**	**Semi-Detached Dwelling on Corner Lot**	**Semi-Detached Dwelling on Interior Lot**	**Duplex**
Minimum Lot Frontage(m)	9.0	16.2	15.0	8.7	7.5	12.0
Minimum Lot Area (m^2)	270	486	450	261	225	360
Minimum Front Yard Depth (m)	6.0	6.0	6.0	6.0	6.0	6.0
Minimum Interior Side Yard Depth (m)	for interior lots, 1.2m on one side only, and for corner lots 0.0m, provided however that, for both interior and corner lots, in no case shall the distance between dwelling units be less than 1.2m	1.2	1.2	0.0	1.2 on one side only	1.2
Minimum Exterior Side Yard Depth(m)	2.4	2.4	N/A	2.4	N/A	2.4
Minimum Rear Yard Depth (m)	7.5	7.5	7.5	7.5	7.5	7.5
Maximum Lot Coverage (%)[1]	40	40	40	40	40	40
Maximum Height (m)	9.0	9.0	9.0	9.0	9.0	9.0

[1] Maximum lot coverage of 45% permitted if the property has one or more accessory apartments and is serviced by municipal water and sanitary services as per Ontario Regulation 299/19. **(62-2000, 89-2014, 52-2018)**

7.3 Special Conditions (65-1996)

7.3.1 The provisions of this subsection apply to unique or existing situations and the zones are not the standard R2 Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

7.3.2 **R2(1) Zone (north of Conlin Road East, east of Grandview Street North) (120-2018)**

7.3.2(1) Notwithstanding the provisions of Subsection 7.1 of this By-law to the contrary, in any R2(1) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Semi-detached building
(b) Semi-detached dwelling

7.3.3 **R2(2) Zone (north side of Mitchell Avenue, east of Verdun Road) (64-1996)**

7.3.3(1) In addition to any R2 use, in any R2(2) Zone, as shown on Schedule "A" to this By-law, an uncovered surfaced parking lot associated with a place of worship at 411 Olive Avenue is also a permitted use, provided that no part of the parking area is located closer than 1.3m to the street line. **(62-2025)**

7.3.4 **R2(3) Zone (southwest corner of Harmony Road North and Coldstream Drive) (57-2009)**

7.3.4(1) Notwithstanding any other provisions of Subsection 7.1 to the contrary, in any R2(3) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Semi-detached building
(b) Semi-detached dwelling

7.3.4(2) Notwithstanding Section 2 of this By-law to the contrary, in any R2(3) Zone as shown on Schedule "A" to this By-law, the following definition shall apply:

"**SEMI-DETACHED BUILDING**" means a building containing two dwelling units, other than a duplex, with the following characteristics:

(a) The two dwelling units are either attached vertically above and below grade by a common wall at least 6.0m in length and at least one storey, in addition to any basement, in height or the two

dwelling units are only attached below grade by a common wall at least 6.0m in length;

(b) Each of the two dwelling units has an independent entrance from the exterior;

(c) Each of the two dwelling units directly faces the streetline.

(89-2014)

7.3.4(3) Notwithstanding Subsection 7.2 of this By-law to the contrary, in any R2(3) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply to any semi-detached building that contains semi-detached dwelling units that are attached only below grade:

(a) For a semi-detached building on a corner lot a minimum lot frontage of 20.3m and a minimum lot area of 575m^2 shall be permitted.

(b) For a semi-detached building on an interior lot a minimum lot area of 505m^2 shall be permitted.

(c) For a semi-detached dwelling on a corner lot a minimum lot frontage of 11.1m and a minimum lot area of 310m^2 shall be permitted.

(d) For a semi-detached dwelling on an interior lot a minimum lot area of 250m^2 shall be permitted.

7.3.4(4) Notwithstanding Subsection 7.2 of this By-law to the contrary, in any R2(3) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply to any semi-detached building that contains semi-detached dwelling units that are attached above and below grade:

(a) For a semi-detached building on a corner lot a minimum lot frontage of 16.4m and a minimum lot area of 560m^2 shall be permitted.

(b) For a semi-detached building on an interior lot a minimum lot frontage of 13.6m and a minimum lot area of 410m^2 shall be permitted.

(c) For a semi-detached dwelling on a corner lot a minimum lot frontage of 9.6m shall be permitted.

(d) For a semi-detached dwelling on an interior lot a minimum lot frontage of 6.8m and a minimum lot area of 205m^2 shall be permitted.

7.3.5 **R2(4) Zone (west of Southport Drive)** **(36-1999)**

7.3.5(1) Notwithstanding Subsection 7.2 of this By-law to the contrary, in any R2(4) Zone, as shown on Schedule "A" to this By-law, a minimum rear yard

depth of 25m shall be provided abutting the St. Lawrence and Hudson (CP) Railway right-of-way.

7.3.5(2) Notwithstanding Subsection 7.2 of this By-law to the contrary, in any R2(4) Zone, as shown on Schedule "A" to this By-law, the minimum lot frontage for a semi-detached building shall be 17.0m, the minimum lot frontage for a semi-detached dwelling shall be 8.5m and the minimum lot frontage for a single detached dwelling shall be 8.5m.

7.3.6 **R2(5) Zone (Glovers Road) (62-1999)**

7.3.6(1) Notwithstanding Subsection 7.1 of this By-law to the contrary, in any R2(5) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Single detached dwelling
(b) Semi-detached building
(c) Semi-detached dwelling

7.3.6(2) Notwithstanding Subsection 7.2 of this By-law to the contrary, in any R2(5) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply:

Residential Type	**Single Detached Dwelling**	**Semi-Detached Building on Corner Lot**	**Semi-Detached Building on Interior Lot**	**Semi-Detached Dwelling on Corner Lot**	**Semi-Detached Dwelling on Interior Lot**
Minimum Lot Frontage (m)	9.0	18.2	17.0	9.7	8.5
Minimum Lot Area(m^2)	260	490	450	260	225
Minimum Front Yard Depth(m)	3.0	3.0	3.0	3.0	3.0
Minimum Exterior Side Yard Depth(m)	2.0	2.0	N/A	2.0	N/A
Maximum Lot Coverage (%)	45	45	45	45	45

7.3.6(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R2(5) Zone as shown on Schedule "A" to this By-law, unenclosed porches may encroach a maximum 1.5m into a minimum required front yard and a maximum 1.0m into a minimum required exterior side yard; in addition steps providing access to a porch may project to the

front and exterior side lot lines, but no deck shall be permitted in the front yard.

7.3.6(4) Notwithstanding any other provisions of this By-law to the contrary, in any R2(5) Zone as shown on Schedule “A” to this By-law, a private garage shall not project more than 2.5m beyond either the front wall face of the ground floor of the dwelling on the lot, or any part of any unenclosed porch on the front of the building.

7.3.7 **R2(6) Zone (417 Oshawa Boulevard South) (112-2002)**

7.3.7(1) In addition to any R2 use, in any R2(6) Zone, as shown on Schedule “A” to this By-law, a self-serve storage use with two accessory superintendent’s residences in a duplex and an accessory office are also permitted uses.

7.3.7(2) Notwithstanding any other provisions of this By-law to the contrary, in any R2(6) Zone as shown on Schedule “A” to this By-law, the following shall apply to the uses mentioned in Sentence 7.3.7(1):

(a) The general provisions applicable to a SPC-A Zone;

(b) The minimum lot frontage shall be 51.0m and the front lot line shall be deemed to be the Oshawa Boulevard South street line;

(c) The maximum height of any self-serve storage building shall be 1 storey;

(d) The minimum front yard depth shall be 6.0m;

(e) The minimum rear yard depth shall be 4.0m;

(f) The minimum yard depth adjacent to a railway line shall be 0m; and

(g) The minimum interior side yard depth abutting a Residential Zone shall be 3.0m.

7.3.8 **R2(7) Zone (south of Wellington Avenue East, west of Nelson Street) (27-2007)**

7.3.8(1) Notwithstanding Subsection 7.1 to the contrary, in any R2(7) Zone, only the following uses are permitted:

(a) Single detached dwelling
(b) Semi-detached building
(c) Semi-detached dwelling

7.3.8 (2) In any R2(7) Zone, the maximum lot frontage for a semi-detached dwelling on an interior lot and a single detached dwelling shall be 11.0m.

7.3.9 **R2(8) Zone (southwest corner of Harmony Road North and Coldstream Drive) (57-2009)**

7.3.9(1) Notwithstanding any other provisions of Subsection 7.1 to the contrary, in any R2(8) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Semi-detached building
(b) Semi-detached dwelling

7.3.9(2) Notwithstanding Subsection 7.2 of this By-law to the contrary, in any R2(8) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) For a semi-detached building on an interior lot a minimum lot frontage of 13.6m, a minimum lot area of 400m^2 and a minimum rear yard depth of 6.0m shall be permitted.

(b) For a semi-detached dwelling on an interior lot a minimum lot frontage of 6.8m, a minimum lot area of 185m^2 and a minimum rear yard depth of 6.0m shall be permitted.

7.3.10 **R2(9) Zone (437, 441 And 445 Oshawa Boulevard South) (84-2010)**

7.3.10(1) In addition to any R2 use, in any R2(9) Zone, as shown on Schedule "A" to this By-law, a self-serve storage use and a secure document storage building with an accessory superintendent's residence are also permitted uses.

7.3.10(2) Notwithstanding any other provisions of this By-law to the contrary, in any R2(9) Zone as shown on Schedule "A" to this By-law, the following shall apply to the uses mentioned in Sentence 7.3.10(1):

(a) The general provisions applicable to a SPC-A Zone;

(b) The minimum lot frontage shall be 40m and the front lot line shall be deemed to be the Oshawa Boulevard South street line;

(c) The maximum height of the secure document storage building shall be 13.5m and the maximum height of any self-serve storage building shall be 1 storey;

(d) The minimum front yard depth shall be 6.0m;

(e) The minimum rear yard depth shall be 4.0m for a self-serve storage building and shall be 140m for a secure document storage building;

(f) The minimum southerly interior side yard depth shall be 1.5m;

(g) The minimum northerly interior side yard depth shall be 0m provided however the minimum interior side yard depth adjacent to Sedan Crescent shall be 1.5m; and

(h) No driveway access shall be permitted to Sedan Crescent.

7.3.11 **R2(10) Zone (west of Simcoe Street North and north of Britannia Avenue) (56-2013)**

7.3.11(1) Notwithstanding any other provisions of Subsection 7.1 of this By-law to the contrary, in any R2(10) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Single detached dwelling
(b) Semi-detached building
(c) Semi-detached dwelling

7.3.11(2) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(10) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any single detached dwelling:

(a) A minimum lot area of 250m^2 shall be provided.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(d) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(f) A maximum height of 11.5m shall be permitted.

7.3.11(3) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(10) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply to any semi-detached building and semi-detached dwelling:

(a) For a semi-detached building on a corner lot a minimum lot frontage of 14.9m and a minimum lot area of 440m^2 shall be provided.

(b) For a semi-detached building on an interior lot a minimum lot frontage of 13.7m and a minimum lot area of 400m^2 shall be provided.

(c) For a semi-detached dwelling on a corner lot a minimum lot frontage of 8.05m and a minimum lot area of 240m^2 shall be provided.

(d) For a semi-detached dwelling on an interior lot a minimum lot frontage of 6.85m and a minimum lot area of 200m^2 shall be provided.

(e) A minimum front yard depth of 3.0m shall be provided.

(f) A minimum exterior side yard depth of 2.0m shall be provided.

(g) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(h) A maximum height of 11.5m shall be permitted.

7.3.11(4) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R2(10) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that the steps providing access to an unenclosed porch may project to the front or exterior side lot line.

7.3.11(5) Notwithstanding the provisions of Item 5.1.2(2)(a) of this By-law to the contrary the total combined lot coverage of all accessory buildings on a lot in a R2(10) Zone shall be permitted to be a maximum of ten percent (10%) of the lot area.

7.3.12 **R2(11) Zone (west of Simcoe Street North and north of Britannia Avenue) (56-2013)**

7.3.12(1) Notwithstanding the definition of front lot line in Section 2, Definitions, for any lot in a R2(11) Zone the front lot line shall be considered the lot line adjacent to the arterial road known as Britannia Avenue.

7.3.12(2) Notwithstanding any other provisions of Subsection 7.1 of this By-law to the contrary, in any R2(11) Zone as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Single detached dwelling
(b) Semi-detached building
(c) Semi-detached dwelling

7.3.12(3) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(11) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to any single detached dwelling:

(a) A minimum lot area of 345m^2 shall be provided.

(b) A minimum front yard depth of 2.7m shall be provided.

(c) A maximum front yard depth of 4.7m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.3m shall be provided on the other side of the

dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.3m shall be provided, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(g) A maximum height of 11.5m shall be permitted.

7.3.12(4) Notwithstanding any provisions of Subsection 7.2 of this By-law to the contrary, in any R2(11) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply to any semi-detached building and semi-detached dwelling:

(a) For a semi-detached building on a corner lot a minimum lot frontage of 16.5m and a minimum lot area of 595m^2 shall be provided.

(b) For a semi-detached building on an interior lot a minimum lot frontage of 15.3m and a minimum lot area of 550m^2 shall be provided.

(c) For a semi-detached dwelling on a corner lot a minimum lot frontage of 8.85m and a minimum lot area of 320m^2 shall be provided.

(d) For a semi-detached dwelling on an interior lot a minimum lot frontage of 7.65m and a minimum lot area of 275m^2 shall be provided.

(e) A minimum front yard depth of 2.7m shall be provided.

(f) A maximum front yard depth of 4.7m shall be provided.

(g) A minimum exterior side yard depth of 2.0m shall be provided.

(h) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(i) A maximum height of 11.5m shall be permitted.

7.3.12(5) Notwithstanding the provisions of Subsection 4.9 of this By-law to the contrary, in any R2(11) Zone as shown on Schedule "A" to this By-law a minimum of one hundred percent (100%) of the front yard shall be landscaped open space and a minimum of fifty percent (50%) of the rear yard shall be landscaped open space.

7.3.12(6) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R2(11) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum front yard and a maximum 1.0m

into a required minimum exterior side yard, provided that the steps providing access to an unenclosed porch may project to the front or exterior side lot line.

7.3.12(7) Notwithstanding the provisions of Item 5.1.2(2)(a) of this By-law to the contrary the total combined lot coverage of all accessory buildings on a lot in a R2(11) Zone shall be permitted to be a maximum of ten percent (10%) of the lot area.

7.3.12(8) Notwithstanding any provision of this By-law to the contrary an accessory building shall have a minimum 6.0m setback from the rear lot line.

7.3.12(9) Notwithstanding any provision of this By-law to the contrary an accessory detached garage shall have a minimum setback of 6.3m from the main dwelling.

7.3.12(10) Notwithstanding the provisions of Sentence 5.1.4(3) of this By-law to the contrary, for an accessory detached garage sharing a common wall with another accessory detached garage, a minimum setback of 0m from an interior side lot line shall be provided on one side of the garage and a minimum setback of 2.0m shall be provided from the interior side lot line on the other side of the garage.

7.3.12(11) Notwithstanding the provisions of Sentence 5.1.4(3) of this By-law to the contrary, for an accessory detached garage not sharing a common wall with another accessory detached garage, a minimum setback of 0.6m from an interior side lot line shall be provided on one side of the garage and a minimum setback of 2.0m shall be provided from an interior side lot line on the other side of the garage.

7.3.13 **R2(12) Zone (south side of Dance Act Avenue, west of Thoroughbred Street) (20-2021)**

7.3.13(1) Notwithstanding any other provisions of Subsection 7.1 of this By-law to the contrary, in any R2(12) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Single detached dwelling
(b) Semi-detached building
(c) Semi-detached dwelling

7.3.13(2) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(12) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to any single detached dwelling:

(a) A minimum lot frontage of 7.6m shall be provided.

(b) A minimum lot area of 215m^2 shall be provided.

(c) A minimum front yard depth of 3.0m shall be provided.

(d) For an interior lot, a minimum interior side yard depth of 1.2m shall be provided on one side of the dwelling unit and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(e) For a corner lot, a minimum exterior side yard depth of 2.0m shall be provided and a minimum interior side yard depth of 0.6m shall be provided on the other side of the dwelling unit, provided that in no case shall the minimum distance between dwelling units be less than 1.2m.

(f) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(g) A maximum height of 11.5m shall be permitted.

7.3.13(3) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(12) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any semi-detached building and semi-detached dwelling:

(a) For a semi-detached building on a corner lot a minimum lot frontage of 14.9m and a minimum lot area of 440m^2 shall be provided.

(b) For a semi-detached building on an interior lot a minimum lot frontage of 13.7m and a minimum lot area of 400m^2 shall be provided.

(c) For a semi-detached dwelling on a corner lot a minimum lot frontage of 8.05m and a minimum lot area of 240m^2 shall be provided.

(d) For a semi-detached dwelling on an interior lot a minimum lot frontage of 6.85m and a minimum lot area of 200m^2 shall be provided.

(e) A minimum front yard depth of 3.0m shall be provided.

(f) A minimum exterior side yard depth of 2.0m shall be provided.

(g) A maximum lot coverage of forty-five percent (45%) shall be permitted.

(h) A maximum height of 11.5m shall be permitted.

7.3.14 **R2(13) Zone (1081 and 1093 Harmony Road North and 836 Pinecrest Road) (59-2024)**

7.3.14(1) Notwithstanding the definition of "Lot" in Section 2 and the provisions of Article 39.1.1 of this By-law to the contrary, all lands zoned R2(13) as shown on Schedule "A" to this By-law shall be considered to be one lot for

the purposes of calculating landscaped open space and applying visitor parking regulations.

7.3.14(2) Notwithstanding the definition of “Improved Street” in Section 2 of this By-law to the contrary, in any R2(13) as shown on Schedule “A” to this By-law, a common element condominium road shall be considered an improved street.

7.3.14(3) Notwithstanding the definition of “Front Lot Line” in Section 2 of this By-law to the contrary, in any R2(13) Zone as shown on Schedule “A” to this By-law, the lot line that abuts the common element condominium road shall be deemed to be the front lot line, unless otherwise noted.

7.3.14(4) Notwithstanding any other provisions of this By-law to the contrary, in any R2(13) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) Visitor parking shall be provided at a rate of 0.25 parking spaces per dwelling unit for all units.

(b) A minimum of thirty-five percent (35%) of the land in an R2(13) Zone shall be maintained as landscaped open space.

7.3.14(5) Notwithstanding the provisions of Subsection 7.1 of this By-law to the contrary, on the lands shown as Site “1a”, Site “1b” and Site “1c” on Appendix “A” to this Special Condition, only the following uses are permitted:

(a) Single detached dwelling
(b) Improved street
(c) Visitor parking

7.3.14(6) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the lands shown as Site “1a”, Site “1b” and Site “1c” on Appendix “A” to this Special Condition:

(a) A maximum of 33 single detached dwellings shall be permitted in the combined area of Sites 1a, 1b and 1c.

(b) A minimum interior side yard depth of 0.6m shall be provided on one side and 1.2m on the other side.

(c) For an interior lot, a minimum front yard depth of 3.5m and a minimum exterior side yard depth of 2m shall be provided.

(d) For a corner lot, a minimum front yard depth of 2m and a minimum exterior side yard depth of 2m shall be provided.

(e) A maximum lot coverage of fifty percent (50%) shall be permitted.

(f) Notwithstanding item (e) of Sentence 7.3.14(6), accessory buildings not exceeding 10m² shall be permitted.

7.3.14(7) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the lands shown as Site “1a” and Site “1c” on Appendix “A” to this Special Condition:

(a) A minimum lot area of 260m^2 shall be provided.

7.3.14(8) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the lands shown as Site “1b” on Appendix “A” to this Special Condition:

(a) A minimum of 4 parking spaces shall be provided per dwelling.

(b) The maximum height of a single detached dwelling shall be 11m, however, the maximum height of the building measured at the rear wall facing the rear lot line shall be 9m.

(c) A minimum thirty-five (35%) of landscaped open space shall be provided in the front yard.

7.3.14(9) Notwithstanding the provisions of Subsection 7.1 of this By-law to the contrary, on the lands shown as Site “2a” and Site “2b” on Appendix “A” to this Special Condition, only the following uses are permitted:

(a) Semi-detached building
(b) Semi-detached dwelling
(c) Improved street
(d) Visitor parking

7.3.14(10) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the lands shown as Site “2a” and Site “2b” on Appendix “A” to this Special Condition:

(a) A maximum of 24 semi-detached dwellings shall be permitted in the combined area of Sites 2a and 2b.

(b) A maximum height of 9.5m shall be permitted.

(c) For an interior lot, a minimum front yard depth of 5.5m shall be provided.

(d) For a corner lot, a minimum front yard depth of 2m shall be provided.

(e) For a corner lot, a minimum rear yard depth of 7m shall be provided.

(f) A minimum interior side yard depth of 0.9m shall be provided for a semi-detached building.

(g) A minimum interior side yard depth of 0.9m shall be provided on one side only for a semi-detached dwelling.

(h) A minimum exterior side yard depth of 1.3m shall be provided for a semi-detached building or semi-detached dwelling on a corner lot.

(i) A minimum driveway length of 5.75m shall be permitted for corner lots only.

(j) A maximum driveway width of 3.1m shall be permitted.

(k) A maximum lot coverage of fifty percent (50%) shall be permitted.

(l) For corner lots, a minimum of forty-five percent (45%) of the front yard shall be maintained as landscaped open space.

(m) Notwithstanding item (k) of Sentence 7.3.14(10), accessory buildings not exceeding 10m^2 shall be permitted.

7.3.14(11) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the lands shown as Site “2a” on Appendix “A” to this Special Condition:

(a) A minimum lot area of 380 m^2 shall be provided for a semi-detached building.

(b) A minimum lot area of 190m² shall be provided for a semi-detached dwelling.

(c) A minimum lot frontage of 12m shall be provided for a semi-detached building.

(d) A minimum lot frontage of 6m shall be provided for a semi-detached dwelling.

7.3.14(12) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the lands shown as Site “2b” on Appendix “A” to this Special Condition:

(a) A minimum lot area of 410m² shall be provided for a semi-detached building.

(b) A minimum lot area of 205m^2 shall be provided for a semi-detached dwelling.

(c) A minimum lot frontage of 14m shall be provided for a semi-detached building.

(d) A minimum lot frontage of 7m shall be provided for a semi-detached dwelling.

7.3.14(13) Notwithstanding the provisions of Subsection 7.1 of this By-law to the contrary, on the lands shown as Site “3” on Appendix “A” to this Special Condition, only the following uses are permitted:

(a) Block townhouse
(b) Improved street
(c) Utility room/building
(d) Visitor parking

7.3.14(13) Notwithstanding any provision of this By-law to the contrary, the following regulations shall only apply to block townhouses on the lands shown as Site “3” on Appendix “A” to this Special Condition:

(a) A maximum of 21 block townhouse dwelling units shall be permitted.

(b) The lot line abutting Harmony Road North shall be the front lot line.

(c) There shall be no minimum front lot line length or minimum lot frontage.

(d) A minimum rear yard depth of 3m shall be provided.

(e) A minimum front yard depth of 2.9m shall be provided (not including the yard depth abutting any street line formed by the daylighting triangles at the comer of Harmony Road North and Pinecrest Road).

(f) The minimum yard depth abutting any street line formed by the daylighting triangle at the comer of Harmony Road North and Pinecrest Road shall be 0m, subject to compliance with Article 4.5.1 of this By-law.

(g) A minimum exterior side yard of 2m shall be provided.

(h) Not less than one hundred percent (100%) of the yard abutting Harmony Road North and zero percent (0%) of the yard abutting the common element condominium road shall be maintained as landscaped open space.

(i) The maximum height shall be 11.75m measured on the west side of the building facing Harmony Road North and 11.25m measured on the east side of the building facing the common element condominium road.

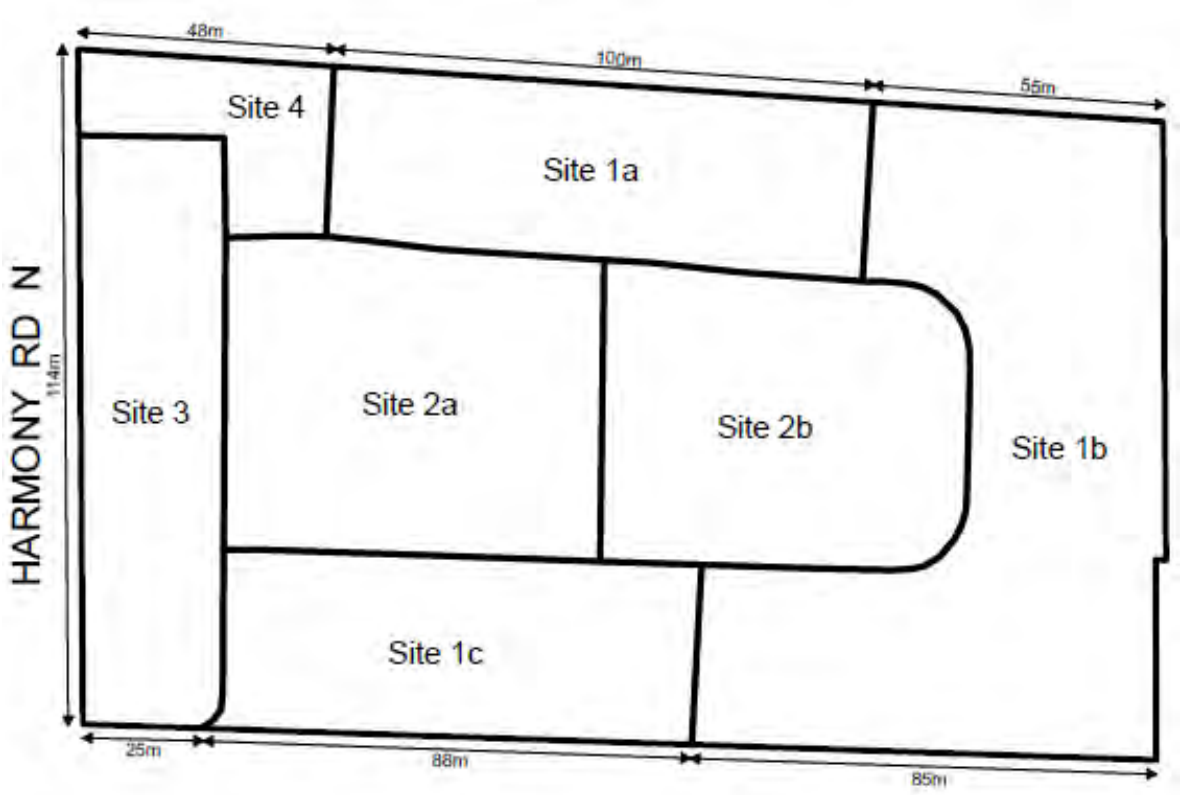
(j) The minimum length of a driveway leading to a private garage shall be 3m.

(k) A minimum of 2 parking spaces per dwelling unit shall be required.

7.3.14(15) Notwithstanding the provisions of Subsection 7.1 of this By-law to the contrary, on the lands shown as Site “4” on Appendix “A” to this Special Condition, only the following uses are permitted:

(a) Park
(b) Improved street
(c) Visitor parking
(d) Utility room/building

Appendix "A" to Special Condition R2(13)



7.3.15 **R2(14) Zone (65 Athabasca Street)** **(161-2023)**

7.3.15(1) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(14) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 15.0m shall be provided for a semi-detached building.

(b) A minimum lot frontage of 7.5m shall be provided for a semi-detached dwelling.

(c) A minimum lot area of 390m^2 shall be provided for a semi-detached building.

(d) A minimum lot area of 195m^2 shall be provided for a semi-detached dwelling.

(e) A minimum front yard depth of 4.5m shall be provided.

(f) A minimum exterior side yard depth of 2.0m shall be provided for a semi-detached building or a semi-detached dwelling.

(g) A minimum rear yard depth of 7.0m shall be provided.

(h) A maximum lot coverage of fifty percent (50%) shall be permitted.

(i) The maximum height shall be 10.3m measured from the grade at the rear wall of the building facing the rear lot line and shall not exceed 2 storeys in height facing the rear lot line.

7.3.15(2) Notwithstanding any other provision of this By-law to the contrary, in any R2(14) Zone, unenclosed porches or decks may encroach a maximum of 1.8m into a required exterior side yard.

7.3.16 **R2(15) Zone (65 Athabasca Street) (161-2023)**

7.3.16(1) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(15) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 11.0m shall be provided for a semi-detached building.

(b) A minimum lot frontage of 5.5m shall be provided for a semi-detached dwelling.

(c) A minimum lot area of 390m² shall be provided for a semi-detached building.

(d) A minimum lot area of 195m² shall be provided for a semi-detached dwelling.

(e) A minimum rear yard depth of 6.0m shall be provided.

(f) A maximum lot coverage of fifty percent (50%) shall be permitted.

(g) A maximum height of 13.0m shall be permitted.

7.3.17 **R2(16) Zone (portion of 374 Farewell Street) (71-2025)**

7.3.17(1) Notwithstanding the provisions of Subsection 7.2 of this By-law to the contrary, in any R2(16) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 251m^2 shall be provided for single detached dwellings.

(b) A minimum rear yard depth of 6.5m shall be provided except where the rear yard abuts the Canadian Pacific Kansas City rail right-of-way, in which event a minimum rear yard depth of 21m shall be provided.

(c) A maximum lot coverage of forty-three percent (43%) shall be permitted for single detached dwellings on lots having an area of less than 300m^2.

Section 8: R3 Residential Zones

8.1 Permitted Uses

8.1.1 No person shall within any R3 Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection. **(83-2012)**

8.1.2 The following uses are permitted in any R3-A Zone: **(83-2012)**

(a) Street townhouse building
(b) Street townhouse dwelling

8.1.3 The following uses are permitted in any R3-B Zone: **(83-2012, 62-2025)**

(a) Back-to-back street townhouse building
(b) Back-to-back street townhouse dwelling

8.2 Regulations

8.2.1 No person shall within any R3 Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 8.2.

Table 8.2 – Regulations for R3 Zones

Zones	**R3-A**	**R3-B**
Minimum Lot Frontage per Dwelling Unit (m)	6.0	6.0
Minimum Lot Area per Dwelling Unit (m^2)	180	90
Minimum Front Yard Depth (m)	6.0	6.0
Minimum Interior Side Yard Depth(m) per Townhouse building	1.2	1.2
Minimum Exterior Side Yard Depth (m)	2.4	2.0
Minimum Rear Yard Depth (m)	7.5	0.0
Maximum Lot Coverage (%)	50	63
Maximum Height (m)	10.5	12.0

(62-2000, 83-2012, 66-2023)

8.3 Special Conditions

8.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard R3 Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that

this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

8.3.2 **R3-A(1) Zone (north of Woodmount Drive, west of Ritson Road North)**

8.3.2(1) Any accessory building or structure located on the lands zoned R3-A(1), as shown on Schedule "A" to this By-law, shall be set back a minimum distance of 3.0m from an OSH Zone.

8.3.3 **R3-A(2) Zone (west of Townline Road North, south of Taunton Road East) (127-2005)**

8.3.3(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(2) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.
(b) A maximum lot coverage of fifty-five percent (55%) shall be permitted.

8.3.4 **R3-A(3) Zone (west of Southport Drive) (36-1999)**

8.3.4(1) Notwithstanding Subsection 8.2 of this By-law to the contrary, in any R3-A(3) Zone, as shown on Schedule "A" to this By-law, a minimum rear yard depth of 30m shall be provided abutting the St. Lawrence and Hudson (CP) Railway right-of-way.

8.3.4(2) Notwithstanding Subsection 4.6 to the contrary, in any R3-A(3) Zone, as shown on Schedule "A" to this By-law, no balconies, unenclosed porches, decks, steps or ramps more than 0.9m in height above grade, except French balconies extending not more than 0.3m from the wall of the dwelling, shall be permitted to encroach into any rear yard of a street townhouse.

8.3.5 **R3-A(4) Zone (west of Southport Drive) (36-1999)**

8.3.5(1) Notwithstanding Subsection 8.2 of this By-law to the contrary, in any R3-A(4) Zone, as shown on Schedule "A" to this By-law, a minimum rear yard depth of 25m shall be provided abutting the St. Lawrence and Hudson (CP) Railway right-of-way.

8.3.5(2) Notwithstanding Subsection 4.6 to the contrary, in any R3-A(4) Zone, as shown on Schedule "A" to this By-law, no balconies, unenclosed porches, decks, steps or ramps more than 0.9m in height above grade, except French balconies extending not more than 0.3m from the wall of the dwelling, shall be permitted to encroach into any rear yard of a street townhouse.

8.3.6 **R3-A(5) Zone (south of Waterloo Street) (70-1999)**

8.3.6(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(5) Zone, as shown on Schedule “A” to this By-law, a minimum interior side yard depth of 1.2m shall be provided for a street townhouse building.

8.3.6(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R3-A(5) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.5m into a required minimum exterior side yard; in addition, steps providing access to a porch may project to the exterior side lot line, but no deck shall be permitted in the front yard.

8.3.6(3) Notwithstanding the definition of lot coverage in Section 2 of this By-law to the contrary, in any R3-A(5) Zone, an unenclosed porch shall not be included in the calculation of lot coverage.

8.3.7 **R3-A(6) Zone (east of Simcoe Street South, north of Harbour Road) (27-2007)**

8.3.7(1) In any R3-A(6) Zone, no street townhouse dwelling shall have driveway access onto Harbour Road or Simcoe Street South.

8.3.8 **R3-A(7) Zone (east and west of Fleetwood Drive, south of Rossland Road East, extended) (61-2009, OMB PL050999, OMB PL060698)**

8.3.8(1) Notwithstanding any other provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(7) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot area of 175m^2 shall be provided.
(b) A minimum front yard depth of 3.0m shall be provided.
(c) A minimum exterior side yard depth of 2.0m shall be provided.

8.3.9 **R3-A(8) Zone (east of Simcoe Street North and north of Britannia Avenue)**

(83-2012)

8.3.9(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(8) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum lot area of 170 m^2 shall be provided.
(b) A minimum front yard depth of 4.5m shall be provided.
(c) A minimum exterior side yard depth of 2.0m shall be provided.
(d) A maximum lot coverage of fifty-eight percent (58%) shall be permitted.
(e) A maximum height of 11.5m shall be permitted.

8.3.10 **R3-A(9) Zone (east of Bridle Road, south of Winchester Road East) (72-2018)**

8.3.10(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(9) Zone, as shown on Schedule "A" to this By-law, a minimum lot area of 170 m^2 shall be provided.

8.3.11 **R3-A(10) Zone (east of Bridle Road, south of Winchester Road East) (73-2018)**

8.3.11(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(10) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.
(b) A minimum rear yard depth of 7.0m shall be provided.

8.3.12 **R3-A(11) Zone (east of Harmony Road North, north of Conlin Road East) (122-2018)**

8.3.12(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(11) Zone, as shown on Schedule "A" to this By-law, a maximum height of 12m shall be permitted.

8.3.13 **R3-A(12) Zone (west of Harmony Road North, north of Conlin Road East) (123-2018)**

8.3.13(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(12) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 168m^2 shall be provided.
(b) A minimum front yard depth of 4.5m shall be provided.
(c) A minimum rear yard depth of 7.0m shall be provided.
(d) A maximum lot coverage of fifty-five percent (55%) shall be permitted.
(e) A maximum height of 11.5m shall be permitted.

8.3.14 **R3-A(13) Zone (west of Harmony Road North, north of Conlin Road East) (123-2018)**

8.3.14(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(13) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 168m^2 shall be provided.
(b) A minimum front yard depth of 4.5m shall be provided.
(c) A minimum rear yard depth of 7.0m shall be provided.

(d) A maximum lot coverage of fifty-five percent (55%) shall be permitted.

(e) A maximum height of 11.5m shall be permitted.

(f) Notwithstanding any other provisions of this By-law to the contrary, in any R3-A(13) Zone, as shown on Schedule "A" to this By-law, driveway access from Mixed Use Node Block 65 to the east is permitted for residential uses only.

8.3.15 **R3-B(1) Zone (west of Harmony Road North, north of Conlin Road East) (123-2018)**

8.3.15(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-B(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 83m^2 shall be provided.
(b) A minimum front yard depth of 4.5m shall be provided.
(c) A maximum lot coverage of sixty-five percent (65%) shall be permitted.

8.3.16 **R3-A(14) Zone (north of Britannia Avenue East, between Ritson Road North and Wilson Road North) (59-2020)**

8.3.16(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(14) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 160m^2 shall be provided.

(b) A minimum front yard depth of 4.5m shall be provided.

(c) A minimum exterior side yard depth of 2.0m shall be provided.

(d) A minimum rear yard depth of 6.5m shall be provided for any lot having a lot depth of 29m or less.

(e) A minimum rear yard depth of 7.5m shall be provided for any lot having a lot depth greater than 29m.

(f) A maximum lot coverage of sixty percent (60%) shall be permitted.

(g) A maximum height of 11.5m shall be permitted.

8.3.16(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R3-A(14) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally below grade shall be permitted to encroach a maximum of 1.8m into the minimum required exterior side yard.

8.3.16(3) A street townhouse building in a R3-A(14) Zone shall contain no more than eight (8) street townhouse dwellings.

8.3.17 **R3-A(15) Zone (north of Conlin Road East, east of Harmony Road North) (123-2019)**

8.3.17(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(15) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area of 180m^2 shall be provided.
(b) A maximum height of 12.0m shall be permitted.

8.3.18 **R3-A(16) Zone (north of Grand Ridge Avenue, west of Langley Circle) (17-2021)**

8.3.18(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(16) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 150m^2 shall be provided.
(b) A maximum height of 7.5m or 2 storeys, whichever is the lesser, shall be permitted.

8.3.19 **R3-A(17) Zone (southwest corner of Thoroughbred Street and Dance Act Avenue) (20-2021)**

8.3.19(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(17) Zone the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 150m^2 shall be provided.
(b) A minimum front yard depth of 3.0m shall be provided.
(c) A minimum exterior side yard depth of 2.0m shall be provided.
(d) A minimum rear yard depth of 6.0m shall be provided.
(e) A maximum lot coverage of fifty-five percent (55%) shall be permitted.
(f) A maximum height of 11.5m shall be permitted.

8.3.19(2) Notwithstanding any provision of this By-law to the contrary, for an attached garage, a minimum setback of 6.0m shall be provided from the front lot line.

8.3.20 **R3-A(18) Zone (west side of Thoroughbred Street, south of Windfields Farm Drive West) (72-2021)**

8.3.20(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(18) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 150m^2 shall be provided.
(b) A minimum front yard depth of 3.0m shall be provided.
(c) A minimum exterior side yard depth of 2.0m shall be provided.

(d) A minimum rear yard depth of 6.0m shall be provided.
(e) A maximum lot coverage of fifty-six percent (56%) shall be permitted.
(f) A maximum height of 12m shall be permitted.

8.3.20(2) Notwithstanding any provision of this By-law to the contrary, for an attached garage, a minimum setback of 6.0m shall be provided from the front lot line.

8.3.20(3) Notwithstanding Sentence 8.3.20(1)(d) and any other provisions of this By-law to the contrary, a minimum rear yard depth of 3.5m shall be provided for the most southerly unit in Block 2 in Draft Plan S-O-2021-01.

8.3.20(4) Notwithstanding the provisions of this By-law to the contrary, a minimum parking space width of 3.0m and a minimum parking space length of 5.84m shall be provided inside of a private garage.

8.3.21 **R3-A(19) Zone (west side of Thoroughbred Street, south of Windfields Farm Drive West) (72-2021)**

8.3.21(1) Notwithstanding the definition of front lot line in Section 2 of this By-law to the contrary, in any R3-A(19) Zone, the lot line abutting Thoroughbred Street or any 0.3m reserve abutting Thoroughbred Street shall be the front lot line.

8.3.21 (2) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(19) Zone the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 120m^2 shall be provided.
(b) A minimum front yard depth of 2.7m shall be provided.
(c) A maximum front yard depth of 5.5m shall be provided.
(d) A minimum exterior side yard depth of 2.0m shall be provided.
(e) A minimum rear yard depth of 3.0m shall be provided.
(f) A maximum lot coverage of sixty-seven percent (67%) shall be permitted.
(g) A maximum height of 12m shall be permitted.

8.3.21(3) Notwithstanding any provision of this By-law to the contrary, for an attached garage, a minimum setback of 6.0m shall be provided from the rear lot line.

8.3.21(4) Notwithstanding the provisions of this By-law to the contrary, a minimum parking space width of 3.0m and a minimum parking space length of 5.84m shall be provided inside of a private garage.

8.3.22 **R3-A(20) Zone (west of Harmony Road North and north of Conlin Road East) (88-2022)**

8.3.22(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(20) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 175m^2 shall be provided.
(b) A minimum front yard depth of 4.5m shall be provided.
(c) A maximum lot coverage of sixty percent (60%) shall be permitted.
(d) A maximum height of 12.0m shall be permitted.

8.3.23 **R3-A(21) Zone (west of Harmony Road North and north of Conlin Road East) (88-2022)**

8.3.23(1) Notwithstanding the definition of Front Lot Line in Section 2 of this By-law to the contrary, in any R3-A(21) Zone, as shown on Schedule "A" to this By-law, the lot line abutting Harmony Road North shall be considered the Front Lot Line.

8.3.23(2) Notwithstanding the provisions of Article 4.9.3 of this By-law to the contrary, in any R3-A(21) Zone, as shown on Schedule "A" to this By-law, not less than one hundred percent (100%) of the front yard and fifty percent (50%) of the rear yard of every lot shall be shall be maintained as landscaped open space.

8.3.23(3) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(21) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 150m^2 shall be provided.
(b) A minimum front yard depth of 2.7m shall be provided.
(c) A minimum rear yard depth of 6.0m shall be provided.
(d) A maximum lot coverage of sixty percent (60%) shall be permitted.
(e) A maximum height of 12.0m shall be permitted.

8.3.24 **R3-B(2) Zone (west of Harmony Road North and north of Conlin Road East) (88-2022)**

8.3.24(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-B(2) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot area per dwelling unit of 75m^2 shall be provided.
(b) A minimum front yard depth of 3.0m shall be provided.
(c) A maximum lot coverage of eighty percent (80%) shall be permitted.
(d) A maximum height of 12.0m shall be permitted.

8.3.25 **R3-A(22) Zone (1015 King Street East) (105-2023)**

8.3.25(1) Notwithstanding any provision of this By-law to the contrary, in any R3-A(22) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage per dwelling unit of 5.1m shall be provided.

(b) A minimum lot area per dwelling unit of 118m^2 shall be provided.

(c) A minimum front yard depth of 4.5m shall be provided.

(d) A minimum rear yard depth of 5.7m shall be provided for any lot with a lot depth of 24m or less.

(e) A minimum rear yard depth of 7.1m shall be provided for any lot with a lot depth greater than 24m.

(f) A maximum lot coverage of fifty-nine percent (59%) shall be permitted.

(g) The maximum building height shall be 10.9m or 3 storeys, whichever is less.

(h) A minimum front yard landscaped open space of forty-one percent (41%) shall be provided.

(i) The minimum length of a driveway leading to a private garage shall be 5.4m.

(j) The minimum parking space width shall be 2.6m and the minimum parking space length shall be 5.4m.

(k) The minimum width of a driveway shall be 2.6m.

8.3.26 **R3-A(23) Zone (65 Athabasca Street) (161-2023)**

8.3.26(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(23) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage per dwelling unit of 5.8m shall be provided.

(b) A minimum lot area per dwelling unit of 125m^2 shall be provided.

(c) A minimum front yard depth of 4.5m shall be provided.

(d) A minimum exterior side yard depth of 2.0m shall be provided.

(e) A minimum rear yard depth of 6.0m shall be provided.

(f) A maximum lot coverage of fifty-five percent (55%) shall be permitted.

(g) A maximum height of 13.0m shall be permitted.

8.3.26(2) Notwithstanding any other provision of this By-law to the contrary, in any R3-A(23) Zone, a minimum of forty-five percent (45%) of the front yard shall be maintained as landscaped open space.

8.3.26(3) Notwithstanding any other provision of this By-law to the contrary, in any R3-A(23) Zone, unenclosed porches or decks may encroach a maximum of 1.8m into a required exterior side yard.

8.3.27 **R3-A(24) Zone (east of Harmony Road North, south of Greenhill Avenue) (14-2024)**

8.3.27(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(24) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.
(b) A maximum height of 11.5m shall be permitted.

8.3.27(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R3-A(24) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line, and no deck shall be permitted in the front yard.

8.3.28 **R3-A(25) Zone (1440 Conlin Road East) (73-2025)**

8.3.28(1) Notwithstanding the provisions of Subsection 8.2 of this By-law to the contrary, in any R3-A(25) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) The minimum lot area shall be 168m^2.
(b) The minimum exterior side yard depth shall be 2.0m.
(c) The maximum permitted lot coverage shall be fifty-three percent (53%).

Section 9: R4 Residential Zones

9.1 Permitted Uses

9.1.1 No person shall within any R4 Zone use any land or erect or use any building or structure for any purpose or use other than the following use:

(a) Block townhouse

9.2 Regulations

9.2.1 No person shall within any R4 Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 9.2.

Table 9.2 – Regulations for R4 Zones

Zones		**R4-A**
Minimum Lot Frontage (m)		30.0
Minimum Lot Area (m^2)		1250
Minimum Front Yard Depth and Exterior Side Yard Depth	Abutting an Arterial Road	6.0
	Abutting Any Road Other Than an Arterial Road	6.0
Minimum Interior Side Yard Depth (m)		3.0
Minimum Rear Yard Depth (m)		7.5
Minimum Landscaped Open Space (%)		35
Maximum Lot Coverage (%)		35
Maximum Height (m)		10.5
Maximum Density - Dwelling Units Per Hectare		60

(66-2023)

9.3 Special Conditions (OMB Z930012)

9.3.1 The provisions of this Subsection shall apply to unique or existing situations and the zones are not the standard R4 Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

9.3.2 **R4-A(1) Zone (east side of Grandview Street North, north of Rossland Road) (OMB Z930012)**

9.3.2(1) Notwithstanding any other part of this By-law to the contrary, in any R4-A(1) zone as shown on Schedule “A” to this By-law, the minimum lot frontage shall be 20m and front yard parking shall be permitted and the

parking requirement for visitor parking in block townhouses shall be 0.25 spaces per unit.

9.3.3 **R4-A(2) Zone (west of Harmony Road North, north of Grand Ridge Avenue) (OMB PL031190)**

9.3.3(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(2) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 45m shall be provided.
(b) A minimum front yard depth of 6.0m shall be provided.
(c) A maximum of 38 block townhouse dwelling units shall be permitted.

9.3.4 **R4-A(3) Zone (1569-1621 Simcoe Street North) (118-2018)**

9.3.4(1) Notwithstanding any other provision of this By-law to the contrary, in any R4-A(3) Zone the following regulations shall apply:

(a) The minimum front yard depth abutting Simcoe Street North shall be 0.8m.

(b) The minimum interior side yard depth shall be 2.9m.

(c) The minimum rear yard depth shall be 4.0m.

(d) A minimum landscaped open space of twenty-eight percent (28%) is required.

(e) A maximum lot coverage of forty-one percent (41%) shall be permitted.

(f) A minimum front lot line length of 4.4m is required for an individual Parcel of Tied Land for a block townhouse unit.

(g) Notwithstanding the boundaries of any Parcel of Tied Land, the area between a townhouse unit and Simcoe Street North shall be maintained as landscaped open space, excluding swimming pools or hot tubs.

(h) Any yard of any Parcel of Tied Land abutting the common element condominium road does not require landscaped open space, provided that no buildings shall be permitted in said yard and no parking space in said yard shall exceed 3.0m wide.

(i) A maximum height of 16.5m shall be permitted.

(j) The maximum density shall be 77 dwelling units per hectare and the maximum number of block townhouse dwelling units shall be 125.

9.3.5 **R4-A(4) Zone (southwest corner of Phillip Murray Avenue and Park Road South) (56-2018)**

9.3.5(1) Notwithstanding Section 9 and any other provision of this By-law to the contrary, in any R4-A(4) Zone the following regulations shall apply:

(a) A maximum of 56 block townhouses shall be permitted in the R4-A(4) Zone.

(b) The minimum yard depth abutting Park Road South and Phillip Murray Avenue shall be 2.0m.

(c) The minimum yard depth abutting Charter Crescent or any 0.3m reserve abutting Charter Crescent shall be 3.0m.

(d) The minimum yard depth abutting a lot line that abuts a lot having lot frontage on Park Road South shall be 1.5m.

(e) The minimum yard depth abutting a lot line that abuts a lot having lot frontage on Charter Crescent shall be 7.5m.

(f) A minimum landscaped open space of thirty percent (30%) shall be provided.

(g) A maximum lot coverage of forty-three percent (43%) shall be permitted.

(h) A maximum height of 11.5m shall be permitted.

(i) A minimum of 1.2m shall be provided between any parking area and the Charter Crescent street line or any 0.3m reserve abutting Charter Crescent, except that for parking spaces a minimum of 3.0m shall be provided between the parking space and the Charter Crescent street line or any 0.3m reserve abutting Charter Crescent.

(j) A minimum front lot line length of 5.5m shall be permitted for an individual Parcel of Tied Land.

(k) For any Parcel of Tied Land abutting the Phillip Murray Avenue street line or Park Road South street line, one hundred percent (100%) of the yard abutting the aforementioned street line shall be maintained as landscaped open space but not including swimming pools or hot tubs.

(l) For any Parcel of Tied Land abutting the Charter Crescent street line or a 0.3m reserve abutting Charter Crescent, one hundred percent (100%) of the yard abutting the aforementioned street line or 0.3m reserve shall be maintained as landscaped open space, but not including swimming pools or hot tubs, if the main building is less than 7.5m from the Charter Crescent street line or 0.3m reserve.

(m) A minimum of forty-two percent (42%) of the yard of any Parcel of Tied Land abutting the common element condominium road shall be maintained as landscaped open space.

(n) The minimum width of a parking space abutting a solid wall serving an individual block townhouse on a driveway in front of a garage shall be 2.7m.

(o) The minimum width of a driveway serving an individual block townhouse shall be 2.7m.

(p) Steps and unenclosed porches shall be permitted to encroach a maximum of 1.5m into a required yard abutting Phillip Murray Avenue, Park Road South or Charter Crescent.

9.3.6 **R4-A(5) Zone (east of Bridle Road and north of Britannia Avenue) (83-2012)**

9.3.6(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(5) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.
(b) A minimum rear yard depth of 3.0m shall be provided.
(c) A maximum height of 11.5m shall be permitted.

9.3.7 **R4-A(6) Zone (north of Shankel Road, west of Townline Road North) (12-2018)**

9.3.7(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(6) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth and minimum exterior side yard depth of 3.0m shall be provided abutting a public road.
(b) A maximum lot coverage of forty-five (45%) shall be permitted.
(c) A maximum height of 11.5m shall be permitted.

9.3.8 **R4-A(7) Zone (northeast corner of Ritson Road North and Ormond Drive) (26-2018)**

9.3.8(1) Notwithstanding any provision in this By-law to the contrary, in any R4-A(7) Zone as shown on Schedule "A" to this By-law, a maximum of two semi- detached dwelling units shall be permitted as an additional use.

9.3.8(2) Notwithstanding any provision in this By-law to the contrary, in any R4-A(7) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) No main building shall be permitted on the lands subject to this Special Condition except within the area shown shaded and indicated as "Permitted Building Area" on Appendix "A" to this Special Condition.

(b) A minimum landscaped open space of thirty-three percent (33%) shall be provided.

(c) A maximum of 16 block townhouse units shall be permitted.

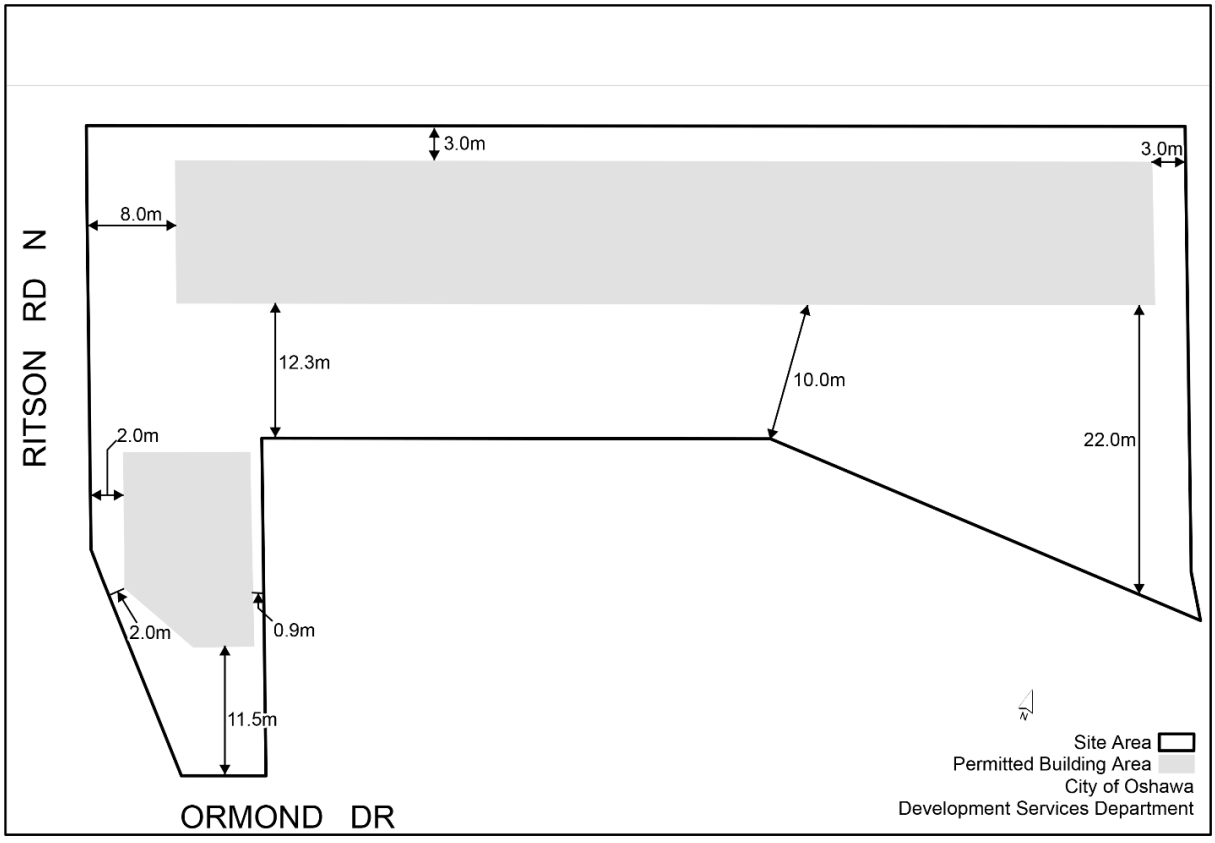
(d) A minimum driveway length of 5.75m shall be required for an individual Parcel of Tied Land.

(e) A minimum front lot line of 5.2m shall be required for an individual Parcel of Tied Land.

(f) The minimum front yard landscaped open space on an individual Parcel of Tied Land for that area of land with a driveway abutting the common element condominium road shall be a minimum of thirty-nine percent (39%).

9.3.8(3) Notwithstanding the definition of front lot line in Section 2, Definitions, the front lot line for the land zoned R4-A(7) shall be considered Ritson Road North.

Appendix "A" to Special Condition R4-A(7)



9.3.9 **R4-A(8) Zone (739-787 Conlin Road East) (121-2018)**

9.3.9(1) Notwithstanding Subsection 9.1 to the contrary, in any R4-A(8) Zone, a maximum of 4 single detached dwellings shall be permitted.

9.3.9(2) Notwithstanding any other provision of this By-law to the contrary, in any R4-A(8) Zone the following regulations shall apply:

(a) Accessory apartments shall not be permitted for single detached dwellings.

(b) The minimum yard depth abutting Conlin Road East and Wilson Road North shall be 3.0m.

(c) The minimum interior side yard depth shall be 2.5m.

(d) The minimum distance between single detached dwellings shall not be less than 1.2m.

(e) The minimum setback between a single detached dwelling and the south lot line shall be 7.0m.

(f) A minimum lot frontage of 9.0m shall be provided for an individual Parcel of Tied Land for a single detached dwelling.

(g) The minimum rear yard depth shall be 7.0m.

(h) A minimum landscaped open space of thirty percent (30%) is required.

(i) A maximum lot coverage of forty percent (40%) shall be permitted.

(j) A minimum front lot line length of 5.5m shall be provided for an individual Parcel of Tied Land for a block townhouse unit.

(k) For any Parcel of Tied Land abutting Conlin Road East or Wilson Road North, one hundred percent (100%) of the yard abutting the street line shall be maintained as landscaped open space, excluding swimming pools or hot tubs.

(l) A minimum of forty-two percent (42%) of the yard of any Parcel of Tied Land abutting the common element condominium road shall be maintained as landscaped open space.

(m) Notwithstanding Sentence (l), for a Parcel of Tied Land that has frontage on the common element condominium road and either Conlin Road East or Wilson Road North there shall be no minimum landscaped open space requirement for the yard abutting the common element condominium road.

(n) A maximum height of 12.0m shall be permitted.

(o) Single detached dwellings shall be setback a minimum of 50m from the Conlin Road East and Wilson Road North street lines.

(p) For a Parcel of Tied Land that has frontage on the common element condominium road and either Conlin Road East or Wilson

Road North, a driveway between a common element condominium road and a private garage shall have a minimum length of 3.0m

9.3.10 **R4-A(9) Zone (north of Conlin Road East, west of Grandview Street North) (119-2018)**

9.3.10(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(9) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth and exterior side yard depth of 3.0m shall be provided abutting any road.

(b) A maximum height of 11.5m shall be permitted.

9.3.11 **R4-A(10) Zone (north of Conlin Road East, west of Grandview Street North) (119-2018)**

9.3.11(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(10) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth and exterior side yard depth of 3.0m shall be provided abutting any road.

(b) A maximum height of 11.5m shall be permitted.

(c) A maximum of 78 block townhouse units shall be permitted.

9.3.12 **R4-A(11) Zone (north of Conlin Road East, east of Harmony Road North) (119-2018)**

9.3.12(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(11) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth and exterior side yard depth of 3.0m shall be provided abutting any road.

(b) A maximum height of 11.5m shall be permitted.

9.3.12(2) Notwithstanding any provision of this By-law to the contrary, in any R4-A(11) Zone, as shown on Schedule "A" to this By-law, the lands known as Block 376 in Draft Plan of Subdivision S-O-2014-03 and Block 49 in Draft Plan of Subdivision S-O-2016-01 shall be consolidated and developed as one block.

9.3.13 **R4-A(12) Zone (east of Harmony Road North, north of Conlin Road East) (122-2018)**

9.3.13(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(12) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 25m shall be provided.
(b) A minimum yard depth abutting a streetline shall be 3m.
(c) A maximum height of 12m shall be permitted.

9.3.14 **R4-A(13) Zone (250 Harmony Road South) (91-2019)**

9.3.14(1) Notwithstanding Section 9 and any other provision of this By-law to the contrary, in any R4-A(13) Zone the following regulations shall apply:

(a) A maximum of 59 block townhouses shall be permitted.

(b) The minimum rear yard depth shall be 7.5m.

(c) A minimum interior side yard depth of 1.5m shall be provided for each block townhouse building.

(d) A minimum exterior side yard depth of 2.4m shall be provided for any individual Parcel of Tied Land.

(e) A minimum lot frontage of 5.75m shall be permitted for each individual Parcel of Tied Land.

(f) A minimum front yard depth of 6.0m shall be provided for each individual Parcel of Tied Land.

(g) A maximum lot coverage of sixty percent (60%) is permitted for each individual Parcel of Tied Land.

(h) A minimum landscaped open space of forty-five percent (45%) shall be provided in the front yard for each individual Parcel of Tied Land.

(i) A minimum lot area of 170m^2 is required for each individual Parcel of Tied Land.

(j) A maximum building height of 9.5m or two storeys shall be permitted.

(k) The minimum width of a driveway serving an individual block townhouse shall be 2.9m.

9.3.15 **R4-A(14) Zone (250 Harmony Road South – Harmony Road South Frontage) (91-2019)**

9.3.15(1) Notwithstanding Section 9 and any other provision of this By-law to the contrary, in any R4-A(14) Zone the following regulations shall apply:

(a) A maximum of 46 block townhouses shall be permitted.

(b) Harmony Road South shall be deemed to be the front lot line for each individual Parcel of Tied Land.

(c) For any Parcel of Tied Land abutting the Harmony Road South street line, one hundred percent (100%) of the yard abutting the aforementioned street line shall be maintained as landscaped open space and shall exclude swimming pools, hot tubs or other such items.

(d) A minimum lot frontage of 4.6m shall be permitted for each individual Parcel of Tied Land.

(e) A minimum interior side yard depth of 1.5m shall be provided for each block townhouse building.

(f) A maximum lot coverage of sixty-five percent (65%) is permitted for each individual Parcel of Tied Land.

(g) A minimum lot area of 110m^2 is required for each individual Parcel of Tied Land.

(h) A maximum building height of 12.5m or three storeys shall be permitted.

(i) A minimum front yard depth of 4.5m shall be provided and notwithstanding the foregoing a minimum front yard depth of 1.0m shall be provided where a Parcel of Tied Land abuts a portion of a corner sight triangle.

(j) A minimum rear yard depth of 4.25m shall be provided.

(k) A minimum of thirty percent (30%) of the yard of any Parcel of Tied Land abutting the common element condominium road shall be maintained as landscaped open space.

(l) The minimum width of a driveway serving an individual block townhouse shall be 2.9m.

9.3.16 **R4-A(15) Zone (250 Harmony Road South) (91-2019)**

9.3.15(1) Notwithstanding Section 9 and any other provision of this By-law to the contrary, in any R4-A(15) Zone the following regulations shall apply:

(a) A maximum of 92 block townhouses shall be permitted.

(b) A minimum lot frontage of 4.6m shall be permitted for each individual Parcel of Tied Land.

(c) A maximum lot coverage of sixty percent (60%) is permitted for each individual Parcel of Tied Land.

(d) A minimum lot area of 120m^2 is required for each individual Parcel of Tied Land.

(e) A maximum building height of 12.5m or three storeys shall be permitted.

(f) A minimum front yard depth of 6.0m shall be provided.

(g) A minimum interior side yard depth of 1.5m shall be provided for each block townhouse building.

(h) A minimum exterior side yard depth of 2.0m is required for any individual Parcel of Tied Land abutting a common element condominium road.

(i) A minimum rear yard depth of 6.0m shall be provided.

(j) A minimum of thirty-five percent (35%) of the front yard of any Parcel of Tied Land abutting the common element condominium road shall be maintained as landscaped open space.

(k) The minimum width of a driveway serving an individual block townhouse shall be 2.9m.

9.3.17 **R4-A(16) Zone (250 Harmony Road South) (91-2019)**

9.3.17(1) Notwithstanding Section 9 and any other provision of this By-law to the contrary, in any R4-A(16) Zone the following regulations shall apply:

(a) A maximum of 15 block townhouses shall be permitted.

(b) A minimum lot frontage of 5.75m shall be permitted for each individual Parcel of Tied Land.

(c) A maximum lot coverage of sixty percent (60%) is permitted for each individual Parcel of Tied Land.

(d) A minimum lot area of 150m^2 is required for each individual Parcel of Tied Land.

(e) A maximum building height of 12.5m or three storeys shall be permitted.

(f) A minimum front yard depth of 6.0m shall be provided.

(g) A minimum interior side yard depth of 1.5m shall be provided for each block townhouse building.

(h) A minimum exterior side yard depth of 1.4m is required for any individual Parcel of Tied Land abutting a common element condominium road.

(i) A minimum rear yard depth of 6.0m shall be provided.

(j) The minimum width of a driveway serving an individual block townhouse shall be 2.9m.

(k) A minimum of forty-five percent (45%) of the front yard of any Parcel of Tied Land abutting the common element condominium road shall be maintained as landscaped open space.

9.3.18 **R4-A(17) Zone (west of Harmony Road North, north of Conlin Road East) (123-2018)**

9.3.18(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(17) Zone, as shown on Schedule "A" to this By-law, a minimum yard depth abutting a streetline shall be 3m.

9.3.19 **R4-A(18) Zone (west of Harmony Road North, north of Conlin Road East) (123-2018)**

9.3.19(1) Notwithstanding any other provisions of this By-law to the contrary, in any R4-A(18) Zone, as shown on Schedule "A" to this By-law, driveway access from Mixed Use Node Block 65 to the east is permitted for residential uses only.

9.3.19(2) Notwithstanding any other provisions of this By-law to the contrary, in any R4-A(18) Zone as shown on Schedule "A" to this By-law, the lands known as Blocks 24 and 65 in Draft Plan of Subdivision S-O-2014-01 shall be consolidated and developed as one block.

9.3.20 **R4-A(19) Zone (north of Britannia Avenue East, between Ritson Road North and Wilson Road North) (59-2020)**

9.3.20(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(19) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) A minimum exterior side yard depth of 3.0m shall be provided.

(c) A minimum rear yard depth of 3.0m shall be provided.

(d) A maximum height of 13m shall be permitted.

9.3.20(2) Notwithstanding the provisions of Subsection 9.2 or Sentence 9.3.20(1) of this By-law to the contrary, in any R4-A(19) Zone, the minimum yard depth abutting a gas pipeline easement shall be the greater of 7.0m or the minimum required yard depth indicated in Subsection 9.2 or Sentence 9.3.20(1) of this By-law, as applicable.

9.3.20(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R4-A(19) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally

below grade shall be permitted to encroach a maximum of 1.8m into the minimum required exterior side yard.

9.3.20(4) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any R4-A(19) Zone, parking directly in front of a private garage shall be permitted 0m from the exterior side lot line abutting a local road.

9.3.20(5) A minimum of forty-five percent (45%) of the yard of any parcel of tied land abutting a common element condominium road shall be maintained as landscaped open space.

9.3.20(6) Notwithstanding the definitions of street townhouse building and block townhouse in Section 2 of this By-law to the contrary, in any R4-A(19) Zone a townhouse having dwelling units with lot frontage and direct vehicular access to any improved street and dwelling units served by a private driveway or aisle shall be considered a block townhouse.

9.3.20(7) A block townhouse building in a R4-A(19) Zone shall contain no more than ten (10) dwelling units, except that a back-to-back block townhouse building shall contain no more than twenty (20) dwelling units. For the purpose of this sentence, a back-to-back block townhouse building means a townhouse having dwelling units that share common rear walls with other dwelling units.

9.3.21 **R4-A(20) Zone (west side of Wilson Road North, north of Britannia Avenue East) (59-2020)**

9.3.21(1) Notwithstanding the definitions of front lot line, side lot line and rear lot line in Section 2 of this By-law to the contrary, for any lot abutting three (3) or more streets in any R4-A(20) Zone, the following shall apply:

(a) The street line abutting the east-west arterial road shall be the front lot line.

(b) The street line abutting Wilson Road North shall be the rear lot line.

(c) The street line abutting the local road shall be the exterior side lot line.

9.3.21(2) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(20) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) A minimum exterior side yard depth of 3.0m shall be provided.

(c) A minimum rear yard depth of 3.0m shall be provided.

(d) A maximum height of 13m shall be permitted.

(e) A minimum density of 65 dwelling units per hectare and a maximum density of 85 dwelling units per hectare shall be provided.

9.3.21(3) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any R4-A(20) Zone, parking shall not be permitted in the yard abutting Wilson Road North and the yard abutting the east-west arterial road.

9.3.21(4) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any R4-A(20) Zone, parking directly in front of a private garage shall be permitted 0m from the exterior side lot line.

9.3.21(5) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R4-A(20) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally below grade shall be permitted to encroach a maximum of 1.8m into the minimum required exterior side yard.

9.3.21(6) Notwithstanding the definitions of street townhouse building and block townhouse in Section 2 of this By-law to the contrary, in any R4-A(20) Zone a townhouse having dwelling units with lot frontage and direct vehicular access to any improved street and dwelling units served by a private driveway or aisle shall be considered a block townhouse.

9.3.21(7) A block townhouse building in a R4-A(20) Zone shall contain no more than ten (10) dwelling units, except that a back-to-back block townhouse building shall contain no more than twenty (20) dwelling units. For the purpose of this sentence, a back-to-back block townhouse building means a townhouse having dwelling units that share common rear walls with other dwelling units.

9.3.22 **R4-A(21) Zone (north of Conlin Road East, east of Ritson Road North) (29-2001)**

9.3.22(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(21) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) A minimum exterior side yard depth of 3.0m shall be provided.

(c) A minimum rear yard depth of 7.5m shall be provided except where the rear lot line abuts a local road, in which case a minimum rear yard depth of 4.5m shall be provided.

(d) A maximum height of 13m shall be provided.

9.3.22(2) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R4-A(21) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally

below grade shall be permitted to encroach a maximum of 1.8m into the minimum required exterior side yard.

9.3.22(3) A minimum of forty-five percent (45%) of the yard of any parcel of tied land abutting a common element condominium road shall be maintained as landscaped open space.

9.3.22(4) A block townhouse building in a R4-A(21) Zone shall contain no more than ten (10) dwelling units, except that a back-to-back block townhouse building shall contain no more than twenty (20) dwelling units. For the purpose of this sentence, a back-to-back block townhouse building means a townhouse having dwelling units that share common rear walls with other dwelling units.

9.3.23 **R4-A(22) Zone (south of Beatrice Street East, east of Harmony Road North) (76-2021)**

9.3.23(1) [deleted] **(62-2025)**

9.3.23(2) Notwithstanding the definition of front lot line in Section 2 of this By-law to the contrary, in any R4-A(22) Zone, as shown on Schedule "A" to this By-law, the lot line abutting Harmony Road North shall be the front lot line.

9.3.23(3) Notwithstanding the definition of exterior side yard in Section 2 of this By-law to the contrary, in any R4-A(22) Zone, as shown on Schedule "A" to this By-law, the yard immediately adjacent to the future Beatrice Street East connection shall be the exterior side yard, and the lot line abutting the future Beatrice Street East connection shall be the exterior side lot line.

9.3.23(4) Notwithstanding the definition of rear lot line in Section 2 of this By-law to the contrary, in any R4-A(22) Zone, as shown on Schedule "A" to this By-law, the lot line abutting any OSU or OSH Zone that is not a front lot line, an exterior side lot line or a lot line that is linear in form and generally runs east-west and perpendicular to Harmony Road North shall be the rear lot line.

9.3.23(5) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(22) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 2.3m shall be provided.

(b) A minimum exterior side yard depth of 2.5m shall be provided.

(c) A minimum rear yard depth of 3.0m shall be provided.

(d) A minimum landscaped open space of twenty-six percent (26%) shall be provided.

9.3.23(6) Notwithstanding any provision of this By-law to the contrary, an accessory building is permitted within the exterior side yard provided it is located not less than 1.1m from a street line.

9.3.23(7) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, a parking area may be located not less than 2.7m from an exterior side lot line.

9.3.24 **R4-A(23) Zone (north of Grand Ridge Avenue, west of Langley Circle) (17-2021)**

9.3.24(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(23) Zone, as shown on Schedule “A” to this By-law, the maximum height shall be 7.5m or 2 storeys, whichever is the lesser.

9.3.25 **R4-A(24) Zone (southeast quadrant of Taunton Road East and Clearbrook Drive) (17-2001)**

9.3.25(1) Notwithstanding the provisions of Subsection 9.2, of this By-law to the contrary, in any R4-A(24) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A maximum density of 85 dwelling units per hectare shall be permitted.

9.3.26 **R4-A(25) Zone (north of Britannia Avenue East, between Wilson Road North and Grandview Street North) (15-2021)**

9.3.26(1) Notwithstanding the provisions of Subsection 9.1 of this By-law to the contrary, in any R4-A(25) Zone, as shown on Schedule “A” to this Bylaw, Apartment Building is also a permitted use.

9.3.26(2) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(25) Zone, as shown on Schedule “A” to this Bylaw, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) A minimum exterior side yard depth of 3.0m shall be provided.

(c) A minimum rear yard depth of 3.0m shall be provided.

(d) A minimum landscaped open space of twenty percent (20%) shall be provided.

(e) A minimum height of 8.0m and 2 storeys shall be provided except where the building fronts onto Harmony Road North, in which event the minimum building height shall be 9.0m and 3 storeys.

(f) A maximum height of 12.5m shall be provided except where the building fronts onto Harmony Road North, in which event the

maximum building height shall be 25.0m or 6 storeys, whichever is greater.

9.3.26(3) Notwithstanding the provisions of Subsection 9.2 or Sentence 9.3.26(2) of this By-law to the contrary, in any R4-A(25) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any Parcel of Tied Land:

(a) A minimum front lot line of 5.5m shall be provided.

(b) A minimum front yard depth of 3.0m to the dwelling unit and 6.0 to the garage shall be provided.

(c) A minimum interior side yard depth of 1.2m shall be provided.

(d) A minimum exterior side yard depth of 2.4m shall be provided.

(e) A minimum rear yard depth of 6.0m shall be provided.

(f) The minimum front yard landscaped open space of an individual Parcel of Tied Land with a driveway abutting the common element condominium road shall be forty percent (40%) and the minimum rear yard landscaped open space of an individual Parcel of Tied Land with a driveway abutting the common element condominium road shall be thirty-five percent (35%).

(g) Notwithstanding item (f) above, for a Parcel of Tied Land that has frontage on the common element condominium road and either Harmony Road North or Streets A, B or H on Draft Plan S-O-2017-07, there shall be no minimum landscaped open space requirement for the yard abutting the common element condominium road.

9.3.26(4) Notwithstanding the provisions of Subsection 9.2 or Sentences 9.3.26(2) and 9.3.26(3) of this By-law to the contrary, in any R4-A(25) Zone, the minimum yard depth abutting a gas pipeline easement shall be the greater of 7.0m or the minimum required yard depth indicated in Subsection 9.2 or Sentences 9.3.26(2) and 9.3.26(3) of this By-law, as applicable.

9.3.26(5) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R4-A(25) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally below grade shall be permitted to encroach a maximum of 1.8m into the minimum required exterior side yard.

9.3.26(6) A block townhouse building in R4-A(25) Zone shall contain no more than ten (10) dwelling units, except that a back-to-back block townhouse building shall contain no more than twenty (20) dwelling units. For the purpose of this sentence, a back-to-back block townhouse building means a townhouse having dwelling units that share common rear walls with other dwelling units.

9.3.27 **R4-A(26) Zone (1015 King Street East) (105-2023)**

9.3.27(1) Notwithstanding any provision of this By-law to the contrary, in any R4-A(26) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A maximum of 32 block townhouses shall be permitted.

(b) The minimum yard depth abutting King Street East shall be 4.9m.

(c) The minimum yard depth abutting Queensdale Avenue shall be 1.9m.

(d) The minimum west and east interior side yard depths for any building that faces both King Street East and a private road shall be 1.5m.

(e) The minimum west interior side yard depth for any building facing only a private road or a private road and Queensdale Avenue shall be 6.9m.

(f) The minimum east interior side yard depth for any building facing only a private road or a private road and Queensdale Avenue shall be 6.6m.

(g) A minimum landscaped open space of twenty-one percent (21%) shall be provided.

(h) A maximum lot coverage of fifty-eight percent (58%) shall be permitted.

(i) A maximum height of 10.7m shall be permitted.

(j) The minimum front lot line length shall be 4.4m for an individual Parcel of Tied Land.

(k) The minimum length of a driveway leading to a private garage shall be 5.4m.

(l) The minimum width of a driveway shall be 2.6m.

(m) The minimum width of a parking space on a driveway shall be 2.6m, however, a parking space abutting a solid wall in front of a private garage serving an individual block townhouse unit shall be 2.75m.

9.3.27(2) Notwithstanding the definition of front lot line in Section 2 of this By-law to the contrary, in any R4-A(26) Zone, the front lot line shall be the street line abutting King Street East.

9.3.27(3) Notwithstanding the provisions of Article 4.9.3 of this By-law to the contrary, in any R4-A(26) Zone, a minimum of thirty-four percent (34%) of the yard of any Parcel of Tied Land abutting a common elements condominium road shall be maintained as landscaped open space, however, for any Parcel of Tied Land that has frontage on both the

common elements condominium road and King Street East, a minimum of thirty percent (30%) of the yard abutting the common element condominium road shall be maintained as landscaped open space.

9.3.27(4) Notwithstanding the provisions of Subsection 4.6 of this By-law to the contrary, in any R4-A(26) Zone, steps and unenclosed access ramps and lifts for persons with accessible needs shall not encroach more than 2.5m into the required yard abutting King Street East.

9.3.28 **R4-A(27) Zone (570 Shakespeare Avenue) (146-2023)**

9.3.28(1) Notwithstanding the provisions of Subsection 9.2 of this By-law to the contrary, in any R4-A(26) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A maximum of 105 block townhouses shall be permitted.

(b) A maximum of one (1) accessory apartment shall be permitted in a block townhouse end unit. A maximum of twelve (12) accessory apartments shall be permitted in the R4-A(27) Zone.

(c) The minimum yard depth abutting Wilson Road South and Addison Street shall be 4.0m.

(d) The minimum yard depth abutting Shakespeare Avenue shall be 3.5m, except that any block townhouse building that flanks both Shakespeare Avenue and Addison Street may have a minimum yard depth abutting Shakespeare Avenue of 2.2m.

(e) The minimum north yard depth abutting the Canadian Pacific Railway right-of-way shall be 25m.

(f) A minimum landscaped open space of thirty-four percent (34%) shall be provided.

(g) For any parcel of tied land abutting Wilson Road South, Shakespeare Avenue or Addison Street, one hundred percent (100%) of the yard abutting the aforementioned street shall be maintained as landscaped open space.

(h) For any parcel of tied land that has frontage on both a private road and either Wilson Road South, Shakespeare Avenue or Addison Street, a minimum of forty percent (40%) of the yard abutting the private road shall be maintained as landscaped open space, except that any block townhouse end unit parcel of tied land may have a minimum of twenty-four percent (24%) landscaped open space in the yard abutting the private road.

(i) A maximum height of 13m shall be provided for any block townhouse building abutting Wilson Road South. A maximum height of 12m shall be provided for all other block townhouse buildings.

(j) A minimum front lot line length of 5.4m shall be permitted for an individual parcel of tied land abutting Wilson Road South, Shakespeare Avenue or Addison Street.

9.3.29 **R4-A(28) Zone (1279 Simcoe Street North) (31-2024)**

9.3.29(1) Notwithstanding the provisions of Subsection 6.2 of this By-law to the contrary, in any R4-A(28) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.5m shall be provided.

(b) A minimum rear yard depth and interior side yard depth of 1.8m shall be provided.

(c) A maximum lot coverage of thirty-six percent (36%) shall be permitted.

(d) A maximum height of 13.5m shall be permitted.

(e) A minimum landscaped open space of 25% shall be provided.

(f) A minimum of forty-five percent (45%) of the front yard of any Parcel of Tied Land abutting the common element condominium road shall be maintained as landscaped open space.

(g) A minimum front lot line length of 5.5m shall be provided for an individual Parcel of Tied Land.

(h) A minimum driveway length of 5.75m shall be required for an individual Parcel of Tied Land.

9.3.29(2) Notwithstanding any other provision of this By-law to the contrary, in any R4-A(28) Zone, the use of the entire ground floor of a dwelling unit as a home occupation is permitted within units that have frontage on Simcoe Street North.

9.3.29(3) Notwithstanding any other provision of this By-law to the contrary, in any R4-A(28) Zone, a retail store is permitted as a home occupation within dwelling units having frontage on Simcoe Street North, subject to compliance with Subsection 5.3 and Sentence 9.3.29(2) of this By-law.

9.3.30 **R4-A(29) Zone (737, 741 and 745 Taunton Road East) (72-2025)**

9.3.30(1) Notwithstanding any other provisions of this By-law to the contrary, in any R4-A(29) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 2.7m abutting an arterial road shall be provided.

(b) A minimum interior side yard depth of 1.9m adjacent the east lot line shall be provided.

(c) A maximum lot coverage of thirty-nine percent (39%) shall be permitted.

(d) A minimum landscaped open space of thirty percent (30%) shall be provided.

(e) For any parcel of tied land that has frontage on both a private road and Taunton Road East, forty-five percent (45%) of the yard abutting the private road shall be maintained as landscaped open space, except that any block townhouse end unit parcel of tied land may have a minimum of zero percent (0%) landscaped open space in the yard abutting the private road.

(f) A minimum length of a property line of a parcel of tied land abutting a common element condominium road of 5m shall be provided.

Section 10: R5 Residential Zones

10.1 Permitted Uses

10.1.1 No person shall within any R5 Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection. **(89-2014, 66-2023)**

10.1.2 The following uses are permitted in any R5-A or R5-B Zone:

(a) Single detached dwelling
(b) Semi-detached building
(c) Semi-detached dwelling
(d) Duplex
(e) Triplex
(f) Fourplex
(g) Fiveplex
(h) Sixplex
(i) Apartment building

(66-2023)

10.1.3 The following uses are permitted in any R5-C Zone:

(a) Triplex
(b) Fourplex
(c) Fiveplex
(d) Sixplex

(66-2023)

10.2 Regulations

10.2.1 No person shall within any R5 Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Tables 10.2A and 10.2B and this Subsection. **(66-2023)**

10.2.2 An apartment building in a R5-A and R5-C Zone shall contain no more than six dwelling units. **(62-2000, 66-2023)**

10.2.3 Notwithstanding Articles 3.6.1 and 3.6.2 to the contrary, where a compound zone includes an R5 (Residential) Zone and an R6 (Residential) Zone (e.g. R5-C/R6-B), the provisions prescribed by the R5 (Residential) Zone for an apartment building shall be complied with for any triplex, fourplex, fiveplex or sixplex. **(66-2023)**

Table 10.2A – Regulations for R5-A and R5-B Zones (Excluding Apartment Buildings)

Residential Type	**Single Detached Dwelling**	**Semi-Detached Building on a Corner Lot**	**Semi-Detached Building on Interior Lot**	**Semi-Detached Dwelling on Corner Lot**	**Semi-Detached Dwelling on Interior Lot**	**Duplex**
Minimum Lot Frontage (m)	9.0	16.2	15.0	8.7	7.5	12.0
Minimum Lot Area (m^2)	270	486	450	261	225	360
Minimum Front Yard Depth (m)	6.0	6.0	6.0	6.0	6.0	6.0
Minimum Interior Side Yard Depth (m)	For interior lots, 1.2m on one side only, and for corner lots 0.0m, provided that, for both interior and corner lots, in no case shall the distance between dwelling units be less than 1.2m	1.2	1.2	0.0	1.2 on one side only	1.2
Minimum Exterior Side Yard Depth (m)	2.4	2.4	N/A	2.4	N/A	2.4
Minimum Rear Yard Depth (m)	7.5	7.5	7.5	7.5	7.5	7.5
Maximum Lot Coverage (%)[1]	40	40	40	40	40	40
Maximum Height (m)	9.0	9.0	9.0	9.0	9.0	9.0

[1] Maximum lot coverage of 45% permitted if the property has one or more accessory apartments and is serviced by municipal water and sanitary services as per Ontario Regulation 299/19.

(62-2000, 89-2014, 52-2018, 66-2023)

Table 10.2B – Regulations for R5-A, R5-B and R5-C Zones (Apartment Buildings)

Residential Type	**Triplex**	**Fourplex**	**Fiveplex**	**Sixplex**	**Apartment Building containing 7 or more dwelling units in R5-B Zone**
Minimum Lot Frontage (m)	12.0	15.0	19.0	22.0	25.0
Minimum Lot Area in the R5-A Zone (m^2)	450	600	800	900	N/A
Minimum Lot Area in the R5-B and R5-C Zones (m^2)	360	450	570	700	N/A
Minimum Front Yard Depth (m)	6.0	6.0	6.0	6.0	6.0
Minimum Interior Side Yard Depth (m)	for interior lots, 1.2m on one side only, and for corner lots 0.0m, provided however that, for both interior and corner lots, in no case shall the distance between dwelling units be less than 1.2m	1.2	1.2	2.0	1.5 for each storey or half storey, or 4.5m for a building 3 storeys or taller
Minimum Exterior Side Yard Depth (m)	2.4	2.4	2.4	2.4	2.4
Minimum Rear Yard Depth (m)	7.5	7.5	7.5	7.5	12.0
Minimum Landscaped Open Space (%)	30	30	30	30	35
Maximum Lot Coverage (%)	40	40	35	35	35
Maximum Height in the R5-A Zone (m)	10.5	10.5	10.5	10.5	N/A
Maximum Height in the R5-B and R5-C Zones (m)	13.0	13.0	13.0	13.0	13.0
Maximum Density Dwelling Units Per Hectare	N/A	N/A	N/A	N/A	85

(66-2023)

10.3 Special Conditions (66-1998)

10.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard R5 Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

10.3.2 **R5-A(1) Zone (28 Oshawa Boulevard North)**
(OMB R940316-8, 66-1998)

10.3.2(1) Notwithstanding the provisions of Article 10.2.1 to the contrary in any R5-A(1) Zone, as shown on Schedule “A” to this By-law, an apartment building containing no more than five dwelling units may be permitted on a lot having a minimum lot frontage of 18.0m, and provided the minimum interior side yard depth is 3.2m.

10.3.3 **R5-A(2) Zone (651 Bloor Street East) (71-1997)**

10.3.3(1) Notwithstanding Article 10.2.2 to the contrary, any apartment building in a R5-A(2) Zone, as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.3(2) Notwithstanding Subsection 10.2 to the contrary, in any R5-A(2) Zone as shown on Schedule “A” to this By-law, the minimum lot frontage shall be 18.0m for an apartment building.

10.3. 3(3) Notwithstanding Subsection 4.10 to the contrary, in any R5-A(2) Zone as shown on Schedule “A” to this By-law, one parking space is permitted to be located partially in the front yard of an apartment building.

10.3.4 **R5-A(3) Zone (665 Bloor Street East) (71-1997)**

10.3.4(1) Notwithstanding Article 10.2.2 to the contrary, any apartment building in a R5-A(3) Zone as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.4(2) Notwithstanding Subsection 10.2 to the contrary, in any R5-A(3) Zone as shown on Schedule “A” to this By-law, the minimum lot frontage shall be 17.0m and the minimum westerly interior side yard depth shall be 3.8m for an apartment building.

10.3.4(3) Notwithstanding Subsection 4.10 to the contrary, in any R5-A(3) Zone as shown on Schedule “A” to this By-law, two parking spaces are permitted in the front yard of an apartment building and one of these spaces may have no setback to the street line.

10.3.5 **R5-A(4) Zone (671 Bloor Street East) (71-1997)**

10.3.5(1) Notwithstanding Article 10.2.2 to the contrary, any apartment building in a R5-A(4) Zone as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.5(2) Notwithstanding Subsection 10.2 to the contrary, in any R5-A(4) Zone as shown on Schedule “A” to this By-law, the minimum lot frontage shall be 17.0m and the minimum westerly interior side yard depth shall be 1.8m for an apartment building.

10.3.5(3) Notwithstanding Subsection 4.10 to the contrary, in any R5-A(4) Zone as shown on Schedule “A” to this By-law, a parking space that has no setback to the street line is permitted in the front yard of an apartment building.

10.3.6 **R5-A(5) Zone (675 Bloor Street East) (71-1997)**

10.3.6(1) Notwithstanding Article 10.2.2 to the contrary, any apartment building in a R5-A(5) Zone as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.6(2) Notwithstanding Subsection 10.2 to the contrary, in any R5-A(5) Zone as shown on Schedule “A” to this By-law, the minimum lot frontage shall be 17.0m and the minimum westerly interior side yard depth shall be 1.8m for an apartment building.

10.3.7 **R5-A(6) Zone (596 Farewell Street) (71-1997)**

10.3.7(1) Notwithstanding Article 10.2.2 to the contrary, any apartment building in a R5-A(6) Zone as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.7(2) Notwithstanding Subsection 10.2 to the contrary, in any R5-A(6) Zone as shown on Schedule “A” to this By-law, the minimum lot frontage shall be 18.0m and the minimum interior side yard depth shall be 3.0m for an apartment building.

10.3.7(3) Notwithstanding Subsection 4.10 to the contrary, in any R5-A(6) Zone as shown on Schedule “A” to this By-law, two parking spaces are permitted in the front yard of an apartment building and one of these spaces may have no setback to the street line.

10.3.8 **R5-A(7) Zone (116 Tecumseh Avenue) (32-2001)**

10.3.8(1) Notwithstanding Article 10.2.2 to the contrary, any apartment building in a R5-A(7) Zone, as shown on Schedule “A” to this By-law, shall contain no more than four dwelling units.

10.3.8(2) Notwithstanding Subsection 10.2 to the contrary, in any R5-A(7) Zone as shown on Schedule “A” to this By-law, the minimum easterly interior side yard depth shall be 2.2m for an apartment building.

10.3.9 **R5-A(8) Zone (159 Tresane Street) (44-2016)**

10.3.9(1) Notwithstanding Article 10.2.2 of this By-law to the contrary, any apartment building in a R5-A(8) Zone as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.9(2) Notwithstanding the provisions of Subsection 10.2 of this By-law to the contrary, in any R5-A(8) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply to an apartment building: **(66-2023)**

(a) A minimum lot frontage of 13.0m shall be provided.

(b) A minimum easterly interior side yard depth of 1.6m shall be provided.

10.3.10 **R5-B(1) Zone (east of Park Road South, north of John Street West) (6-2008)**

10.3.10(1) Notwithstanding Subsection 10.2 to the contrary, in any R5-B(1) Zone as shown on Schedule “A” to this By-law, the maximum height of any apartment building shall be the more restrictive of 10.5m or 3 storeys. **(66-2023)**

10.3.11 **R5-A(9) Zone (721 King Street West) (25-2006)**

10.3.11(1) Notwithstanding Article 10.2.2 to the contrary, any apartment building in a R5-A(9) Zone, as shown on Schedule “A” to this By-law, shall contain no more than four dwelling units.

10.3.11(2) Notwithstanding Subsection 10.2 to the contrary, in any R5-A(9) Zone as shown on Schedule “A” to this By-law, the minimum lot frontage shall be 16m, the minimum easterly interior side yard depth shall be 2.1m and the minimum landscaped open space shall be thirty-one percent (31%) for an apartment building.

10.3.12 **R5-B(2) Zone (1255 and 1267 Bloor Street East) (55-2008)**

10.3.12(1) In addition to any R5-B use, in any R5-B(2) Zone, shown on Schedule “A” to this By-law, a retirement home with a maximum of 140 suites may be permitted.

10.3.12(2) Notwithstanding Subsection 10.2 of this By-law to the contrary, in any R5-B(2) Zone, shown on Schedule “A” to this By-law, a maximum lot coverage of twenty-eight percent (28%) is permitted for a retirement home.

10.3.12(3) Notwithstanding Subsection 39.3 of this By-law to the contrary, in any R5-B(2) Zone, shown on Schedule “A” to this By-law, parking shall be provided at a rate of 0.38 parking spaces per suite for a retirement home.

10.3.12(4) Notwithstanding Subsection 39.8 and any other provision of this By-law to the contrary, in any R5-B(2) Zone, shown on Schedule “A” to this By-law, one loading space shall be permitted in the front yard provided no part of any loading area shall be located closer than 3.0m to any streetline.

10.3.12(5) Notwithstanding any other provision of this By-law to the contrary, in any R5-B(2) Zone, shown on Schedule “A” to this By-law, the lot line of the easterly side yard shall be considered the lot line of an interior side lot line.

10.3.12(6) Notwithstanding Subsection 10.2 to the contrary, in any R5-B(2) Zone, shown on Schedule “A” to this By-law, for any retirement home: **(66-2023)**

(a) The maximum height shall not exceed 15.0m inclusive of all storeys and parapet walls; and

(b) The number of storeys shall not exceed four (4). **(62-2025)**

10.3.13 **R5-A(10) Zone (110 Tecumseh Avenue)** **(22-2009)**

10.3.13(1) Notwithstanding Article 10.2.2 of this By-law to the contrary, any apartment building in a R5-A(10) Zone as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.13(2) Notwithstanding the provisions of Subsection 10.2 of this By-law to the contrary, in any R5-A(10) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply to an apartment building:

(a) A minimum lot frontage of 17.0m shall be provided.

(b) A minimum westerly interior side yard depth of 2.2m shall be provided.

10.3.14 **R5-B(3) Zone (24 Beatrice Street West)** **(43-2016)**

10.3.14(1) Notwithstanding any provision of this By-law to the contrary, in any R5-B(3) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to an apartment building:

(a) No building shall be permitted on the lands subject to this Special Condition except within the area shown shaded and indicated as “Permitted Building Area” on Appendix “A” to this Special Condition.

(b) A minimum lot frontage of 10.5m shall be provided.

(c) A minimum front lot line length of 10.5 shall be provided.

(d) The maximum height shall be the more restrictive of 11m or 3 storeys.

(e) The maximum density shall be 68 dwelling units per hectare and the maximum number of dwelling units shall be 20.

(f) Balconies shall not be permitted on the north or south building elevations.

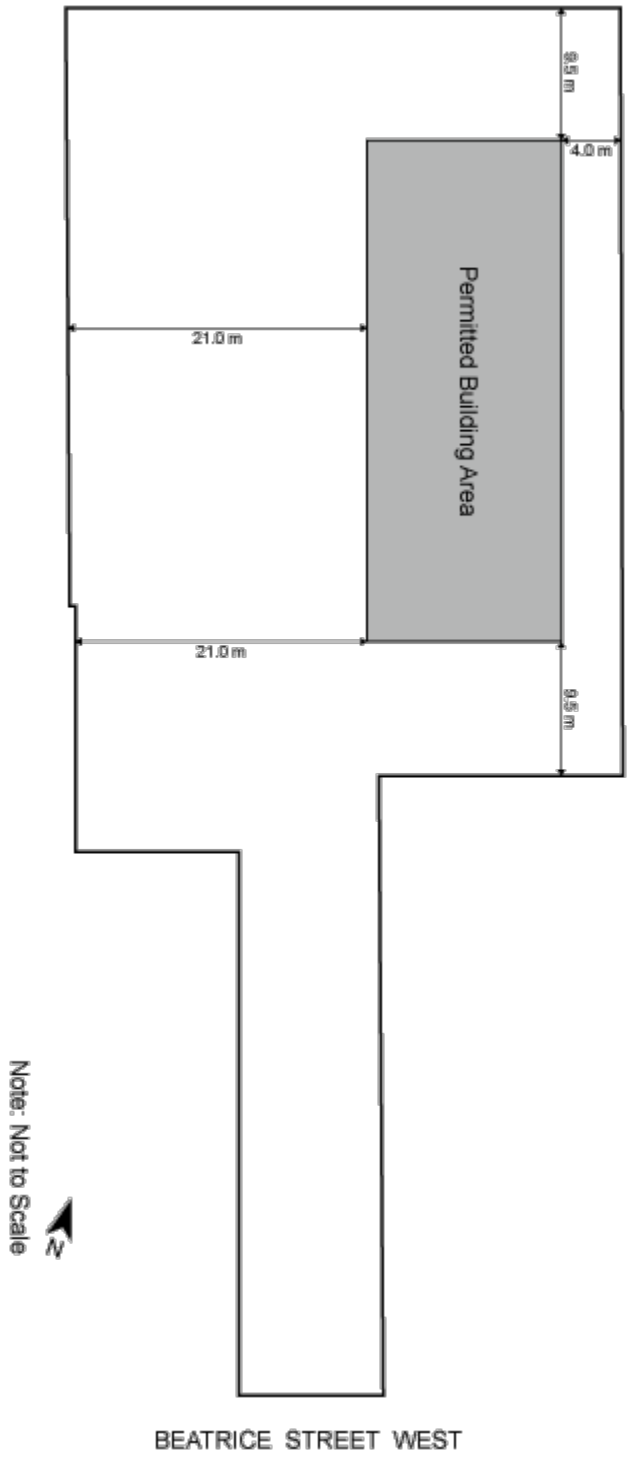
(g) A maximum encroachment of 2.3m shall be permitted beyond the main building walls for balconies and roofs over balconies on the west building elevation.

10.3.14(2) Notwithstanding the definitions of height and grade in Section 2 of this By-law to the contrary, the height of an apartment building shall be measured on the west building elevation.

10.3.14(3) Notwithstanding Subsection 4.9 to the contrary, a minimum of thirty-five (35%) of the front yard of an apartment building shall be maintained as landscaped open space.

10.3.14(4) Notwithstanding Table 4.10 or Article 39.8.2 to the contrary, in any R5-B(3) Zone, a maximum of 5 parking spaces and 1 loading space may be located in the front yard of an apartment building provided such spaces are located a minimum of 43.5m from the Beatrice Street West street line.

Appendix "A" to Special Condition R5-B(3)



10.3.15 **R5-A(11) Zone (100 Byng Avenue) (4-2022)**

10.3.15(1) Notwithstanding Article 10.2.2 of this By-law to the contrary, any apartment building in a R5-A(11) Zone as shown on Schedule “A” to this By-law, shall contain no more than three dwelling units.

10.3.15(2) Notwithstanding the provisions of Article 39.4.1 of this By-law to the contrary, in any R5-A(11) Zone as shown on Schedule “A” to this By-law, a minimum parking aisle width of 5m shall be provided for an apartment building.

10.3.15(3) Notwithstanding the provisions of Article 39.4.1 of this By-law to the contrary, in any R5-A(11) Zone as shown on Schedule “A” to this By-law, a minimum parking space width of 2.9m shall be provided for an apartment building.

Section 11: R6 Residential Zones

11.1 Permitted Uses

11.1.1 No person shall within any R6 Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

11.1.2 The following use is permitted in any R6-A Zone:

(a) Apartment building

11.1.3 The following uses are permitted in any R6-B, R6-C or R6-D Zone:

(a) Apartment building
(b) Long Term Care Facility
(c) Nursing home
(d) Retirement home

(69-2019)

11.2 Regulations

11.2.1 No person shall within any R6 Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 11.2.

11.2.2 Notwithstanding Articles 3.6.1 and 3.6.2 to the contrary, where a compound zone includes an R5 Zone and an R6 Zone, the provisions prescribed by the R5 Zone for an apartment building shall be complied with for any triplex, fourplex, fiveplex or sixplex. **(66-2023)**

Table 11.2 – Regulations for R6 Zones

Zones	R6-A	R6-B	R6-C	R6-D
Minimum Lot Frontage (m)	19.0	25.0	30.0	30.0
Minimum Front Yard Depth (m)	6.0	6.0	6.0	6.0
Minimum Interior Side Yard Depth (m)	1.5 for a one-storey building and 3.0 for any building over one storey	1.5 for each storey or half-storey	1.5 for each storey or half-storey	1.5 for each storey or half-storey
Minimum Exterior Side Yard Depth (m)	2.4	1.5 for each storey or half-storey	1.5 for each storey or half-storey	1.5 for each storey or half-storey

Zones	R6-A	R6-B	R6-C	R6-D
Minimum Rear Yard Depth (m)	7.5	16.0	1.5 for each storey or half-storey but in no case less than 7.5m	7.5
Minimum Landscaped Open Space (%)	30	30	40	25
Maximum Lot Coverage (%)	40	22	35	45
Maximum Height (m)	10.5	18.0	25.0	30.0
Maximum Density - Dwelling Units Per Hectare	60	85	150	300

(66-2023)

11.3 Special Conditions

11.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard R6 Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply. **(66-1998)**

11.3.2 **R6-C(1) Zone (177 Nonquon Road)** **(66-1998)**

11.3.2(1) In addition to any R6-C use, in any R6-C(1) Zone, as shown on Schedule "A" to this By-law, a management and rental office in an apartment building is also a permitted use provided such office shall not exceed 800m^2 of gross floor area.

11.3.3 **R6-B(1) Zone (505 Simcoe Street South)** **(64-2001, 24-2014)**

11.3.3(1) Notwithstanding Article 11.1.3 to the contrary, in any R6-B(1) Zone as shown on Schedule "A" to this By-law, the only permitted use is a senior citizens apartment building.

11.3.3(2) Notwithstanding any other provision of this By-law to the contrary, in any R6-B(1) Zone, the street line abutting First Avenue shall be deemed to be the front lot line, and parking may be located in the front and exterior side yard. **(72-2024)**

11.3.3(3) Notwithstanding Subsection 11.2 to the contrary, in any R6-B(1) Zone the maximum lot coverage shall be thirty percent (30%).

11.3.3(4) Notwithstanding Subsection 4.10 and Sentence 11.3.3.(2) to the contrary, in any R6-B(1) Zone, no part of any parking area shall be located closer than 1.0m to the Simcoe Street South and First Street streetlines. **(72-2024)**

11.3.3(5) Notwithstanding Sentence 5.1.4(7) to the contrary, in any R6-B(1) Zone, an accessory building or structure shall be permitted in the front yard provided any accessory building or structure is not located within the required minimum front yard, except any accessory building or structure existing as of the date of the passing of this By-law. **(72-2024)**

11.3.3(6) Notwithstanding any other provision of this By-law to the contrary, in any R6-B(1) Zone, the minimum rear yard depth shall be 7.5m. **(72-2024)**

11.3.3(7) Notwithstanding any other provision of this By-law to the contrary, in any R6-B(1) Zone, there shall be no minimum required landscaped open space in the exterior side yard. **(72-2024)**

11.3.4 **R6-C(2) Zone (southeast corner of Ritson Road North and Woodmount Drive) (104-2002)**

11.3.4(1) In addition to any R6-C use, in any R6-C(2) Zone, as shown on Schedule “A” to By-law, a day care centre is also a permitted use.

11.3.5 **R6-D(1) Zone [Not in use] (32-2006, 112-2024)**

11.3.6 **R6-C(3) Zone (1569 and 1621 Simcoe Street North) (106-2006, OMB PL060815)**

11.3.6(1) In addition to any R6-C use, in any R6-C(3) Zone, as shown on Schedule “A” to this By-law, a university residence is also a permitted use.

11.3.6(2) Notwithstanding Subsection 11.2 to the contrary, the maximum height in a R6-C(3) Zone shall be 20m.

11.3.6(3) Notwithstanding any other provision of this By-law to the contrary, in any R6-C(3) Zone, parking areas, loading spaces or refuse enclosures are only permitted in rear and interior side yards, provided that no parking area, loading space or refuse enclosure is permitted between a building and a street line for any building located within 20m of a street line.

11.3.7 **R6-D(2) Zone (east of Nelson Street South, north of Harbour Road) (27-2007)**

11.3.7(1) In any R6-D(2) Zone, the minimum density shall be 60 dwelling units per hectare.

11.3.7(2) Notwithstanding the provisions of Table 11.2 to the contrary, in any R6-D(2) Zone, the maximum height shall be 60m.

11.3.7(3) In any R6-D(2) Zone, a minimum of fifty percent (50%) of required parking shall be provided either underground or in a parking structure.

11.3.8 **R6-C(4) Zone (north side of Coldstream Drive and west of Harmony Creek) (84-2008, 138-2008)**

11.3.8(1) Notwithstanding Article 11.1.3 to the contrary, in any R6-C (4) Zone as shown on Schedule "A" to this By-law, the following is the only permitted use:

(a) Retirement home.

11.3.8(2) Notwithstanding any other provision of this By-law to the contrary, the following regulations shall apply to the R6-C (4) Zone as shown on Schedule "A" to this By-law:

(a) The minimum required number of parking spaces shall be 0.38 parking spaces per suite in a retirement home.

(b) Parking shall be permitted in the front yard.

(c) A minimum setback of 2.25m shall be provided between the street line and any parking area.

11.3.9 **R6-B(2) Zone [Not in use] (111-2008, 44-2025)**

11.3.10 **R6-B(3) Zone (south of King Street West and east of Thornton Road South) (63-2011)**

11.3.10(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-B(3) Zone, as shown on Schedule "A" to this By-law, the only permitted use is an apartment building.

11.3.10(2) Notwithstanding Subsection 11.2 of this By-law to the contrary, in any R6-B(3) Zone, as shown on Schedule "A" to this By-law, for any apartment building the maximum height shall be 12.0m and shall not exceed four storeys.

11.3.11 **R6-B(4) Zone (north portion of 671-723 Conlin Road East) (62-2012)**

11.3.11(1) Notwithstanding Subsection 11.2 to the contrary, in any R6-B(4) Zone as shown on Schedule "A" to this By-law, the maximum building height shall be 3 storeys.

11.3.12 **R6-B(5) Zone (east of Bridle Road and north of Britannia Avenue) (83-2012)**

11.3.12(1) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-B(5) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum interior side yard depth of 3.0m shall be provided.
(b) A minimum rear yard depth of 3.0m shall be provided.

11.3.13 **R6-C(5) Zone (1658 Ritson Road North) (38-2013)**

11.3.13(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-C(5) Zone as shown on Schedule "A" to this By-law, the only permitted use is an apartment building.

11.3.13(2) Notwithstanding any provision of this By-law to the contrary, in any R6-C(5) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) No building shall be permitted on the lands subject to this Special Condition except within the area shown shaded and indicated as "Permitted Building Area" on Appendix "A" to this Special Condition.

(b) A minimum landscaped open space area along the north lot line shall be provided as shown hatched and indicated as "Minimum Landscaped Open Space Buffer" on Appendix "A" to this Special Condition.

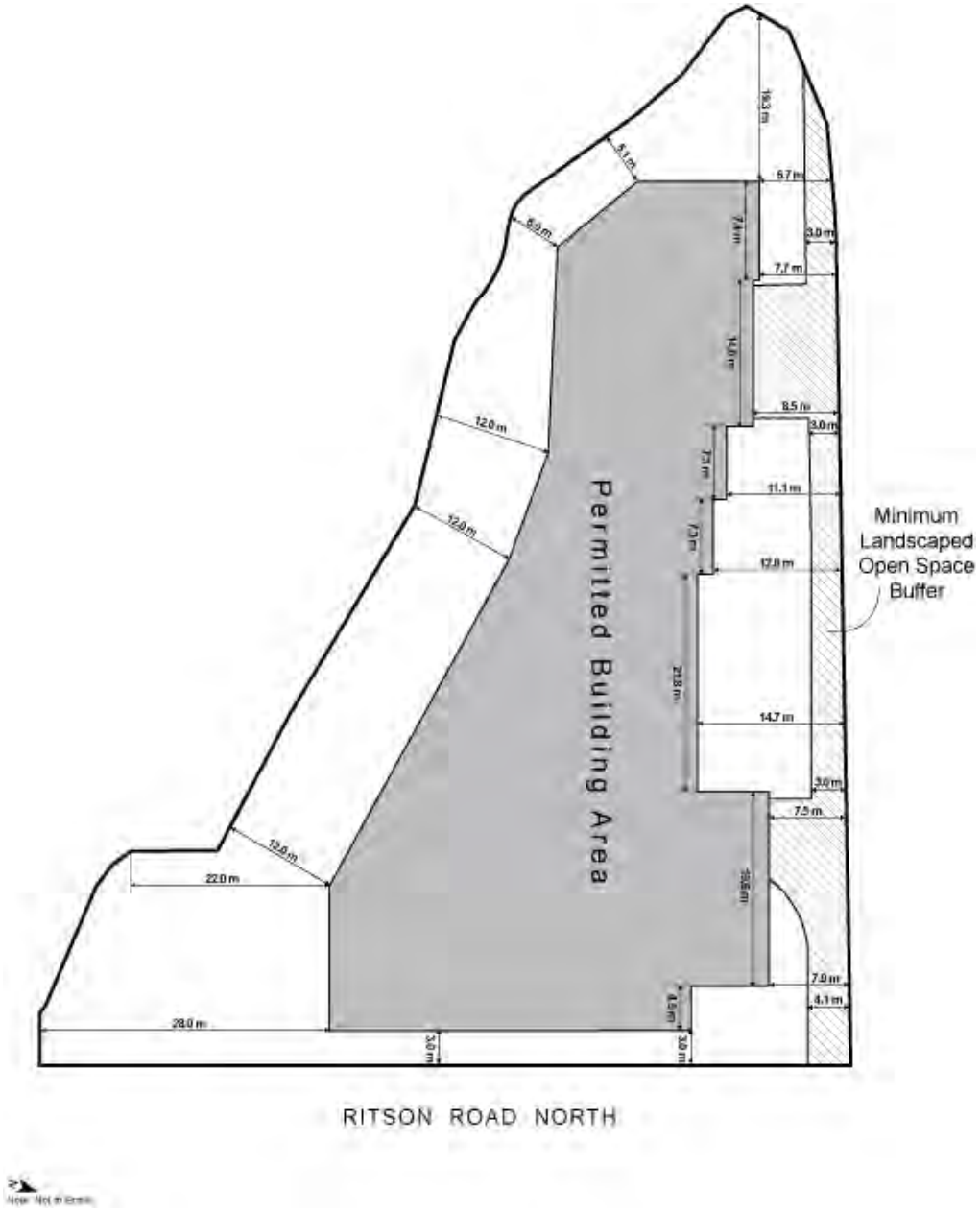
(c) A minimum landscaped open space of twenty-five (25%) shall be required to be provided.

(d) A maximum of 75 apartment units shall be permitted.

(e) The maximum height shall be 13m and shall not exceed 4 storeys in height above grade.

11.3.13(3) Notwithstanding any other provision in this By-law to the contrary, in any R6-C(5) Zone, as shown on Schedule "A" to this By-law, no balconies are permitted.

Appendix "A" to Special Condition R6-C(5)



11.3.14 **R6-C(6) Zone (255 Simcoe Street North)** **(37-2013)**

11.3.14(1) Notwithstanding the definition of "lot" in Section 2 and the provisions of Article 39.1.1 to the contrary, all lands zoned R6-C(6) shall be considered to be one lot for the purposes of calculating density and applying parking regulations.

11.3.14(2) Notwithstanding Subsection 11.2 of this By-law to the contrary, for all lands zoned R6-C(6) the maximum density shall be 227 dwelling units per hectare.

11.3.14(3) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the apartment building on the lands shown as Site “A” on Appendix “A” to this Special Condition:

(a) A maximum of 118 apartment units shall be permitted.

(b) Parking for a rental apartment building shall be provided at a minimum rate of 0.7 parking spaces per dwelling unit plus 0.2 parking spaces per dwelling unit for visitors.

(c) A minimum rear yard depth of 12.0m shall be provided.

(d) No part of any parking area shall be located closer than 2.75m to the Simcoe Street North streetline.

(e) A maximum of 20 parking spaces shall be permitted in the yard abutting Simcoe Street North.

11.3.14(4) Notwithstanding any provision of this By-law to the contrary, the following regulations shall apply to the apartment building on the lands shown as Site “B” on Appendix “A” to this Special Condition:

(a) A maximum of 152 apartment units shall be permitted.

(b) The maximum height shall be 45.0m.

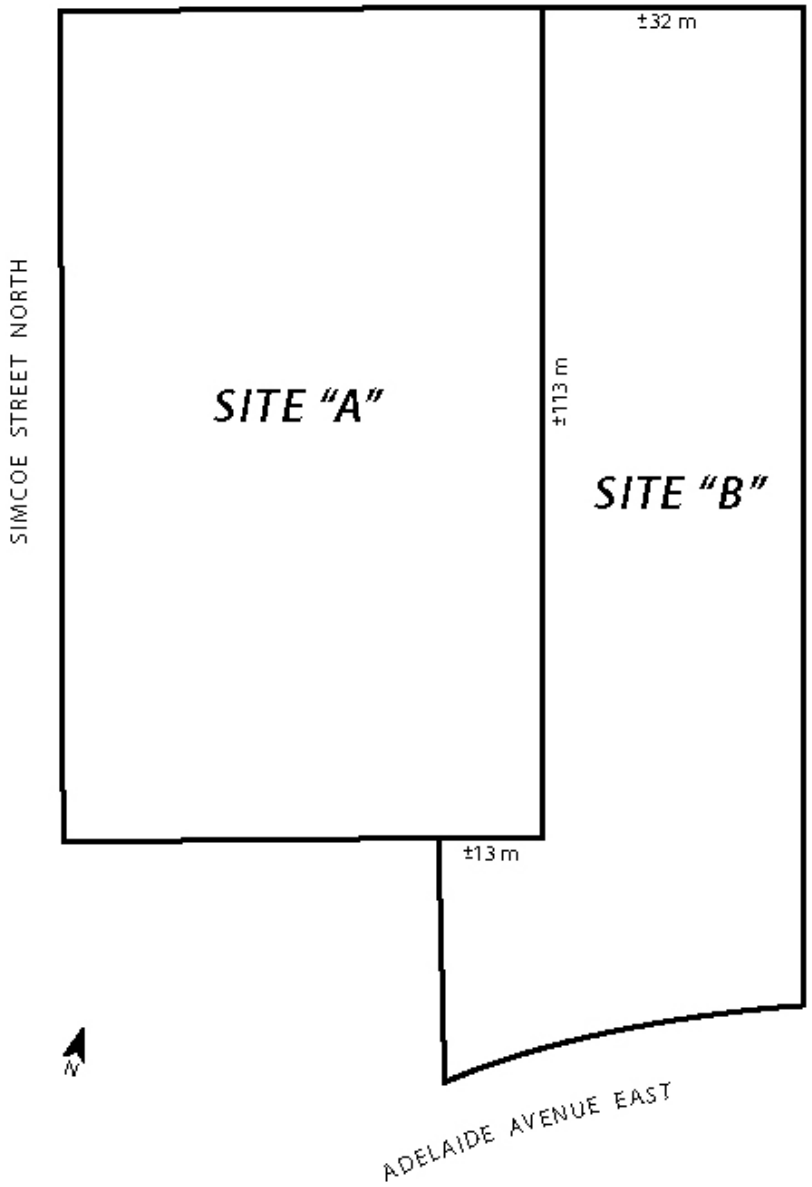
(c) Parking for a rental or condominium apartment building shall be provided at a minimum rate of 1.0 parking space per dwelling unit plus 0.2 parking spaces per dwelling unit for visitors.

(d) A minimum interior side yard depth of 7.0m shall be provided.

(e) A maximum encroachment of 3.0m into the required front yard shall be permitted for patios provided, however, that the patios be located no closer than 3.0m to the street line.

11.3.14(5) In any R6-C(6) Zone as shown on Schedule “A” to this By-law, a site plan agreement for two apartment buildings on the entire site shall be executed prior to the registration of any condominium on Site “B” or the creation of any new lot line between Site “A” and Site “B”.

Appendix "A" to Special Condition R6-C(6)



11.3.15 **R6-C(7) Zone (185 Hillcroft Street)** **(95-2014)**

11.3.15(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-C(7) Zone as shown on Schedule "A" to this By-law, the only permitted use is an apartment building.

11.3.15(2) Notwithstanding any provision of this By-law to the contrary, in any R6-C(7) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A maximum of 100 apartment units shall be permitted.

(b) A minimum front yard depth of 3.0m shall be provided.

(c) A minimum rear yard depth of 3.5m shall be provided.

(d) A minimum interior side yard depth of 15m shall be provided from the west side lot line;

(e) A maximum lot coverage of thirty-six (36%) shall be permitted;

(f) A minimum landscaped open space of thirty-five percent (35%) shall be required;

(g) The maximum height shall be 13m and shall not exceed 4 storeys in height above grade.

(h) A maximum encroachment of 0.75m shall be permitted beyond the main building walls for balconies and roofs over balconies on the north and east building elevations and on that portion of the south building elevation located within 30m of the easterly lot line.

11.3.16 **R6-B(6) Zone (west of Simcoe Street North, north of Britannia Avenue West)** **(131-2014)**

11.3.16(1) Notwithstanding Subsection 11.1 to the contrary in any R6-B(6) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Apartment Building
(b) Block townhouse

(62-2025)

11.3.16(2) Notwithstanding Subsection 11.2 of this By-law to the contrary, in any R6-B(6) Zone as shown on Schedule "A" to this By-law the following regulations shall apply:

Regulations	**R6-B(6)**
Minimum Lot Frontage (m)	30
Minimum Density – Dwelling Units per Hectare	60
Maximum Density – Dwelling Units per Hectare	85
Minimum Landscaped Open Space (%)	30
Maximum Lot Coverage	40
Minimum Yard Depth abutting a Streetline (m)	3
Maximum Yard Depth abutting a Streetline (m)	5.5
Minimum Interior Side Yard Depth (m)	3
Minimum Rear Yard Depth (m)	3
Maximum Height (m)	15 and shall not exceed 4 storeys

11.3.16(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-B(6) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum yard abutting a streetline provided that the steps providing access to an unenclosed porch may project to the streetline.

11.3.17 **R6-B(7) Zone (west of Thoroughbred Street, north and south of Dance Act Avenue) (131-2014)**

11.3.17(1) Notwithstanding Subsection 11.1 to the contrary in any R6-B(7) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Apartment Building
(b) Block townhouse

(61-2016, 20-2021, 62-2025)

11.3.17(2) Notwithstanding Subsection 11.2 of this By-law to the contrary, in any R6-B(7) Zone as shown on Schedule "A" to this By-law the following regulations shall apply:

Regulations	**R6-B(7)**
Minimum Lot Frontage (m)	30
Minimum Density – Dwelling Units per hectare	45
Maximum Density – Dwelling Units per hectare	85
Minimum Landscaped Open Space (%)	30
Maximum Lot Coverage	40
Minimum Yard Depth abutting a Streetline (m)	3
Maximum Yard Depth abutting a Streetline (m)	5.5
Minimum Interior Side Yard Depth (m)	3
Minimum Rear Yard Depth (m)	3
Maximum Height (m)	15 and shall not exceed 4 storeys

11.3.17(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-B(7) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum yard abutting a streetline provided that the steps providing access to an unenclosed porch may project to the streetline.

11.3.18 **R6-C(8) Zone (west of Simcoe Street North, north of Britannia Avenue West) (131-2014)**

11.3.18(1) Notwithstanding Subsection 11.1 to the contrary in any R6-C(8) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Apartment Building
(b) Block townhouse
(c) Nursing Home
(d) Retirement Home

(61-2016, 62-2025)

11.3.18(2) Notwithstanding Subsection 11.2 of this By-law to the contrary, in any R6-C(8) Zone as shown on Schedule "A" to this By-law the following regulations shall apply:

Regulations	**R6-C(8)**
Minimum Lot Frontage (m)	30
Minimum Density – Dwelling Units per hectare	85
Maximum Density – Dwelling Units per hectare	150
Minimum Landscaped Open Space (%)	30
Maximum Lot Coverage	40
Minimum Yard Depth abutting a Streetline (m)	3
Maximum Yard Depth abutting a Streetline (m)	5.5
Minimum Interior Side Yard Depth (m)	3
Minimum Rear Yard Depth (m)	3
Maximum Height (m)	30

11.3.18(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-C(8) Zone, unenclosed porches may encroach a maximum 2.0m into a required minimum yard abutting a streetline provided that the steps providing access to an unenclosed porch may project to the streetline.

11.3.18(4) A minimum of 90 apartment units shall be developed in the area zoned R6-C(8).

11.3.19 **R6-B(8) Zone (west of Simcoe Street North, north of Britannia Avenue West) (9-2015)**

11.3.19(1) Notwithstanding Subsection 11.1 to the contrary in any R6-B(8) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Apartment Building
(b) Block townhouse

(62-2025)

11.3.19(2) Notwithstanding Subsection 11.2 to the contrary in any R6-B(8) Zone as shown on Schedule "A" to this By-law the following regulations shall apply:

Regulations	**R6-B(8)**
Minimum Lot Frontage (m)	30
Minimum Density – Dwelling Units per Hectare	50
Maximum Density – Dwelling Units per Hectare	85
Minimum Landscaped Open Space (%)	30
Maximum Lot Coverage (%)	40
Minimum Yard Depths Abutting a Streetline (m)	3
Maximum Yard Depths Abutting a Streetline (m)	5.5
Minimum Interior Side Yard Depth (m)	3
Minimum Rear Yard Depth (m)	3
Maximum Height (m)	15 and shall not exceed 4 storeys

11.3.19(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in an R6-B(8) Zone, unenclosed porches may encroach a maximum of 2.0m into a required minimum yard abutting a streetline provided that the steps providing access to an unenclosed porch may project to the streetline.

11.3.20 **R6-C(9) Zone (northwest corner of Bond Street West and Stevenson Road North) (53-2015)**

11.3.20(1) No person shall within a R6-C(9) Zone use any land or erect or use any building or structure for any R6-C(9) use unless all the lands in a R6-C(9) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

11.3.20(2) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-C(9) Zone, as shown on Schedule “A” to this By-law, the only permitted uses are a retirement home and a clinic.

11.3.20(3) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any R6-C(9) Zone, as shown on Schedule “A” to this By-law, living units within a retirement home may also include cooking facilities.

11.3.20(4) Notwithstanding any provision of this By-law to the contrary, in any R6-C(9) Zone, as shown on Schedule “A” to this By-law, any clinic shall have a maximum gross floor area of 725m^2.

11.3.20(5) Notwithstanding any provision of this By-law to the contrary, any clinic must be located in the same building as a retirement home.

11.3.20(7) Notwithstanding any provision of this By-law to the contrary, in any R6-C(9) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

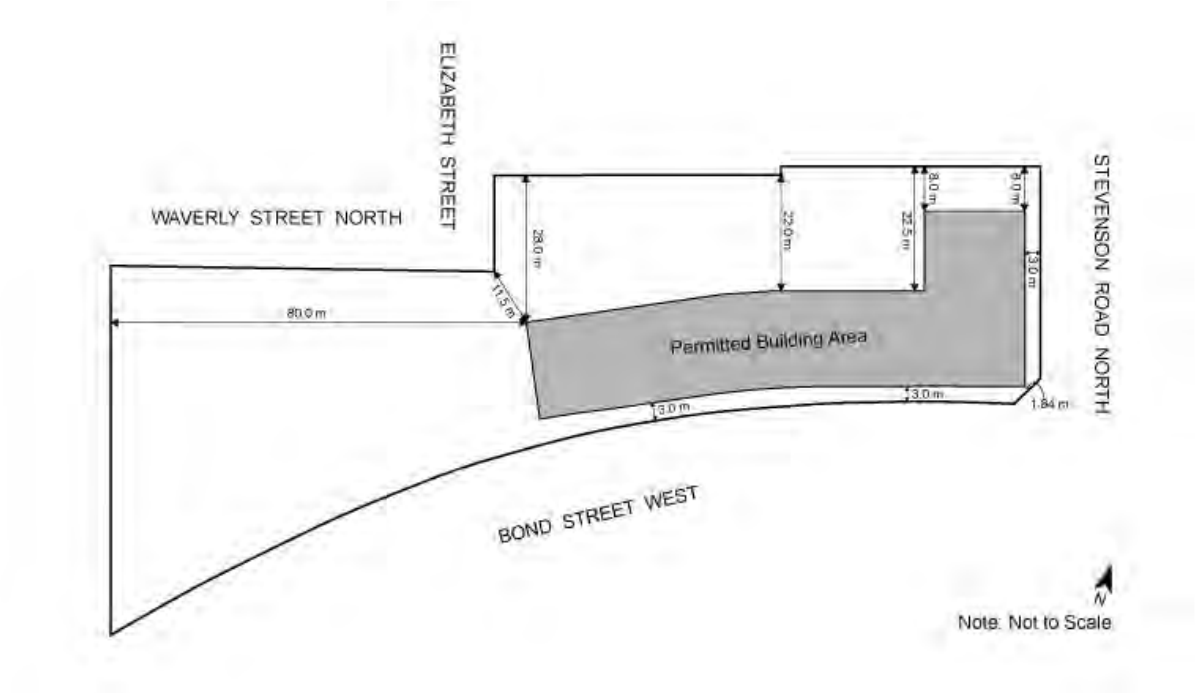
(a) No building shall be permitted on the lands subject to this Special Condition except within the area shown shaded and indicated as “Permitted Building Area” on Appendix “A” to this Special Condition.

(b) A minimum landscaped open space of twenty-five percent (25%) shall be provided.

(c) A maximum of 129 retirement home units shall be permitted.

(d) The maximum height shall be 18m and shall not exceed 5 storeys in height and a walkout basement.

Appendix "A" to Special Condition R6-C(9)



11.3.21 **R6-C(10) Zone (1211 and 1221 Taunton Road East, 1335 Benson Street and Block 87, 40M-2260) (81-2016)**

11.3.21(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-C(10) Zone, as shown on Schedule "A" to this By-law, a commercial physiotherapy use is an additional permitted use within a retirement home building at 1335 Benson Street (Block 83, 40M-2260).

11.3.21(2) Notwithstanding any provision of this By-law to the contrary, in any R6-C(10) Zone, as shown on Schedule "A" to this By-law, any commercial physiotherapy use shall have a maximum gross floor area of $50m^2$.

11.3.21(3) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any R6-C(10) Zone, as shown on Schedule "A" to this By-law, living units within a retirement home at 1211 and 1221 Taunton Road East and Block 87, 40M-2260 may also include cooking facilities.

11.3.21(4) Notwithstanding any provision of this By-law to the contrary, in any R6-C(10) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to a retirement home:

(a) A minimum rear yard depth of 6.0m shall be provided.

(b) A minimum landscaped open space of thirty-seven percent (37%) shall be provided.

11.3.22 **R6-D(3) Zone [Not in use]** **(98-2017, 112-2024)**

11.3.23 **R6-B(9) Zone (east of Bridle Road, south of Winchester Road East)** **(72-2018)**

11.3.23(1) Notwithstanding Article 11.1.3 to the contrary, in any R6-B(9) Zone as shown on Schedule “A” to this By-law, the only permitted uses are an apartment building or a retirement home.

11.3.23(2) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-B(9) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum yard depth of 3.0m shall be provided to the west property line.

(b) A minimum yard depth of 7.5m shall be provided to the east property line.

(c) A minimum yard depth of 3.0m shall be provided to the south property line.

11.3.24 **R6-D(4) Zone (63 Albany Street)** **(44-2025)**

11.3.24(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-D(4) Zone as shown on Schedule “A” to this By-law, the following additional use is permitted:

(a) Block Townhouse

11.3.24(2) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-D(4) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A maximum residential density of 527 units per hectare shall be permitted.

(b) The maximum building height shall be 70m.

(c) The minimum building height shall be 9m.

(d) A minimum front yard depth of 3m shall be provided.

(e) A minimum exterior side yard depth of 3m shall be provided.

(f) A minimum rear yard depth of 3m shall be provided.

(g) A minimum interior side yard depth of 3m shall be provided.

(h) A maximum lot coverage of fifty-five percent (55%) shall be permitted.

11.3.24(3) Notwithstanding Subsection 39.3 of this By-law to the contrary, in any R6-D(4) Zone as shown on Schedule “A” to this By-law, the minimum number of parking spaces required for any use shall be zero.

11.3.25 **R6-B(10) Zone (north of Britannia Avenue East, between Ritson Road North and Wilson Road North) (59-2020)**

11.3.25(1) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-B(10) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided for any building 4 storeys in height or less.

(b) A minimum interior side yard depth of 3.0m shall be provided for any building 4 storeys in height or less.

(c) A minimum exterior side yard depth of 3.0m shall be provided for any building 4 storeys in height or less.

(d) A minimum exterior side yard depth of 6.0m shall be provided for any building greater than 4 storeys in height.

(e) A minimum density of 56 dwelling units per hectare and a maximum density of 85 dwelling units per hectare shall be provided.

11.3.25(2) Notwithstanding the provisions of Subsection 11.2 or Sentence 11.3.25(1) of this By-law to the contrary, in any R6-B(10) Zone, the minimum yard depth abutting a gas pipeline easement shall be the greater of 7.0m or the minimum required yard depth indicated in Subsection 11.2 or Sentence 11.3.25(1) of this By-law, as applicable.

11.3.26(3) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, for any stacked townhouse in any R6-B(10) Zone, a parking space shall be permitted in an exterior side yard abutting a local road if the parking space is located directly in front of a private garage and said parking space shall be permitted 0m from the exterior side lot line.

11.3.25(4) Notwithstanding the provisions of Subsection 39.4 of this By-law to the contrary, in any R6-B(10) Zone, tandem parking spaces are permitted to satisfy the individual resident parking requirement for stacked townhouses.

11.3.25(5) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-B(10) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally below grade shall be permitted to encroach a maximum of 1.8m into the minimum required interior and exterior side yard.

11.3.26 **R6-B(11) Zone (west side of Wilson Road North, north of Britannia Avenue East) (59-2020)**

11.3.26(1) Notwithstanding the definitions of front lot line, side lot line, exterior side lot line and rear lot line in Section 2 of this By-law to the contrary, in any R6-B(11) Zone, the following shall apply:

(a) The street line abutting the east-west arterial road shall be the front lot line.

(b) The street line abutting Wilson Road North shall be the rear lot line.

(c) The street line abutting the local road shall be the exterior side lot line.

11.3.26(2) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-B(11) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided for any building 4 storeys in height or less.

(b) A minimum interior side yard depth of 3.0m shall be provided for any building 4 storeys in height or less.

(c) A minimum exterior side yard depth of 3.0m shall be provided for any building 4 storeys in height or less.

(d) A minimum exterior side yard depth of 6.0m shall be provided for any building greater than 4 storeys in height.

(e) A minimum rear yard depth of 3.0m shall be provided for any building 4 storeys in height or less.

(f) A minimum rear yard depth of 6.0m shall be provided for any building greater than 4 storeys in height.

(g) A minimum density of 65 dwelling units per hectare and a maximum density of 85 dwelling units per hectare shall be provided.

11.3.26(3) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any R6-8(11) Zone, parking shall not be permitted in the yard abutting Wilson Road North and the yard abutting the east-west arterial road.

11.3.26(4) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, for any stacked townhouse in any R6-B(11) Zone, a parking space shall be permitted in an exterior side yard abutting a local road if the parking space is located directly in front of a private garage and said parking space shall be permitted 0m from the exterior side lot line.

11.3.26(5) Notwithstanding the provisions of Subsection 39.4 of this By-law to the contrary, in any R6-B(11) Zone, tandem parking spaces are permitted to

satisfy the individual resident parking requirement for stacked townhouses.

11.3.26(6) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-B(11) Zone, unenclosed porches, decks, steps and ramps as well as fruit cellars located underneath said features or totally below grade shall be permitted to encroach a maximum of 1.8m into the minimum required interior and exterior side yard.

11.3.27 **R6-B(12) Zone (357 Simcoe Street South) (132-2021)**

11.3.27(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-B(12) Zone as shown on Schedule "A" to this By-law, the only permitted use is a youth outreach centre with associated apartment units.

11.3.27(2) For the purposes of Subsection 11.3, the following definition shall apply:

"YOUTH OUTREACH CENTRE" means a building or part of a building used by a "registered charity" as defined in subsection 248(1) of the *Income Tax Act,* R.S.C. 1985, c. 1 (5th Supp.), as amended, or by a corporation that is a non-profit organization for the purposes of paragraph 57(1)(b) of the *Corporations Tax Act,* R.S.O. 1990, c. C.40 for the purpose of serving youth, ages 12 to 26, through the provision of the following services:

(a) Serving within the building food including uses commonly known as soup kitchens;

(b) Dispensing from or receiving at the building food including uses commonly known as food banks;

(c) Providing public use personal hygiene facilities such as washroom facilities and clothes cleaning equipment;

(d) Dispensing from or receiving at the building clothing and household articles;

(e) Providing drop-in services;

(f) Providing counseling services; or

(g) Providing indoor recreational activities.

11.3.27(3) Notwithstanding any provision of this By-law to the contrary, in any R6-B(12) Zone the following regulations shall apply:

(a) A minimum interior side yard depth of 3.6m shall be provided on the south side and a minimum interior side yard depth of 5.8m shall be provided on the north side.

(b) A maximum lot coverage of forty-two percent (42%) shall be permitted.

(c) A minimum of twelve percent (12%) landscaped open space of shall be provided.

(d) A minimum of twenty-seven percent (27%) landscaped open space shall be provided in the front yard.

(e) A minimum of 13 parking spaces shall be provided for the youth outreach centre and a minimum of 6 parking spaces shall be provided for the apartment units.

(f) A minimum aisle width of 6.0m shall be provided for parking spaces perpendicular to the street line in the front yard.

(g) The maximum number of apartment units shall be 27, all of which shall be bachelor apartment units save and except that there may be a maximum of one (1) one bedroom unit.

(h) The maximum gross floor area for the youth outreach centre shall be 960m^2.

11.3.28 **R6-C(11) Zone [Not in use]** **(44-2025)**

11.3.29 **R6-C(12) Zone (133 Ritson Road North)** **(56-2020)**

11.3.29(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Apartment building
(b) Block townhouse

11.3.29(2) Notwithstanding any provision of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, an apartment building is the only use permitted on the lands shown as Site “A” and Site “B” on Appendix “A” to this Special Condition.

11.3.29(3) Notwithstanding any provision of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, a block townhouse is the only use permitted on the lands shown as Site “C” on Appendix “A” to this Special Condition.

11.3.29(4) Notwithstanding any provision of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, a maximum of 251 units shall be permitted.

11.3.29(5) Notwithstanding the definition of front lot line in Section 2, Definitions, for any lot in a R6-C(12) Zone the front lot line shall be considered the lot line adjacent to Ritson Road North.

11.3.29(6) Notwithstanding any provision of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, a maximum lot coverage of thirty-six percent (36%) shall be permitted.

11.3.29(7) Notwithstanding any provision of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, the maximum height on the lands shown as Site “A” on Appendix “A” to this Special Condition shall be 27.5m and shall not exceed 8 storeys in height above grade.

11.3.29(8) Notwithstanding any provision of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, the maximum height on the lands shown as Site “B” on Appendix “A” to this Special Condition shall be 10.0m.

11.3.29(9) Notwithstanding any provision of this By-law to the contrary, in any R6-C(12) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply to the lands shown as Site “C” on Appendix “A” to this Special Condition:

(a) The maximum height shall be 9.1m and shall not exceed 2 storeys in height above grade.

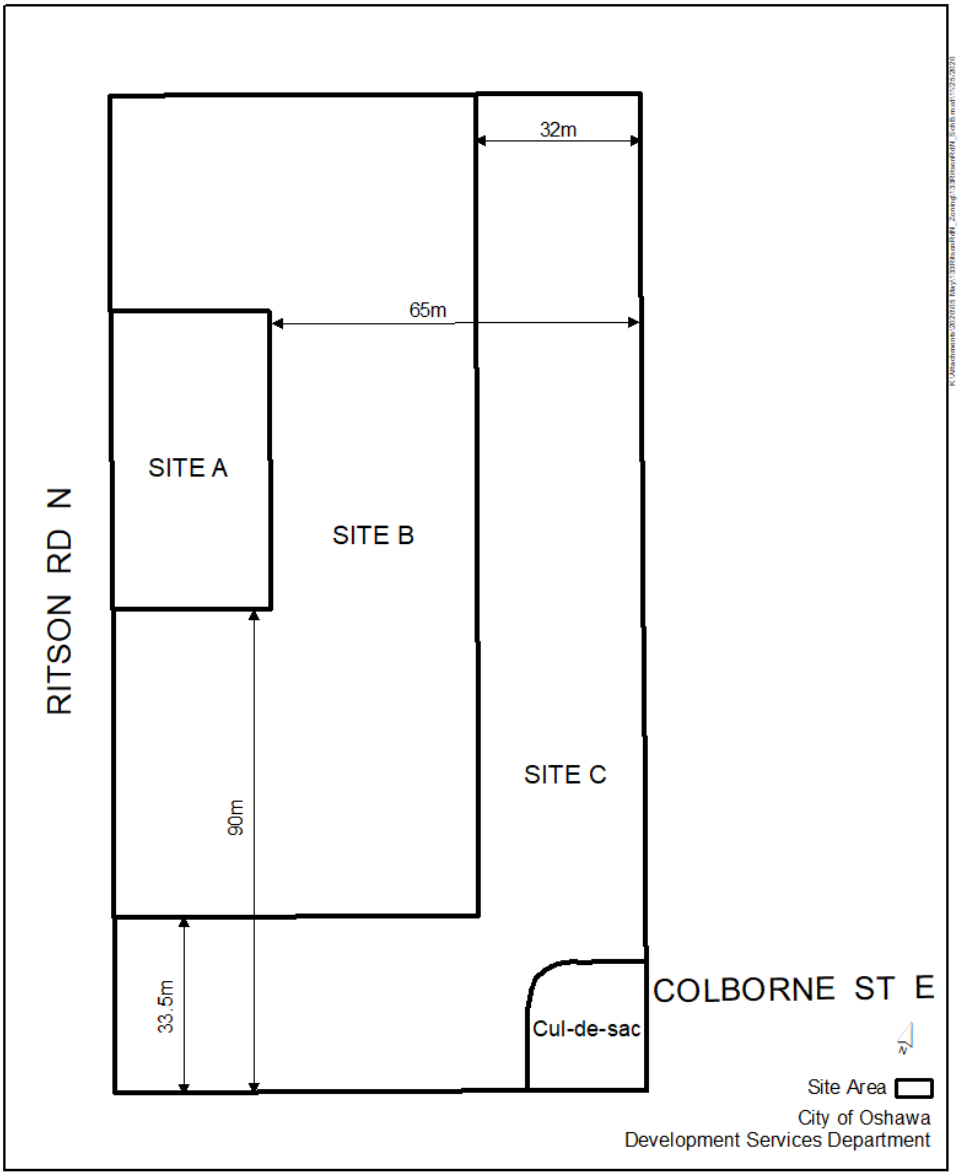
(b) A minimum rear yard depth of 7.5m shall be provided from the east property line.

(c) A minimum interior side yard depth of 7.5m shall be provided to the south property line.

(d) A minimum yard depth of 3.5m shall be provided to the property lines abutting the Colborne Street East cul-de-sac.

(e) No balconies or decks are permitted above the first storey on the south or east sides of a building.

Appendix "A" to Special Condition R6-C(12)



11.3.30 **R6-B(13)** Zone **(southeast quadrant of Taunton Road East and Clearbrook Drive)** **(17-2021)**

11.3.30(1) Notwithstanding Article 11.1.3 to the contrary, in any R6-B(13) Zone, as shown on Schedule "A" to this By-law, a convenience store and a day care centre are also permitted uses and shall be subject to the following regulations:

(a) Convenience stores and day care centres shall only be located in a mixed use building containing a use set out in Article 11.1.3;

(b) The combined gross floor area occupied by convenience stores and day care centres in an R6-B(13) Zone shall not exceed 500m^2

or 50% of the gross floor area of the mixed use building in which it is located, whichever is the lesser; and,

(c) The gross floor area occupied by any individual convenience store shall not exceed 200m^2.

11.3.31 **R6-D(5) Zone (64 Albany Street and 426 Front Street) (117-2020)**

11.3.31(1) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-D(5) Zone the following regulations shall apply:

(a) A minimum front yard depth of 1.5m shall be provided.

(b) A minimum interior side yard depth of 11.5m shall be provided.

(c) A minimum exterior side yard depth of 4.5m shall be provided.

(d) A minimum of twenty percent (20%) landscaped open space shall be provided.

(e) The minimum building height shall be the less restrictive of 20m or 6 storeys above grade.

(f) The maximum building height shall be the more restrictive of 35m or 11 storeys above grade.

(g) The minimum density shall be 150 units per hectare and the minimum number of dwelling units shall be 44.

(h) The maximum density shall be 345 units per hectare and the maximum number of dwelling units shall be 100.

(i) That the subject lands be consolidated into one lot.

11.3.31(2) Notwithstanding Article 4.6.1, Table 4.6 Item (a) of this By-law to the contrary, in any R6-D(5) Zone, an entrance canopy may encroach into the required minimum exterior side yard a maximum of 2.5m and a pilaster may encroach into the required minimum front and exterior side yard a maximum of 1.0m.

11.3.31(3) Notwithstanding Article 4.10.1, Table 4.10 Item (d) of this By-law to the contrary, in any R6-D(5) Zone, one (1) parking space is permitted to be located no closer than 1m from the Front Street streetline and the same parking space is permitted to be located partially in the front yard.

11.3.31(4) Notwithstanding Table 39.3B, Residential Parking Requirements, of this By-law to the contrary, in any R6-D(5) Zone, the following regulations shall apply:

(a) A minimum of 1.08 spaces per unit is required for an Apartment Building – Condominium.

(b) A minimum of 0.25 spaces per unit for visitors is required for an Apartment Building – Condominium.

11.3.32 **R6-C(13) Zone (north of Britannia Avenue East, between Wilson Road North and Grandview Street North) (15-2021)**

11.3.32(1) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-C(13) Zone, as shown on the Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum height of 9.0m and 3 storeys shall be provided.

(b) A maximum height of 30.0m or 8 storeys, whichever is greater, shall be permitted.

11.3.32(2) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-C(13) Zone, the minimum yard depth abutting a gas pipeline easement shall be the greater of 7.0m or the minimum required yard depth indicated in Subsection 11.2 of this By-law, as applicable.

11.3.33 **R6-D(6) Zone (1040 Cedar Street and 280 Wentworth Street West) (146-2021)**

11.3.33(1) Notwithstanding any provision of this By-law to the contrary, in any R6-D(6) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A maximum of 570 apartment units shall be permitted.

(b) A minimum interior side yard depth of 12.5m shall be provided to the north property line for an apartment building.

(c) A minimum interior side yard depth of 8.6m shall be provided to the north property line for a parking structure.

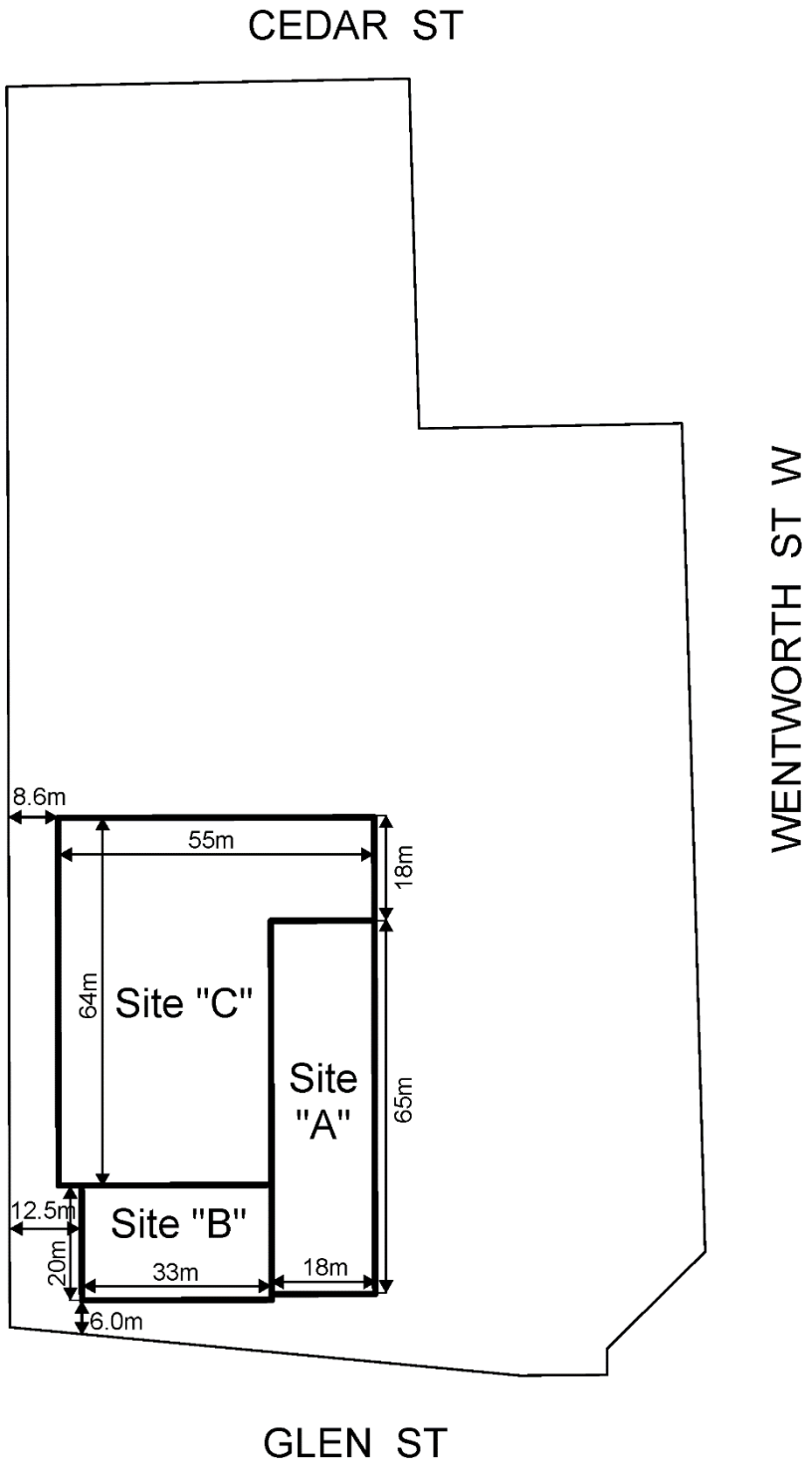
(d) A minimum rear yard depth of 6.0m shall be provided to the west property line.

(e) The maximum height on the lands shown as Site "A" on Appendix "A" to this Special Condition shall be 49m to the top of the mechanical penthouse and shall not exceed 15 storeys in height above grade. The maximum height on the lands shown as Site "B" on Appendix "A" to this Special Condition shall be 24m and shall not exceed 8 storeys in height above grade. The maximum height on the lands shown as Site "C" on Appendix "A" to this Special Condition shall be 9.5m and shall not exceed 3 storeys in height above grade.

(f) Parking shall be provided at a minimum rate of 0.76 spaces per dwelling unit plus 0.25 spaces per dwelling unit for visitors.

(g) Parking shall be permitted in the front yard adjacent to Cedar Street.

Appendix "A" to Special Condition R6-D(6)



11.3.34 **R6-D(7) (East of Simcoe Street North, north of Harbour Road) (86-2022)**

11.3.34(1) In any R6-D(7) Zone, the minimum density shall be 60 dwelling units per hectare and the maximum density shall be 868 dwelling units per hectare.

11.3.34(2) In any R6-D(7) Zone, a minimum of fifty percent (50%) of required parking shall be provided either underground or in a parking structure.

11.3.34(3) Notwithstanding any provision of this By-law to the contrary, in any R6-D(7) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.6m shall be provided.

(b) A minimum side yard depth of 0.0m shall be provided on the east side.

(c) A minimum side yard depth of 12.0m shall be provided on the west side.

(d) The maximum height of a landscaped deck over a garage shall be 11.1 m.

11.3.34(4) Notwithstanding any provision of this By-law to the contrary, in any R6-D(7) Zone, as shown on Schedule "A" to this By-law, the maximum height on the lands as shown on Appendix "A" to this Special Condition shall be as follows:

(a) The maximum height on the lands shown as Site "A1" to this Special Condition shall be 110m and shall not exceed 35 storeys in height above grade.

(b) The maximum height on the lands shown as Site "A2" to this Special Condition shall be 61m and shall not exceed 18 storeys in height above grade.

(c) The maximum height on the lands shown as Site "B1" on Appendix "A" to this Special Condition shall be 95m and shall not exceed 30 storeys in height above grade.

(d) The maximum height on the lands shown as Site "B2" on Appendix "A" to this Special Condition shall be 54m and shall not exceed 16 storeys in height above grade.

11.3.34(5) Notwithstanding Table 39.3B, Residential Parking Requirements, of this By-law to the contrary, in any R6-D(7) Zone, the following regulations shall apply:

(a) A minimum of 1.0 parking space per unit is required for residents for 1 bedroom units.

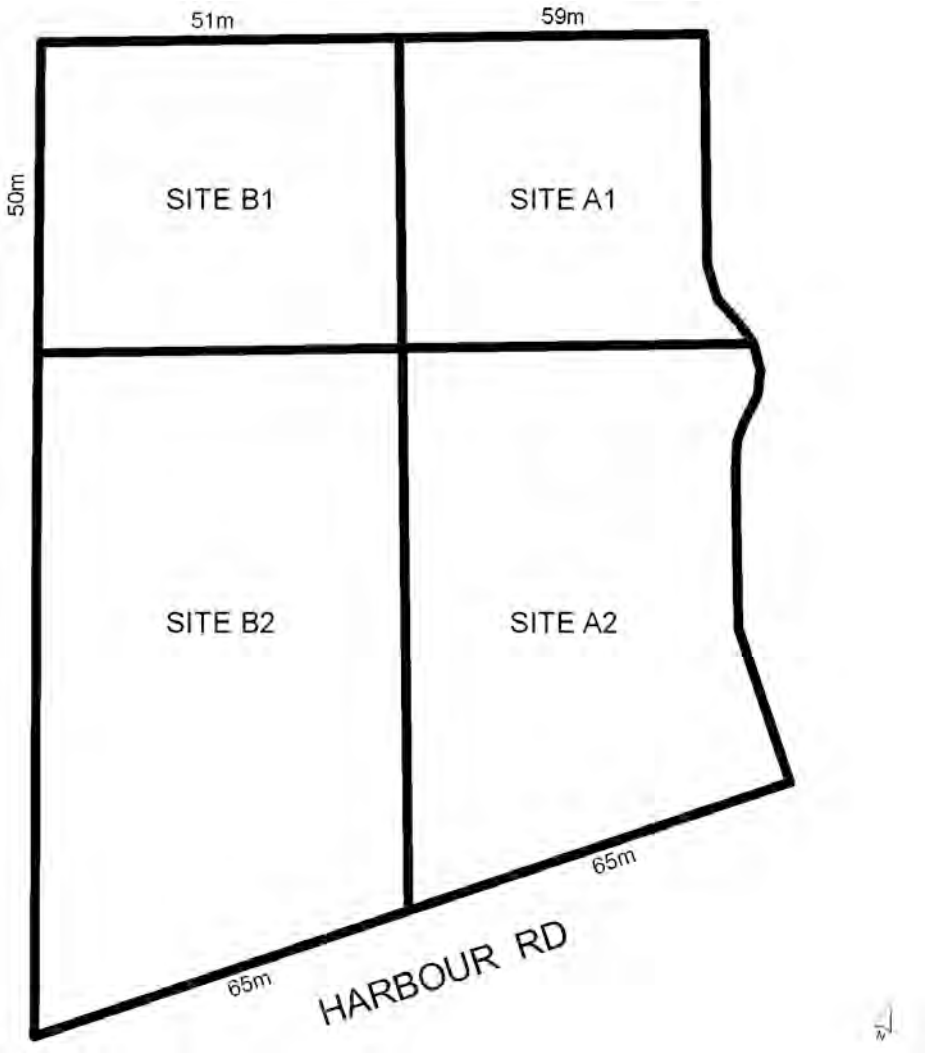
(b) A minimum of 1.25 parking spaces per unit are required for residents for 2 bedroom units.

(c) A minimum of 1.5 parking spaces per unit are required for residents for 3 bedroom units.

(d) A minimum of 0.25 parking spaces per unit are required for visitors.

11.3.34(6) Notwithstanding any provision in this By-law to the contrary, in any R6-D(7) Zone, as shown on Schedule "A" to this By-law, a minimum parking space width of 2.5m is required for any parking spaces associated with a stacked parking system.

Appendix "A" to Special Condition R6-D(7)



11.3.35 **R6-C(14) Zone (east side of Simcoe Street North, north of Taunton Road and south of Glovers Road) (20-2023)**

11.3.35(1) Notwithstanding any provision of this By-law to the contrary, in any R6-C(14) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 3m shall be provided.

(b) A minimum interior side yard depth of 5m shall be provided on the south side.

(c) A minimum of twenty-five percent (25%) landscaped open space shall be provided.

(d) The maximum building height shall not exceed the lesser of 19.1m or 6 storeys above grade.

11.3.35(2) Notwithstanding Article 4.8.2 of this By-law to the contrary, in any R6-C(14) Zone, driveway access may be provided across one or more residential zoned lots to other residential zoned lots, subject to a right-of-way being registered on the title to each property.

11.3.35(3) Notwithstanding Article 4.10.1 of this By-law to the contrary, in any R6-C(14) Zone, a parking area is permitted in the front yard provided that no part of any parking area is located closer than 2.9m from a street line and no parking spaces are located in the front yard.

11.3.35(4) Notwithstanding Article 39.3.1 of this By-law to the contrary, in any R6-C(14) Zone, a minimum of 0.94 spaces per unit is required for a rental apartment building.

11.3.35(5) No person shall within a R6-C(14) Zone use any land or erect or use any building or structure for any R6-C(14) use unless all the lands in the R6-C(14) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

11.3.36 **R6-B(14) Zone (east side of Ritson Road North, north of Adelaide Avenue East) (32-2023)**

11.3.36(1) Notwithstanding any provision of this By-law to the contrary, in any R6-B(14) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A maximum of 154 apartment units shall be permitted.

(b) A minimum interior side yard depth of 4.0m shall be provided on the south side and 10.0m shall be provided on the north side.

(c) Minimum yard depths of 3.0m shall be provided abutting Oshawa Boulevard North and Ritson Road North.

(d) A maximum lot coverage of thirty-five percent (35%) shall be permitted.

(e) A minimum of thirty-three percent (33%) landscaped open space shall be provided.

(f) A maximum height of 13.0m shall be permitted. For apartment buildings adjacent to Oshawa Boulevard North, height shall be measured from the average elevation of the finished surface of the ground where it meets the exterior of the west side of the building.

(g) Parking shall be provided at a minimum rate of 1.45 parking spaces per dwelling unit plus 0.25 parking spaces per dwelling unit for visitors.

(h) Tandem parking for individual dwelling units shall be permitted.

11.3.37 **R6-D(8) Zone (southwest corner of Simcoe Street North and the south leg of Niagara Drive) (46-2023)**

11.3.37(1) Notwithstanding any provision of this By-law to the contrary, in any R6-D(8) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A maximum of 142 apartment units shall be permitted.

(b) A minimum front yard depth of 0m shall be provided.

(c) A minimum interior side yard depth of 4.7m shall be provided.

(d) A minimum exterior side yard depth of 0m shall be provided.

(e) The maximum height on the lands shown as Part "A" on Appendix "A" to this Special Condition shall be 25.6m to the top of the mechanical penthouse and shall not exceed 7 storeys in height above grade. The maximum height on the lands shown as Part "B" as Appendix "A" to this Special Condition shall be 20.5m and shall not exceed 6 storeys in height above grade. The maximum height on the lands shown as Part "C" as Appendix "A" to this Special Condition shall be 14.5m and shall not exceed 4 storeys in height above grade.

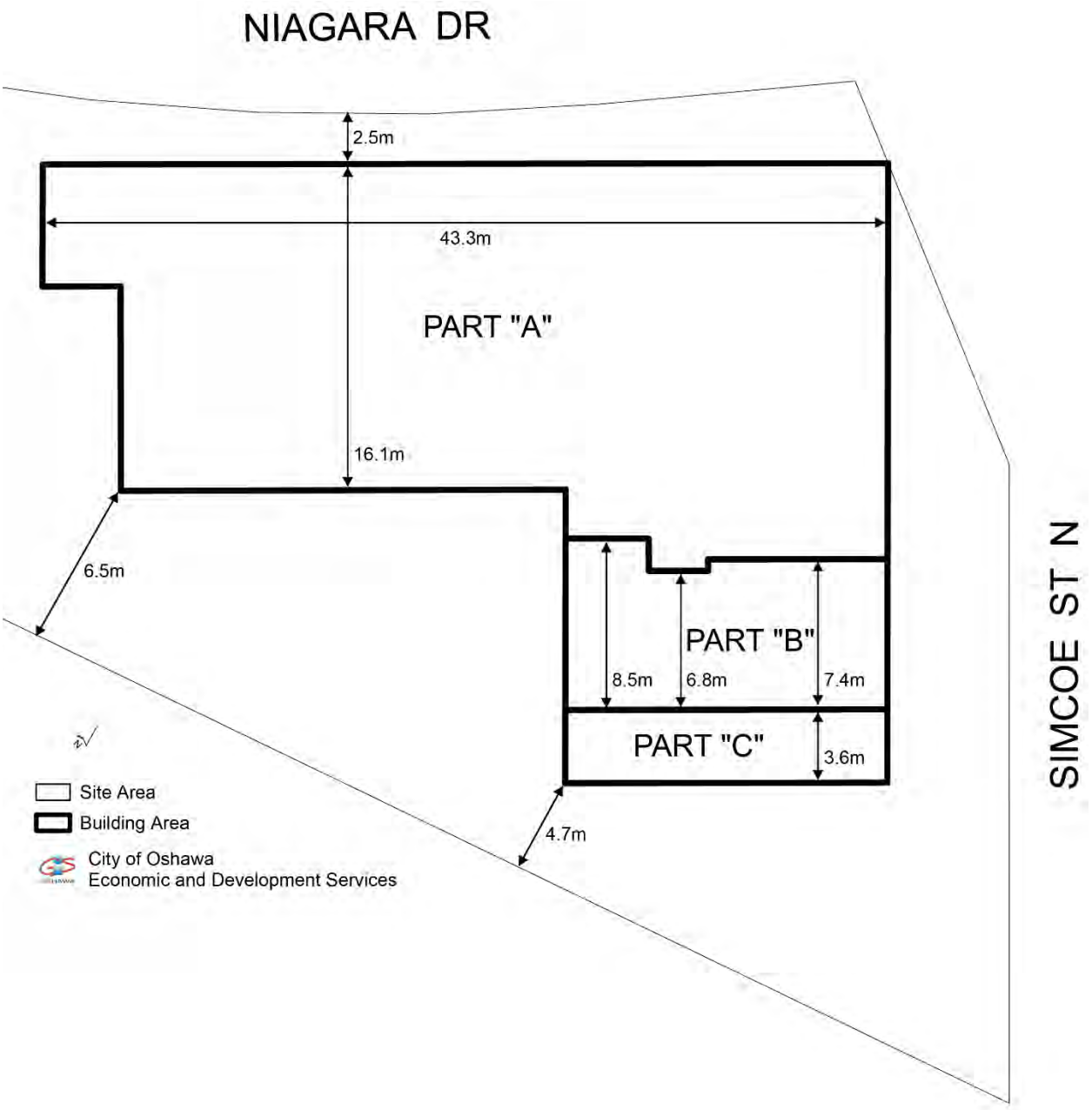
11.3.37(2) Notwithstanding Article 4.8.2 of this By-law to the contrary, in any R6-D(8) Zone, driveway access may be provided across one or more residential zoned lots to other residential zoned lots.

11.3.37(3) Notwithstanding Article 4.10.1 of this By-law to the contrary, in any R6-D(8) Zone, no part of any parking area shall be located closer than 0.3m to any street line.

11.3.37(4) Notwithstanding Article 39.3.1 of this By-law to the contrary, in any R6-D(8) Zone, parking shall be provided at a minimum rate of 0.23 spaces per dwelling unit plus 0.07 spaces per dwelling unit for visitors.

11.3.37(5) Notwithstanding any provision of this By-law to the contrary, stairs leading to a below grade parking structure may be located a minimum of 1.2m from an interior side lot line and a minimum of 1.5m from a street line.

Appendix "A" to Special Condition R6-D(8)



11.3.38 **R6-B(15) Zone (east of Harmony Road North, south of Greenhill Avenue) (14-2024)**

11.3.38(1) Notwithstanding Article 11.1.3 of this By-law to the contrary, in any R6-B(15) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Apartment building
(b) Long Term Care Facility
(c) Retirement home

(d) Block townhouse

11.3.38(2) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-B(15) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to buildings with heights of 14.0m or less:

(a) A minimum front yard depth of 3.0m shall be provided.
(b) A minimum interior side yard depth of 1.2m shall be provided.
(c) A minimum exterior side yard depth of 2.4m shall be provided.
(d) A minimum rear yard depth of 3.0m shall be provided.

11.3.38(3) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-B(15) Zone, unenclosed porches may encroach a maximum 1.5m into a required minimum front yard and a maximum 1.0m into a required minimum exterior side yard, provided that steps providing access to an unenclosed porch may project to the front or exterior side lot line and no deck shall be permitted in the front yard.

11.3.39 **R6-C(15) Zone (lands generally located at the southeast corner of Ritson Road North and Luple Avenue) (30-2024)**

11.3.39(1) Notwithstanding Subsection 11.2 of this By-law to the contrary, for the lands zoned R6-C(15) as shown on Schedule “A” to this By-law, the maximum density shall be 103 dwelling units per hectare.

11.3.39(2) Notwithstanding the provisions of Subsection 11.2 of this By-law to the contrary, in any R6-C(15) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) The minimum landscaped open space shall be thirty percent (30%);
(b) The minimum front yard depth shall be 1.8m;
(c) The minimum exterior side yard depth shall be 3.3m;
(d) The minimum interior side yard depth shall be 2.4m; and,
(e) The minimum lot frontage shall be 19.0m.

11.3.40 **R6-C(16) Zone (555 Rossland Road West) (83-2024)**

11.3.40(1) Notwithstanding Subsection 11.2 of this By-law to the contrary, for the lands zoned R6-C(16) as shown on Schedule “A” to this By-law, the maximum density shall be 151 dwelling units per hectare.

11.3.40(2) Notwithstanding the definitions of height and grade in Section 2 of this By-law to the contrary, the height of an apartment building shall be measured on the north building elevation.

11.3.40(3) Notwithstanding any provision of this By-law to the contrary, in any R6-C(16) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) The maximum lot coverage shall be thirty-seven percent (37%);

(b) A minimum front yard depth of 3.0m shall be provided and a minimum exterior side yard depth of 2.5m shall be provided (not including the yard depth abutting any street line formed by the daylighting triangle at the corner of Rossland Road West and Stevenson Road North);

(c) No minimum yard depth need be provided abutting any street line formed by the daylighting triangle formed at the corner of Rossland Road West and Stevenson Road North;

(d) A minimum interior side yard depth of 2.5m shall be provided;

(e) A minimum rear yard depth of 17.5m shall be provided;

(f) A maximum height of 18.5m above grade shall be permitted; and,

(g) Parking shall be provided at a rate of 1.14 spaces per dwelling unit for residents plus 0.20 spaces per unit for visitors.

11.3.40(4) Notwithstanding any provision of this By-law to the contrary, in any R6-C(16) Zone as shown on Schedule “A” to this By-law, mechanical parking slackers may be provided to satisfy the individual resident parking requirement for up to 46 parking spaces.

11 .3.40(5) Notwithstanding any provision of this By-law to the contrary, in any R6-C(16) Zone as shown on Schedule “A” to this By-law, there shall be no minimum parking space width for a parking space located within a mechanical parking stacker device.

11.3.40(6) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-C(16) Zone, unenclosed porches, decks, steps and ramps may encroach a maximum of 3.0m into a required minimum yard abutting a streetline.

11.3.40(7) Notwithstanding the provisions of Article 4.6.1 of this By-law to the contrary, in any R6-C(16) Zone, unenclosed porches, decks, steps and ramps may encroach a maximum of 3.5m into a required minimum rear yard.

11.3.41 **R6-D(9) (east of Simcoe Street South, north of Harbour Road) (72-2024)**

11.3.41(1) In any R6-D(9) Zone, the minimum density shall be 60 dwelling units per hectare and the maximum density shall be 868 dwelling units per hectare.

11.3.41(2) Notwithstanding any provision of this By-law to the contrary, in any R6-D(9) Zone, as shown on Schedule “A” to this By-law, the maximum

height on lands shown on Appendix “A” to this Special Condition shall be as follows:

(a) The maximum height on the lands shown as Site “A1” to this Special Condition shall be 110m and shall not exceed 35 storeys in height above grade.

(b) The maximum height on the lands shown as Site “A2” to this Special Condition shall be 61m and shall not exceed 18 storeys in height above grade.

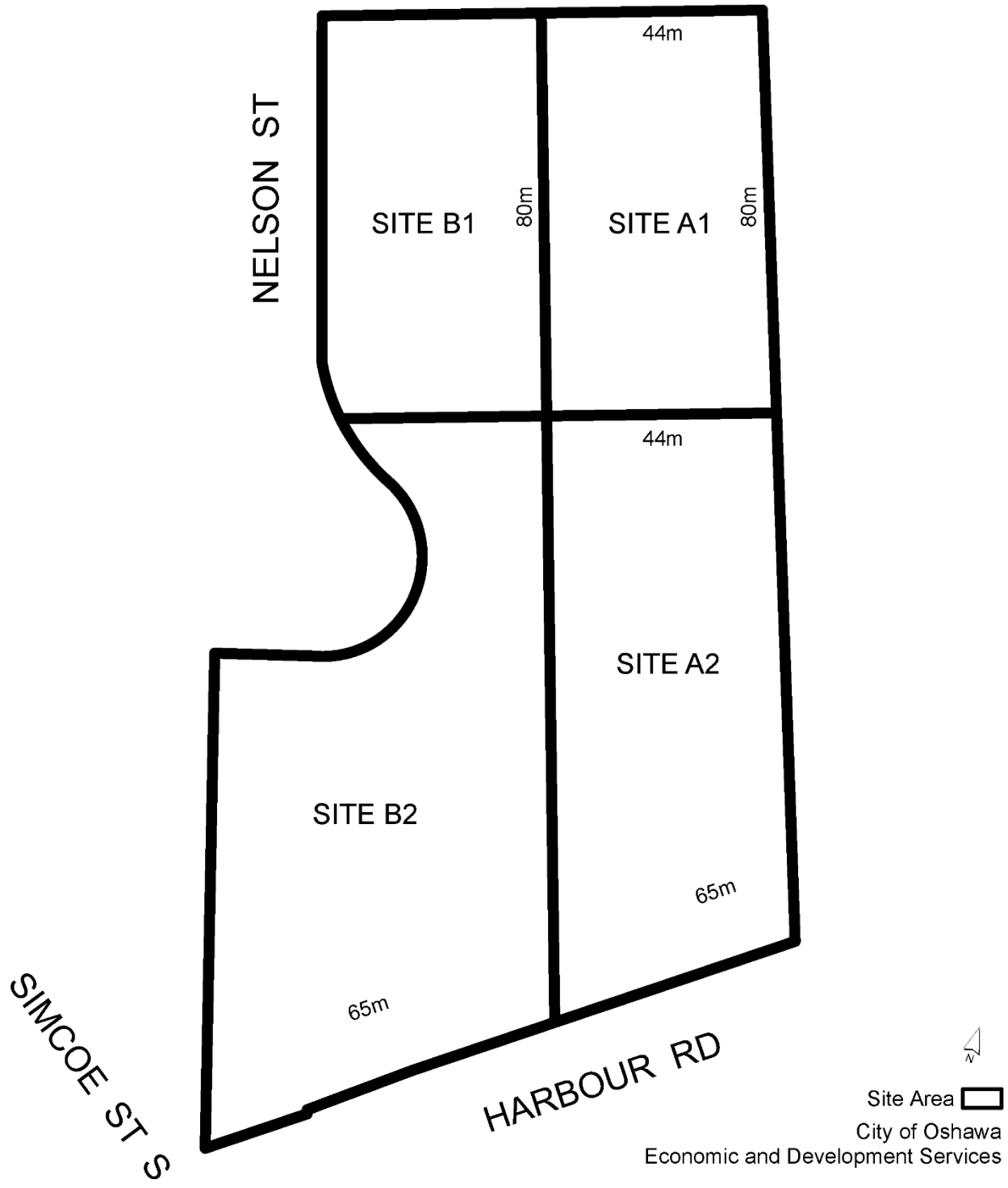
(c) The maximum height on the lands shown as Site “B1” to this Special Condition shall be 95m and shall not exceed 30 storeys in height above grade.

(d) The maximum height on the lands shown as Site “B2” to this Special Condition shall be 54m and shall not exceed 16 storeys in height above grade.

11.3.41(3) Notwithstanding any provision of this By-law to the contrary, in any R6-D(9) Zone, as shown on Schedule “A” to this By-law, a minimum of fifty percent (50%) of required parking shall be provided either underground or in a parking structure.

11.3.41(4) Notwithstanding any provision of this By-law to the contrary, in any R6-D(9) Zone, as shown on Schedule “A” to this By-law, the minimum building setback to the Nelson Street street line shall be 6m and the minimum building setback to the west side lot line that is not a street line shall be 12m.

Appendix "A" to Special Condition R6-D(9)



11.3.42 **R6-B(16) Zone (1226 King Street East) (113-2024)**

11.3.42(1) Notwithstanding Subsection 11.2 of this By-law to the contrary, in any R6-B(16) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 2.5m shall be provided.
(b) A minimum west interior side yard depth of 4.5m shall be provided.
(c) A maximum lot coverage of 23% shall be permitted.

Section 12: R7 Residential Zones

12.1 Permitted Uses

12.1.1 No person shall within any R7 Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Lodging house **(17-1999)**

12.2 Regulations

12.2.1 No person shall within any R7 Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 12.2.

Table 12.2 -Regulations for R7 Zones

Zones	**R7-A**
Minimum Lot Frontage (m)	19.0
Minimum Lot Area (m^2)	550
Minimum Front Yard Depth (m)	6.0 or existing as of the date of the passing of this By-law whichever is the lesser
Minimum Interior Side Yard Depth (m)	1.5 per storey or half storey or existing as of the date of the passing of this By-law whichever is the lesser
Minimum Exterior Side Yard Depth (m)	2.4 or existing as of the date of the passing of this By-law whichever is the lesser
Minimum Rear Yard Depth (m)	7.5
Minimum Landscaped Open Space (%)	30
Maximum Lot Coverage (%)	40
Maximum Height (m)	9.0 or existing as of the date of the passing of this By-law whichever is the greater

12.3 Special Conditions **(60-2009, OMB PL060192)**

12.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard R7 Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

12.3.2 **R7-A(1) Zone (197 Verdun Road) (60-2009, OMB PL060192)**

12.3.2(1) Notwithstanding the definition of Lodging House in Section 2 and Subsection 12.1 of this By-law to the contrary, in any R7-A(1) Zone, as shown on Schedule "A" to this By-law, the only permitted use is a lodging house containing a maximum of seven lodging units.

12.3.2(2) Notwithstanding the provisions of Subsection 12.2 of this By-law to the contrary, in any R7-A(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum lot frontage of 13.6m shall be provided,

(b) A minimum lot area of 580m^2 shall be provided,

(c) The minimum front yard depth shall be 6.0m or existing as of March 16, 2007 whichever is the lesser.

(d) The minimum northerly interior side yard depth shall be 1.5m per storey or existing as of March 16, 2007 whichever is the lesser.

12.3.2(3) Notwithstanding the provisions of Subsection 5.1 of this By-law, to the contrary, in any R7-A(1) Zone, as shown on Schedule "A" to this By-law, the lot coverage for the accessory building existing as of March 16, 2007 shall not exceed twelve percent (12 %) of the lot area and this accessory building shall be no closer than 0.3m to the southern interior lot line.

12.3.2(4) Notwithstanding the provisions of Subsection 39.4 of this By-law to the contrary, in any R7-A(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum aisle width of 3.1m for a parking space having a parking angle of between 0 and 20 degrees shall be provided, and the aisle shall permit two-way traffic movement.

(b) A minimum parking space width of 2.6m shall be permitted for a parking space located adjacent to a solid fence or wall.

Section 13: R8 Residential Zones

13.1 Permitted Uses

13.1.1 No person shall within any R8 Zone use any land or erect or use any building or structure for any purpose or use other than the following use:

(a) Correctional group home

13.2 Regulations

13.2.1 No person shall within any R8 Zone use any land or erect or use any building or structure except in compliance with the regulations applicable to the accompanying Compound Zone, as shown on Schedule “A” to this By-law.

This page was intentionally left blank.

Section 14: SO – Specialized Office Zones

14.1 Permitted Uses

14.1.1 No person shall within any SO Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

14.1.2 The following uses are permitted in any SO-A Zone:

(a) Flat
(b) Professional office

14.1.3 The following uses are permitted in any SO-B Zone:

(a) Day care centre
(b) Flat
(c) Office
(d) Personal service establishment
(e) Private school
(f) Studio **(39-2004)**

14.1.4 The following uses are permitted in any SO-C Zone:

(a) Any use permitted in the SO-B Zone
(b) Retail store

14.1.5 The following use is permitted in any SO-D Zone: **(62-2000, 39-2004)**

(a) Office

14.2 Regulations

14.2.1 No person shall within any SO Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 14.2.

Table 14.2 - Regulations for SO Zones

Zones	Any SO Zone
Minimum Front Yard Depth (m)	6.0
Minimum Interior Side Yard Depth (m)	1.5 Per Storey or Half Storey
Minimum Exterior Side Yard Depth (m)	6.0
Minimum Rear Yard Depth (m)	7.5
Maximum Lot Coverage (%)	30
Maximum Height (m)	12.0
Maximum Gross Floor Area Of Non-Residential Uses (m^2)	1200

(39-2004)

14.3 Special Conditions

14.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard SO Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

14.3.2 **SO-A(1) Zone (44 and 48 Stevenson Road South) (13-2001)**

14.3.2(1) In addition to any SO-A use, in any SO-A(1) Zone, as shown on Schedule "A" to this By-law, a restaurant is also a permitted use provided it does not exceed a gross floor area of 520m^2.

14.3.2(2) Notwithstanding Subsection 39.3 to the contrary, in any SO-A(1) Zone, as shown on Schedule "A" to this By-law, parking for a restaurant is required to be provided at a rate of one parking space for every 12m^2 of gross floor area.

14.3.3 **SO-A(2) Zone (east side of Thornton Road South, south of King Street West)**

14.3.3(1) Notwithstanding Subsection 14.2 to the contrary, in any SO-A(2) Zone, as shown on Schedule "A" to this By-law, the gross floor area for professional offices shall not exceed 2,440m^2.

14.3.4 **SO-A(3) Zone (1400 Ritson Road North)**

14.3.4(1) Notwithstanding Subsection 14.1 and Subsection 14.2 to the contrary, in any SO-A(3) Zone, as shown on Schedule "A" to this By-law, professional offices may include retail uses ancillary to a clinic, in addition to a pharmacy, such as an optical dispensary and medical supply store, provided the gross floor area on the lands zoned SO-A(3) shall not exceed 1,965m^2 and the gross floor area devoted to retail uses ancillary to a clinic shall not exceed 660m^2.

14.3.5 **SO-A(4) Zone [Not in use] (113-2024)**

14.3.6 **SO-B(1) Zone (98 Stevenson Road South) (113-1995)**

14.3.6(1) Notwithstanding anything in Subsection 14.1 to the contrary, in any SO-B(1) Zone as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Flat
(b) Office
(c) Personal service establishment
(d) Studio

14.3.6(2) Notwithstanding Subsection 14.2 to the contrary, the following regulations shall apply to any SO-B(1) Zone:

(a) A minimum front yard depth of 3.5m shall be provided.

(b) A minimum northern interior side yard depth of 1.4m shall be provided.

14.3.7 **SO-A(5) Zone (northwest corner of Hospital Court and Simcoe Street North) (47-2002)**

14.3.7(1) Notwithstanding Subsection 14.1 to the contrary, in any SO-A(5) Zone as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Professional offices;
(b) Pharmacy, ancillary to a medical office or clinic.

14.3.7(2) Notwithstanding Subsection 14.2 to the contrary, in any SO-A(5) Zone, the maximum gross floor area permitted shall not exceed 1,080m^2 and shall only be permitted in one main building.

14.3.7(3) The maximum gross floor area devoted to medical office or clinic uses shall not exceed 649m^2.

14.3.7(4) The maximum gross floor are devoted to professional office uses, excluding any medical office or clinic, shall not exceed 339m^2.

14.3.7(5) The maximum gross floor are devoted to a pharmacy shall not exceed 92m^2.

14.3.7(6) Notwithstanding Subsection 14.2 to the contrary, the following regulations shall apply:

(a) A minimum front yard depth of 2.0m shall be provided; and
(b) A minimum exterior side yard depth of 3.0m shall be provided.

14.3.8 **SO-D(1) Zone (1096 and 1110 King Street East) (28-2004)**

14.3.8(1) Notwithstanding Subsection 14.1 to the contrary, in any SO-D(1) Zone as shown on Schedule “A” to this By-law, the only permitted use is an office for a religious institution.

14.3.8(2) Notwithstanding Subsection 14.2 to the contrary, in any SO-D(1) Zone, the gross floor area shall not exceed 2,400m^2.

14.3.8(3) Notwithstanding Subsection 39.3 to the contrary, in any SO-D(1) Zone, parking is required to be provided at a rate of one parking space for every 30m^2 of gross floor area.

14.3.9 **SO-D(2) Zone [Not in use]**

14.3.10 **SO-A(6) Zone (160-162 Stevenson Road South) (29-2010)**

14.3.10(1) Notwithstanding Article 14.1.2 to the contrary, in any SO-A(6) Zone as shown on Schedule “A” to this By-law, the only permitted use is a professional office within the main building lawfully existing on March 8, 2010.

14.3.10(2) Notwithstanding any provision of this By-law to the contrary, in any SO-A(6) Zone as shown on Schedule "A" to this By-law, a maximum of one self governing health professional listed in Schedule 1 to the *Regulated Health Professions Act, 1991* S.O. 1991 c. 18 or a Drugless Practitioner, as defined in the *Drugless Practitioners Act,* R.S.O. 1990, c.D.18, and one employee are permitted at any time within a medical office or clinic.

14.3.10(3) Notwithstanding any provision of this By-law to the contrary, in any SO-A(6) Zone as shown on Schedule “A” to this By-law, the following provisions shall apply to any professional office:

(a) The cellar or basement is to be used for storage or utility purposes only.

(b) A minimum exterior side yard depth of 4.0m shall be provided.

14.3.10(4) Notwithstanding the provisions of Subsection 39.4 of this By-law to the contrary, in any SO-A(6) Zone as shown on Schedule “A” to this By-law, a minimum of 8 parking spaces must be provided for a professional office within the main building lawfully existing on March 8, 2010.

14.3.10(5) Notwithstanding the provisions of Subsection 39.3 of this By-law to the contrary, in any SO-A(6) Zone as shown on Schedule “A” to this By-law, a maximum of two parallel parking spaces are permitted on a two-way parking aisle.

14.3.11 **SO-D(3) Zone (650 – 652 Rossland Road West) (90-2011)**

14.3.11(1) Notwithstanding Subsection 14.1 to the contrary, in any SO-D(3) Zone as shown on Schedule “A” to this By-law, an office for only the Durham Separate School Board is a permitted use.

14.3.11(2) Notwithstanding Subsection 14.2 to the contrary, in any SO-D(3) Zone as shown on Schedule “A” to this By-law, the maximum gross floor area of non-residential uses shall not apply.

14.3.12 **SO-C(1) Zone [Not in use] (61-2016, 112-2024)**

Section 15: OC – Office Conversion Zones

15.1 Permitted Uses

15.1.1 No person shall within any OC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

15.1.2 The following uses are permitted in any OC-A Zone within main buildings lawfully existing prior to the conversion:

(a) A maximum of two dwelling units
(b) Professional office

15.1.3 The following uses are permitted in any OC-B Zone within main buildings lawfully existing prior to the conversion:

(a) Any use permitted in the OC-A Zone
(b) Business office
(c) Personal service establishment

15.1.4 The following uses are permitted in any OC-C Zone:

(a) Apartment building

(b) Day care centre within main buildings lawfully existing prior to the conversion

(c) Dwelling units together with other uses permitted in the OC-C Zone within main buildings lawfully existing prior to the conversion

(d) Office within main buildings lawfully existing prior to the conversion

(e) Personal service establishment within main buildings lawfully existing prior to the conversion

(f) Private school within main buildings lawfully existing prior to conversion

(g) Restaurant within main buildings lawfully existing prior to the conversion

(h) Retail store within main buildings lawfully existing prior to the conversion

(i) Street townhouse building and street townhouse dwellings

(39-2004)

15.2 Regulations

15.2.1 No person shall within any OC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 15.2 and this Subsection.

Table 15.2 - Regulations for OC Zones

Zones	All OC Zones
Minimum Lot Frontage (m)	9.0
Minimum Lot Area (m^2)	360
Minimum Front Yard Depth (m)	6.0 or lawfully existing prior to the conversion whichever is lesser
Minimum Interior Side Yard Depth (m)	1.2 or lawfully existing prior to the conversion whichever is lesser
Minimum Exterior Side Yard Depth (m)	2.4 or lawfully existing prior to the conversion whichever is lesser
Minimum Rear Yard Depth (m)	7.5
Maximum Lot Coverage (%)	40
Maximum Height (m)	9.0 or lawfully existing prior to the conversion whichever is the greater

15.2.2 Notwithstanding Article 15.2.1 to the contrary, for any apartment building permitted in any OC Zone, the regulations in Table 11.2 and the general provisions applicable to the R6-B Zone shall apply to such use.

15.2.3 Notwithstanding Article 15.2.1 to the contrary, for any street townhouse building or street townhouse dwelling permitted in any OC Zone, the regulations in Table 8.2 and the general provisions applicable to the R3-A Zone shall apply to such use.

15.2.4 Minor enlargements of existing buildings or structures are permitted provided: **(69-2019)**

(a) Such enlargements are not greater than ten percent (10%) of the existing gross floor area of the building or structure being enlarged; and

(b) Not more than one enlargement is made to the existing building or structure.

15.3 Special Conditions **(2-1996)**

15.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard OC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that

this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply.

15.3.2 **OC-B(1) Zone (731 King Street West) (2-1996)**

15.3.2(1) Notwithstanding Subsection 15.1 to the contrary, in any OC-B(1) Zone, as shown on Schedule "A" to this By-law, the only permitted use is a hairdressing salon with a residential dwelling unit above the hairdressing salon within the main building lawfully existing on January 15, 1996.

15.3.3 **OC-B(2) Zone (42 Warren Avenue) (131-1998)**

15.3.3(1) Notwithstanding Subsection 15.1 to the contrary, in any OC-B(2) Zone, as shown on Schedule "A" to this By-law, the only permitted use is a travel agency within the main building lawfully existing on December 21, 1998.

15.3.3(2) Notwithstanding Subsection 4.10 to the contrary, in any OC-B(2) Zone, no part of any parking area shall be located closer than 2m to the Bond Street West street line and no more than one parking space may be permitted in the exterior side yard.

15.3.4 **OC-A(1) Zone (539 King Street East) (6-2008)**

15.3.4(1) In addition to any OC-A use, in any OC-A(1) Zone, as shown on Schedule "A" to this By-law, a business office is also a permitted use.

15.3.5 **OC-A(2) Zone (1291 King Street East) (38-2009)**

15.3.5(1) Notwithstanding Article 15.1.2 to the contrary, in any OC-A(2) Zone as shown on Schedule "A" to this By-law, the only permitted use is a chiropractor's office within the main building lawfully existing on June 1, 2009.

15.3.5(2) Notwithstanding any provision in this By-law to the contrary, in any OC-A(2) Zone as shown on Schedule "A" to this By-law, the following provisions shall apply to a chiropractor's office:

(a) A maximum of two practicing doctors and one employee are permitted at any time within the chiropractor's office.

(b) The cellar or basement is to be used for storage or utility purposes only.

15.3.5(3) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any OC-A(2) Zone as shown on Schedule "A" to this By-law, the following provisions shall apply to a chiropractor's office:

(a) A maximum of 3 parking spaces are permitted in the exterior side yard.

(b) A minimum of 1.0m must be provided between any parking area and the Eastlawn Street street line.

15.3.5(4) Notwithstanding the provisions of Subsection 39.3 of this By-law to the contrary, in any OC-A(2) Zone as shown on Schedule "A" to this By-law, a minimum of 8 parking spaces must be provided for a chiropractor's office within the main building lawfully existing on June 1, 2009.

15.3.5(5) Notwithstanding the provisions of Subsection 39.4 of this By-law to the contrary, in any OC-A(2) Zone as shown on Schedule "A" to this By-law, tandem parking spaces are permitted in the exterior side yard with no direct access to an adjoining aisle.

15.3.6 **OC-B(3) Zone (41 Warren Avenue) (5-2010)**

15.3.6(1) Notwithstanding Subsection 15.1 to the contrary, in any OC-B(3) Zone, as shown on Schedule "A" to this By-law, the only permitted use is an office, excluding a medical office or clinic, within the existing main building lawfully existing on February 1, 2010.

15.3.6(2) Notwithstanding Subsection 15.2 to the contrary a minimum lot area of 320m^2 shall be provided in any OC-B(3) Zone.

15.3.6(3) Notwithstanding any provision in this By-law to the contrary, in any OC-B(3) Zone as shown on Schedule "A" to this By-law, the following provision shall apply to any permitted office:

(a) The cellar or basement is to be used for storage or utility purposes only.

15.3.6(4) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any OC-B(3) Zone as shown on Schedule "A" to this By-law, the following provisions shall apply to any permitted office:

(a) A maximum of 2 parking spaces are permitted wholly or partially in the exterior side yard; and

(b) A minimum of 0m may be permitted between any parking area and the Bond Street West streetline.

15.3.6(5) Notwithstanding the provisions of Subsections 39.3 and 39.4 of this By-law to the contrary, in any OC-B(3) Zone as shown on Schedule "A" to this By-law, the following provisions shall apply to any permitted office:

(a) A minimum of 5 parking spaces must be provided for any permitted office within the existing main building;

(b) The 2 parking spaces permitted wholly or partially within the exterior side yard are permitted to be in tandem; and

(c) The minimum parking space width shall be 2.6m for any parking space located adjacent to a solid wall, fence or like structure.

15.3.7 **OC-B(4) Zone (284 Buena Vista Avenue and 64 Park Road North) (47-2012)**

15.3.7(1) Notwithstanding any provision in this By-law to the contrary, in an OC-B(4) Zone as shown on Schedule "A" to this By-law, the following provision shall apply to a physiotherapist's office:

(a) Any cellar or basement is to be used for storage or utility purposes only.

15.3.7(2) Notwithstanding the provisions of Subsection 4.10 of this By-law to the contrary, in any OC-B(4) Zone as shown Schedule "A" to this By-law, the following provision shall apply:

(a) Parking spaces are permitted in the exterior side yard; and

(b) A minimum of 0m may be permitted between any parking area and the Buena Vista Avenue streetline.

15.3.7(3) Notwithstanding the provisions of Subsection 39.3 of this By-law to the contrary, in any OC-B(4) Zone as shown Schedule "A" to this By-law, the following provisions shall apply:

(a) A minimum of 16 parking spaces must be provided for a physiotherapist's office within the main building lawfully existing on June 1, 2012 at 64 Park Road North.

(b) A parking rate of 1 parking space for every $90m^2$ of gross floor area shall apply to the cellar and basement which is used for storage and utility purposes related to a physiotherapist's office.

15.3.7(4) Notwithstanding the provisions of Subsection 39.4 of this By-law to the contrary, in any OC-B(4) Zone as shown on Schedule "A" to this By-law, tandem parking spaces are permitted in the driveway along the northern side lot line with access to Park Road North and with no direct access to an adjoining aisle.

15.3.7(5) For the purposes of this OC-B(4) Zone a physiotherapist's office may also include massage therapy, chiropody and a foot clinic.

15.3.8 **OC-C(1) Zone (2370 Simcoe Street North) (131-2014)**

15.3.8(1) Notwithstanding Subsection 15.1 to the contrary in any OC-C(1) Zone as shown on Schedule "A" to this By-law, only the following uses are

permitted within the main building lawfully existing on September 22, 2014:

(a) Daycare centre
(b) Flat
(c) Office
(d) Personal service establishment
(e) Private school
(f) Restaurant
(g) Retail store

15.3.8(2) Notwithstanding Subsection 4.10 of this By-law to the contrary, in any OC-C(1) Zone as shown on Schedule "A" to this By-law parking spaces may be permitted in part of the front yard provided no part of a parking area shall be located between the main building and the Simcoe Street North streetline.

15.3.8(3) Notwithstanding Subsection 15.2 of this By-law to the contrary, in any OC-C(1) Zone as shown on Schedule "A" to this By-law the minimum yard depths, existing as of September 22, 2014 shall be provided.

15.3.9 **OC-A(3) Zone (707 Harmony Road North) (144-2015)**

15.3.9(1) Notwithstanding, the provisions of Article 15.1.2 of this By-law to the contrary, in any OC-A(3) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted within the main building lawfully existing on December 14, 2015:

(a) Professional office

(42-2017)

15.3.9(2) Notwithstanding any provision in this By-law to the contrary, in any OC-A(3) Zone as shown on Schedule "A" to this By-law, the following provision shall apply to any permitted office use:

(a) A parking rate of 1 parking space for every 90m^2 of gross floor area shall apply to the second floor of the existing main building provided it is only used for storage purposes.

15.3.9(3) Notwithstanding any provision in this By-law to the contrary, in any OC-A(3) Zone as shown on Schedule "A" to this By-law no pedestrian and no driveway access shall be permitted to Ripley Crescent.

Section 16: UGC – Urban Growth Centre Zones (112-2024)

16.1 Permitted Uses

16.1.1 No person shall within any UGC-A or UGC-B Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below: **(112-2024)**

(a) Animal hospital
(b) Apartment building
(c) Apartment hotel (subject to Subsection 16.4) **(62-2025)**
(d) Art gallery
(e) Automobile rental establishment
(f) Automobile repair garage (subject to Subsection 16.4) **(62-2025)**
(g) Bus depot
(h) Cinema
(i) Club
(j) Commercial recreation establishment
(k) Convention centre
(l) Craft Brewery
(m) Crisis care residence (subject to Subsection 16.4) **(62-2025)**
(n) Cultural centre
(o) Day care centre
(p) Financial institution, excluding a payday loan establishment **(112-2024)**
(q) Flat
(r) Funeral home
(s) Hospital
(t) Hotel
(u) Lodging house
(v) Long Term Care Facility
(w) Merchandise service shop
(x) Museum
(y) Nursing home
(z) Office
(aa) Parking garage or parking lot (subject to Subsection 16.4) **(62-2025)**
(bb) Personal service establishment (subject to Subsection 16.4) **(62-2025)**
(cc) Place of amusement **(62-2025)**
(dd) Place of worship **(62-2025)**
(ee) Printing establishment
(ff) Restaurant
(gg) Retail store (subject to Subsection 16.4) **(62-2025)**
(hh) Retirement home
(ii) School
(jj) Studio
(kk) Tavern

(ll) Television or radio broadcasting station or studio
(mm) Theatre
(nn) Trade centre

(66-1998, 17-1999, 61-2010, 61-2016, 69-2019)

16.1.2 No person shall within any UGC-C Zone use any land or erect of use any building or structure for any purpose or use other than the uses listed below:

(a) Apartment building
(b) Long Term Care Facility
(c) Nursing home
(d) Retirement home

(112-2024)

16.2 Regulations

16.2.1 No person shall within any UGC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 16.2.

16.2.2 Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any UGC Zone, as shown on Schedule “A” to this By-law, the following definitions shall apply:

(a) Notwithstanding the definition of “front lot line” in Section 2 of this By-law to the contrary, the street line abutting an arterial road shall be the front lot line. In the case of a lot that abuts two or more arterial roads, the lot line that abuts the widest street shall be deemed to be the front lot line, but where the streets are of equal width, the lot line that abuts a Regional Road shall be deemed to be the front lot line, and in the case of two or more of the streets being under the same jurisdiction and of the same width, the City may designate which street line shall be the front lot line.

(b) Building Frontage means that percentage of the frontage on an improved street where, cumulatively, the length of walls of main buildings facing the street are constructed in the area ranging from the minimum front yard and exterior side yard depth to the maximum front yard and exterior side yard depth applicable to the relevant Zone. **(112-2024)**

Table 16.2 – Regulations for UGC Zones

Zones		**UGC-A**	**UGC-B**	**UGC-C**
Minimum Lot Frontage (m)		N/A	N/A	20.0
Minimum Front Yard and Exterior Side Yard Depth (m)	For first 13.5m or part thereof in height	0.0	0.0	3.0
	For any portion of building greater than 13.5m in height	1.5	1.5	4.5
Maximum Front Yard and Exterior Side yard Depth (m)	For first 13.5m or part thereof in height	3.0	3.0	6.0
	For any portion of building greater than 13.5m in height	6.0	6.0	N/A
Minimum Interior Side Yard and Rear Yard Depth (m)	For first 13.5m or part thereof in height	0.0	0.0	3.0
	For any portion of building between 13.5m and 25m in height	3.0	3.0	4.5 for an interior side yard and 7.5 for a rear yard
	For any portion of building greater than 25.0m in height	10.0	10.0	10.0
Minimum Density – dwelling units per hectare		N/A	N/A	60
Maximum Density – dwelling units per hectare		1,000[1]	1,000[1]	300
Minimum Height (m)		12.0	12.0	9.0
Maximum Height (m)		see Schedule “F”	see Schedule “F”	see Schedule “F”

Zones	UGC-A	UGC-B	UGC-C
Minimum Height of Ground Floor (m)	4.5	4.5	N/A
Minimum Building Frontage on an Arterial Road (%)	60	60	60
Minimum Building Frontage on Any Road Other Than an Arterial Road (%)	N/A	N/A	50
Maximum gross floor area of retail store floor space (m^2)	N/A	25% of the gross floor area of the first storey or $90m^2$ whichever is greater	N/A
Location of dwelling units	Restricted to a basement or to the 2nd storey or higher. Notwithstanding the foregoing, it may be permitted on the first floor if located behind the non-residential uses located at the front of the building adjacent to the street line	N/A	N/A

[1] Requires Official Plan Amendment 223 to come into effect prior to these density maximums coming into full force and effect. Until Official Plan Amendment 223 comes into effect, the maximum density is 550 units per hectare.

(112-2024, 62-2025)

16.2.3 The floor area of the uppermost storey of a building shall be a minimum of 50% of the ground floor area of the same building for any building 4 storeys in height or less. **(112-2024)**

16.2.4 Notwithstanding the minimum required height in Table 16.2, a maximum of 25% of the coverage of any individual main building in a UGC Zone may be less than the minimum height. **(112-2024)**

16.3 Special Conditions

16.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard UGC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter then all the other relevant provisions of this By-law shall apply. **(66-1998, 112-2024)**

16.3.2 **[Not in use]** **(112-2024, 62-2025)**

16.3.3 **UGC-A(2) Zone (large portion of block bounded by Bond Street East, Mary Street North, William Street and Division Street)** **(115-1995, 138-2008, 112-2024)**

16.3.3(1) Notwithstanding Subsection 16.2 to the contrary, in any UGC-A(2) Zone as shown on Schedule “A” to this By-law, the minimum front yard depth and exterior side yard depth shall be 6.0m for that part of any building or structure which is higher than 20.0m in height.

16.3.4 **UGC-A(3) Zone (the block bounded by Simcoe Street North, William Street East, Ontario Street and Richmond Street East)** **(138-2008, 112-2024)**

16.3.4(1) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-A(3) Zone as shown on Schedule “A” to this By-law, the minimum setback from the street line for the entire building shall be 0.0m.

16.3.5 **UGC-A(4) Zone (80 Bond Street East)** **(61-2017, 112-2024)**

16.3.5(1) Notwithstanding any provision in the By-law to the contrary, in any UGC-A(4) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to any building:

(a) Parking for apartment units shall be provided at a minimum rate of 0.87 parking spaces per dwelling unit.

(b) The minimum front yard depth and exterior side yard depth shall be 0.0m for that part of any building or structure less than 20.0m in height and 4.0m for that part of any building or structure greater than 20.0m in height.

(c) Dwelling units may only be located on the first floor fronting Mary Street North provided they are a minimum of 40m from Bond Street East.

16.3.6 **UGC-B(1) Zone (south side of Richmond Street East between Mary Street North and Ontario Street) (116-2018, 112-2024)**

16.3.6(1) Notwithstanding any provision in the By-law to the contrary, in any UGC-B(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any building:

(a) The minimum yard depth adjacent to Richmond Street East shall be 4.0m for that part of any building or structure greater than 20.0m in height.

(b) The minimum yard depth adjacent to Mary Street North shall be 5.0m for that part of any building or structure greater than 20.0m in height.

(c) The minimum yard depth adjacent to Ontario Street shall be 3.0m for that part of any building or structure greater than 20.0m in height.

16.3.7 **UGC-B(2) (north of Bond Street East between Kenneth Avenue and Division Street) (84-2022, 112-2024)**

16.3.7(1) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(2) Zone as shown on Schedule "A" to this By-law, the maximum building height shall be 44m.

16.3.7(2) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(2) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply to any building:

(a) Parking for apartment units shall be provided at a minimum rate of 0.93 parking spaces per dwelling unit for residents and no visitor parking shall be required.

(b) No on-site parking for commercial uses shall be required.

(c) The minimum setback from the street line shall be 0.0m for that part of any building or structure greater than 12.0m in height.

16.3.7(3) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(2) Zone, as shown on Schedule "A" to this By-law, up to 1.5m of the minimum required length of the parking spaces on underground parking Levels P2 and P3 may be located off-site within the Kenneth Avenue road allowance.

16.3.7(4) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(2) Zone, as shown on Schedule "A" to this By-law, balconies on

the east side of a building that are a minimum of 6.0m above ground level may encroach a maximum of 0.65m into the Kenneth Avenue road allowance.

16.3.7(5) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(2) Zone, as shown on Schedule “A” to this By-law, balconies that are a minimum of 6.0m above ground level may encroach a maximum of 2.6m into the road allowance of the intersection of Kenneth Avenue and Bond Street East. **(112-2024)**

16.3.7(6) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(2) Zone, as shown on Schedule “A” to this By-law, balconies that are a minimum of 6.0m above ground level may encroach a maximum of 0.9m into the road allowance of the intersection of Division Street and Bond Street East. **(112-2024)**

16.3.8 **UGC-A(5) (47 Simcoe Street South) (87-2022, 112-2024)**

16.3.8(1) Notwithstanding any provision of this By-law to the contrary, in any UGC-A(5) Zone as shown on Schedule “A” to this By-law, the minimum yard depths abutting Athol Street East and Celina Street shall be 0.0m for that part of any building or structure greater than 12.0m in height.

16.3.8(2) Notwithstanding any provision of this By-law to the contrary, in any UGC-A(5) Zone as shown on Schedule “A” to this By-law, dwelling units may be located on the first floor.

16.3.8(3) Notwithstanding any provision of Article 39.10.2 to the contrary, in any UGC-A(5) Zone, parking for dwelling units shall be provided at a minimum rate of 0.63 parking spaces per dwelling unit.

16.3.8(4) Notwithstanding any provision of this By-law to the contrary, for any UGC-A(5) Zone as shown on Schedule “A” to this By-law, dedicated parking for residential uses associated with the subject UGC-A(5) Zone may be located off-site provided that a minimum of 0.63 parking spaces per dwelling unit are provided off-site within 225m of the UGC-A(5) Zone and the area of the off-site parking is zoned to permit a parking lot or parking garage as a use and the parking spaces are dedicated to the residential uses in the UGC-A(5) Zone.

16.3.9 **UGC-B(3) Zone (39 Athol Street West) (80-2023, 112-2024)**

16.3.9(1) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(3) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to any building:

(a) Parking for dwelling units shall be provided at a minimum rate of 0.71 parking spaces per dwelling unit.

(b) The minimum setback to the Centre Street South street line shall be 7m for that part of any building or structure greater than 20.0m in height.

(c) The minimum setback to the Athol Street East street line shall be 5m for that part of any building or structure greater than 20.0m in height.

16.3.10 **UGC-A(6) Zone (70 King Street East) (130-2023, 112-2024)**

16.3.10(1) Notwithstanding any provision of this By-law to the contrary, in any UGC-A(6) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply to any building:

(a) The maximum density shall be 1,384 dwelling units per hectare.

(b) The minimum setback from the street line shall be 0.0m for that part of any building or structure greater than 12.0m in height.

16.3.10(2) Notwithstanding any provision of Article 39.10.2 to the contrary, in any UGC-A(6) Zone as shown on Schedule “A” to this By-law, parking for dwelling units shall be provided at a minimum rate of 0.84 parking spaces per dwelling unit.

16.3.10(3) Notwithstanding any provision of this By-law to the contrary including Sentence 16.3.10(2), in any UGC-A(6) Zone as shown on Schedule “A” to this By-law, a maximum of 86 units shall be permitted in a building existing as of October 30, 2023, and dwelling units in said building shall be supplied with a minimum of 0 parking spaces per dwelling unit.

16.3.10(4) Notwithstanding any provision of this By-law to the contrary, in any UGC-A(6) Zone as shown on Schedule “A” to this By-law, dedicated parking for residential uses associated with the subject UGC-A(6) Zone may be located off-site provided that a minimum of 0.84 parking spaces per dwelling unit are provided off-site within 75m of the UGC-A(6) Zone and the area of the off-site parking is zoned to permit a parking lot or parking garage as a use and the parking spaces are dedicated to the residential uses in the UGC-A(6) Zone.

16.3.11 **UGC-C(1) Zone (southwest of Bruce Street and Drew Street) (112-2024)**

16.3.11(1) Notwithstanding the provisions of Subsection 16.2 of this By-law to the contrary, in any UGC-C(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 4.0m shall be provided.

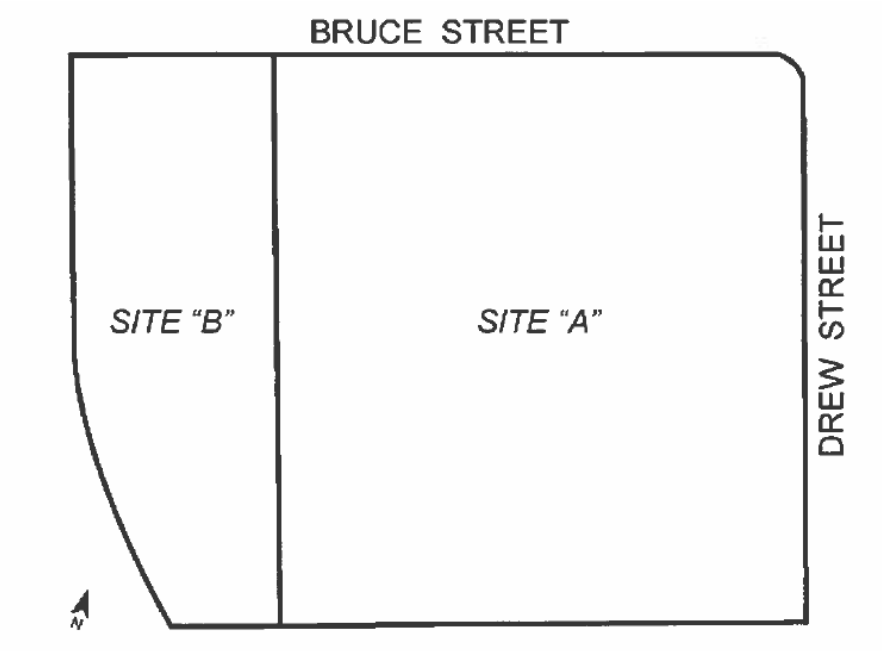
(b) A minimum interior side yard depth of 4.0m shall be provided.

(c) A minimum exterior side yard depth of 4.0m shall be provided.

(d) A minimum rear yard depth of 4.0m shall be provided.

(e) The maximum height on the lands shown as Site “A” on Appendix “A” to this Special Condition shall be 16m and shall not exceed 4 storeys in height above grade. The maximum height on the lands shown as Site “B” on Appendix “A” to this Special Condition shall be 22.0m and shall not exceed 6 storeys in height above grade.

Appendix “A” to Special Condition UGC-C(1)



16.3.12 **UGC-C(2) Zone (135 Bruce Street)** **(112-2024)**

16.3.12(1) Notwithstanding the definition of front lot line in Section 2, Definitions, for any lot in a UGC-C(2) Zone the front lot line shall be considered the lot line adjacent to Bruce Street.

16.3.12(2) Notwithstanding the definition of grade in Section 2, Definitions, for any lot in a UGC-C(2) Zone grade shall mean 107.0m Canadian Geodetic Datum.

16.3.12(3) Notwithstanding any provision in the By-law to the contrary, in any UGC-C(2) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 1.0m shall be provided.

(b) A minimum side yard depth of 1.0m shall be provided on the east side.

(c) A minimum side yard depth of 11.0m shall be provided on the west side.

(d) A minimum rear yard depth of 0.0m shall be provided on the south side.

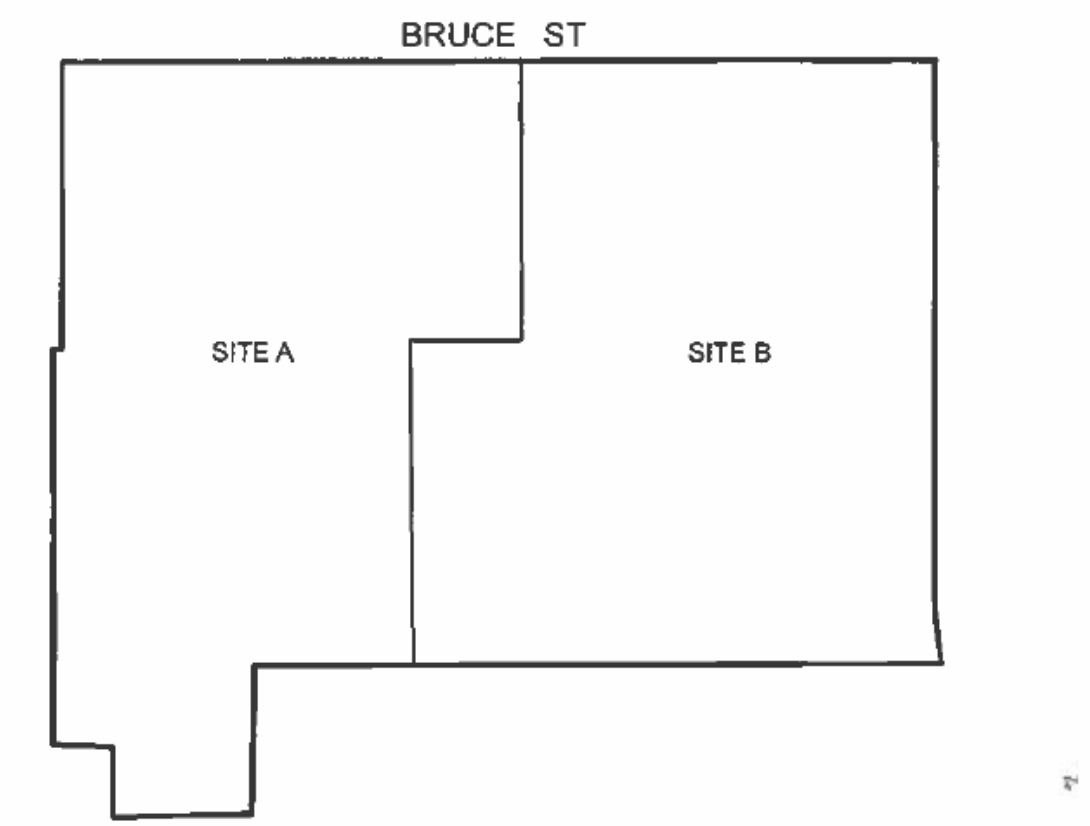
(e) A maximum lot coverage of eighty-eight percent (88%) shall be permitted.

(f) A minimum landscaped open space of six percent (6%) shall be provided.

(g) The maximum height on the lands shown as Site “A” on Appendix “A” to this Special Condition shall be 65.0m and shall not exceed 22 storeys in height above grade. The maximum height on the lands shown as Site “B” on Appendix “A” to this Special Condition shall be 32.0m and shall not exceed 10 storeys in height above grade.

(h) The maximum density shall be 470 dwelling units per hectare.

Appendix “A” to Special Condition UGC-C(2)



16.3.13 **UGC-B(4) Zone (northwest of Bond Street East and Ritson Road North) (112-2024)**

16.3.13(1) Notwithstanding the provisions of Subsection 16.1 of this By-law to the contrary, in any UGC-B(4) Zone, as shown on Schedule “A” to this By-law, the following additional uses are permitted:

(a) Automobile sales and service establishment

(b) Brew your own operation

(c) Outdoor storage accessory to a permitted use in the UGC-B(4) Zone

(d) Peddle

16.3.13(2) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UCG-B(4) Zone as shown on Schedule “A” to this By-law, there shall be no maximum gross floor area devoted to a retail store.

16.3.14 **UGC-C(3) Zone (109 Colborne Street West) (112-2024)**

16.3.14(1) Notwithstanding the provisions of this By-law to the contrary, in an UGC-C(3) Zone the following regulations shall apply:

(a) A maximum density of 468 units per hectare shall be permitted.

(b) A minimum lot frontage of 18m shall be provided.

(c) A minimum front yard depth of 2.2m shall be provided.

(d) A minimum interior side yard depth of 0.3m shall be provided.

(e) A minimum exterior side yard depth of 0.3m shall be provided.

(f) A minimum setback of 0.3m shall be provided between a parking area and a street line.

(g) Parking shall be provided at a minimum rate 0.177 spaces per unit.

16.3.15 **UGC-C(4) Zone (161 Athol Street East) (112-2024)**

16.3.15(1) Notwithstanding any provision of this By-law to the contrary, in any UGC-C(4) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

Regulations	**UGC-C(4)**
Minimum Interior Side Yard Depth – west side (m)	4.0
Minimum Interior Side Yard Depth – east side (m)	11.0
Minimum Rear Yard Depth (m)	9.5
Minimum Landscaped Open Space (%)	32
Maximum Lot Coverage (%)	46
Maximum Density of an Apartment Building – Dwelling Units Per Hectare	857

Regulations	UGC-C(4)
Maximum Number of Dwelling Units in an Apartment Building	185
Minimum Number of Parking Spaces Required for Rental Apartment Building for student accommodation only	0.185 per dwelling unit, which shall include a minimum of 1 car-share parking space for every 90 dwelling units, plus 0.05 per dwelling unit for visitors

16.3.15(2) Balconies shall only be permitted for common areas in a building and shall be located not more than 15m from Athol Street East.

16.3.15(3) An unenclosed accessory structure for the sheltering of bicycles may be located 0.0m from the west interior side lot line.

16.3.15(4) For the purpose of this UGC-C(4) Zone, a Car-share Parking Space shall mean a parking space exclusively reserved and signed for a vehicle used only for Car-share purposes and such Car-share is for the use of Car-share members.

16.3.15(5) For the purpose of this UGC-C(4) Zone, a Car-share shall mean the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and to use a car-share vehicle, a person must meet the membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven and do include use of cars on an hourly basis.

16.3.15(6) For a parking space having a parking angle between 0 and 20 degrees, the minimum length shall be 6.4m and the minimum width adjacent to a solid wall shall be 2.7m.

16.3.15(7) Parking spaces having a parking angle between 0 and 20 degrees shall not be used for accessible parking.

16.3.16 **UGC-B(5) Zone (13, 15 and 29 Charles Street) (145-2024)**

16.3.16(1) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-B(5) Zone, as shown on Schedule “A” to this By-law, the maximum density shall be 2,218 dwelling units per hectare.

16.3.16(2) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-B(5) Zone, as shown on Schedule “A” to this By-law, the maximum building height shall be 90.0m.

16.3.16(3) Notwithstanding any provision of this By-law to the contrary, in any UGC-B(5) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) The minimum number of parking spaces required for a rental apartment building for student accommodation shall be 0.20 spaces per dwelling unit for residents plus 0.05 spaces per dwelling unit for visitors.

(b) There shall be no minimum parking required for non-residential uses having a combined non-residential gross floor area less than 3,350m^2.

16.3.16(4) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-B(5) Zone, as shown on Schedule “A” to this By-law, the maximum gross floor area of retail floor space permitted within the first storey is 158m^2.

16.3.16(5) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-B(5) Zone, as shown on Schedule “A” to this By-law, the minimum rear yard depth and interior side yard depth shall be 0.0m for that part of any building or structure up to 18.0m in height and 6.0m for that part of any building or structure greater than 18.0m in height.

16.3.17 **UGC-A(7) Zone (111 and 117 King Street East and 0 Athol Street East) (147-2024)**

16.3.17(1) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-A(7) Zone as shown on Schedule “A” to this By-law, the maximum density shall be 1,622 dwelling units per hectare.

16.3.17(2) Notwithstanding any provision of this By-law to the contrary, in any UGC-A(7) Zone, as shown on Schedule “A” to this By-law, the maximum height on the lands as shown on Appendix “A” to this Special Condition shall be as follows:

(a) The maximum building height on the lands shown as Site “A” to this Special Condition shall be 115m.

(b) The maximum building height on the lands shown as Site “B” to this Special Condition shall be 102m.

(c) The maximum building height on the lands shown as Site “C” to this Special Condition shall be 96m.

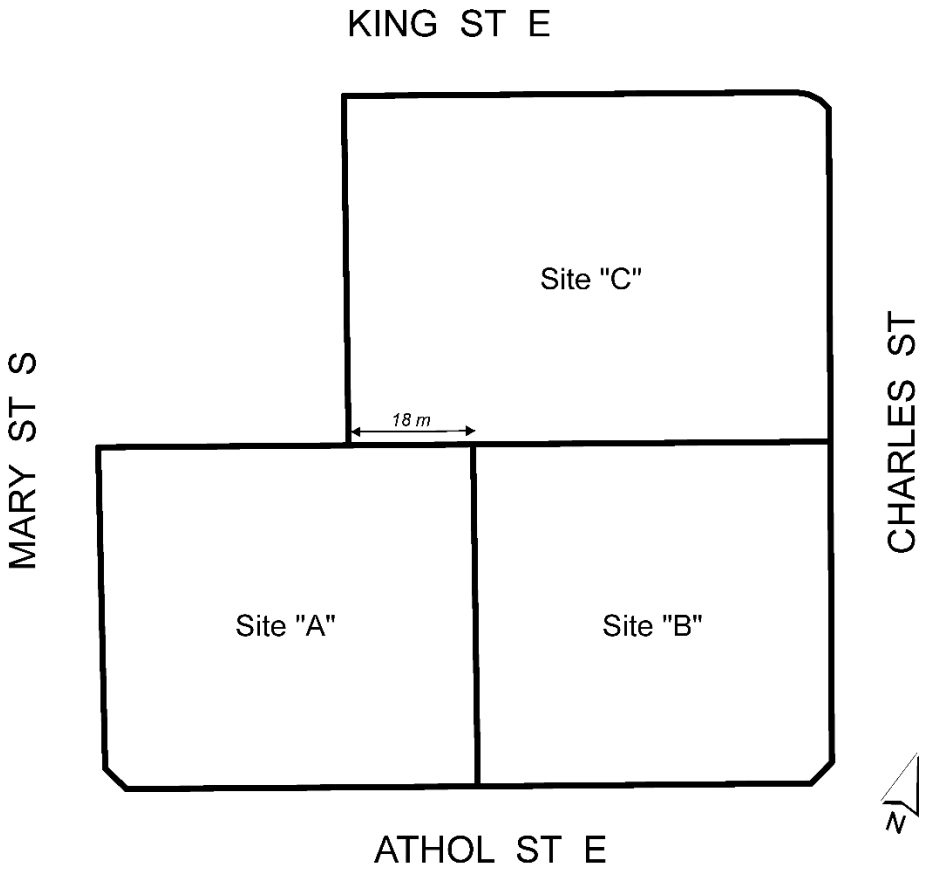
16.3.17(3) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-A(7) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) For the first 13.5m in height of any building or structure, the depth of any yard abutting an improved street shall be a minimum of 0m and a maximum of 10.0m.

(b) For any portion of any building or structure greater than 13.5m in height, the depth of any yard abutting an improved street shall be a minimum of 3.0m and there shall be no maximum.

(c) The minimum interior side yard depth for any portion of any building or structure greater than 25.0m in height shall be 7.0m.

Appendix “A” to Special Condition UGC-A(7)



16.3.18 **UGC-A(8) Zone (88 King Street West)** **(12-2025)**

16.3.18(1) Notwithstanding Subsection 16.2 of this By-law to the contrary, in any UGC-A(8) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) A maximum residential density of 1,900 units per hectare shall be permitted.

(b) A minimum front yard, exterior side yard and rear yard depth of 0.0m shall be provided for any portion of a building greater than 13.5m in height.

(c) A minimum interior side yard depth of 0.0m shall be provided for any portion of a building 20.0m or less in height, and a minimum interior side yard depth of 7.0m shall be provided for any portion of a building greater than 20.0m in height.

16.3.18(2) Notwithstanding Subsection 39.4 of this By-law to the contrary, in any UGC-A(8) Zone as shown on Schedule "A" to this By-law there shall be no minimum parking space width required for a parking space associated with a stacked parking system.

16.3.18(3) Notwithstanding Subsection 39.8 of this By-law to the contrary, in any UGC-A(8) Zone as shown on Schedule "A" to this By-law a minimum distance of 0.1m from a loading space or a parking space to a street line shall be provided, subject to the loading space or parking space being inside a building.

16.4 Provisions Applying to Main Shopping and Pedestrian Streets in the Downtown Oshawa Urban Growth Centre and to the Downtown Oshawa Urban Growth Centre at Large

(138-2008, 112-2024)

16.4.1 Notwithstanding any provision of this By-law to the contrary, within the hatched area shown on Schedule "G" to this By-law, the following uses are not permitted:

(a) Adult use store
(b) Apartment hotel other than a supervised student residence
(c) Automobile repair garage
(d) Social service establishment
(e) Parking lot as the only main use
(f) Crisis care residence

16.4.2 [deleted] **(82-2025)**

16.4.3 For the purposes of Subsection 16.4, the following definition shall apply:

"**SOCIAL SERVICE ESTABLISHMENT**" means a building or part of a building used by a "registered charity" as defined in subsection 248(1) of the *Income Tax Act*, R.S.C. 1985, c. 1 (5th Supp.), as amended, or by a corporation that is a non-profit organization for the purposes of

paragraph 57(1)(b) of the *Corporations Tax Act*, R.S.O. 1990, c. C.40 for the purpose of:

(a) Serving within or from the building food including uses commonly known as soup kitchens;

(b) Dispensing from or receiving at the building food including uses commonly known as food banks;

(c) Providing public use personal hygiene facilities such as showers and clothes cleaning equipment;

(d) Dispensing from or receiving at the building clothing and household articles;

(e) Providing drop-in services; or

(f) Providing counseling services.

16.4.4 Notwithstanding any other provision of this By-law to the contrary, dwelling units, lodging houses and bedrooms shall be restricted to the second storey or higher in the hatched area shown on Schedule “G” to this By-law. Notwithstanding the foregoing, dwelling units, lodging houses and bedrooms may be permitted on the first floor if located behind the non-residential uses located at the front of the building adjacent to the street line. **(52-2018, 62-2025)**

Section 17: PCC – Planned Commercial Centre Zones

17.1 Permitted Uses

17.1.1 No person shall within any PCC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Adult secondary school
(b) Animal hospital
(c) Apartment building
(d) Art gallery
(e) Automobile rental establishment
(f) Automobile repair garage
(g) Block townhouse
(h) Brew your own operation
(i) Cinema
(j) Club
(k) Commercial recreation establishment
(l) Commercial school
(m) Craft Brewery
(n) Day care centre
(o) Financial institution
(p) Flat
(q) Funeral home
(r) Hotel
(s) Long Term Care Facility
(t) Merchandise service shop
(u) Museum
(v) Nursing home
(w) Office
(x) Peddle
(y) Personal service establishment
(z) Place of Amusement
(aa) Place of worship
(bb) Printing establishment
(cc) Private school
(dd) Restaurant
(ee) Retail store
(ff) Retirement home
(gg) Studio
(hh) Tavern
(ii) Theatre

(66-1998, 62-2000, 39-2004, 122-2012, 86-2015, 61-2016, 69-2019, 62-2025)

17.2 Regulations

17.2.1 No person shall within any PCC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 17.2.

Table 17.2 - Regulations for PCC Zones

Zones		**PCC-A**	**PCC-B**	**PCC-C**	**PCC-D**
Minimum Lot Area (ha)		12.0	6.0	2.5	0.4
Minimum Front Yard and Exterior Side Yard Depth (m)		6.0	6.0	6.0	6.0
Minimum Interior Side Yard and Rear Yard Depth (m)	Abutting a Residential Zone	10.0		4.5	
	Abutting a Non-Residential Zone	0.0 abutting any commercial zone and 3.0 from any other abutting zone			
Maximum Height (m)		N/A	N/A	N/A	13.0
Maximum Density – Dwelling Units Per Hectare		N/A	N/A	150	150

(60-2005)

17.2.2 For any standalone apartment building permitted in any PCC-C or PCC-D Zone, the R6-C regulations in Table 11.2 and the relevant general provisions applicable to the R6-C Zone shall apply to such apartment building, provided the maximum height in a PCC-D zone shall not exceed 25m. **(60-2005)**

17.3 Special Conditions

17.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard PCC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter then all the other relevant provisions of this By-law shall apply. **(66-1998)**

17.3.2 **PCC-A(1) Zone (419 to 507 King Street West - Oshawa Centre)** **(96-1997)**

17.3.2(1) In addition to any PCC use, in any PCC-A(1) Zone, as shown on Schedule “A” to this By-law, a place of amusement is also a permitted use.

17.3.2(2) No PCC-A(1) use, other than an office use, an apartment building or a hotel use, shall be permitted beyond the first three floors, including any cellar or basement, of any building on the lands shown as Site “A” on Appendix “A” to this Special Condition. The maximum gross leasable floor area of office uses on Site “A” to Appendix “A” to this Special Condition

shall not exceed 40,000m^2. No parking structure on Site "A" shall exceed the height of any adjacent mall structure.

17.3.2(3) Notwithstanding Subsection 17.1 and Sentence 17.3.2(1) to the contrary, the lands shown as Site "B" on Appendix "A" to this Special Condition may only be used for R6-C uses or an uncovered surface parking lot associated with any PCC-A(1) use on Site "A".

17.3.2(4) Notwithstanding Subsection 17.2 and Sentence 17.3.2(8) to the contrary, the regulations applicable to a R6-C Zone apply to development on the lands shown as Site "B" on Appendix "A" to this Special Condition except that the regulations applicable to the PCC-A(1) Zone will apply to any uncovered surface parking lot, associated with a PCC-A(1) use on Site "A", which is located on Site "B".

17.3.2(5) In addition to any PCC-A(1) use, the lands shown as Sites "C" and "D" on Appendix "A" to this Special Condition may be used for an uncovered surface parking lot associated with any PCC-A(1) use on Site "A". No PCC-A(1) use, other than an office use or a hotel use, shall be permitted beyond the first three floors, including any cellar or basement, of any building on the lands shown as Site "C" on Appendix "A" to this Special Condition. **(82-2025)**

17.3.2(6) Notwithstanding any provision of this By-law to the contrary, on the lands shown as Site "D" on Appendix "A" to this Special Condition, the minimum residential parking requirement shall be equivalent to the parking requirement for the area shown on Schedule "D" as Area B, as described in Table 39.3B. **(82-2025)**

17.3.2(7) Notwithstanding any other provisions of this By-law to the contrary, in any PCC-A(1) Zone, the Elmgrove Avenue road allowance shall be deemed to be the front lot line for any lot that has frontage on Elmgrove Avenue. **(82-2025)**

17.3.2(8) Notwithstanding Subsection 17.2 to the contrary, on the lands shown as Sites "A", "B" and "C" on Appendix "A" to this Special Condition, the maximum height of any building shall not exceed 50m and shall not exceed 10 storeys in height, and on the lands shown as Site "D" the maximum height shall not exceed 180m above sea level. Notwithstanding the foregoing, on the lands shown as Site "D" on Appendix "A" to this Special Condition, the maximum height shall be 10m for any portion of a building situated at the minimum required setback from the east property line abutting a Residential Zone, and the permitted maximum height shall increase by 1.0m for every 1.0m of setback from the aforementioned lot line, up to a maximum height of 180m above sea level. **(82-2025)**

17.3.2(9) Notwithstanding any other provisions of this By-law to the contrary, in any PCC-A(1) Zone, the following structures or facilities are permitted:

(a) Any part of a parking structure that is below grade;

(b) Stairwells and associated enclosures, to a maximum height of 2.5m above grade, providing emergency exits from any part of a parking structure which is below grade; and

(c) Ventilation structures to a maximum height of 0.6m above grade, servicing a parking structure located below grade.

17.3.2(10) The maximum aggregate gross leasable floor area for all uses in any PCC-A(1) Zone, except hotel uses, residential uses, and office uses, shall not exceed 125,000m^2.

17.3.2(11) The maximum aggregate gross leasable floor area for office uses in any PCC-A(1) Zone shall not exceed 60,000m^2.

17.3.2(12) Notwithstanding Sentence 17.3.2(6) and Section 39 to the contrary, in any PCC-A(1) Zone, parking spaces shall be provided based on a shared parking rate. The shared parking rate is determined in accordance with Sentences 17.3.2(13) and 17.3.2(14). **(82-2025)**

17.3.2(13) In order to determine the minimum number of parking spaces required to be provided, the steps outlined in the following clauses apply:

(a) The provisions of Section 39 apply to the required number of parking spaces for residential and storage uses, save and except residential uses on the lands shown as Site “D” on Appendix “A” to this Special Condition, in which case the provisions of Sentence 17.3.2(6) apply. No adjustment for peak period use is made to those requirements. The minimum number of required parking spaces for these uses must be added to the figure resulting from clause (e) below. **(82-2025)**

(b) The minimum required number of parking spaces shall be determined by grouping all uses falling outside clause (a) above into three use categories, as outlined in Sentence 17.3.2(14), and applying the following standards:

(1) Retail: 1 space per 24m^2 gross leasable floor area;
(2) Office: 1 space per 28m^2 gross leasable floor area; and
(3) Hotel: 1 space per suite plus the minimums established in Section 39 for taverns and/or assembly halls within the hotel, but excluding parking requirements for restaurants, retail stores or personal service establishments within and accessory to the hotel.

This will yield three numbers, being the basic minimum number of parking spaces for each of the three use categories.

(c) For each of the three use categories, and for each of the time periods indicated on each of Tables 1 and 2, multiply the basic

minimum number of parking spaces (obtained in accordance with clause (b) above) by the factor indicated in each cell of the table. This will yield the adjusted minimum number of parking spaces by time period per use category.

(d) For each time period in Tables 1 and 2, add the adjusted minimum number of parking spaces for the three use categories. This yields six numbers, being the adjusted total minimum required number of parking spaces per time period.

(e) The highest number of the six numbers obtained in accordance with clause (d) above is the total adjusted minimum number of parking spaces for all uses other than residential or storage.

(f) Adding the figure obtained in accordance with clause (a) above to the figure obtained in accordance with clause (e) above will yield the parking requirement for PCC-A(1) Zone.

Table 1 - Peak Period Factors (Average Week-Day)

Land Use	**Morning (7 a.m. – 12 p.m.)**	**Afternoon (12 p.m. – 6 p.m.)**	**Evening (6 p.m. – 12 a.m.)**
Office	1:00	0.95	0.15
Retail	0.40	0.75	0.75
Hotel	1.00	0.40	1.00
Total	**2.40**	**2.10**	**1.90**

Table 2 - Peak Period Factors (Average Saturday)

Land Use	**Morning (7 a.m. – 12 p.m.)**	**Afternoon (12 p.m. – 6 p.m.)**	**Evening (6 p.m. 0 12 a.m.)**
Office	0.05	0.05	0.05
Retail	0.50	0.90	0.70
Hotel	1.00	0.40	1.00
Total	**1.55**	**1.35**	**1.75**

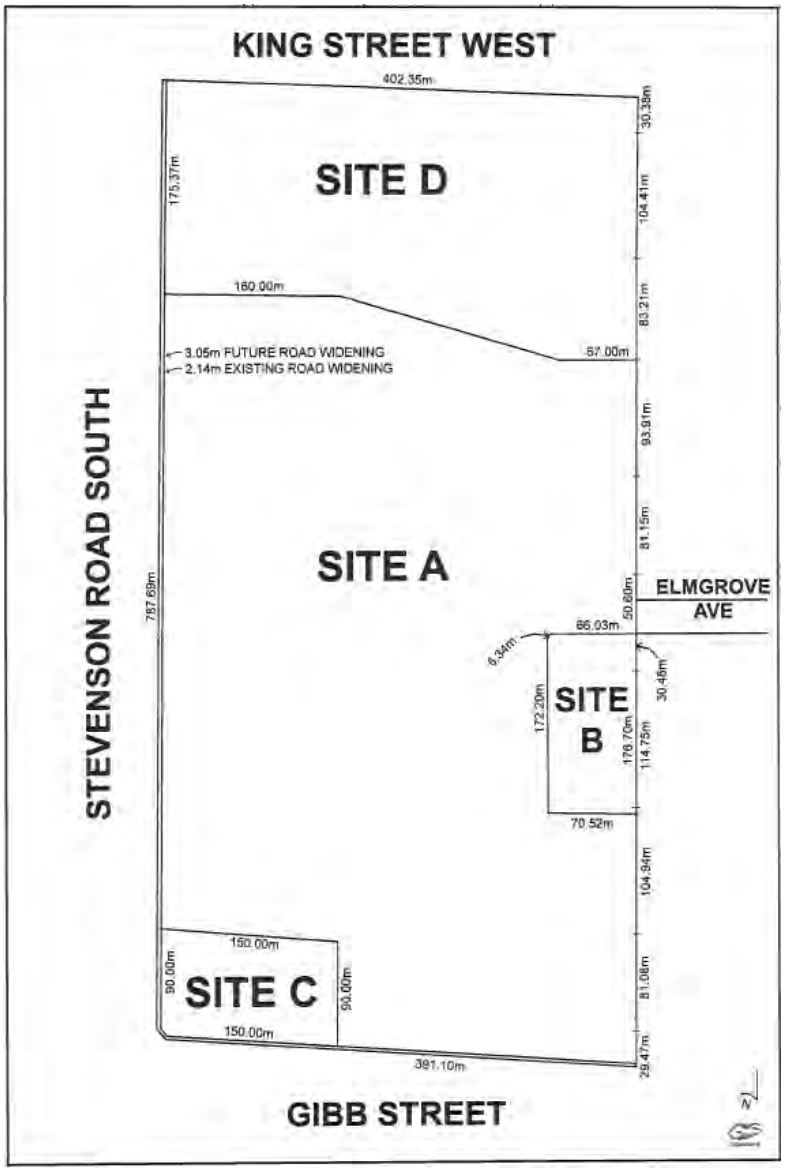
17.3.2(14) For the purposes of Sentences 17.3.2(12) and 17.3.2(13), and for applying the figures in Tables 1 and 2, use categories are determined in accordance with this Sentence. Any of the following are considered "Retail" uses: animal hospital, automobile rental establishment, automobile repair garage, automobile service station, cinema, club, commercial recreation establishment, commercial school, financial institution, merchandise service shop, personal service establishment, place of amusement, printing establishment, restaurant, retail store, studio, tavern, and a theatre. Any of the following are considered "Office" uses: adult secondary school, art gallery, assembly hall, place of worship, day care centre, funeral home, museum, and an office. Notwithstanding the foregoing, neither "Retail" uses nor "Office" uses shall include any of the

following: an apartment building, a block townhouse, a flat, a Long Term Care Facility, a nursing home, and a retirement home, which are considered "Residential" uses for the purposes of Sentence 17.3.2(13). **(96-1997, 69-2019, 62-2025, 82-2025)**

17.3.2(15) Notwithstanding Table 17.2 of this By-law to the contrary, on the lands shown as Site "D" on Appendix "A" to this Special Condition, the minimum yard depth abutting King Street West and Stevenson Road South shall be 3.0m. **(82-2025)**

17.3.2(16) Notwithstanding Table 17.2 of this By-law to the contrary, on the lands shown as Site "D" on Appendix "A" to this Special Condition, the minimum lot area shall be 0.4ha. **(82-2025)**

Appendix "A" to Special Condition PCC-A(1)



17.3.3 **PCC-A(2) Zone [Not in use]** **(82-2025)**

17.3.4 **PCC-B(1) Zone (285 Taunton Road East)**

17.3.4(1) In addition to any PCC use, in any PCC-B(1) Zone, as shown on Schedule “A” to this By-law, accessory outdoor storage are also permitted use. **(62-2025)**

17.3.4(2) In addition to any PCC use, the lands shown as Site “B” on Appendix “A” to this Special Condition may also be used as an automobile service station, car wash or fuel bar.

17.3.4(3) The maximum gross leasable floor area permitted in any PCC-B(1) Zone shall not exceed 41,302m^2. **(76-2017)**

17.3.4(4) In addition to any PCC use, for the lands shown as Site “C” on Appendix “A” to this special condition a self-serve storage building is also a permitted use. **(76-2017)**

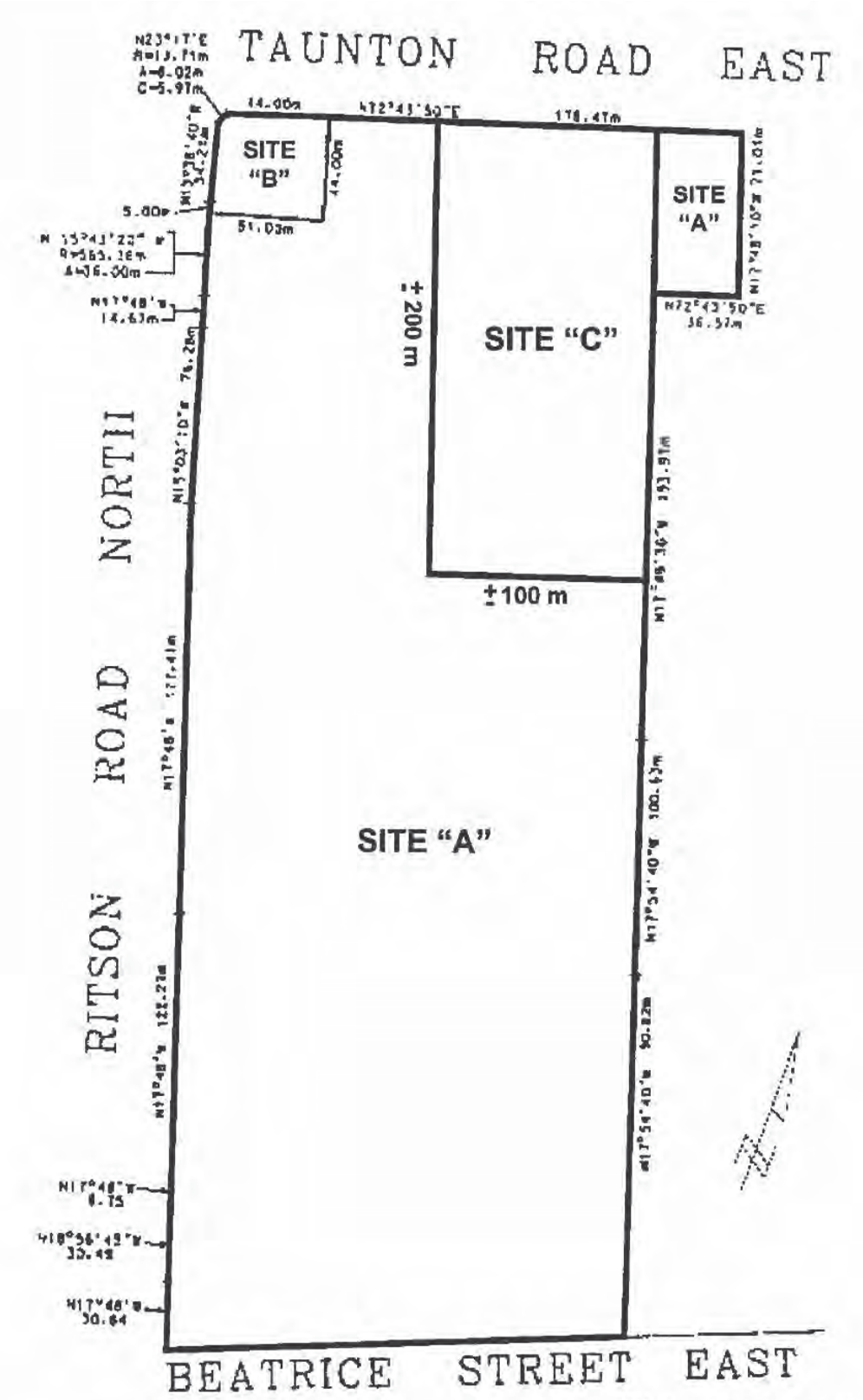
17.3.4(5) Notwithstanding any provisions of this By-law to the contrary, in any PCC-B(1) Zone, as shown on Schedule “A” to this By-law, any self-serve storage building must be a minimum of two storeys in height and be contained within a fully enclosed building, including all loading and unloading activities. **(76-2017)**

17.3.4(6) Notwithstanding Subsection 39.3 to the contrary, in any PCC-B(1) Zone, parking spaces shall be provided at a rate of not less than 3.4 parking spaces per 100m^2 of gross leasable floor area.

17.3.4(7) Notwithstanding Subsection 17.2 to the contrary, the minimum yard depths adjacent to Taunton Road East, Ritson Road North and Beatrice Street East shall be 0m. **(76-2017)**

17.3.4(8) Notwithstanding the definition of “lot” in Section 2 and any provisions of this By-law to the contrary, all lands zoned PCC-B(1) shall be considered to be one lot for the purposes of applying regulations relating to parking, loading, lot area, yard depths, front lot line, gross floor area, parking locations, permitted yard encroachments and landscaped open space subject to any easements being registered on title to the satisfaction of the City. **(76-2017)**

Appendix "A" to Special Condition PCC-B(1)



(76-2017)

17.3.5 **PCC-B(2) Zone (500 Howard Street)**

17.3.5(1) Notwithstanding Subsection 17.1 to the contrary, the lands shown as Site "A" on Appendix "A" to this Special Condition shall not be used for any purpose or use other than the uses listed below:

(a) Museum

(b) Office

(c) Peddle

(d) Personal service establishment

(e) Railway facilities

(f) Restaurant

(g) Retail store other than a supermarket

(h) Storage warehouse or shipping facilities accessory to a supermarket or retail food terminal

(i) Supermarket and retail food terminal

(j) Light manufacturing of bubble wrap and adhesive tape

(k) Warehouse for bubble wrap, adhesive tape and associated shipping products such as consumer stationary and related mailing products **(46-2006, 122-2012)**

17.3.5(2) [deleted]

17.3.5(3) On Site "A", only buildings having a maximum gross floor area of no more than 26,400m^2 made up partially of the floor areas set out as follows, shall be permitted:

(a) The gross floor area used for a supermarket and retail food terminal shall not exceed 19,500m^2 exclusive of accessory uses; the gross floor area devoted to retail sales within the supermarket and retail food terminal shall not exceed 11,400m^2.

(b) The gross floor area of retail stores, exclusive of the supermarket and retail food terminal and including all floor areas used for personal service establishments and restaurants shall in total not exceed 3,420m^2 of which not more than 2,560m^2 shall be devoted to retail sales, and the balance shall only be used for storage and accessory uses.

17.3.5(4) [deleted]

17.3.5(5) Notwithstanding Subsection 39.3 to the contrary and subject to Sentence 17.3.5(6), the following parking requirements shall apply to Site “A”:

Use or Purpose:	**Minimum Number of Parking Spaces Required**
(a) Retail and Personal Service Floor Space	1 parking space for each, 24m^2 of gross floor area
(b) Warehouse and Shipping Facilities	1 parking space for each, 45m^2 of gross floor area
(c) Uses other than those listed above	1 parking space for each, 28m^2 of gross floor area

17.3.5(6) Notwithstanding sentence 17.3.5(5) to the contrary, a minimum of 800 parking spaces shall be provided on Site “A”.

17.3.5(7) [deleted]

17.3.5(8) No outside storage of goods, materials or machinery shall be permitted on Site “A”, except that bulk refuse containers may be located on Site “A” provided the location where such containers are stored is suitably screened.

17.3.5(9) Notwithstanding any other provision in Article 17.3.5 of this By-law to the contrary in any PCC-B(2) Zone, light manufacturing of bubble wrap and adhesive tape and a warehouse for bubble wrap, adhesive tape and associated shipping products are permitted only within the buildings existing as of April 10, 2006. **(46-2006)**

17.3.5(10) The gross floor area devoted to the light manufacturing of bubble wrap and adhesive tape shall not exceed 3,200m^2. **(46-2006)**

17.3.5(11) Notwithstanding any other provision in Article 17.3.5 of this By-law to the contrary, the provisions of Subsection 39.3 shall apply to the light manufacturing of bubble wrap and adhesive tape and a warehouse for bubble wrap, adhesive tape and associated shipping products. **(85-2003, 46-2006)**

17.3.5(12) Notwithstanding any other provision in Article 17.3.5 of this By-law to the contrary in any PCC-B(2) Zone, an apartment building and flat are permitted. **(69-2019)**

17.3.5(13) Notwithstanding any other provision in Article 17.3.5 of this By-law to the contrary, the applicable provisions of Sections 2, 3, 4, 5, 39 and Article 17.2.2 shall apply to any apartment building or flat. **(69-2019)**

Appendix "A" to Special Condition PCC-B(2)



(85-2003)

17.3.6 **PCC- C(1) Zone [Not in use]** **(62-2025)**

17.3.7 **PCC-D(1) Zone (southwest Quadrant of Taunton Road East and Clearbrook Drive)** **(17-2021)**

17.3.7(1) Notwithstanding the provisions of Sentence 3.8.2(a) of this By-law to the contrary, the entirety of the lands known as the Murton Street road allowance and any associated 0.3 metre reserve shall be zoned PCC-D(1).

17.3.7(2) Notwithstanding the provisions of Subsection 17.2 of this By-law to the contrary, in any PCC-D(1) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

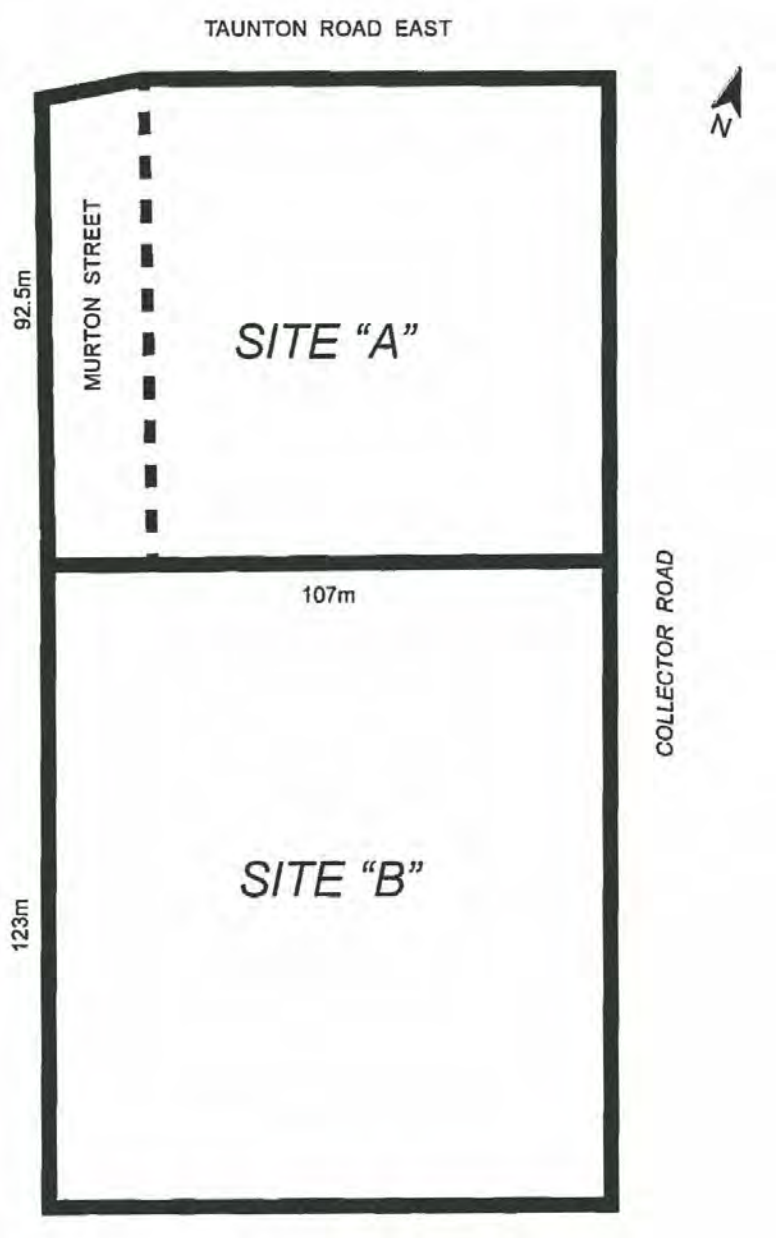
(a) A minimum exterior side yard depth of 2.5m shall be provided.

17.3.7(3) The maximum gross floor area devoted to non-residential uses listed in Article 17.1.1 shall be 4,800m^2.

17.3.7(4) The maximum gross floor area devoted to any individual supermarket shall not exceed 3,252m^2.

17.3.7(5) Within the lands shown as Site “A” on Appendix “A” to this Special Condition, no person shall erect or use any building or structure unless all lands within Site “A”, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

Appendix “A” to Special Condition PCC-D(1)



17.3.8 **PCC-D(2) Zone (Wentworth Street West, west of Oxford Street)**

17.3.8(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any PCC-D(2) Zone, as shown on the Schedule "A" to this By-law, the following definitions shall apply:

(a) "**PHARMACY**" means a building or part of a building in which prescription drugs are dispensed and in which, among other things, non-prescription medicines, health and beauty products and associated sundry items are offered for sale.

(b) "**RETAIL GROCERY STORE**" means a building or part of a building in which foodstuffs are displayed, stored or offered for sale, and in which associated small household and sundry items may also be sold.

(c) "**RETAIL STORE**" means a building or part of a building in which goods, wares, merchandise and other substances, articles and things are displayed, stored or offered for wholesale or retail sale or rental and includes a catalogue store and retail bakery but does not include an automobile rental establishment, an automobile sales and service establishment, a vehicle sales and service establishment, a pharmacy or a retail grocery store.

17.3.8(2) Notwithstanding Subsection 17.1 to the contrary, in any PCC-D(2) Zone, as shown on Schedule "A" to this By-law, the following are the only uses permitted:

(a) Animal hospital
(b) Automobile body shop
(c) Automobile rental establishment
(d) Automobile repair garage
(e) Automobile sales and service establishment
(f) Cinema
(g) Financial institution
(h) Office
(i) Peddle
(j) Personal service establishment
(k) Pharmacy
(l) Restaurant
(m) Retail grocery store
(n) Retail store
(o) Tavern
(p) Theatre

(122-2012)

17.3.8(3) The gross floor area permitted in any PCC-D(2) Zone shall not exceed 5,580m^2.

17.3.8(4) Not more than 929m^2 of gross floor area shall be used for retail grocery stores.

17.3.8(5) One retail grocery store only may have a maximum gross floor area of 465m^2, with the balance of gross floor area permitted to be used for retail grocery stores to be allocated between a minimum of two other stores.

17.3.8(6) Not more than 465m^2 of gross floor area shall be used for pharmacies.

17.3.8(7) No individual restaurant shall have a gross floor area greater than 465m^2.

17.3.8(8) Notwithstanding Subsection 39.3 to the contrary, in any PCC-D(2) Zone, parking is required to be provided at a rate of one parking space for every 17m^2 of gross floor area.

17.3.8(9) No use other than landscaping or walkways shall be permitted within 10m of the east limit of the lands subject to the PCC-D(2) Zone.
(OMB R940316-5/R940316-7)

17.3.9 **PCC-D(3) Zone (northeast corner of Taunton Road East and Wilson Road North) (57-1996)**

17.3.9(1) Notwithstanding any other provision of this By-law to the contrary, in any PCC-D(3) Zone, as shown on Schedule “A” to this By-law, the maximum gross leasable floor area shall be 11,148m^2.

17.3.10 **PCC-A(3) Zone (east side of Harmony Road North, north of Taunton Road East) (98-1999, 55-2006, OMB Z050045)**

17.3.10(1) In any PCC-A(3) Zone, as shown on Schedule “A” to this By-law, the following definitions shall apply:

“**DEPARTMENT STORE**” means a large retail store classified as a “department store” or “discount department store” by Statistics Canada, which offers a wide selection of merchandise in departments, such as apparel, housewares, domestic goods, drugs, hardware, automotive supplies, sporting goods, toys, furniture and appliances, and may include an associated automobile repair garage or the storage, display and sale of lawn and garden supplies, food store space, personal service establishments, financial institutions and restaurants.

“**FOOD STORE SPACE**” means floor space contained within a department store devoted to the sale and storage of food.

“**SUPERMARKET FLOOR SPACE**” means floor space contained within a building or part of a building devoted to the sale of food and associated small household items which floor space exceeds 750m^2 in gross floor area, but shall not include food store space within a department store.
(98-2008)

17.3.10(2) The gross floor area permitted in any PCC-A(3) Zone shall not exceed 70,000m^2. **(98-2008)**

17.3.10(3) The gross floor area devoted to Supermarket Floor Space in any area zoned PCC-A(3) shall not exceed 6,218m^2.

17.3.10(4) The gross floor area devoted to a department store in any area zoned PCC-A(3) shall not exceed 19,974m^2 provided the gross floor area devoted to food store space shall not exceed 5,110m^2. **(98-2008)**

17.3.10(5) Notwithstanding any other provisions of this By-law to the contrary, in any PCC-A(3) Zone as shown on Schedule "A" to this By-law, the front lot line shall be considered to be the lot line adjacent to Taunton Road East.

17.3.10(6) Notwithstanding the provisions of Subsection 17.2 to the contrary, the most south easterly minimum interior side yard for the most easterly building shall be 15m.

17.3.10(7) Notwithstanding any other provisions of this By-law to the contrary, in any PCC-A(3) Zone as shown on Schedule "A" to this By-law, no other use other than Landscaped Open Space shall be permitted within 3.0m to the west of the lands described as Part 9 Plan 40R-19979.

17.3.10(9) Notwithstanding the definition of "lot" in Section 2 and the provisions of Subsection 3.7 to the contrary, all lands zoned PCC-A(3) shall be considered to be one lot for the purposes of applying regulations relating to lot area, lot frontage, yard depths, height, gross floor area, parking and loading and general provisions.

17.3.11 **PCC-C(2) Zone (southeast corner of Taunton Road East and Grandview Street North) (OMB PL020751)**

17.3.11(1) The maximum gross leasable floor area permitted in any PCC-C(2) Zone shall not exceed 6,600m^2.

17.3.11(2) No person shall within a PCC-C(2) Zone use any land or erect or use any building or structure for any PCC-C use unless all the lands in a PCC-C(2) Zone are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham. **(19-2017)**

17.3.12 **PCC-D(4) Zone (south side of Taunton Road East, west of Branch No. 3 of the Harmony Creek) (37-2004)**

17.3.12(1) The maximum gross leasable floor area permitted in the area zoned PCC-D(4) shall be 10,962m^2.

17.3.12(2) Notwithstanding the definition of "lot" in Section 2 and the provisions of Subsection 3.7 to the contrary, all lands zoned PCC-D(4) shall be

considered to be one lot for the purposes of applying regulations relating to maximum gross leasable floor area.

17.3.12(3) Notwithstanding any other provisions of this By-law to the contrary, no restaurant, tavern or club shall be located within 80.0m of the southerly limit of the area zoned PCC-D(4).

17.3.12(4) Notwithstanding Subsection 17.2 to the contrary, the minimum rear yard depth abutting a residential zone shall be 10m in any area zoned PCC-D(4).

17.3.12(5) Notwithstanding any other provision of this By-law to the contrary, a minimum 5.0m landscaped open space shall be provided along the northerly and southerly limits of the area zoned PCC-D(4).

17.3.12(6) Notwithstanding any other provision of this By-law to the contrary, no building greater in height than 9.5m shall be located within 80m of the southerly limit of the area zoned PCC-D(4).

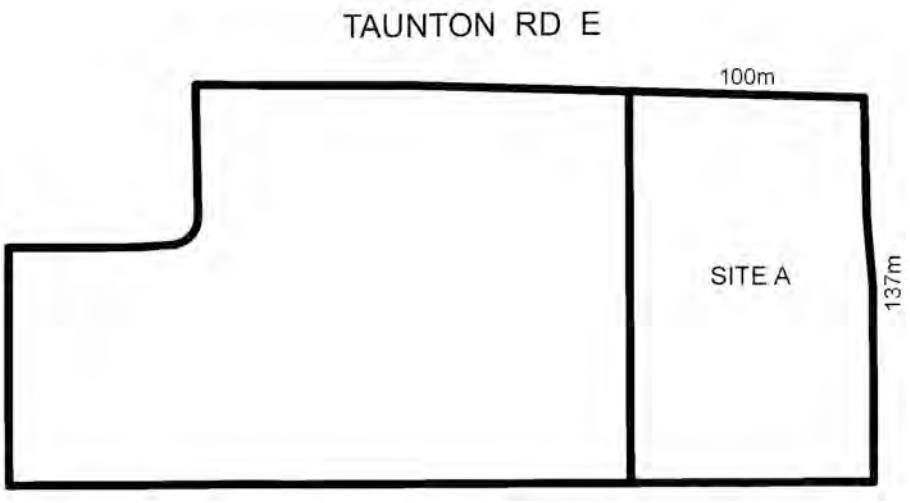
17.3.12(7) Notwithstanding Subsection 17.1 to the contrary, the following uses shall not be permitted in the area zoned PCC-D(4):

(a) Adult secondary school
(b) Adult use store
(c) Apartment building
(d) Automobile repair garage
(e) Body rub parlour
(f) Flat
(g) Hotel
(h) Merchandise service shop where engine repair is conducted
(i) Methadone clinic
(j) Pawn shop
(k) Second hand goods shop
(l) Supermarket other than a supermarket permitted pursuant to Sentence 17.3.12(8) **(82-2022)**
(m) Tattoo parlour

17.3.12(8) Notwithstanding Sentence 17.3.12(7) to the contrary, for the lands shown as Site “A” on Appendix “A” to this special condition a supermarket is a permitted use. **(82-2022)**

17.3.12(9) The maximum gross floor area permitted for a supermarket on the lands shown as Site “A” on Appendix “A” to this special condition shall not exceed 3,500m^2. **(82-2022)**

Appendix "A" to Special Condition PCC-D(4)



17.3.13 **PCC-C(3) Zone (200 John Street West)** **(72-2005)**

17.3.13(1) Notwithstanding Article 4.15A.1 of this By-law to the contrary, in any PCC-C(3) Zone, as shown on Schedule "A" to this By-law, only one gaming establishment used only for off-track betting on horse races is also a permitted use as an accessory use within a commercial recreation establishment, a club, a restaurant or any combination thereof.

17.3.13(2) The gross floor area devoted to a gaming establishment used only for off-track betting on horse races in any PCC-C(3) Zone shall not exceed 232m².

17.3.14 **PCC-C(4) Zone (northwest corner of Taunton Road West and Thornton Road North)** **(74-2008)**

17.3.14(1) Notwithstanding Article 17.1 to the contrary, in any PCC-C(4) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Any use permitted in the PCC Zone except:

(i) Apartment building;
(ii) Flat;
(iii) Long Term Care Facility;
(iv) Nursing home;
(v) Retirement home; and
(vi) Hotel.

(69-2019)

17.3.14(2) Notwithstanding the definition of "lot" in Section 2 and the provisions of Subsection 3.7 to the contrary, all lands zoned PCC-C(4) shall be considered to be one lot for the purposes of applying regulations relating

to lot area, lot frontage, yard depths, height, gross floor area, parking and loading and general provisions.

17.3.14(3) The total gross floor area permitted in the area zoned PCC-C(4) shall not exceed 11,237m².

17.3.14(4) The total gross floor area devoted to supermarket floor space in any PCC-C(4) Zone shall not exceed 3,855m².

17.3.14(5) Notwithstanding the provision of Article 17.21 to the contrary, the minimum lot area permitted in the area zoned PCC-C(4) zone shall be 2.0ha.

17.3.14(6) The total gross floor area devoted to pharmacy floor space in any PCC-C(4) Zone shall not exceed 929m².

17.3.15 **PCC-A(4) Zone (lands south of Winchester Road, east and west of Simcoe Street North) (84-2012)**

17.3.15(1) Notwithstanding any provision of this By-law to the contrary, the maximum combined gross leasable floor area for all lands zoned PCC-A(4) shall not exceed 200,000 m^2.

17.3.15(2) Notwithstanding Subsection 17.2 to the contrary, in any PCC-A(4) Zone, the minimum front yard depth and minimum exterior side yard depth shall be 1.0m.

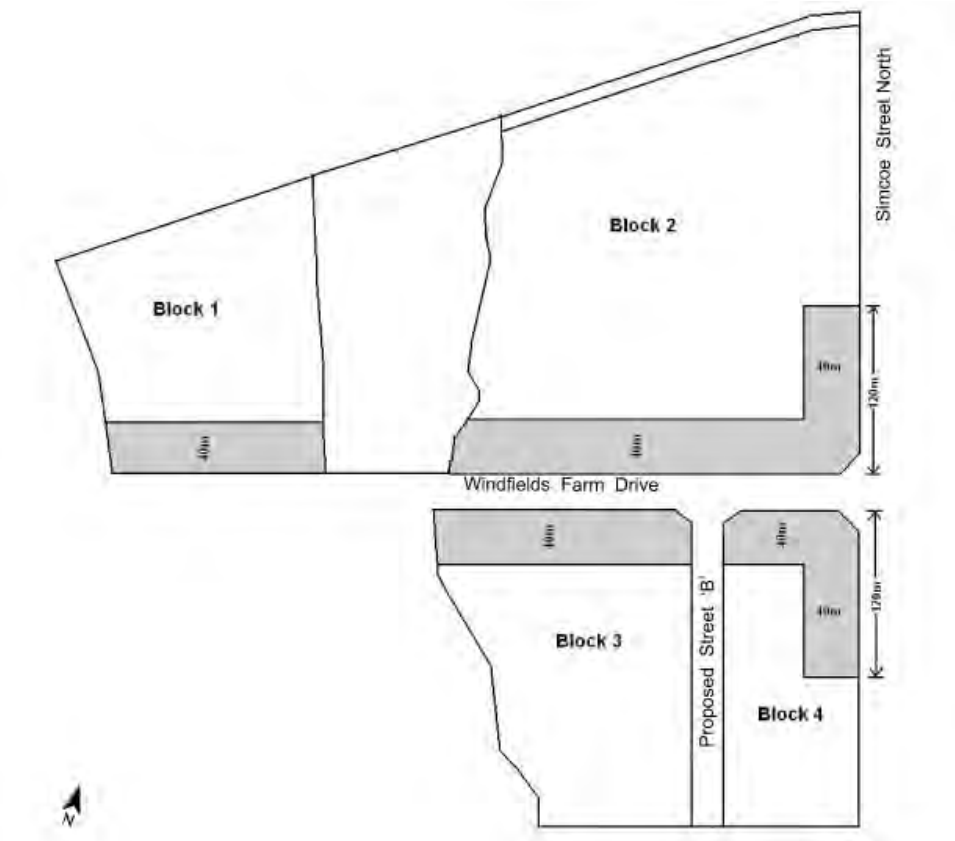
17.3.15(3) Notwithstanding any other provision of this By-law to the contrary, in any PCC-A(4) Zone, for any building located, in whole or in part, in the shaded area shown on the attached Appendix “A” or Appendix “B” to this Special Condition, the minimum building setback to a street line shall be 1.0m and the maximum building setback to a street line shall be 4.0m.

17.3.15(4) Notwithstanding Subsection 17.2 to the contrary, in any PCC-A(4) Zone, the minimum interior side yard depth and minimum rear yard depth abutting any Residential Zone or Mixed Use Zone shall be 10.0m. A minimum 5.0m of landscaped open space shall be provided abutting the lot line that abuts the Residential or Mixed Use Zone.

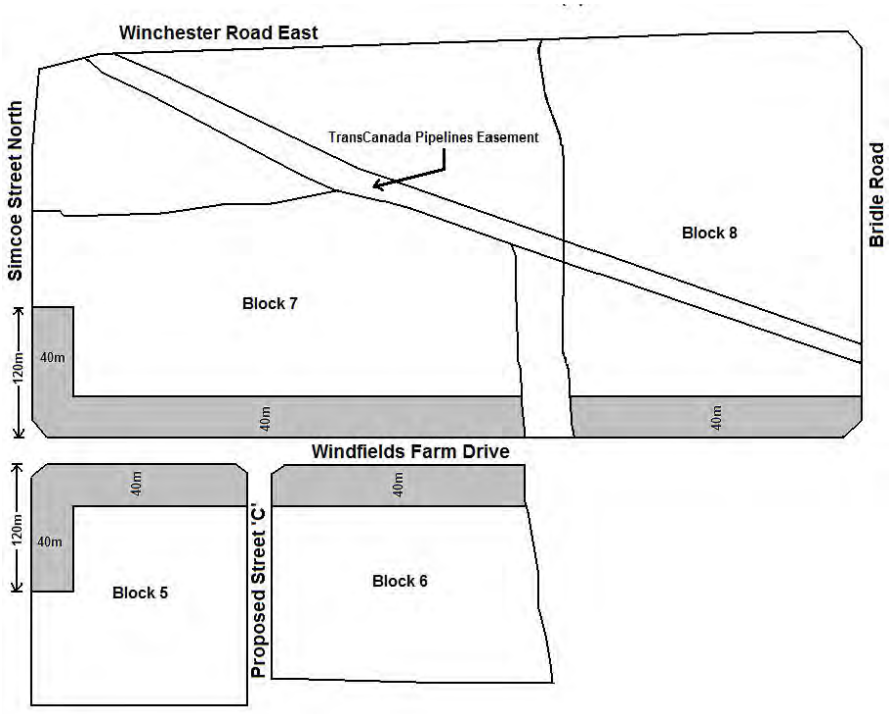
17.3.15(5) Notwithstanding any other provision of this By-law to the contrary, in any PCC-A(4) Zone, any main building or structure shall be setback a minimum of 7.0m from the TransCanada Pipeline right-of-way and any accessory building or structure shall be setback a minimum of 3.0m from the TransCanada Pipeline right-of-way.

17.3.15(6) Notwithstanding Subsection 17.2 to the contrary, in any PCC-A(4) Zone, the minimum lot area shall be 1.8ha.

Appendix "A" to Special Condition PCC-A(4)



Appendix "B" to Special Condition PCC-A(4)



This page was intentionally left blank.

Section 18: PSC – Planned Strip Commercial Zones

18.1 Permitted Uses

18.1.1 No person shall within any PSC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

18.1.2 The following uses are permitted in any PSC-A or PSC-C Zone: **(62-2025)**

(a) Animal hospital
(b) Apartment building
(c) Art gallery
(d) Auction establishment
(e) Automobile rental establishment
(f) Automobile repair garage
(g) Automobile sales and service establishment
(h) Block townhouse
(i) Brew your own operation
(j) Cinema
(k) Club
(l) Commercial recreation establishment, except a billiard hall
(m) Commercial school
(n) Craft Brewery
(o) Crisis care residence
(p) Day care centre
(q) Financial institution
(r) Flat
(s) Funeral home
(t) Hotel
(u) Lodging house
(v) Long Term Care Facility
(w) Merchandise service shop
(x) Museum
(y) Nursing home
(z) Office
(aa) Outdoor storage accessory to a permitted use in the PSC-A Zone
(bb) Peddle
(cc) Personal service establishment
(dd) Place of amusement **(62-2025)**
(ee) Place of worship **(62-2025)**
(ff) Printing establishment
(gg) Private School
(hh) Restaurant
(ii) Retail store
(jj) Retirement home
(kk) Studio
(ll) Tavern

(mm) Taxi establishment
(nn) Theatre

(66-1998, 17-1999, 39-2004, 122-2012, 61-2016, 69-2019)

18.1.3 The following uses are permitted in any PSC-B Zone:

(a) Apartment building
(b) Assembly hall
(c) Day care centre
(d) Financial institution
(e) Flat
(f) Office
(g) Personal service establishment
(h) Private school **(66-1998, 39-2004)**

18.2 Regulations

18.2.1 No person shall within any PSC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 18.2 and this Subsection.

Table 18.2 - Regulations for PSC Zones

Zones		**PSC-A and PSC-B**	**PSC-C**
Minimum Interior Side Yard and Rear Yard Depth (m)	Abutting a Residential Zone	4.5	4.5m for the first 13.0m or part thereof of height, and every 1.0m of additional height shall have an additional minimum yard depth of 1.0m, up to a maximum required yard depth of 20.0m
	Abutting a Commercial Zone	0.0	0.0m for the first 13.0m in height, and 4.5m for any portion of building above 13.0m in height
	Abutting a Zone Other Than Residential or Commercial	3.0	3.0m for the first 13.0m in height, and 4.5m for any portion of building above 13.0m in height
Maximum Height (m)		13.0	20.0
Maximum Density – Dwelling Units Per Hectare		85	300

(60-2005, 62-2025)

18.2.2 The gross floor area occupied by any individual financial institution, merchandise service shop, personal service establishment or retail store, excluding any floor area used for storage, interior pedestrian walkways, the provision of heating, air conditioning, plumbing, electrical or other services, washrooms or parking areas, shall not exceed 1,550m^2.

18.2.3 For any standalone apartment building permitted in any PSC Zone, the minimum lot frontage shall be 25.0m. **(112-2024)**

18.2.4 For any block townhouse permitted in any PSC Zone, the regulations in Table 9.2 and the relevant general provisions applicable to the R4-A Zone shall apply to such use.

18.2.5 Notwithstanding the definition of “front lot line” in Section 2 of this By-law to the contrary, where a lot in a PSC-C Zone has a street line abutting King Street West or Bond Street West, that street line shall be the front lot line. In the case of a lot that abuts both King Street West and Bond Street West, the lot line that abuts King Street West shall be deemed to be the front lot line.

18.2.6 Notwithstanding any provision of this By-law to the contrary, in any PSC-C Zone, the minimum residential parking requirement shall be equivalent to the parking requirement for the area shown on Schedule “D” as Area B, as described in Table 39.3B.

18.3 Special Conditions

18.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard PSC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

18.3.2 **PSC-A(1) Zone (435 Bond Street East)**

18.3.2(1) In addition to any PSC use, in any PSC-A(1) Zone, as shown on Schedule “A” to this By-law, an electrical contractors warehouse and outdoor storage yard and a retail sales outlet for electrical supplies are also permitted uses, provided such uses shall not exceed 415m^2 of gross floor area.

18.3.3 **PSC-A(2) Zone (southwest corner of Bond Street West and Stevenson Road North)**

18.3.3(1) Notwithstanding Subsection 18.1 to the contrary, in any PSC-C(1) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses: **(62-2025)**

(a) Financial institution
(b) Office
(c) Peddle
(d) Personal service establishment
(e) Restaurant
(f) Retail store

(122-2012)

18.3.3(2) The gross floor area in any PSC-C(1) Zone shall not exceed 3,150m^2. **(62-2025)**

18.3.3(3) The gross floor area for all restaurant uses shall not exceed 1,050m^2.

18.3.3(4) The gross floor area for all retail stores and personal service establishments shall not exceed 717m^2.

18.3.4 **PSC-B(1) Zone (221 Simcoe Street North) (OMB R940316)**

18.3.4(1) Notwithstanding Subsection 18.1 to the contrary, in any PSC-B(1) Zone as shown on Schedule "A" to this By-law, the following is the only permitted use:

(a) A parking lot accessory to a permitted use on the lands described as 221 Simcoe Street North.

18.3.5 **PSC-A(3) Zone (1424, 1438 and 1450 Townline Road North) (62-1996)**

18.3.5(1) Notwithstanding any other provision of this By-law to the contrary, in any PSC-A(3) Zone, as shown on Schedule "A" to this By-law, the maximum gross leasable floor area of any individual occupancy shall be 223m^2.

18.3.5(2) No person shall within a PSC-A(3) Zone use any land or erect or use any building or structure for any PSC-A use unless all the lands in a PSC-A(3) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham. **(45-2012)**

18.3.6 **PSC-A(4) Zone (293 Dean Avenue) (25-1998)**

18.3.6(1) In addition to any PSC-A use, in any PSC-A(4) Zone, as shown on Schedule "A" to this By-law, a car wash is also a permitted use.

18.3.6(2) Notwithstanding Subsection 18.2 to the contrary, in any PSC-A(4) Zone, for a car wash the minimum interior side yard depth abutting a residential zone shall be 3.0m and the minimum rear yard depth abutting a residential zone shall be 1.5m.

18.3.6(3) Notwithstanding Subsection 39.3 to the contrary, in any PSC-A(4) Zone, parking spaces shall be provided at a rate of not less than 0.5 parking spaces per bay for a car wash.

18.3.6(4) Notwithstanding Subsection 4.10 to the contrary, in any PSC-A(4) Zone, no part of any parking area shall be located closer than 1.5m to any street line.

18.3.7 **PSC-A(5) Zone (58, 80 and 84 Rossland Road West) (93-1999)**

18.3.7(1) The gross floor area of any building on the lands shown as Site “A” on Appendix “A” to this Special Condition shall not exceed 2,800m^2.

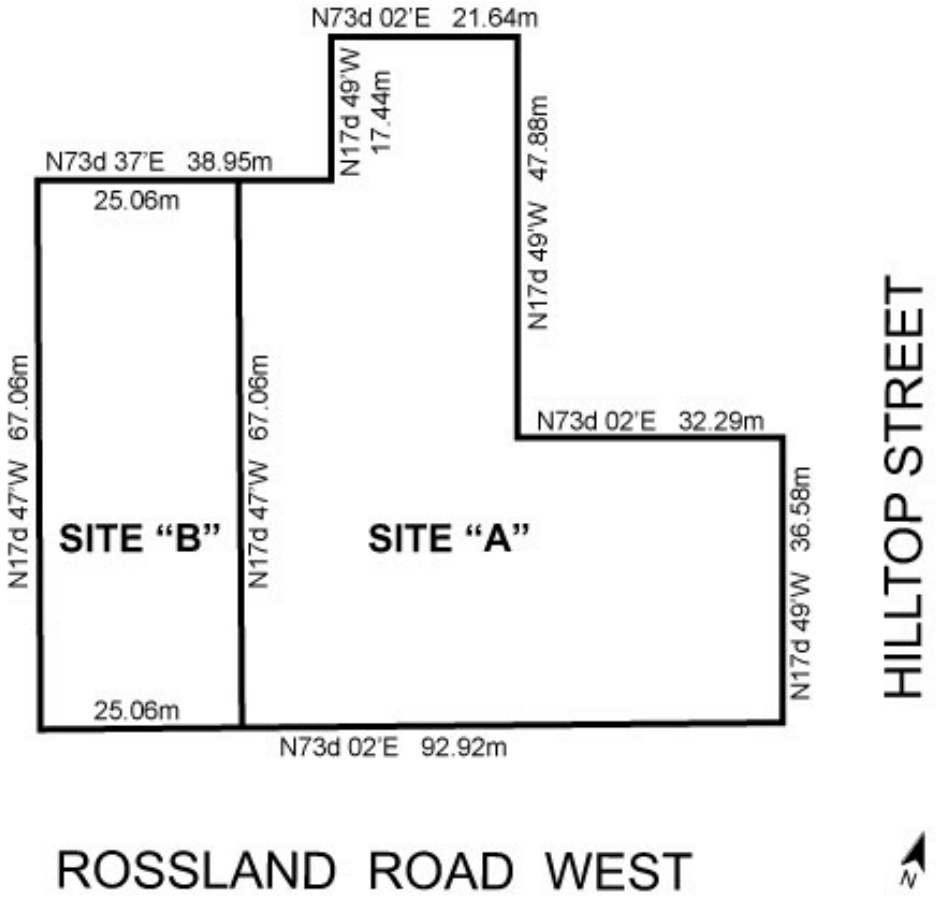
18.3.7(2) The gross floor area devoted to permitted uses, except office uses, on the lands shown as Site “A” on Appendix “A” to this Special Condition shall not exceed 872m^2.

18.3.7(3) The gross floor area of any building or part of a building on the most northerly 45m of the lands shown as Site “A” on Appendix “A” to this Special Condition shall only be used for office uses.

18.3.7(4) The lands shown as Site “B” on Appendix “A” to this Special Condition shall only be used as a parking lot accessory to the permitted uses on Site “A”.

18.3.7(5) Notwithstanding Subsection 39.6 to the contrary, a minimum of two small loading spaces shall be provided in any PSC-A(5) Zone.

Appendix "A" to Special Condition PSC-A(5)



18.3.8 **PSC-A(6) Zone (southeast corner of King Street East and Eastlawn Street) (OMB PL010021)**

18.3.8(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary in any PSC-A(6) Zone as shown on Schedule "A" to this By-law, the following definition shall apply:

"**ADULT PRODUCT STORE**" means all or any part of a retail store for products, such as clothing, books, magazines and equipment, which are related to specified anatomical areas and which appeal to or are designed to appeal to erotic or sexual appetites or inclinations. Specified anatomical areas means less than completely and opaquely covered human genitals, pubic region, buttocks, female breasts below a point immediately above the areola and human male genitals in a discernibly turgid state even if completely and opaquely covered.

18.3.8(2) In addition to any PSC-A use, the lands shown as Site "A" on Appendix "A" to this Special Condition may also be used as an automobile service station, a car wash and a fuel bar.

18.3.8(3) Notwithstanding Subsection 18.1 to the contrary, the following are the only uses permitted on the lands shown as Site “B” on Appendix “A” to this Special Condition:

(a) Art gallery
(b) Brew your own operation
(c) Club, excluding a nightclub
(d) Commercial recreation establishment, excluding a billiard hall
(e) Commercial school
(f) Daycare centre
(g) Eat-in restaurant, excluding a billiard table
(h) Financial institution
(i) Funeral home
(j) Merchandise service shop
(k) Museum
(l) Office
(m) Peddle
(n) Personal service establishment
(o) Place of worship **(62-2025)**
(p) Printing establishment
(q) Retail store
(r) Studio **(122-2012)**

18.3.8(4) Notwithstanding Subsection 18.1 and Sentences 18.3.8(2) and 18.3.8(3) to the contrary, in any PSC-A(6) Zone as shown on Schedule “A” to this By-law, the following uses are prohibited:

(a) Pawn shop

(b) Video rental establishment other than a family video rental establishment

(c) Adult product store

(d) Vehicle drive through facilities for any commercial use or financial institution on the lands shown as Site “B” on Appendix “A” to this Special Condition.

18.3.8(5) Notwithstanding Subsection 18.2 to the contrary, the following regulations shall apply to the lands shown as Site “A” on Appendix “A” to this Special Condition:

(a) The minimum yard depths for an automobile service station, a car wash and a fuel pump island shall be 18.0m to the Eastlawn Street streetline and 1.1m to the King Street East streetline.

(b) The minimum interior side yard and rear yard depth abutting a Residential Zone shall be 1.5m.

18.3.8(6) Notwithstanding Subsection 18.2 to the contrary, the following regulations shall apply to the lands shown as Site “B” on Appendix “A” to this Special Condition:

(a) No part of Site “B” shall be used as a parking area unless there is a main building having a minimum gross floor area of 230m^2 located on Site “B” in which case parking shall be permitted on the remainder of Site “B”.

(b) The minimum yard depth abutting the Eastlawn Street streetline shall be 2.5m.

(c) The maximum yard depth abutting the Eastlawn Street streetline shall be 3.5m.

(d) The minimum interior side and rear yard depth abutting a Residential Zone shall be 1.5m and yards shall include any municipally owned one foot reserve.

(e) The maximum yard depth abutting the Residential Zone adjacent to the southerly lot line shall be 1.75m and the yard shall include any municipally owned one foot reserve.

(f) A building with a west wall not less than 15m in length in a north/south direction shall be required to be established adjacent to the Eastlawn Street streetline in compliance with the yard depths set out in this section.

(g) The maximum height of any building shall be one storey. **(62-2025)**

(h) The maximum gross floor area devoted to restaurant uses shall be 325m^2.

18.3.8(7) Notwithstanding Subsection 39.6 to the contrary, a minimum of 2 small loading spaces shall be provided in any PSC-A(6) Zone for any gross floor area between 951m^2 to 1,101m^2.

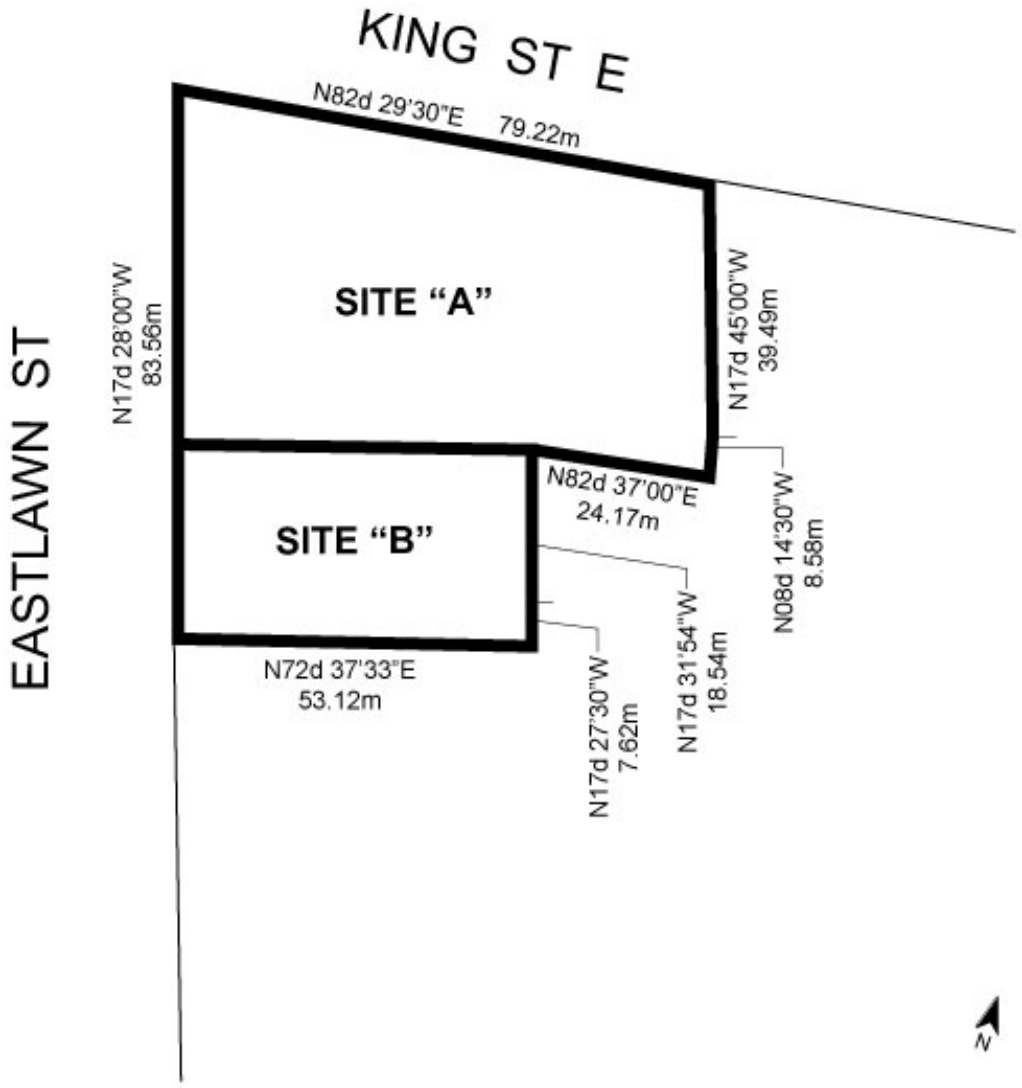
18.3.8(8) Uncovered surfaced parking areas and loading spaces permitted as accessory uses on either Site “A” or Site “B” shown on Appendix “A” to this Special Condition may be used to satisfy the parking and loading requirements for a permitted use in a PSC-A(6) Zone.

18.3.8(9) Notwithstanding Subsection 39.3 to the contrary in any PSC-A(6) Zone, the following parking requirements shall apply:

Use or Purpose:	Minimum Number of Parking Spaces Required
(a) Restaurant	1 parking space per 11m^2 of gross floor area

The above parking requirements shall also apply to the gross floor area devoted to such uses in a shopping centre.

Appendix "A" to Special Condition PSC-A(6)



18.3.9 **PSC-C(3) Zone (245 King Street West) (55-2003, 62-2025)**

18.3.9(1) Notwithstanding Subsection 39.3 to the contrary, in any PSC-C(3) Zone, parking for a shopping centre with 2,800m^2 to 28,000m^2 of gross floor area is required to be provided at a rate of one parking space for every 18m^2 of gross floor area provided that, for any basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, one parking space for each 90m^2 of gross floor area devoted to such uses is required, in lieu of the foregoing.

18.3.10 **PSC-A(8) Zone (northwest corner of Taunton Road East and Harmony Road North) (92-2003)**

18.3.10(1) Notwithstanding Subsection 18.1 to the contrary, in any PSC-A(8) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Car wash
(b) Convenience store
(c) Fuel bar
(d) Peddle

(122-2012)

18.3.11 **PSC-A(9) Zone (southeast corner of Taunton Road East and Harmony Road North) (116-2003)**

18.3.11(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any PSC-A(9) Zone, as shown on Schedule "A" to this By-law, the following definition shall apply:

"**OIL AND LUBRICATION CENTRE**" means a building where the predominant service provided is the lubrication of and oil changes for vehicles. In addition, ancillary services such as engine flushes, coolant changes, transmission fluid replacement, tire rotation and the minor repair and installation of items such as air filters, wiper blades, fan belts, headlights and tail lights may be provided.

For the purposes of this definition "vehicles" shall only include an automobile, a passenger truck and a motorcycle. **(57-2005)**

18.3.11(2) Notwithstanding Subsection 18.1 and Subsection 5.8 to the contrary, in any PSC-A(9) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Animal hospital
(b) Art gallery
(c) Brew your own operation
(d) Cinema
(e) Commercial recreation establishment, excluding a billiard hall
(f) Commercial school
(g) Day care centre
(h) Financial institution, excluding a stand-alone vehicle drive-through facility
(i) Funeral home
(j) Long Term Care Facility
(k) Merchandise service shop
(l) Museum
(m) Nursing home
(n) Office, excluding a substance abuse clinic

(o) Oil and lubrication centre
(p) Peddle
(q) Personal service establishment, excluding a tattoo parlour
(r) Place of worship
(s) Retail store, excluding a pawn shop, a second hand goods store and a video rental establishment other than a family video rental establishment
(t) Retirement home
(u) Studio **(57-2005, 6-2008, 122-2012, 69-2019, 62-2025)**

18.3.11(3) Notwithstanding Subsection 18.1 and Sentence 18.3.11(2) to the contrary, the following are also permitted uses only on the northerly 0.8ha of the area zoned PSC-A(9) as shown on Schedule "A" to this By-law: **(57-2005)**

(a) Car wash
(b) Fuel bar

18.3.11(4) Notwithstanding Subsection 18.1, Sentence 18.3.11(2) and any other provision of this By-law to the contrary, in any PSC-A(9) Zone, as shown on Schedule "A" to this By-law, a restaurant accessory to a convenience store is also permitted subject to the following provisions:

(a) A drive-through facility shall not be permitted related to the accessory restaurant.

(b) A maximum of 41m^2 of gross floor area may be devoted solely to the accessory restaurant within a convenience store having a minimum gross floor area of 295m^2.

(c) The accessory restaurant shall be setback a minimum of 80m from the southern boundary of the area zoned PSC-A(9). **(57-2005)**

18.3.11(5) Notwithstanding Subsection 18.2 of this By-law to the contrary, in any PSC-A(9) Zone, as shown on Schedule "A" to this By-law, the maximum height of any Oil and Lubrication Centre shall be 7.5m. **(57-2005)**

18.3.11(6) Notwithstanding Subsection 18.2 to the contrary, in any PSC-A(9), the minimum interior side yard depth and the minimum rear yard depth abutting a residential zone shall be 6.0m.

18.3.11(7) Notwithstanding any other provision of this By-law to the contrary, in any PSC-A(9) Zone, for a convenience store located on the northerly most 0.8ha, the maximum building setback from the Taunton Road East streetline shall be 25m and the maximum building setback from the Harmony Road North streetline shall be 15m and further the area between the convenience store and the streetlines shall be used only as landscaped open space and not as a drive through lane. **(57-2005)**

18.3.12 **PSC-A(10) Zone (southwest corner of Taunton Road East and Harmony Road North) (130-2003)**

18.3.12(1) No person shall within a PSC-A(10) Zone use any land or erect or use any building or structure for any PSC-A use unless all the lands in a PSC-A(10) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Title's Office for the Land Registry Division of Durham, or combined into a single Transfer/Deed with all of the lands zoned PSC-A(11) referred to in Sentence 18.3.13(1).

18.3.13 **PSC-A(11) Zone (southwest corner of Taunton Road East and Harmony Road North) (130-2003)**

18.3.13(1) No person shall within a PSC-A(11) Zone use any land or erect or use any building or structure for any PSC-A use unless all the lands in a PSC-A(11) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Title's Office for the Land Registry Division of Durham, or combined into a single Transfer/Deed with all of the lands zoned PSC-A(10) referred to in Sentence 18.3.12(1).

18.3.14 **PSC-A(12) Zone (1270 Simcoe Street North) (7-2004)**

18.3.14(1) In addition to any PSC-A use, in any PSC-A(12) Zone, as shown on Schedule "A" to this By-law, a car wash is also a permitted use.

18.3.15 **PSC-A(13) Zone (915 and 933 Ritson Road South) (154-2004)**

18.3.15(1) Notwithstanding the provisions of Subsection 39.3 to the contrary, in any PSC-A(13) Zone parking for a retail store involving the wholesale retailing of restaurant and kitchen supplies is required to be provided at a minimum rate of one parking space for every 51m^2 of gross floor area.

18.3.16 **PSC-A(14) Zone (855-903 Taunton Road East) (47-2007)**

18.3.16(1) Notwithstanding any other provision of this By-law to the contrary, no restaurant, tavern or club shall be located within 80m of the southerly limit of the area zoned PSC-A(14).

18.3.16(2) Notwithstanding Subsection 18.2 to the contrary, the minimum rear yard depth abutting a residential zone shall be 10m in any area zoned PSC-A(14).

18.3.16(3) Notwithstanding any other provision of this By-law to the contrary, a minimum 5.0m landscaped open space shall be provided along the northerly and southerly limits of the area zoned PSC-A(14).

18.3.16(4) Notwithstanding any other provision of this By-law to the contrary, no building greater in height than 9.5m shall be located within 80m of the southerly limit of the area zoned PSC-A(14).

18.3.16(5) Notwithstanding Subsection 18.1 to the contrary, the following uses shall not be permitted in the area zoned PSC-A(14):

(a) Adult secondary school
(b) Adult use store
(c) Apartment building
(d) Automobile repair garage
(e) Automobile sales and service establishment
(f) Block townhouse
(g) Body rub parlour
(h) Crisis care residence
(i) Flat
(j) Hotel
(k) Lodging house
(l) Merchandise service shop where engine repair is conducted
(m) Methadone clinic
(n) Pawn shop
(o) Second hand goods shop
(p) Supermarket
(q) Tattoo parlour

18.3.17 **PSC-A(15) Zone (805 Missom Gate)** **(95-2009, 110-2017)**

18.3.17(1) Notwithstanding Section 18.2.4 and any other provision in this By-law to the contrary, in a PSC-A(15) Zone the following regulations shall apply to block townhouses:

(a) Balconies are not permitted in the rear yard abutting the westerly lot line.

(b) A minimum front lot line of 5m shall be permitted for an individual Parcel of Tied Land.

(c) The minimum front yard landscape open space of an individual Parcel of Tied Land with a driveway abutting the common element condominium road shall be a minimum of forty percent (40%) and the minimum rear yard landscape open space of an individual Parcel of Tied Land with a driveway abutting the common element condominium road shall be a minimum of thirty-five percent (35%).

(d) Parking spaces are permitted between a building and Missom Gate provided that no part of a parking area is located closer than 3m to Missom Gate. Furthermore, parking spaces and any related parking space aisle or parking area is permitted adjacent to Harmony Road North provided that no part of a parking area is located closer than 1.5m to Harmony Road North.

(e) Recreational vehicles, boats, trailers and snowmobiles are not permitted to be parked or stored.

(f) A minimum yard depth abutting a street line of 1.7m shall be provided.

(g) A minimum rear yard depth of 6m shall be provided.

(h) A minimum landscape open space of thirty percent (30%) shall be provided.

(i) A maximum lot coverage of forty-four percent (44%) shall be permitted.

(j) A maximum height of 12m shall be permitted.

(k) A maximum density of 62 units per hectare shall be permitted.

(l) A minimum aisle width of 6m shall be provided.

(m) Two way traffic is permitted in conjunction with parallel parking spaces.

(n) No person shall within a PSC-A(15) Zone use any land or erect or use any building or structure unless all the lands in a PSC-A(15) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

18.3.17(2) Notwithstanding the definition of front lot line in Section 2, Definitions, the front lot line shall be considered Harmony Road North.

18.3.18 **PSC-C(2) Zone (400 King Street West) (62-2025)**

18.3.18(1) Notwithstanding Subsection 18.2 of this By-law to the contrary, in any PSC-C(2) Zone, as shown on Schedule “A” to this By-law, the maximum building height shall be:

(a) 62m for any portion of building that is setback greater than 35m from the Bond Street West street line (not including any street line formed by the daylighting triangle at the comer of Bond Street West and Gibbons Street);

(b) 24m for any portion of building that is setback greater than 6m from the Bond Street West street line and equal to or less than 35m from the Bond Street West street line (not including any street line formed by the daylighting triangle at the comer of Bond Street West and Gibbons Street);

(c) 13m for any portion of building that is setback 6m or less from the Bond Street West street line (not including any street line formed by the daylighting triangle at the comer of Bond Street West and Gibbons Street); and,

(d) 20m for any portion of building that is setback 30m or less from the east interior side lot line.

18.3.18(2) Notwithstanding Subsection 18.2 of this By-law to the contrary, for the lands zoned PSC-C(2) as shown on Schedule "A" to this By-law, the maximum density shall be 640 dwelling units per hectare.

18.3.18(3) Notwithstanding any provision of this By-law to the contrary, in any PSC-C(2) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum of 1.0 parking space per unit is required for 1 bedroom apartment units.

(b) A minimum of 1.25 parking spaces per unit are required for 2 bedroom apartment units.

(c) A minimum of 1.5 parking spaces per unit are required for 3 bedroom apartment units.

(d) A minimum of 0.266 parking spaces per unit are required for visitors for apartment units.

(e) A minimum of 0 parking spaces are required for non-residential uses where the following criteria are satisfied:

(i) The use of the site includes a mixed-use commercial/residential building and the site contains not less than 240 residential units;

(ii) The maximum gross floor area devoted to non-residential uses is not more than 660m^2; and,

(iii) The non-residential business establishment has a maximum gross floor area of 100 m^2.

18.3.19 **PSC-A(17) Zone (800 Missom Gate) (95-2009, 110-2017)**

18.3.19(1) Notwithstanding Section 18.2.4 and any other provision in this By-law to the contrary, in a PSC-A(17) Zone the following regulations shall apply to block townhouses:

(a) Balconies are not permitted in the rear yard abutting the westerly lot line.

(b) A minimum front lot line of 5m shall be permitted for an individual Parcel of Tied Land.

(c) The minimum front yard landscape open space of an individual Parcel of Tied Land for that area of land with a driveway abutting the common element condominium road shall be a minimum of forty percent (40%) and the minimum rear yard landscape open space of an individual Parcel of Tied Land for that area of land with

a driveway abutting the common element condominium road shall be a minimum of thirty-five (35%).

(d) Parking spaces are permitted between a building and Missom Gate provided that no part of a parking area is located closer than 3m to Missom Gate.

(e) Recreational vehicles, boats, trailers and snowmobiles are not permitted to be parked or stored.

(f) A minimum yard depth abutting a street line of 2.2m shall be provided.

(g) A minimum rear yard depth of 6m shall be provided.

(h) A maximum lot coverage of forty-one percent (41%) shall be permitted.

(i) A maximum height of 12m shall be permitted.

(j) A minimum aisle width of 6m shall be provided.

(k) No person shall within a PSC-A(17) Zone use any land or erect or use any building or structure unless all the lands in a PSC-A(17) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

18.3.19(2) Notwithstanding the definition of front lot line in Section 2, Definitions, the front lot line shall be considered Harmony Road North.

18.3.20 **PSC-A(18) Zone (1348 and 1360 Taunton Road East) (55-2010)**

18.3.20(1) In addition to any PSC-A use, in any PSC-A(18) Zone, as shown on Schedule “A” to this By-law, a fuel bar is also a permitted use.

18.3.20(2) Notwithstanding any other provision of this By-law to the contrary, in any PSC-A(18) Zone, as shown on Schedule “A” to this By-law, the maximum gross leasable floor area of any individual occupancy shall be 223m^2.

18.3.21 **PSC-A(19) Zone (southwest corner of Conlin Road East and Townline Road North) (21-2012)**

18.3.21(1) Notwithstanding Article 18.1.2 to the contrary, in any PSC-A(19) Zone as shown on Schedule “A” to this By-law, the following are the only permitted uses:

(a) Animal hospital
(b) Brew your own operation

(c) Club
(d) Commercial recreation establishment, except a billiard hall
(e) Commercial school
(f) Financial institution
(g) Merchandise service shop
(h) Office
(i) Peddle
(j) Personal service establishment
(k) Printing establishment
(l) Restaurant
(m) Retail store
(n) Studio

(122-2012)

18.3.21(2) Notwithstanding any other provision of this By-law to the contrary, in any PSC-A(19) Zone, as shown on Schedule "A" to this By-law, the maximum gross leasable floor area of any individual occupancy shall be 223m².

18.3.22 **PSC-A(20) Zone (480, 484, 490 and 506 Ritson Road South)**

(128-2023)

18.3.22(1) Notwithstanding Subsection 18.2 of this By-law to the contrary, for the lands zoned PSC-A(20) as shown on Schedule "A" to this By-law, the maximum density shall be 192 dwelling units per hectare.

18.3.22(2) Notwithstanding the definition of Front Lot Line in Section 2 of this By-law to the contrary, in any PSC-A(20) Zone as shown on Schedule "A" to this By-law, the lot line abutting Ritson Road South shall be considered the Front Lot Line.

18.3.22(3) Notwithstanding any provision of this By-law to the contrary, in any PSC-A(20) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) The maximum lot coverage shall be thirty-six percent (36%);

(b) The minimum landscaped open space shall be thirty-two percent (32%);

(c) The minimum front yard depth shall be 3.0m (not including the yard depth abutting any street line formed by the daylighting triangles at the comers of Ritson Road South and Beatty Avenue or McNaughton Avenue);

(d) The minimum northerly exterior side yard depth shall be 4.3m and the minimum southerly exterior side yard depth shall be 1.7m (not including the yard depth abutting any street line formed by the daylighting triangles at the comers of Ritson Road South and Beatty Avenue or McNaughton Avenue);

(e) The minimum yard depth abutting any street line formed by the daylighting triangles at the corners of Ritson Road South and Beatty Avenue or McNaughton Avenue shall be 1.6m;

(f) The minimum rear yard depth shall be 11.9m;

(g) Parking shall be provided at a rate of 1.31 spaces per dwelling unit for residents plus 0.3 spaces per unit for visitors;

(h) The minimum width of a parking space flanking a solid wall shall be 2.8m;

(i) A minimum of forty-four percent (44%) of the rear yard shall be maintained as landscaped open space; and,

(j) A minimum 2.6m wide landscaped open space strip shall be provided abutting the rear lot line.

18.3.23 **PSC-A(21) Zone (184 Bond Street West) (82-2024)**

18.3.23(1) Notwithstanding Subsection 18.2 of this By-law to the contrary, in any PSC-A(21) Zone as shown on Schedule “A” to this By-law, the maximum building height shall be 18m.

18.3.23(2) Notwithstanding Subsection 18.2 of this By-law to the contrary, in any PSC-A(21) Zone as shown on Schedule “A” to this By-law, the maximum density shall be 178 dwelling units per hectare.

18.3.23(3) Notwithstanding any provision of this By-law to the contrary, in an PSC-A(21) Zone as shown on Schedule “A” to this By-law, the following regulations shall apply:

(a) The maximum lot coverage shall be sixty percent (60%) for an apartment building;

(b) A minimum front yard depth of 3.5m shall be provided for an apartment building;

(c) A minimum exterior side yard depth of 2.5m shall be provided (not including the yard depth abutting any street line formed by the daylighting triangle at the corner of Bond Street West and Arena Street);

(d) A minimum yard depth of 1 m shall be provided abutting any street line formed by the daylighting triangle at the corner of Bond Street West and Arena Street;

(e) A minimum interior side yard depth of 0.6m shall be provided;

(f) A minimum rear yard depth of 15m shall be provided for an apartment building;

(g) The minimum landscaped open space shall be fifteen percent (15%);

(h) The minimum width of a parking space adjacent to a solid wall, fence or like structure shall be 2.6m only if the parking space does not have another solid wall or parking space on the opposite side; and,

(i) Parking shall be provided at a minimum rate of 0.79 spaces per dwelling unit for residents plus 0.21 spaces per unit for visitors.

18.3.24 **PSC-A(22) Zone (121, 125 and 131 Bloor Street East) (28-2025)**

18.3.24(1) Notwithstanding Subsection 18.2 of this By-law to the contrary, in any PSC-A(22) Zone as shown on Schedule "A" to this By-law, the maximum density shall be 681 dwelling units per hectare.

18.3.24(2) Notwithstanding any provision to this By-law to the contrary, in any PSC-A(22) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A minimum front yard depth of 1.5m shall be provided for any portion of building above 13.0m in height.

(b) A minimum interior side yard depth of 2.9m shall be provided for any portion of building above 13.0m in height, except that a stair enclosure may be located not less than 1.0m from an interior side lot line.

(c) A minimum rear yard depth of 4.5m be provided for any portion of building above 13.0m in height.

(d) The maximum height shall be 38.5m.

(e) A minimum of 0.485 parking spaces per unit are required for one bedroom dwelling units.

(f) A minimum of 0.75 parking spaces per unit are required for two bedroom dwelling units.

(g) A minimum of 1.0 parking space per unit is required for three bedroom dwelling units plus an additional 0.25 parking spaces per unit for each bedroom above the third.

(h) A minimum of 0.25 parking spaces per dwelling unit are required for visitors.

(i) A minimum of 0 parking spaces are required for non-residential uses where the following criteria are satisfied:

(i) The use of the site includes a mixed-use residential/non-residential building and the site contains not less than 165 dwelling units; and,

(ii) The maximum gross floor area devoted to non-residential uses is not more than 100 m^2 in the aggregate.

This page was intentionally left blank.

Section 19: SPC – Special Purpose Commercial Zones

19.1 Permitted Uses

19.1.1 No person shall within any SPC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

19.1.2 The following uses are permitted in any SPC-A Zone: **(39-2004)**

(a) Animal hospital
(b) Auction establishment
(c) Automobile rental establishment
(d) Automobile repair garage
(e) Automobile sales and service establishment
(f) Automobile supply store
(g) Brew your own operation
(h) Bulk beverage store
(i) Bulk sales establishment
(j) Cinema
(k) Clothing warehouse
(l) Club
(m) Commercial recreation establishment
(n) Craft Brewery
(o) Funeral home
(p) Hardware store
(q) Home appliance store
(r) Home and auto supply store
(s) Home decorating store
(t) Home furnishing store
(u) Home improvement store
(v) Hotel
(w) Light machinery or equipment rental, sales or service
(x) Liquor, beer or wine store
(y) Merchandise service shop
(z) Nursery and garden store
(aa) Outdoor storage accessory to a permitted use in the SPC-A Zone
(bb) Peddle
(cc) Place of amusement
(dd) Printing establishment
(ee) Restaurant
(ff) Retail warehouse
(gg) Sale of farm implements
(hh) Sale or service of marine products
(ii) Sale of swimming pools or swimming pool supplies
(jj) Self-serve storage building
(kk) Studio
(ll) Taxi establishment

(mm) Tavern
(nn) Wholesale establishment

(122-2012, 61-2016, 52-2018, 62-2025)

19.1.3 The following uses are permitted in any SPC-B Zone:

(a) Any use permitted in the SPC-A Zone
(b) Convenience store
(c) Financial institution
(d) Personal service establishment
(e) Professional office

19.1.4 The following uses are permitted in any SPC-C Zone: **(39-2004)**

(a) Any use permitted in the SPC-B Zone
(b) Commercial school or training centre
(c) Service industry

19.2 Regulations

19.2.1 No person shall within any SPC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 19.2.

Table 19.2 - Regulations for SPC Zones

Zones		**Any SPC Zone**
Minimum Front Yard and Exterior Side Yard Depth (m)		6.0
Minimum Interior Side Yard and Rear Yard Depth (m)	Abutting a Residential Zone	4.5
	Abutting a Commercial Zone	0.0
	Abutting a Zone Other Than Residential or Commercial	3.0
Maximum Height (m)		13.0
Maximum Gross Floor Area of a Convenience Store in a SPC-B Zone (m^2)		240

19.3 Special Conditions

19.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard SPC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

19.3.2 **SPC-A(1) Zone [Not in use]** **(62-2025)**

19.3.3 **SPC-B(1) Zone (133 Ritson Road North)** **(49-1998)**

19.3.3(1) Notwithstanding Subsection 19.1 to the contrary, in any SPC-B(1) Zone, as shown on Schedule “A” to this By-law, all uses permitted under Subsection 19.1 are permitted except the following:

(a) Hotel
(b) Sale of farm implements
(c) Taxi establishment
(d) Tavern

19.3.3(2) In addition to the uses permitted under Sentence 19.3.3(1), in any SPC-B(1) Zone, as shown on Schedule “A” to this By-law, the following uses are also permitted:

(a) Family video rental establishment
(b) Hobby shop
(c) Home centre
(d) Pharmacy
(e) Retail store primarily devoted to the sale, lease or rental of books or magazines, cameras and photography supplies, musical instruments, office or business supplies, optical services and supplies, pets or pet supplies, musical recordings or sporting goods
(f) Specialty food store

(42-2017)

19.3.4 **SPC-A(2) Zone (918 Taunton Road West)** **(69-1997)**

19.3.4(1) In addition to any SPC-A use, in any SPC-A(2) Zone, as shown on Schedule “A” to this By-law, one accessory dwelling unit for security purposes associated with a self-serve storage building is a permitted use provided the dwelling unit is located outside that area with a Noise Exposure Forecast and/or Noise Exposure Projection of 30 as determined by Transport Canada with regard to the Oshawa Municipal Airport.

19.3.4(2) Notwithstanding Subsection 19.2 to the contrary, in any SPC-A(2) Zone, the minimum interior side yard depth abutting a zone other than commercial or residential shall be 0.3m and no minimum rear yard depth need be provided or maintained.

19.3.4(3) Notwithstanding any other provision of this By-law to the contrary, in any SPC-A(2) Zone, the minimum parking space width shall be 2.6m where the side of a parking space is located adjacent to a solid wall, fence or other like structure.

19.3.5 **SPC-A(3) Zone (lands at the southeast corner of Gibb Street and Stevenson Road South) (43-1998)**

19.3.5(1) In addition to any SPC-A use, in any SPC-A(3) Zone, as shown on Schedule "A" to this By-law, the following uses are also permitted:

(a) Financial institution
(b) Personal service establishment
(c) Retail store other than a supermarket
(d) Supermarket

19.3.5(2) The gross floor area permitted in the area zoned SPC-A(3) shall not exceed 18,850m^2.

19.3.5(3) The gross floor area devoted to a supermarket use in the area zoned SPC-A(3) Zone shall not exceed 9,385m^2.

19.3.5(4) In the area zoned SPC-A(3), the aggregate gross floor area of individual occupancies having a gross floor area less than 2,000m^2 shall not comprise more than twenty-five percent (25%) of the gross floor area of all buildings.

19.3.5(5) The parking and loading requirements of Section 39 shall apply to any building in any SPC-A(3) Zone, except as otherwise set out in Sentences 19.3.5(6) and (7).

19.3.5(6) Except as otherwise set out in Sentence 19.3.5(7), one parking space shall be provided for each 20m^2 of gross floor area of any use permitted under Sentence 19.3.5(1).

19.3.5(7) In any Home and Auto Supply Store, Home Improvement Store, Shopping Centre or Supermarket, where any basement, cellar or mezzanine is used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, one parking space shall be provided for each 90m^2 of the gross floor area devoted to such non-retail uses, and the gross floor area considered in calculating the parking spaces pursuant to this sentence shall not be considered in calculating the parking spaces required by Sentence 19.3.5(6).

19.3.6 **SPC-A(4) Zone (west of Stevenson Road South, north of Champlain Avenue) (102-2005)**

19.3.6(1) Notwithstanding Article 19.1.2 to the contrary, in any SPC-A(4) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Automobile rental establishment
(b) Automobile sales and service establishment
(c) Automobile supply store

(d) Cinema
(e) Club
(f) Commercial recreation establishment
(g) Hardware store
(h) Home appliance store
(i) Home and auto supply store
(j) Home decorating store
(k) Home furnishing store
(l) Home improvement store
(m) Hotel
(n) Liquor, beer or wine store
(o) Peddle
(p) Restaurant
(q) Retail warehouse

(122-2012)

19.3.6(2) Notwithstanding any other provisions of this By-law to the contrary, in any SPC-A(4) Zone as shown on Schedule "A" to this By-law, no use other than landscaped open space or a driveway that traverses the landscaped open space shall be permitted within 6.0m of a street line.

19.3.7 **SPC-A(5) Zone [Not in use]** **(73-2014, 122-2024)**

19.3.8 **SPC-A(6) Zone (Champlain Avenue, west of the CP Railway spur line)** **(39-2004)**

19.3.8(1) Notwithstanding Subsection 19.1 and the definition of Retail Warehouse to the contrary, in any SPC-A(6) Zone as shown on Schedule "A" to this By-law, the following is the only permitted use:

(a) A retail warehouse having a minimum gross floor area of 2,000m^2.

19.3.8(2) The aggregate total gross floor area for retail warehouses shall not exceed 16,260m^2 in the area zoned SPC-A(6).

19.3.8(3) Notwithstanding Subsection 39.3 to the contrary, the minimum parking rate for any retail warehouse for the sale of home furnishings shall be 1 parking space for every 67m^2 of gross floor area.

19.3.9 **SPC-A(7) Zone (Bloor Street West, west of Stevenson Road South)** **(39-2004)**

19.3.9(1) Notwithstanding Subsection 19.1 and the definition of Retail Warehouse to the contrary, in any SPC-A(7) Zone as shown on Schedule "A" to this By-law, the following is the only permitted use:

(a) A retail warehouse having a minimum gross floor area of 2,000m^2.

19.3.9(2) The aggregate total gross floor area for retail warehouses shall not exceed 12,080m^2 in the area zoned SPC-A(7).

19.3.10 **SPC-A(8) Zone (southeast corner of Wilson Road North and Taunton Road East – 1333 Wilson Road North) (131-2003)**

19.3.10(1) In addition to any SPC-A use, in any SPC-A(8) Zone, as shown on Schedule "A" to this By-law, the following uses are also permitted:

(a) Car wash
(b) Convenience store
(c) Fuel bar

19.3.10(2) Notwithstanding Subsection 19.2 to the contrary, in any SPC-A(8) Zone, the minimum yard depth adjacent to the Wilson Road streetline shall be 1.0m for a car wash.

19.3.10(3) Notwithstanding Subsection 19.2 to the contrary, in any SPC-A(8) Zone, the maximum gross floor area of a convenience store shall be 240m^2.

19.3.10(4) Notwithstanding any provision of this By-law to the contrary, in any SPC-A(8) Zone, the minimum yard depth requirements of the SSC-A Zone for fuel pump islands shall apply.

19.3.10(5) Notwithstanding Section 39 of this By-law to the contrary, in any SPC-A(8) Zone, parking for a home and auto supply store shall be provided at a minimum rate of one parking space per 32m^2 of gross floor area provided that, for any basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, one parking space for each 90m^2 of gross floor area devoted to such uses is required, in lieu of the foregoing.

19.3.11 **SPC-A(9) Zone (northwest of Stevenson Road South and Champlain Avenue) (2-2004)**

19.3.11(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any SPC-A(9) Zone, as shown on Schedule "A" to this By-law, the following definitions shall apply: **(121-2006, OMB PL060972)**

"**DEPARTMENT STORE**" means a large retail store classified as a "department store" or "discount department store" by Statistics Canada, which offers a wide selection of merchandise in departments, such as apparel, housewares, domestic goods, drugs, hardware, automotive supplies, sporting goods, toys, furniture and appliances, and may include an associated automobile repair garage or the storage, display and sale of lawn and garden supplies, food store space, personal service establishments, financial institutions and restaurants.

"**FOOD STORE SPACE**" means floor space contained within a retail store, department store or retail warehouse devoted to the sale and storage of food.

19.3.11(2) In addition to any SPC-A use, in any SPC-A(9) Zone, as shown on Schedule "A" to this By-law, the following uses are also permitted: **(121-2006, OMB PL060972)**

(a) One department store
(b) Financial institution
(c) Personal service establishment
(d) Retail store other than a department store or supermarket

19.3.11(3) Notwithstanding Article 19.1.2 to the contrary, in any SPC-A(9) Zone as shown on Schedule "A" to this By-law all uses permitted under Article 19.1.2 are permitted except a "Clothing Warehouse and a Supermarket". **(121-2006, OMB PL060972)**

19.3.11(4) The gross floor area permitted in the area zoned SPC-A(9) shall not exceed 48,355m^2. **(121-2006, OMB PL060972)**

19.3.11(5) The total gross floor area of any individual Retail Warehouse shall not exceed 12,260m^2. **(121-2006, OMB PL060972)**

19.3.11(6) The total gross floor area devoted to food store space in any SPC-A(9) Zone shall not exceed 6,040m^2. **(121-2006, OMB PL060972)**

19.3.11(7) The total gross floor area devoted to the department store in any SPC-A(9) Zone shall not exceed 20,393m^2, subject also to the following: **(121-2006, OMB PL060972)**

(a) The gross floor area of all personal service establishments, financial institutions and restaurants within the department store shall not exceed 1,000m^2;

(b) The gross floor area of all food store space within the department store shall not exceed 6,040m^2; and

(c) The gross floor area of the department store exclusive of all personal service establishments, financial institutions, restaurants and food store space within the department store shall not exceed 14,865m^2.

19.3.11(8) Subject to Sentence 19.3.11(7), the gross floor area of any individual retail store permitted in any SPC-A(9) Zone shall not be less than 300m^2 and shall not exceed 1,550m^2. **(121-2006, OMB PL060972)**

19.3.11(9) Subject to Sentence 19.3.11(7), the total gross floor area devoted to retail stores in any SPC-A(9) Zone shall not exceed 4,835m^2 of which no more

than 2,400m^2 of gross floor area may be used for retail stores each having a gross floor area not exceeding 465m^2. **(121-2006, OMB PL060972)**

19.3.11(10) Until January 1, 2012, the total gross floor area devoted to the sale of apparel and accessories in all stores in any SPC-A(9) Zone, other than the department store, shall be limited to 5,110m^2.
(121-2006, OMB PL060972)

For the purposes of this subsection:

(a) "apparel" means all types of men's, women's, children's and infant's clothing, including but not limited to lingerie, outwear and footwear; and

(b) "accessories" means costume fashion jewelry, pins, handbags, pocketbooks, belts, hats, hair ornaments, umbrellas, sunglasses, stockings, socks, gloves and scarves.

19.3.11(11) Notwithstanding any other provisions of this By-law to the contrary, in a SPC-A(9) Zone, as shown on Schedule "A" to this By-law, no other use other than landscaped open space shall be permitted within 6.0m of Champlain Avenue. **(121-2006, OMB PL060972)**

19.3.11(12) Notwithstanding any other provisions of this By-law to the contrary, in any SPC-A(9) zone, as shown on Schedule "A" to this By-law, the front lot line shall be considered to be the lot line adjacent to Stevenson Road South.

19.3.11(13) Notwithstanding any other provisions of this By-law to the contrary, in any SPC-A(9) Zone as shown on Schedule "A" to this By-law no part of any parking area shall be permitted within 6.0m of the front lot line.

19.3.11(14) Notwithstanding any other provisions of this By-law to the contrary, in a SPC-A(9) Zone as shown on Schedule "A" to this By-law no use other than Landscaped Open Space or a driveway shall be permitted within 3.0m of the rear or side lot line.

19.3.11(15) Notwithstanding any other provisions of this By-law to the contrary, in a SPC-A(9) Zone as shown on Schedule "A" of this by-law, no building or structure shall be located within 6.0m of the southern limit of the PUC access road described as Part 7, Plan 40R-22844.

19.3.11(16) Notwithstanding the definition of "lot" in Section 2 and the provisions of Subsection 3.7 to the contrary, all lands zoned SPC-A(9) shall be considered to be one lot for the purposes of applying regulations relating to lot area, lot frontage, yard depths, gross floor area, parking, loading and general provisions. Provided that this article shall not be applied to permit two or more portions of lands zoned SPC-A(9) that are severed by an existing or planned municipal road allowance to be considered as one lot, in which case each severed portion may be considered as one lot and the

lot line for each portion shall be the boundary of the existing or planned municipal road allowance immediately adjacent to that portion.

19.3.12 **SPC-B(2) Zone (west side of Fox Street)** **(54-2008)**

19.3.12(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any SPC-B(2) Zone, as shown on Schedule "A" to this By-law, the following definition shall apply:

"**DEPARTMENT STORE**" means a large retail store classified as a "department store" or "discount department store" by Statistics Canada, which offers a wide selection of merchandise in departments, such as apparel, housewares, domestic goods, drugs, hardware, automotive supplies, sporting goods, toys, furniture and appliances, and may include an associated automobile repair garage or the storage, display and sale of lawn and garden supplies, food store space, personal service establishments, financial institutions and restaurants.

19.3.12(2) Notwithstanding Article 19.1.3 to the contrary, in any SPC-B(2) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Any use permitted in the SPC-B Zone except a home improvement store;

(b) Any other retail store not permitted in a SPC-B Zone except a department store and a specialty food store. **(92-2016)**

19.3.12(3) The total gross floor area permitted in the area zoned SPC-B(2) shall not exceed 27,900m^2. **(92-2016)**

19.3.12(4) The total gross floor area of retail stores permitted under item 19.3.12(2)(b) in any SPC-B(2) Zone, not including a supermarket, shall not exceed 5,685m^2. **(92-2016)**

19.3.12(5) The gross floor area of any individual retail store permitted under item 19.3.12(2)(b) in any SPC-B(2) Zone, not including a supermarket, shall not be less than 300m^2 and shall not exceed 3,255m^2. **(92-2016)**

19.3.12(6) The total gross floor area devoted to supermarket in any SPC-B(2) Zone shall not exceed 3,716m^2. **(92-2016)**

19.3.12(7) The total gross floor area devoted to professional office floor space in any SPC-B(2) Zone shall not exceed 1,115m^2. Notwithstanding the foregoing in this Sentence, an additional gross floor area of 8,185m^2 of professional office floor space is permitted provided this additional floor space used devoted only to medical office or clinic uses. **(112-2011)**

19.3.12.(8) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-B(2) Zone the maximum height of any professional office building

shall be 25m and shall not exceed 5 storeys in height above grade **(112-2011, 62-2025)**

19.3.12(9) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-B(2) Zone the maximum height of any hotel or self-serve storage building shall not exceed 22m. **(92-2016)**

19.3.12(10) Notwithstanding the definition of "lot" in Section 2 and the provisions of Subsection 3.7 to the contrary, all lands zoned SPC-B(2) shall be considered to be one lot for the purposes of applying regulations relating to parking, subject to any easements being registered on title to the satisfaction of the City. **(92-2016)**

19.3.12(11) Notwithstanding Section 2 and Section 39 to the contrary, in any SPC-B(2) Zone hotels and self-serve storage buildings shall not be included in the definition of a shopping centre for the purpose of calculating required parking. **(92-2016)**

19.3.12(12) Notwithstanding any other provisions of this By-law to the contrary, in any SPC-B(2) Zone the front lot line shall be considered to be the lot line adjacent to Fox Street. **(92-2016)**

19.3.13 **SPC-A(12) Zone (north of William Street East and west of Ritson Road North)** **(131-2011)**

19.3.13(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any SPC-A(12) Zone, as shown on Schedule "A" to this By-law, the following definition shall apply:

"**RETAIL WAREHOUSE MEMBERSHIP STORE**" means a retail warehouse which has a gross floor area of not less than 10,000m^2 and where there is an integrated storage and sale of a range of goods, wares and merchandise, including food, but does not include a supermarket. It includes ancillary sales and services within the building or outside the building, such as, or similar in kind to, automobile repair garage, automobile sales and service, provided that a maximum of 5 vehicles only are displayed in the building, propane dispensing, seasonal garden centre, pharmacy, optical centre, photo print centre, hearing aid centre, food preparation and eat-in/take-out food sales, tire sales and installation, or retail display of merchandise accessory to the retail uses.

19.3.13(2) Notwithstanding Article 19.1.2 to the contrary, in any SPC-A(12) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Retail warehouse membership store
(b) Fuel bar
(c) Peddle

(122-2012)

19.3.13(3) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-A(12) Zone as shown on Schedule “A” to this By-law, a minimum yard depth of 6.0m to all street lines shall be provided.

19.3.13(4) Notwithstanding any other provision of this By-law to the contrary, in any SPC-A(12) Zone as shown on Schedule “A” to this By-law, no use other than landscaped open space shall be permitted within 6.0m of the Division Street street line.

19.3.13(5) Notwithstanding the provisions of Subsection 39.6 to the contrary, in any SPC-A(12) Zone as shown on Schedule “A” to this By-law, a minimum of four large loading spaces shall be provided for a retail warehouse membership store.

19.3.13(6) Notwithstanding any other provision of this By-law, to the contrary, in any SPC-A(12) Zone as shown on Schedule “A” to this By-law, no driveway access shall be permitted to Division Street.

19.3.14 **SPC-A(13) Zone (south of Adelaide Avenue East and west of Ritson Road North) (130-2011)**

19.3.14(1) Notwithstanding Article 19.1.2 to the contrary, in any SPC-A(13) Zone as shown on Schedule “A” to this By-law, the following are the only permitted uses:

(a) Automobile rental establishment
(b) Automobile supply store
(c) Bulk beverage store
(d) Bulk sales establishment
(e) Cinema
(f) Clothing warehouse
(g) Commercial recreation establishment
(h) Financial Institution
(i) Hardware store
(j) Home appliance store
(k) Home and auto supply store
(l) Home decorating store
(m) Home furnishing store
(n) Home improvement store
(o) Liquor, beer or wine store
(p) Merchandise service shop
(q) Nursery and garden store
(r) Outdoor storage accessory to a permitted use in the SPC-A(13) Zone
(s) Peddle
(t) Printing establishment
(u) Restaurant
(v) Any other retail store not permitted in a SPC-A(13) Zone

(w) Retail warehouse
(x) Sale or service of marine products
(y) Sale of swimming pools or swimming pool supplies
(z) Studio
(aa) Wholesale establishment

(122-2012, 52-2018)

19.3.14(2) The gross floor area permitted in any SPC-A(13) Zone shall not exceed 15,800m^2.

19.3.14(3) The gross floor area of an individual retail store in any SPC-A(13) Zone shall not be less than 300m^2 however not more than 1,580m^2 in the aggregate of gross floor area of individual retail stores each less than 300m^2 of gross floor area may be permitted.

19.3.14(4) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-A(13) Zone as shown on Schedule "A" to this By-law, a minimum yard depth of 6.0m shall be provided to all street lines.

19.3.14(5) Notwithstanding any other provision of this By-law to the contrary, in any SPC-A(13) Zone as shown on Schedule "A" to this By-law, no use other than landscaped open space shall be permitted within 6.0m of the Division Street street line.

19.3.14(6) Notwithstanding any other provision of this By-law, to the contrary, in any SPC-A(13) Zone as shown on Schedule "A" to this By-law no driveway access shall be permitted to Division Street.

19.3.15 **SPC-B(3) Zone (southeast corner of Adelaide Avenue East and Ritson Road North) (127-2013 – OMB PL140074)**

19.3.15(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any SPC-B(3) Zone, as shown on Schedule "A" to this By-law, the following definition shall apply:

"**OIL AND LUBRICATION CENTRE**" means a building where the predominant service provided is the lubrication of and oil changes for vehicles. In addition, ancillary services such as engine flushes, coolant changes, transmission fluid replacement, tire rotation and the minor repair and installation of items such as air filters, wiper blades, fan belts, headlights and tail lights may be provided.

For the purposes of this definition "vehicles" shall only include an automobile, a passenger truck and a motorcycle.

19.3.15(2) Notwithstanding Article 19.1.3 to the contrary, in any SPC-B(3) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Automobile rental establishment
(b) Automobile supply store
(c) Bulk beverage store
(d) Bulk sales establishment
(e) Cinema
(f) Clothing warehouse
(g) Commercial recreation establishment
(h) Convenience store
(i) Financial institution
(j) Hardware store
(k) Home appliance store
(l) Home and auto supply store
(m) Home decorating store
(n) Home furnishing store
(o) Home improvement store
(p) Liquor, beer or wine store
(q) Merchandise service shop
(r) Nursery and garden store
(s) Oil and lubrication centre
(t) Peddle
(u) Personal service establishment
(v) Printing establishment
(w) Professional office
(x) Restaurant
(y) Any other retail store not permitted in a SPC-B(3) Zone
(z) Retail warehouse
(aa) Sale of swimming pools or swimming pool supplies
(bb) Studio
(cc) Wholesale establishment

(52-2018)

19.3.15(3) The gross floor area permitted in any SPC-B(3) Zone shall not exceed 3,830m^2.

19.3.15(4) The gross floor area of an individual retail store in any SPC-B(3) Zone shall not be less than 300m^2 however not more than 400m^2 in the aggregate of gross floor area of individual retail stores each with less than 300m^2 of gross floor area may be permitted.

19.3.15(5) Notwithstanding any other provision of this By-law to the contrary, in any SPC-B(3) Zone as shown on Schedule “A” to this By-law, any personal service establishment and professional office use shall have a maximum gross floor area of 300m^2 for any individual unit.

19.3.15(6) Notwithstanding any other provision of this By-law to the contrary, in any SPC-B(3) Zone as shown on Schedule “A” to this By-law, the combined gross floor area of personal service establishment and professional office uses shall not exceed 400m^2.

19.3.15(7) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-B(3) Zone as shown on Schedule "A" to this By-law, a minimum yard depth of 6m shall be provided to the Adelaide Avenue East and Ritson Road North street lines and abutting a Residential Zone.

19.3.15(8) Notwithstanding any other provision of this By-law to the contrary, in any SPC-B(3) Zone as shown on Schedule "A" to this By-law, a minimum yard depth of 1m shall be provided to the future termination of the Elgin Street East streetline.

19.3.15(9) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-B(3) Zone as shown on Schedule "A" to this By-law, any building located within 15m of a Residential Zone shall have a maximum building height of 7.5m and shall not exceed 1 storey in height.

19.3.15(10) Notwithstanding any other provision of this By-law to the contrary, in any SPC-B(3) Zone as shown on Schedule "A" to this By-law, no driveway access shall be permitted to Elgin Street East.

19.3.15(11) Notwithstanding any other provision of this By-law to the contrary, in any SPC-B(3) Zone, the Adelaide Avenue East road allowance shall be deemed to be the front lot line.

19.3.16 **SPC-B(4) Zone (northeast corner of Adelaide Avenue East and Ritson Road North) (20-2014 – OMB PL140259)**

19.3.16(1) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any SPC-B(4) Zone, as shown on Schedule "A" to this By-law, the following definition shall apply:

"**OIL AND LUBRICATION CENTRE**" means a building where the predominant service provided is the lubrication of and oil changes for vehicles. In addition, ancillary services such as engine flushes, coolant changes, transmission fluid replacement, tire rotation and the minor repair and installation of items such as air filters, wiper blades, fan belts, headlights and tail lights may be provided.

For the purposes of this definition "vehicles" shall only include an automobile, a passenger truck and a motorcycle.

19.3.16(2) Notwithstanding Article 19.1.3 to the contrary, in any SPC-B(4) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Automobile rental establishment
(b) Automobile supply store
(c) Bulk beverage store
(d) Bulk sales establishment
(e) Cinema

(f) Clothing warehouse
(g) Commercial recreation establishment
(h) Convenience store
(i) Financial institution
(j) Hardware store
(k) Home appliance store
(l) Home and auto supply store
(m) Home decorating store
(n) Home furnishing store
(o) Home improvement store
(p) Liquor, beer or wine store
(q) Merchandise service shop
(r) Nursery and garden store
(s) Oil and lubrication centre
(t) Peddle
(u) Personal service establishment
(v) Printing establishment
(w) Professional office
(x) Restaurant
(y) Any other retail store not permitted in a SPC-B(4) Zone
(z) Retail warehouse
(aa) Sale of swimming pools or swimming pool supplies
(bb) Studio
(cc) Wholesale establishment

(52-2018)

19.3.16(3) The gross floor area permitted in any SPC-B(4) Zone shall not exceed 950m^2.

19.3.16(4) The gross floor area of an individual retail store in any SPC-B(4) Zone shall not be less than 300m^2 however not more than 100m^2 in the aggregate of gross floor area of individual retail stores each with less than 300m^2 of gross floor area may be permitted.

19.3.16(5) Notwithstanding any other provision of this By-law to the contrary, in any SPC-B(4) Zone as shown on Schedule “A” to this By-law, the combined gross floor area of personal service establishment and professional office uses shall not exceed 100m^2.

19.3.16(6) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-B(4) Zone as shown on Schedule “A” to this By-law, a minimum yard depth of 6m shall be provided to the Adelaide Avenue East and Ritson Road North street lines and abutting a Residential Zone.

19.3.16(7) Notwithstanding the provisions of Subsection 19.2 to the contrary, in any SPC-B(4) Zone as shown on Schedule “A” to this By-law, any building located within 15m of a Residential Zone shall have a maximum building height of 7.5m and shall not exceed 1 storey in height.

This page was intentionally left blank.

Section 20: CC – Convenience Commercial Zones

20.1 Permitted Uses

20.1.1 No person shall within any CC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

20.1.2 The following uses are permitted in any CC-A Zone:

(a) Day care centre
(b) Flat
(c) Peddle
(d) Personal service establishment
(e) Private school
(f) Professional office
(g) Retail store
(h) Restaurant

(39-2004, 60-2005, 122-2012)

20.1.3 The following uses are permitted in any CC-B Zone:

(a) A maximum of two flats
(b) Convenience store
(c) Personal service establishment

(60-2005)

20.2 Regulations

20.2.1 No person shall within any CC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 20.2.

Table 20.2 - Regulations for CC Zones

Zones	CC-A	CC-B
Minimum Lot Frontage (m)	30.0	18.0
Minimum Lot Area (m^2)	1,000	550
Minimum Front and Exterior Side Yard Depth (m)	6.0	N/A
Minimum Interior Side Yard Depth (m)	4.5	1.2
Minimum Rear Yard Depth (m)	4.5	7.5
Maximum Height (m)	10.5	10.5
Maximum Gross Floor Area of Non-Residential Uses (m^2)	1,200	240
Maximum Gross Floor Area of a Restaurant (m^2)	125	N/A
Maximum Density – Dwelling Units Per Hectare	60	N/A

(39-2004, 60-2005)

20.3 Special Conditions (OMB Z930012)

20.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard CC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply. **(63-1996)**

20.3.2 **CC-A(1) Zone (461 Park Road South) (61-1999)**

20.3.2(1) Notwithstanding anything in Subsection 20.1 to the contrary, in any CC-A(1) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Day care centre
(b) Peddle
(c) Personal service establishment
(d) Professional office
(e) Retail store, excluding a pawn shop and a video rental establishment other than family video rental establishment
(f) Restaurant

(122-2012)

20.3.2(2) Notwithstanding any other provisions of this By-law to the contrary, in any CC-A(1) Zone, as shown on Schedule "A" to this By-law, the front lot line shall be considered to be the lot line adjacent to Tresane Street and the rear lot line shall be considered to be the lot line adjacent to Hibbert Avenue.

20.3.2(3) Notwithstanding the provision of Subsections 4.10 and 20.2 of this By-law to the contrary, in any CC-A(1) Zone, as shown on Schedule "A" to this By-law, the minimum interior side yard depth shall be 1.2m, the maximum height of a building shall be 1 storey and no part of any parking area shall be located closer than 2.4m to a street line.

20.3.3 **CC-A(2) Zone (southeast corner of Wilson Road North and Greenhill Avenue) (39-2004)**

20.3.3(1) Notwithstanding any other provisions of this By-law to the contrary, in any CC-A(2) Zone, as shown on Schedule "A" to this By-law, the maximum gross leasable floor area of any individual occupancy, excluding a restaurant, shall be 223m^2.

20.3.4 **CC-A(3) Zone (701 and 705 Grandview Street North) (146-2015, 42-2017)**

20.3.4(1) Notwithstanding the size limitation for an individual restaurant in Subsection 20.2 to the contrary, in any CC-A(3) Zone, as shown on

Schedule “A” to this Bylaw, a maximum of one (1) restaurant is permitted a maximum gross floor area of 215m^2.

20.3.5 **CC-A(4) Zone (lands on the north side of Harbour Road between Simcoe Street North and the Montgomery Creek) (42-2017)**

20.3.5(1) Notwithstanding any other provisions of this By-law to the contrary, in any CC-A (4) Zone, as shown on Schedule “A” to this By-law, CC-A commercial uses are only permitted in conjunction with a residential use in the form of a mixed use building fronting onto Harbour Road with a minimum front yard depth of 6m and a maximum front yard depth of 9m.

20.3.6 **CC-A(5) (east of Simcoe Street North, north of Harbour Road) (86-2022)**

20.3.6(1) Notwithstanding any other provisions of this By-law to the contrary, in any CC-A(5) Zone, as shown on Schedule “A” to this By-law, CC-A commercial uses are only permitted in conjunction with a residential use in the form of a mixed use building fronting onto Harbour Road with a minimum front yard depth of 4.6m and a maximum front yard depth of 9m.

This page was intentionally left blank.

Section 21: SSC – Automobile Service Station Zones

21.1 Permitted Uses

21.1.1 No person shall within any SSC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

21.1.2 The following use is permitted in any SSC-A Zone:

(a) Fuel bar

21.1.3 The following uses are permitted in any SSC-B Zone:

(a) Automobile service station
(b) Fuel bar

21.1.4 The following uses are permitted in any SSC-C Zone:

(a) Automobile service station
(b) Car wash
(c) Fuel bar

21.2 Regulations

21.2.1 No person shall within any SSC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 21.2.

Table 21.2 - Regulations for SSC Zones

Zones		**SSC-A**	**SSC-B**	**SSC-C**
Minimum Lot Frontage (m)		30.0	30.0	30.0
Minimum Lot Depth (m)		30.0	40.0	40.0
Minimum Front Yard and Exterior Side Yard Depth for the Main Building (m)		12.0	12.0	12.0
Minimum Interior Side Yard and Rear Yard Depth (m)	Abutting a Residential Zone	6.0	10.0	10.0
	Abutting a Commercial Zone	0.0	0.0	0.0
	Abutting a Zone Other Than Residential or Commercial	3.0	3.0	6.0
Maximum Lot Coverage (%)		25		
Maximum Height		1 storey		
Minimum Front Yard and Exterior Side Yard Depth for Fuel Pump Islands (m)		3.5		
Minimum Interior Side Yard and Rear Yard Depth for Fuel Pump Islands, Abutting a Residential Zone (m)		6.0		

21.3 Special Conditions (24-1999)

21.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard SSC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

21.3.2 SSC-C(1) Zone (800 Taunton Road West) (24-1999)

21.3.2(1) Notwithstanding Subsection 21.2 to the contrary, in any SSC-C(1) Zone, for a car wash the minimum yard depth abutting Thornton Road North shall be 10m.

21.3.2(2) Notwithstanding Subsection 39.3 to the contrary, in any SSC-C(1) Zone, one parking space shall be required for an automatic car wash and parking spaces shall be provided at a rate of not less than 0.5 parking spaces per bay for a self-serve car wash.

21.3.3 SSC-C(2) Zone (588 King Street East) (69-2004)

21.3.3(1) Notwithstanding anything in Subsection 21.1 of this By-law to the contrary, in any SSC-C(2) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Automobile service station
(b) Fuel bar
(c) Self-serve car wash

21.3.3(2) Notwithstanding the provisions of Subsection 21.2 of this By-law to the contrary, in any SSC-C(2) Zone, as shown on Schedule “A” to this By-law, for a self-serve car wash the minimum front yard depth shall be 6.0m and the maximum height shall be 2 storeys.

21.3.4 SSC-C(3) Zone (1002-1004 Simcoe Street South) (21-2009)

21.3.4(1) Notwithstanding the provisions of Subsection 21.2 of this By-law to the contrary, in any SSC-C(3) Zone as shown on Schedule “A” to this By-law, for a car wash the following regulations shall apply:

(a) A minimum interior side yard depth of 1.5m abutting a Residential Zone shall be provided.

(b) A minimum rear yard depth of 0.7m abutting a Residential Zone shall be provided.

(c) A minimum exterior side yard depth of 11.0m shall be provided.

(d) A minimum building setback of 55.0m from the Wentworth Street West street line shall be provided.

(e) The maximum building height shall be 2 storeys.

21.3.4(2) Notwithstanding the provisions of Sub-Section 4.10 of this By-law to the contrary, in any SSC-C(3) Zone as shown on Schedule “A” to this By-law, a minimum distance of 2.2m must be provided between any parking area for a car wash and convenience store and the Simcoe Street South street line.

This page was intentionally left blank.

Section 22: HMC – Hamlet Commercial Zones

22.1 Permitted Uses

22.1.1 No person shall within any HMC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) A maximum of two dwelling units together with other uses permitted in the HMC Zone
(b) Animal hospital
(c) Assembly hall
(d) Auction establishment
(e) Club, excluding a nightclub
(f) Financial institution
(g) Merchandise service shop
(h) Office
(i) Personal service establishment
(j) Restaurant
(k) Retail store
(l) Studio
(m) Tavern

(62-2000)

22.2 Regulations

22.2.1 No person shall within any HMC Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 22.2.

Table 22.2 - Regulations for HMC Zones

Zones	**HMC**
Minimum Lot Frontage (m)	15.0
Minimum Lot Area (m^2)	550
Minimum Front Yard and Exterior Side Yard Depth (m)	6.0
Minimum Interior Side Yard Depth (m)	6.0
Minimum Rear Yard Depth (m)	13.5
Maximum Lot Coverage (%)	30
Maximum Height (m)	10.5

This page was intentionally left blank.

Section 23: HBC – Harbour Commercial Zones

23.1 Permitted Uses

23.1.1 No person shall within any HBC Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Any use permitted in the OSW Zone
(b) Hotel
(c) Passenger ferry terminal
(d) Personal service establishment
(e) Professional office
(f) Restaurant
(g) Retail store
(h) Service of recreational marine goods
(i) Studio

23.2 Special Conditions **(OMB 960129)**

23.2.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard HBC Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply. **(66-1998)**

23.2.2 **HBC(1) Zone (Oshawa Harbour)** **(66-1998)**

23.2.2(1) In addition to any HBC use, in the HBC(1) Zone, as shown on Schedule “A” to this By-law, the following use is permitted:

(a) Port and marine-related transportation, cargo handling and storage services and facilities on an occasional and overflow basis until such time as suitable replacement facilities have been established on the east wharf.

This page was intentionally left blank.

Section 24: CIN – Community Institutional Zones

24.1 Permitted Uses

24.1.1 No person shall within any CIN Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Assembly hall
(b) Children's shelter
(c) Club, excluding a nightclub
(d) Day care centre
(e) Elementary school
(f) Place of worship
(g) Private school
(h) Secondary school

(62-2000, 62-2025)

24.2 Regulations

24.2.1 No person shall within any CIN Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 24.2.

Table 24.2 - Regulations for CIN Zones

Zones	**CIN**
Minimum Lot Frontage (m)	22.0
Minimum Lot Area (m^2)	550
Minimum Front Yard and Exterior Side Yard Depth (m)	6.0
Minimum Rear Yard and Interior Side Yard Depth (m)	1.8 for each storey or half storey
Minimum Landscaped Open Space (%)	25
Maximum Lot Coverage (%)	30
Maximum Height (m)	12.0

24.3 Special Conditions

24.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard CIN Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the

event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

24.3.2 **CIN(1) Zone (300 Centre Street South)**

24.3.2(1) In addition to any CIN use, in any CIN(1) Zone, as shown on Schedule "A" to this By-law, a crisis care residence or a clinic are also permitted uses.

24.3.3 **CIN(2) Zone (370 Conant Street) (66-2001)**

24.3.3(1) Notwithstanding Subsection 24.1 to the contrary, in any CIN(2) Zone as shown on Schedule "A" to this By-law, the following are the only uses permitted:

(a) Outdoor recreational uses without any buildings accessory to the secondary school at 316 Conant Street;

(b) An uncovered surfaced parking lot accessory to the secondary school at 316 Conant Street.

24.3.3(2) The provisions of Subsection 3.7 of this By-law shall not apply provided any CIN(2) zoned area is part of a lot including the secondary school at 316 Conant Street.

24.3.3(3) Notwithstanding Subsection 24.1 to the contrary, in any CIN(2) Zone the minimum lot frontage shall be 18.0m.

24.3.4 **CIN(3) Zone (7 Waterloo Street) (33-2003)**

24.3.4(1) Notwithstanding Subsection 24.1 to the contrary, in any CIN(3) Zone as shown on Schedule "A" to this By-law, the following is the only permitted use:

(a) Elementary school.

24.3.4(2) Notwithstanding Subsection 39.3 to the contrary, in any CIN(3) Zone, parking for an elementary school shall be provided at a rate of 2.5 parking spaces per classroom.

24.3.5 **CIN(4) Zone (southeast portion of 787 Conlin Road East fronting onto Wilson Road North) (50-2009)**

24.3.5(1) Notwithstanding Subsection 24.1 to the contrary in any CIN(4) Zone as shown on Schedule "A" to this By-law, the only permitted use is a place of worship. **(62-2025)**

24.3.6 **CIN(5) Zone (northeast corner of Harmony Road North and Coldstream Drive) (107-2006)**

24.3.6(1) Notwithstanding Subsection 24.1 to the contrary, in any CIN(5) Zone as shown on Schedule “A” to this By-law, the following is the only permitted use:

(a) Secondary School.

24.3.7 **CIN(6) Zone (26 McGrigor Street and 23 Lloyd Street) (6-2008, 62-2025)**

24.3.7(1) Notwithstanding Subsection 24.1 to the contrary, in any CIN(6) Zone as shown on Schedule “A” to this By-law, the following is the only permitted use:

(a) Place of worship

24.3.8 **CIN(7) Zone (1521 Simcoe Street North) (61-2016)**

24.3.8(1) Notwithstanding Subsection 24.1 to the contrary, in any CIN(7) Zone as shown on Schedule “A” to this By-law, office is also a permitted use.

24.3.9 **CIN(8) Zone (1709 Harmony Road North) (78-2019, 6-2025, 62-2025)**

24.3.9(1) Notwithstanding Subsection 24.1 to the contrary, in any CIN(8) Zone, as shown on Schedule “A” to this By-law, the only permitted use is a place of worship.

24.3.9(2) Notwithstanding Subsection 39.4.5 to the contrary, in any CIN(8) Zone, as shown on Schedule “A” to this By-law, a place of worship in a building existing as of June 24, 2019 shall provide a minimum aisle width of 6.0m for two-way traffic movement on the north side of the building.

24.3.9(3) Notwithstanding any provision of this By-law to the contrary, in any CIN(8) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to a place of worship in a building constructed after January 27, 2025:

(a) A minimum front yard depth of 2.0m shall be provided.

(b) A minimum rear yard depth of 1.5m shall be provided.

(c) A minimum interior side yard depth of 1.3m shall be provided.

(d) A minimum setback from a street line to a parking area of 1.0m shall be provided.

This page was intentionally left blank.

Section 25: MIN – Major Institutional Zones

25.1 Permitted Uses

25.1.1 No person shall within any MIN Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Any use permitted in the CIN Zone
(b) Art gallery
(c) Hospital
(d) Long Term Care Facility
(e) Museum
(f) Nursing home
(g) Parking garage or parking lot
(h) Post-secondary school
(i) Supervised student residence

(69-2019)

25.2 Regulations

25.2.1 No person shall within any MIN Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 25.2.

Table 25.2 - Regulations for MIN Zones

Zones	**MIN**
Minimum Lot Frontage (m)	50.0
Minimum Lot Area (ha)	4.0
Minimum Front Yard and Exterior Side Yard Depth (m)	6.0 plus 1.5 per storey over two storeys
Minimum Interior Side Yard and Rear Yard Depth (m)	6.0 plus 1.5 per storey over two storeys
Minimum Landscaped Open Space (%)	15
Maximum Height (m)	40.0

25.3 Special Conditions

25.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard MIN Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event this Subsection is silent on any matter, then the other relevant provisions of this By-law shall apply. **(66-1998, OMB 0940092 et al)**

25.3.2 **MIN(1) Zone (Parkwood Estate – 270 Simcoe Street North)**

25.3.2(1) Notwithstanding Subsection 25.1 to the contrary, in any MIN(1) Zone, as shown on Schedule "A" to this By-law, only the following uses shall be permitted:

(a) A residence for a caretaker

(b) Art gallery

(c) Assembly hall

(d) Club

(e) Culture and Heritage Centre where items of culture and heritage significance are stored and displayed for public viewing, whether or not an admission fee is charged

(f) Eat-in restaurant

(g) Museum

(h) Office

(i) Private park, available for public viewing, whether or not an admission fee is charged, consisting of recreational oriented uses and facilities such as the following:

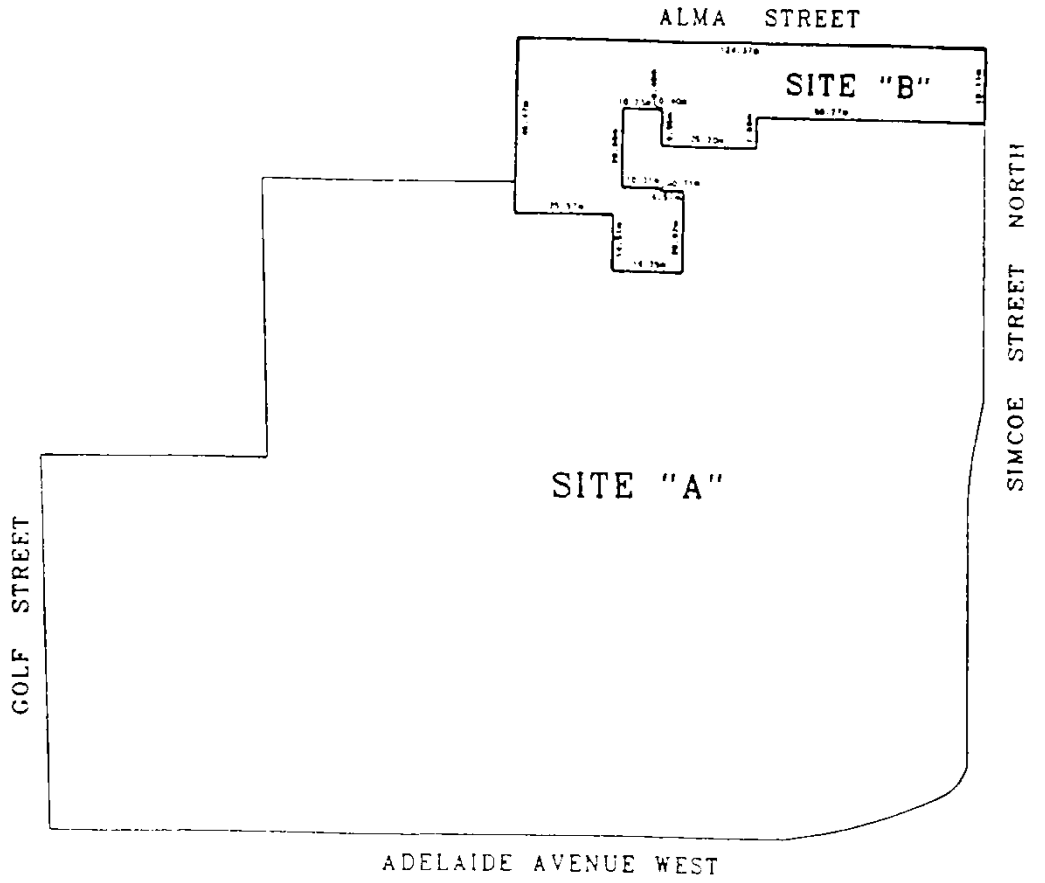
(i) Arboretum
(ii) Botanical garden
(iii) Fountains
(iv) Gazebos
(v) Memorabilia
(vi) Open space
(vii) Sitting areas
(viii) Statues
(ix) Theatre
(x) Walking trails/paths

25.3.2(2) Notwithstanding Subsection 25.2 and Article 39.1.1 to the contrary, the following regulations shall apply to any MIN(1) Zone.

(a)	Minimum lot frontage	No minimum lot frontage shall be required.
(b)	Minimum lot area	The minimum lot area shall be as existing as of June 6, 1994.
(c)	Minimum yard depths	(a) Adjacent to Golf Street – 10.5m. (b) Adjacent to Adelaide Avenue West – 10.0m. (c) Adjacent to Simcoe Street North – 9.0m. (d) Adjacent to Alma Street – 0m. (e) Any interior side yard depth – 6.0m.

(d)	Front lot line	The Simcoe Street North street line shall be deemed to be the front lot line and the Golf Street street line shall be deemed to be the rear lot line for the purpose of this Special Condition.
(e)	Maximum height	The maximum height for any building or structure located on Site “A” or Site “B” on Appendix “A” to this Special Condition shall be 10.7m.
(f)	Minimum landscaped open space	Fifty percent (50%)
(g)	Off-Street parking	A minimum of 100 parking spaces, or such greater number as may be required under Section 39 of this By-law, shall be provided for the permitted uses on Site “A” and Site “B”, as shown on Appendix “A” to this Special Condition.
(h)	Location of parking	The required minimum of 100 parking spaces shall be located on Site “B” of By-law No. 16-94, as shown on Appendix “A” thereto, and any additional parking that may be required may be located on lands subject to this Special Condition or on any other lands within 125m thereof that are zoned to permit such parking use.
(i)		The gross floor area for all office uses shall not exceed 186m^2.
(j)	Permitted buildings	Except for any building or part of a building destroyed or removed by any means which may only be replaced or rebuilt to the same height, volume, floor area, general form and massing as existed prior to the destruction or removal of the building, only buildings that are in existence as of the date of the passing of this By-law shall be permitted on Site “A”, as shown on Appendix “A” to this Special Condition.

Appendix "A" to Special Condition MIN(1)



25.3.3 **MIN(2) Zone (Kingsway College - 1200 Leland Road) (55-2009)**

25.3.3(1) In addition to any MIN use, in any MIN(2) Zone, as shown on Schedule "A" to this By-law, a self-serve storage building and one accessory dwelling unit for security purposes associated with a self-serve storage building are also permitted uses.

25.3.3(2) Notwithstanding Subsection 25.2 and Subsection 39.4 of this By-law to the contrary, in any MIN(2) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply to a self-serve storage building and the permitted accessory dwelling unit:

(a) A minimum lot area of 1.5ha shall be provided.

(b) A minimum front yard and exterior side yard depth of 3.0m shall be provided.

(c) A minimum interior side yard and rear yard depth of 3.0m shall be provided.

(d) A minimum landscape open space of ten percent (10%) shall be provided.

(e) A maximum height of 7.0m shall be permitted.

(f) The minimum parking space width shall be 2.6m where the side of the parking space is located adjacent to a solid wall.

This page was intentionally left blank.

Section 26: OS – Open Space Zones

26.1 Permitted Uses

26.1.1 No person shall within any OS Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

26.1.2 The following uses are permitted in any OSU - Urban Open Space Zone: **(60-2005)**

(a) Agricultural uses without buildings or structures
(b) Campground
(c) Golf course, existing as of January 1, 2005
(d) Park
(e) Outdoor Recreational use **(72-2004)**

26.1.3 The following uses are permitted in any OSR-A – Rural Open Space Zone: **(39-2004)**

(a) Agricultural uses including a maximum of one (1) farm dwelling
(b) One single detached dwelling located on an existing lot or on a lot created by consent
(c) Outdoor recreational use, excluding a golf course
(d) Park
(e) Private outdoor recreation club
(f) Research and development in aquaculture
(g) Riding stable

26.1.4 The following uses are permitted in any OSR-B – Rural Open Space Zone:

(a) Any OSR-A use
(b) Campground
(c) Day care centre
(d) Farm implement dealership
(e) Kennel
(f) School except a commercial school

26.1.5 The following use is permitted in any OSP – Park Open Space Zone:

(a) Park

26.1.6 The following uses are permitted in any OSH – Hazard Lands Open Space Zone: **(39-2004, 60-2005)**

(a) Agricultural uses without buildings or structures

(b) Golf course, existing as of January 1, 2005 without buildings or structures within the Major Urban Area only, according to the Oshawa Official Plan

(c) Outdoor recreational use without buildings or structures

(d) Parks without buildings or structures

26.1.6(1) Notwithstanding Article 26.1.6 to the contrary, in any OSH Zone, buildings or structures related to the uses contained in Article 26.1.6 may be permitted, provided such buildings or structures are approved by the Central Lake Ontario Conservation Authority.

26.1.7 The following use is permitted in any OSE – Environmentally Sensitive Open Space Zone:

(a) Educational, scientific or day recreational uses for the enjoyment of a natural area

26.1.8 The following uses are permitted in any OSW – Waterfront Open Space Zone: **(62-2000)**

(a) Amphitheater
(b) Auditorium
(c) Club, excluding a nightclub
(d) Cultural centre
(e) Marina, including related sales and service buildings
(f) Museum
(g) Park
(h) Outdoor Recreational use **(72-2024)**

26.1.9 The following uses are permitted in any OSB – Open Space Buffer Zone: **(OMB 960129)**

(a) Flood and erosion control structures or facilities
(b) Storm drainage control facilities
(c) An earth berm
(d) Educational, scientific or day recreational uses for the enjoyment of a natural area

26.1.10 The following uses are permitted in any OS-ORM Zone: **(38-2006)**

(a) Existing agricultural uses but no new buildings or structures
(b) Single detached dwelling
(c) Low intensity recreation excluding buildings and structures

26.1.10(1) Notwithstanding article 26.1.10 to the contrary, in any OS-ORM zone, the expansion of existing buildings or structures is permitted, provided that the use of the building or structure is permitted in the zoning by-law, there is

no adverse ecological impact to the moraine, and the relevant zoning regulations are complied with. **(38-2006)**

26.2 Regulations

26.2.1 No person shall within any OS Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 26.2 and this Subsection.

Table 26.2 - Regulations for OS Zones

Zones	All OS Zones
Minimum Front Yard and Exterior Side Yard Depth (m)	6.0
Minimum Rear Yard and Interior Side Yard Depth (m)	6.0
Maximum Number of Dwelling Units Per Lot (not including accessory apartments)	1

(5-2025)

26.2.2 Notwithstanding Article 26.2.1 to the contrary, for any single detached dwelling permitted in any OSR Zone, the regulations in Table 6.2 and the relevant general provisions applicable to the Residential R1-G Zone shall apply to such use.

26.3 Special Conditions

26.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard OS Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

26.3.2 **OSH(1) Zone (1569 Simcoe Street North)**

26.3.2(1) Notwithstanding Subsection 26.1 to the contrary, in any OSH(1) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Any use permitted in an OSH Zone

(b) Recreation oriented facilities including only one or more of the following:

(i) Bowling green
(ii) Bumper boats
(iii) Electric go karts
(iv) Golf driving range
(v) Hiking trails
(vi) Ice skating
(vii) Miniature golf course

(viii) Racquet sports
(ix) Skiing and toboggan sports
(x) Water slide or dry slide

(c) Restaurant

26.3.2(2) In any OSH(1) Zone, no vehicle drive through facilities shall be permitted. **(106-2006, OMB PL060815)**

26.3.3 **OSR-A(2) Zone (3622 Simcoe Street North) (98-2003)**

26.3.3(1) Notwithstanding Subsection 26.1.3 to the contrary, in any OSR-A(2) Zone, as shown on Schedule "A" to this by-law, only a golf course and accessory uses, but excluding a banquet or assembly hall, are permitted.

26.3.3(2) Within the OSR-A(2) Zone, the combined gross floor area of a clubhouse which may include a restaurant, pro shop for the sale of golf equipment, office and restrooms, shall not exceed 100m^2.

26.3.4 **OSH(2) Zone (3622 Simcoe Street North) (98-2003)**

26.3.4(1) In addition to any OSH use, in any OSH(2) Zone, as shown on Schedule "A" to this by-law, a golf course without buildings or structures is permitted.

26.3.4(2) Notwithstanding Article 26.1.6 and Sentence 26.3.4(1) to the contrary, accessory structures may be permitted in any OSH(2) Zone provided such structures are approved by the Central Lake Ontario Conservation Authority.

26.3.4(3) Notwithstanding Article 3.8.2(d) to the contrary, the boundary of the OSH(2) Zone shall be the lesser of the regulatory floodline as determined by the Central Lake Ontario Conservation Authority or the property line.

26.3.5 **OSR-A(1) Zone (Kedron Dells Golf Course, Ritson Road North) (39-2004)**

26.3.5(1) Notwithstanding Subsection 26.1 to the contrary, the only permitted use in an OSR-A(1) Zone shall be a golf course.

26.3.6 **OSE(1) Zone (various locations) (107-2006)**

26.3.6(1) Notwithstanding Subsection 26.1 to the contrary, in any OSE(1) Zone as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) Outdoor recreational use without buildings or structures;
(b) Park without buildings or structures.

26.3.7 **OS-ORM(1) Zone (Trillium Trails – 53 Snow Ridge Court) (38-2006 – DEFERRED)**

In addition to the permitted uses in the OS-ORM Zone, within the OS-ORM(1) Zone, the permitted uses shall also include:

(a) Private outdoor recreation club;
(b) Park; and
(c) Existing banquet hall.

26.3.8 **OS-ORM(2) Zone (Purple Woods Conservation Area) (38-2006 – DEFERRED)**

In addition to the permitted uses in the OS-ORM Zone, within the OS-ORM(2) Zone, the permitted uses shall also include:

(a) Private outdoor recreation club; and
(b) Park.

26.3.9 **OS-ORM(3) Zone (Oshawa Skeet and Gun Club – 5245 Wilson Road North) (38-2006 – DEFERRED)**

In addition to the permitted uses in the OS-ORM Zone, within the OS-ORM(3) Zone, the permitted uses shall also include:

(a) Outdoor skeet, trap and gun club and related club house; and
(b) Park.

26.3.10 **OS-ORM(4) Zone (Pine Valley Springs - 40 Hurd Street) (38-2006 – DEFERRED)**

In addition to the permitted uses in the OS-ORM Zone, within the OS-ORM(4) Zone, the permitted uses shall also include:

(a) Private outdoor recreation club including a lodge and a maximum of four (4) two person cabins; and

(b) Park.

26.3.11 **OS-ORM(5) Zone (Oak Ridges Moraine Hazard Lands) (38-2006)**

26.3.11(1) Notwithstanding article 26.1.10 to the contrary, in any OS-ORM(5) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Existing agricultural uses without new buildings or structures
(b) Low intensity recreation uses without buildings or structures

26.3.12 **OS-ORM(6) Zone (Oak Ridges Moraine Estate Residential Open Space) (38-2006)**

26.3.12(1) Notwithstanding article 26.1.10 to the contrary, in any OS-ORM(6) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Single detached dwelling

26.3.13 **OS-ORM(7) Zone (Oak Ridges Moraine Raglan Open Space) (38-2006)**

26.3.13(1) Notwithstanding article 26.1.10 to the contrary, in any OS-ORM(7) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Single detached dwelling

26.3.13(2) Notwithstanding article 26.2.2 to the contrary, in any OS-ORM(7) Zone, as shown on Schedule “A” to this by-law, for a single detached dwelling, the regulations in Table 6.2 and the relevant provisions applicable to the R1-H Zone shall apply to such use.

26.3.14 **OS-ORM(8) Zone (1037 Howden Road East) (161-2011)**

26.3.14(1) Notwithstanding Article 26.1.10 of this By-law to the contrary, in any OS-ORM(8) Zone as shown on Schedule “A” to this By-law, low intensity recreation is not a permitted use.

26.3.15 **OS-ORM(9) Zone (265 Raglan Road East) (22-2012)**

26.3.15(1) Notwithstanding Article 26.1.10 of this By-law to the contrary, in any OS-ORM(9) Zone as shown on Schedule “A” to this By-law, a single detached dwelling is not a permitted use.

26.3.15(2) Notwithstanding any other provision of this By-law to the contrary, in any OS-ORM(9) Zone as shown on Schedule “A” to this By-law, the severance of a farm dwelling is prohibited.

26.3.16 **OSH(3) Zone (548 Simcoe Street South) (73-2014)**

26.3.16(1) Notwithstanding any other provision of this By-law to the contrary, in any OSH(3) Zone, an automobile sales and service establishment for used vehicles shall be a permitted use.

26.3.17 **OSP(1) Zone (lands at the southeast corner of Simcoe Street South and Harbour Road) (52-2018)**

26.3.17(1) In addition to the permitted uses in the OSP Zone, within the OSP(1) Zone the permitted uses shall also include a marina.

26.3.18 **OS-ORM(10) [Not in use]**

26.3.19 **OSP(2) Zone (West of Park Road South, south of Renaissance Drive) (96-2023)**

26.3.19(1) Notwithstanding the provisions of Article 26.1.5 of this By-law to the contrary, in any OSP(2) Zone as shown on Schedule "A" to this By-law, the following additional uses are permitted:

(a) Butterfly habitat which means areas intended to provide habitat for butterflies in support of their roosting, nectaring and breeding functions and may include but are not limited to, vegetation and other associated plantings; and,
(b) Educational, scientific or day recreational uses for the enjoyment of a natural area.

26.3.20 **OSH(5) Zone (north of Britannia Avenue West, west of Windfields Farm Drive West) (87-2018)**

26.3.20(1) Notwithstanding the provisions of Subsection 26.2 of this By-law to the contrary, in any OSH(5) Zone, as shown on Schedule "A" to this By-law, the following are the only permitted uses:

(a) A private condominium road and related infrastructure to provide access to Block SS.
(b) Natural self-sustaining vegetated area that does not include trails or outdoor recreational uses.

26.3.21 **OSH(4) Zone (1569-1621 Simcoe Street North) (118-2018)**

26.3.21(1) Notwithstanding Subsection 26.1 to the contrary, in any OSH(4) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Outdoor recreational uses without any buildings.
(b) Parks without any buildings.

26.3.22 **[Not in use]**

26.3.23 **OSE(2) Zone (West of Park Road South, south of Renaissance Drive) (96-2023)**

26.3.23(1) Notwithstanding the provisions of Article 26.1.7 of this By-law to the contrary, in any OSE(2) Zone, as shown on Schedule "A" to this By-law, the following additional uses are permitted:

(a) Stormwater management facilities; and,
(b) Butterfly habitat which means areas intended to provide habitat for butterflies in support of their roosting, nectaring and breeding

functions and may include, but are not limited to, vegetation and other associated plantings.

26.3.24 **OSE(3) Zone (McLaughlin Bay - South of Colonel Sam Drive, west of the Oshawa/Clarington municipal boundary) (66-2023)**

26.3.24(1) Notwithstanding the provisions of Subsection 26.1 of this By-law to the contrary, in any OSE(3) Zone, as shown on Schedule "A" to this By-law, only the following use is permitted:

(a) Wildlife Reserve

26.3.24(2) For the purposes of Article 26.3.24, the following definition shall apply:

"**WILDLIFE RESERVE"** means a conservation area which is preserved and maintained in its natural state as a green and natural space in order to protect wildlife and natural habitat and its natural flora and fauna, where human activities are minimized and restricted to only minor non-invasive and passive recreational or educational activities by members of the general public which do not endanger, jeopardize, disturb or threaten wildlife, vegetation, or ecosystems, and where physical structures or improvements of any kind are minimized and restricted to only those which are minor, non-invasive and necessary for and incidental to such permitted recreational or educational activities such as directional signage, gravel walkways, seating and improvements for lookouts, walking or biking trails.

The following is prohibited in a Wildlife Reserve:

(a) Asphalt or other paving, except for gravel walkways and except for paving required for compliance related to accessibility;

(b) Dogs or other pets;

(c) Noise, odour, vibration, excessive lighting or flashing or other nuisances;

(d) Group gatherings involving 100 or more individuals, unless the date and time of such group gatherings have been coordinated and approved in advance;

(e) Motorized vehicles or heavy equipment, except where necessary for the purpose of maintenance, construction or repair;

(f) Use of groundwater or soil;

(g) Camping;

(h) Overnight use;

(i) Picnic;

(j) Barbeque;

(k) Cooking;

(l) Hunting;

(m) Fireworks;

(n) Use involving gunpowder or inflammable, combustible or explodable material or Hazardous Substance;

(o) Smoking or vaping; or

(p) Use involving tobacco or cannabis or material containing cannabis.

This page was intentionally left blank.

Section 27: PI – Prestige Industrial Zones

27.1 Permitted Uses

27.1.1 No person shall within any PI Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

27.1.2 The following uses are permitted in any PI-A Zone:

(a) Auction establishment
(b) Brew your own operation
(c) Call centre
(d) Club
(e) Commercial school or training centre
(f) Controlled environment agriculture facility
(g) Data processing centre
(h) Day care centre
(i) Dry cleaning and laundry plant
(j) Financial institution
(k) Food preparation plant
(l) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(m) Office
(n) Place of worship
(o) Printing establishment
(p) Research and development establishment
(q) Restaurant
(r) Self-serve storage building
(s) Service industry
(t) Taxi establishment
(u) Television or radio broadcasting station or studio
(v) Warehouse for semi-manufactured or manufactured goods
(w) Wholesale distribution centre

(66-1998, 62-2000, 39-2004, 45-2012, 118-2020, 112-2024, 62-2025)

27.2 Regulations

27.2.1 No person shall within any PI Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 27.2 and this Subsection.

Table 27.2 - Regulations for PI Zones

Zones	PI-A
Minimum Lot Frontage (m)	45.0
Minimum Lot Area (m^2)	4,000
Minimum Front Yard and Exterior Side Yard Depth (m)	9.0

Zones	PI-A
Minimum Interior Side Yard Depth (m)	4.5
Minimum Rear Yard Depth (m)	7.5
Yard Requirement Adjacent to a Railway Line or Spur Line (m)	0.0
Maximum Lot Coverage (%)	50
Maximum Height (m)	20.0

27.3 Special Conditions

27.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard PI Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

27.3.2 **PI-A(2) Zone (certain lands east of Ritson Road North, south and west of Highway 407 East, and north of Nancy Diamond Boulevard) (5-2025)**

27.3.2(1) Notwithstanding Subsection 27.1 to the contrary, in any PI-A(2) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Controlled environment agriculture facility

(b) Data Processing Centre accessory to any permitted use in the PI-A(2) Zone

(c) Dry cleaning and laundry plant

(d) Food preparation plant

(e) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods

(f) Industrially oriented office accessory to any main use permitted in the PI-A(2) Zone

(g) Printing establishment

(h) Retail accessory to any main use permitted in the PI-A(2) Zone

(i) Research and development establishment in connection with manufacturing

(j) Sales outlet accessory to any main use permitted in the PI-A(2) Zone

(k) Warehouse for semi-manufactured or manufactured goods

(l) Wholesale distribution centre

27.3.2(2) Notwithstanding Subsection 27.2 to the contrary, the maximum height shall be 40.0m, subject to Sentence 27.3.2(3).

27.3.2(3) Notwithstanding Subsection 27.2 or Sentence 27.3.2(2) to the contrary, the maximum height shall be 10.0m for any portion of a building setback 10.0m or less from a street line abutting an arterial road, and the permitted maximum height shall increase by 1.0m for every 1.0m of setback from the street line, up to a maximum height of 40.0m for any portion of a building setback 40.0m or more from the street line.

27.3.2(4) Notwithstanding the regulations in Subsection 27.2, in any PI-A(2) Zone, as shown on Schedule “A” to the By-law, the minimum lot depth shall be 90.0m.

27.3.3 **PI-A(1) Zone (Beaton Farm)** **(39-2004)**

27.3.3(1) Notwithstanding any other provision of this By-law, any PI-A(1) Zone, as shown on Schedule “A” to this By-law, shall only be subject to the provisions contained in this Article. **(39-2004)**

27.3.3(2) Where this Special Condition is silent on any of the matters contained in Sections 1, 2, 3, 4, 5 and 39 of this By-law, the provisions of those Sections shall apply mutatis mutandis to the lands subject to this Special Condition, in addition to the provisions of this Special Condition.

27.3.3(3) The lands subject to this Special Condition are shown on Appendix “A” attached hereto and form part of this Special Condition and are identified thereon as Parts 1, 2, 3, 4 and 5, respectively.

27.3.3(4) Part 1 shall not be used for any purpose or use other than the uses listed below:

(a) Flood and erosion control structures or facilities
(b) Pedestrian walkways, bicycle paths
(c) Storm drainage control facilities

27.3.3(5) Any use not specifically set out in Sentence 27.3.3(4) is prohibited and without limiting the generality of the foregoing, outdoor storage and parking and loading areas are prohibited in Part 1.

27.3.3(6) Part 2 shall not be used for any purpose or use other than the uses listed below:

(a) Beach and aquatic uses

(b) Day use recreational uses not requiring permanent buildings or structures

(c) Flood and erosion control structures or facilities

27.3.3(7) Any use not specifically set out in Sentence 27.3.3(6) is prohibited and without limiting the generality of the foregoing, outdoor storage and parking and loading areas are prohibited in Part 2.

27.3.3(8) Part 3 shall not be used for any purpose or use other than the uses listed below:

(a) One boat launch for small water craft
(b) Seasonal boat docking or mooring facilities
(c) Uses permitted under Sentences 27.3.3(4) and 27.3.3(6)

27.3.3(9) Any use not specifically set out in Sentence 27.3.3(8) is prohibited and without limiting the generality of the foregoing, outdoor storage and parking and loading areas are all prohibited in Part 3.

27.3.3(10) Part 4 shall not be used for any purpose or use other than the uses listed below:

(a) Accessory parking associated with uses permitted within Parts 1, 2, 3 and 4

(b) A day use park containing recreation or leisure facilities such as picnic shelters, outdoor cooking facilities, tennis courts, golf courses, miniature golf courses, refreshment stands and restaurants, but excluding mechanized facilities such as amusement rides or arcades

(c) Educational or training centres

(d) Recreational buildings or grounds

(e) Storage facilities for small water craft

(f) Uses permitted under Sentence 27.3.3(8)

27.3.3(11) Any use not specifically set out in Sentence 27.3.3(10) is prohibited and without limiting the generality of the foregoing, outdoor storage except for small water craft is prohibited in Part 4.

27.3.3(12) The following regulations are applicable to Part 4:

(a) The provisions of Sentence 27.3.3(18)

(b) The maximum height of any building or structure height shall be 10.0m

(c) The maximum lot coverage shall be twenty-five percent (25%)

(d) The minimum lot frontage shall be 75.0m

(e) The minimum lot area shall be 1.0ha

(f) The minimum front yard depth shall be 12.0m

(g) The minimum exterior side yard depth shall be 12.0m

(h) The minimum interior side yard depth shall be 9.0m

(i) The minimum rear yard depth abutting any street shall be 12.0m

(j) Any other minimum rear yard depth shall be 9.0m

(k) The front yard of any through lot shall be that yard containing the principal access or driveway

27.3.3(13) No storage of goods, materials, or machinery except for small watercraft, shall be permitted within Part 4 other than in a wholly enclosed building excepting that refuse in bulk containers or refuse receptacles may be permitted.

27.3.3(14) Part 5 shall not be used for any purpose or use other than the uses listed below:

(a) Any use permitted in a PI-A Zone

(b) Data processing centres and computer related functions

(c) Financial institutions

(d) Hotels including ancillary commercial uses

(e) Institutional uses

(f) Light industrial uses, including light manufacturing, processing of semi-manufactured goods, assembly of manufactured goods, warehousing and wholesale distribution centres, scientific, technical, research and development uses within enclosed buildings, printing, publishing or bookbinding establishments, provided such uses are not noxious or offensive

(g) Offices

(h) Parking lots

(i) Restaurants

(j) Uses permitted under Sentence 27.3.3(10), excluding any recreational buildings or grounds

(39-2004)

27.3.3(15) Any use not specifically set out in Sentence 27.3.3(14) is prohibited and without limiting the generality of the foregoing, outdoor storage is prohibited in Part 5.

27.3.3(16) The following regulations are applicable to Part 5:

(a) The provisions of Sentence 27.3.3(18)

(b) The maximum height of any building or structure within the area shown shaded on Appendix “A” shall be 20.0m

(c) The maximum building or structure height within any other area shall be 30.0m

(d) The maximum lot coverage shall be fifty percent (50%)

(e) The minimum lot frontage shall be 45.0m

(f) The minimum lot area shall be 0.4ha

(g) The minimum front yard depth shall be 12.0m

(h) The minimum interior and exterior side yard depth shall be 12.0m

(i) The minimum rear yard depth shall be 12.0m

(j) The front yard of any through lot shall be that yard containing the principal access or driveway

(66-1998)

27.3.3(17) No storage of goods, materials, or machinery except for small watercraft, shall be permitted within Part 5 other than in a wholly enclosed building excepting that refuse in bulk containers or refuse receptacles may be permitted.

27.3.3(18) The following general provisions are applicable to the lands shown as Parts 4 and 5 on Appendix "A" to this Special Condition:

(a) Except as herein specifically provided, parking and loading requirements shall be governed by Section 39 of this By-law.

(b) A 3.0m minimum width landscape strip shall be provided between any parking or loading area and any lot line and shall not be used for any purpose other than landscaped open space with the exception that driveways may traverse the landscape strip. Where loading areas are located within a parking area along a perimeter of which parking area a landscape strip has been provided in accordance with the foregoing, no further landscape strip shall be required.

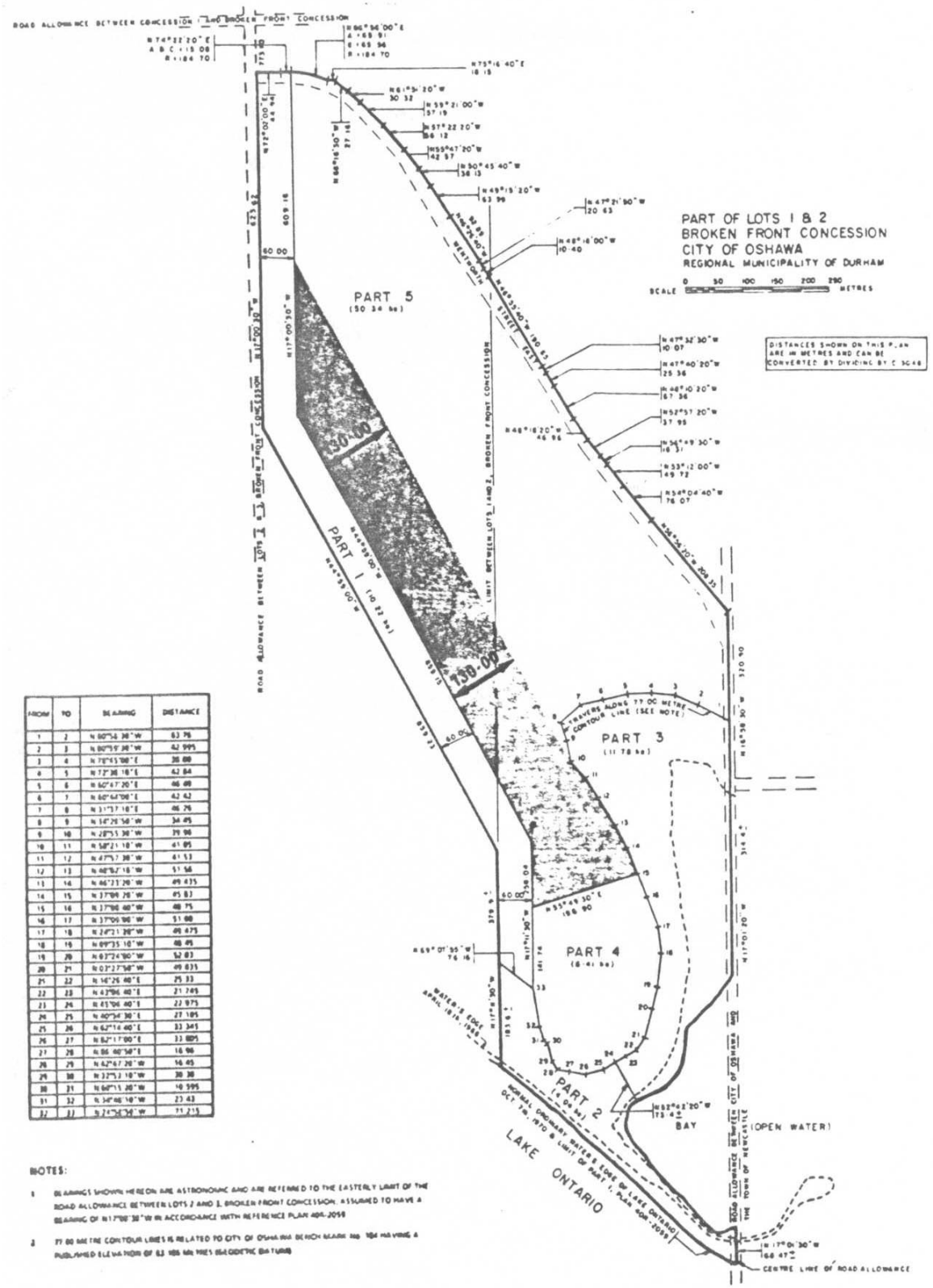
(c) No loading areas shall be permitted in the front yard or side yard except that loading areas on through lots may be permitted to be located in interior side yards.

(d) No parking or loading areas or driveways shall be permitted within Part 5 unless such parking and loading areas or driveways are paved with concrete or asphalt and each parking or loading space has been clearly marked with proper pavement markings.

(e) No development shall be permitted within Parts 4 and 5 unless an earth berm and storm drainage ditch or swale, with proper catchbasins connected to a City storm sewer or City-approved internal storm drainage system, has been constructed wholly or partly within Part 1.

(f) A minimum of ten percent (10%) of the land area of any lot within Parts 4 and 5 shall not be used otherwise than for landscaped open space.

Appendix "A" to Special Condition PI-A(1)



FROM	TO	BEARING	DISTANCE
1	2	N 80°56 30" W	83 76
2	3	N 80°59 30" W	42 995
3	4	N 78°43 30" E	35 88
4	5	N 73°38 10" E	42 84
5	6	N 60°47 20" E	46 49
6	7	N 60°44 00" E	42 42
7	8	N 31°17 10" E	46 76
8	9	N 14°29 50" W	34 49
9	10	N 28°53 30" W	39 96
10	11	N 58°21 10" W	61 89
11	12	N 47°17 30" W	61 53
12	13	N 66°58 10" W	51 56
13	14	N 66°31 20" W	49 435
14	15	N 37°09 20" W	45 83
15	16	N 37°06 40" W	48 75
16	17	N 37°06 00" W	51 88
17	18	N 29°21 30" W	49 475
18	19	N 09°35 10" W	48 49
19	20	N 03°24 30" W	52 83
20	21	N 03°27 30" E	49 835
21	22	N 16°25 40" E	25 33
22	23	N 43°06 40" E	21 749
23	24	N 43°06 40" E	22 975
24	25	N 40°34 30" E	27 105
25	26	N 62°14 40" E	33 345
26	27	N 82°17 00" E	33 805
27	28	N 86 40 30" E	16 98
28	29	N 42°47 30" W	14 45
29	30	N 32°53 10" W	30 38
30	31	N 68°11 20" W	10 595
31	32	N 34°46 10" W	23 43
32	33	N 21°56 30" W	11 215

NOTES:

1. BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY LIMIT OF THE ROAD ALLOWANCE BETWEEN LOTS 2 AND 3, BROKEN FRONT CONCESSION, ASSUMED TO HAVE A BEARING OF N17°00'30"W IN ACCORDANCE WITH REFERENCE PLAN 40R-2058
2. 77.00 METRE CONTOUR LINES IS RELATED TO CITY OF OSHAWA BENCH MARK No. 184 HAVING A PUBLISHED ELEVATION OF 83.186 METRES GEODETIC DATUM

Section 28: SI – Select Industrial Zones

28.1 Permitted Uses

28.1.1 No person shall within any SI Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

28.1.2 The following uses are permitted in any SI-A Zone:

(a) Any use permitted in a PI-A Zone
(b) Assembly hall
(c) Automobile body shop
(d) Automobile repair garage
(e) Automobile towing business
(f) Banquet hall
(g) Merchandise service shop
(h) Outdoor storage accessory to any use permitted in the SI-A Zone
(i) Plumbing, electrical or building supply shop
(j) Recreational use
(k) Sales outlet
(l) Studio
(m) Theatre
(n) Truck or light machinery rental, sales or service establishment

(66-1998, 39-2004, 60-2005)

28.1.3 The following uses are permitted in any SI-B Zone:

(a) Any use permitted in a SI-A Zone except outdoor storage.

28.1.4 The following uses are permitted in any SI-C Zone: **(39-2004)**

(a) Any use permitted in any SI-B Zone except an automobile body shop
(b) Hotel

28.2 Regulations

28.2.1 No person shall within any SI Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 28.2 and this Subsection.

Table 28.2 - Regulations for SI Zones

Zones	SI-A, SI-B and SI-C
Minimum Lot Frontage (m)	30.0
Minimum Lot Area (m^2)	2,000
Minimum Front Yard Depth (m)	9.0

Zones	SI-A, SI-B and SI-C
Minimum Interior Side Yard Depth (m)	3.0
Minimum Exterior Side Yard Depth (m)	7.5
Minimum Rear Yard Depth (m)	7.5
Yard Requirement Adjacent to a Railway Line or Spur Line (m)	0.0
Maximum Lot Coverage (%)	50
Maximum Height (m)	20.0

28.2.2 Sales outlets are permitted uses only if the sales outlet is located on the same lot as the main use and the sales outlets do not occupy more than twenty-five percent (25%) of the gross floor area located on the site; and provided further that, in the case of multiple tenants in a building, the gross floor area of an individual sales outlet associated with an individual tenant shall not exceed forty-five percent (45%) of the gross floor area of the use to which it is accessory and incidental.

28.3 Special Conditions

28.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard SI Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

28.3.2 **SI-A(1) Zone (400 Taunton Road West)** **(39-2004, 62-2025)**

28.3.2(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(1) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Place of worship
(b) Day care centre

28.3.3 **SI-A(2) Zone (712 Wilson Road South)**

28.3.3(1) Subsection 4.11 of this By-law shall not apply to lands zoned SI-A(2). For the purpose of determining minimum lot frontage, minimum front yard depth and minimum side yard depth, the western limits of Parts 1 and 2, Plan 40R-10279, shall be deemed to be the front lot line for the lands described as Parts 1 and 2, Plan 40R-1719.

28.3.4 **SI-A(3) Zone (northwest corner of Harbour Road and Farewell Street) (OMB 960129)**

28.3.4(1) In addition to any SI-A use, in any SI-A(3) Zone, as shown on Schedule "A" to this By-law, the following uses are permitted:

(a) Bulk liquid or material storage, processing or transshipment facility within an enclosed structure or building
(b) Carpet manufacture
(c) Cemetery monument works (no rock crushing)
(d) Commercial tree nursery
(e) Container storage
(f) Contracting yard
(g) Equipment repair or servicing shop
(h) Manufacturing, processing or assembly industry
(i) Outdoor storage accessory to any use permitted in the SI-A(3) Zone, provided that no outside storage of coal or salt shall be permitted
(j) Parking garage or parking lot
(k) Port and marine-related transportation, cargo handling and storage services and facilities
(l) Recycling operation
(m) Recycling depot
(n) Transport terminal including railway yard
(o) Warehouse

28.3.5 **SI-A(4) Zone (1827 Thornton Road North) (70-2018)**

28.3.5(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(4) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Assembly hall
(b) Auction establishment
(c) Banquet hall
(d) Brew your own operation
(e) Call centre
(f) Club
(g) Commercial school or training centre
(h) Data processing centre
(i) Day care centre
(j) Financial institution
(k) Food preparation plant
(l) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(m) Merchandise service shop
(n) Office
(o) Outdoor storage accessory to any use permitted in the SI-A Zone

(p) Plumbing, electrical or building supply shop
(q) Printing establishment
(r) Recreational use
(s) Research and development establishment
(t) Restaurant
(u) Sales outlet
(v) Self-serve storage building
(w) Service industry
(x) Studio
(y) Taxi establishment
(z) Television or radio broadcasting station or studio
(aa) Theatre
(bb) Warehouse for semi-manufactured or manufactured goods
(cc) Wholesale distribution centre

28.3.5(2) Notwithstanding Table 4.10, in any SI-A(4) Zone, as shown on Schedule "A" to this By-law, a maximum of sixty-five percent (65%) of the required parking shall be permitted to be located in the front yard.

28.3.5(3) Notwithstanding the regulations in Subsection 28.2, in any SI-A(4) Zone, as shown on Schedule "A" to this By-law, a minimum rear yard depth of 3m is permitted.

28.3.5(4) Notwithstanding Table 39.3A, in any SI-A(4) Zone, as shown on Schedule "A" to this By-law, a minimum of 1 parking space per $7m^2$ of assembly floor area is required for a Banquet Hall.

28.3.5(5) Notwithstanding any other provision in this By-law, in any SI-A(4) Zone, as shown on Schedule "A" to this By-law, the total maximum impervious surface including all paved areas and buildings shall not exceed eighty-five and a half percent (85.5%).

28.3.6 **SI-A(5) Zone (727 Wilson Road South)**

28.3.6(1) In addition to any SI-A use, in any SI-A(5) Zone, as shown on Schedule "A" to this By-law, a flea market is also a permitted use provided such use shall not exceed $1,535m^2$ of gross floor area.

28.3.7 **SI-A(6) Zone (lands on north side of Colonel Sam Drive east of Farewell Creek) (OMB R940316-14)**

28.3.7(1) In addition to any SI-A use, in any SI-A(6) Zone as shown on Schedule "A" to this By-law the following uses shall also be permitted:

(a) Contracting yard
(b) Equipment repair or servicing shop
(c) Outdoor storage accessory to a permitted use in the SI-A(6) Zone
(d) Vehicle sales and service establishment

(e) Any use permitted in Sentence 27.3.3(14), with the exception that "Offices" shall only include an "Industrially oriented office" or a "Professional office" and excluding "Parking lots"

28.3.7(2) Notwithstanding any provision of this By-law to the contrary, the uses listed in Sentence 28.3.7(1)(a), (b) and (d) including accessory uses, are not permitted to be located within 30m of the front lot line.

28.3.7(3) Notwithstanding any other provisions of this By-law to the contrary, landscaping shall be provided on any lot within the SI-A(6) Zone as follows:

(a) A minimum of five percent (5%) of the land area of any lot within the SI-A(6) Zone shall not be used otherwise than for landscaped open space.

(b) A minimum 9.0m landscape strip abutting the front lot line shall be provided in accordance with Sentence 28.3.7(3)(e).

(c) A minimum 3.0m landscape strip shall be provided in any exterior side yard or side yard abutting an Open Space Zone in accordance with Sentence 28.3.7(3)(e) excepting that such landscape strip may be reduced to a minimum of 1.0m when it is planted with a continuous screen of cedar or similar coniferous trees or hedges with a minimum height of 1.8m.

(d) For the purpose of interpretation, the landscape strip set out in Sentences 28.3.7(3)(b) and (c) may form part of the landscaping requirement of Sentence 28.3.7(3)(a) and for the avoidance of doubt, the landscaping requirements of this Subsection include those contained in both Sentences 28.3.7(3)(a), (b) and (c), whichever is greater.

(e) For the purpose of Sentences 28.3.7(3)(b) and (c), "landscape strip" means an area of land which only shall be used for the planting and maintenance of landscape materials and fencing.

(f) Sentence 28.3.7(b) shall not apply to prevent such landscape strip from being traversed by driveways.

28.3.7(4) Notwithstanding any other provision of this By-law to the contrary, the use of lands within the SI-A(6) Zone for accessory outdoor storage shall be subject to the following provisions:

(a) No outdoor storage shall be located in front of a building or closer than 60.0m from the front lot line.

(b) Outdoor storage areas shall only be used for the temporary storage of finished or semi-finished products processed, manufactured, assembled, repaired or used on the premises.

(c) The outdoor storage of materials such as scrap motor vehicles, used appliances and used furniture shall not be permitted in an outdoor storage area except in a rear yard behind a building and within 30m of such building.

(d) Except for any outdoor storage totally behind a building, outdoor storage shall be screened from side lot line to side lot line 60m from the front lot line by solid non-transparent fencing and no such screen shall be less than 3.0m in height.

(e) Other than machinery and equipment, outdoor storage shall not exceed 3.0m in height, with the exception of any outdoor storage in a rear yard behind a building which shall not exceed 5.0m in height.

(f) All outdoor storage areas shall be designed and maintained with proper drainage facilities and to suppress dust generation.

28.3.7(5) No accessory building or structure shall be located in front of a building or closer than 60m from the front lot line.

28.3.7(6) Notwithstanding any other provisions of this By-law to the contrary, no loading space shall be permitted in a front yard, or closer than 60m from the front lot line of any lot within the SI-A(6) Zone, unless it is completely screened from the front lot line by a building or screening feature.

28.3.7(7) Notwithstanding any other provisions of this By-law to the contrary, no driveway within the SI-A(6) Zone shall exceed a width of 9.0m. A driveway shall not be located closer than 60.0m to a driveway existing on the date of the passing of this By-law.

28.3.7(8) Notwithstanding any other provisions of this By-law to the contrary, no parking areas, loading spaces or driveways shall be permitted within the SI-A(6) Zone unless such parking areas, loading spaces or driveways are paved with concrete or asphalt with proper drainage.

28.3.7(9) Notwithstanding any other provisions of this By-law to the contrary, within the lands zoned SI-A(6), the permitted uses, with the exception of accessory outdoor storage or contracting yard, shall be conducted within wholly enclosed buildings.

28.3.7(10) Notwithstanding anything in this Article to the contrary, for any use listed under Sentence 28.3.7(1)(e), the regulations under Sentences 27.3.3(16), (17) and (18) applicable to a PI Zone shall apply to such use.

28.3.7(11) In the case of a dedication for road widening for landscape purposes, the land that has been or will be dedicated shall be included in any calculation for the purpose of determining lot area, front lot line, setbacks, coverage, parking, landscaped open space including a landscape strip, floor area and the location of any permitted building or structure relative to the required side, front or rear yards, provided any building or structure is

located wholly within the boundary of the lot remaining after the dedication.

28.3.8 **SI-A(7) Zone (front of 1123 Farewell Street) (OMB R940316, 66-1998)**

28.3.8(1) In any SI-A(7) Zone as shown on Schedule "A" to this By-law, the following definitions shall apply:

"**AGGREGATE DISTRIBUTION CENTRE**" means facilities to accommodate the transportation of aggregates to and from the site and storage of aggregates on site.

"**SECONDARY PROCESSING OF AGGREGATES**" means the screening, blending, crushing, washing, grinding, sorting or bagging of aggregates provided, however, that for the purposes of this definition aggregates shall not include rocks or stones which are greater than 100 mm nominal size.

"**DRY RECYCLABLE MATERIALS**" means dry, solid, non-hazardous wastes comprised of plastics, metals, glass, textiles, paper, brick or unpainted drywall, for recycling purposes. These wastes shall not include materials that are putrescible, organic except paper materials, obnoxious or hazardous.

28.3.8(2) Notwithstanding Section 4.23.1(o), in addition to any SI-A use, in any SI-A(7) Zone as shown on Schedule "A" to this By-law, the following uses are also permitted:

(a) Aggregate distribution centre
(b) Bulk material storage facility
(c) Concrete plant or asphalt plant
(d) Contracting yard
(e) Equipment repair or servicing shop
(f) Kennel
(g) Manufacturing, processing or assembly industry
(h) Subject to Sections 28.3.8(4) and 28.3.8(5), outdoor storage accessory to a use permitted in the SI-A(7) Zone
(i) Parking garage or a parking lot
(j) Recycling depot for concrete or asphalt materials or dry recyclable materials
(k) Recycling operation for concrete or asphalt materials or dry recyclable materials
(l) Sales outlet
(m) Secondary processing of aggregates
(n) Transport terminal including railway yard
(o) Truck and machinery rental, sales or service establishment
(p) Warehouse

28.3.8(3) The secondary processing of aggregates shall only be permitted within enclosed buildings.

28.3.8(4) Outdoor storage of aggregates shall not be permitted in connection with an aggregate distribution centre, bulk material storage facility or secondary processing of aggregates.

28.3.8(5) Outdoor storage of goods and materials, including aggregates, in connection with a concrete plant, asphalt plant, recycling operation or recycling depot shall only be permitted on lands located more than 140m north of the south property line and between 80m and 240m easterly from the Farewell Street road allowance and shall not exceed 8.0m in height.

28.3.8(6) Outdoor loading or unloading of trucks or railway cars shall not be permitted in connection with an aggregate distribution centre, bulk material storage facility or secondary processing of aggregates.

28.3.8(7) Notwithstanding any other provision of this By-law to the contrary, the storage of coal, the outdoor storage of salt or paper, or a transfer station for the transfer of wastes other than dry recyclable materials shall not be permitted in any SI-A(7) Zone.

28.3.8(8) The uses specifically listed in Section 28.3.8(2) shall be subject to the regulations in Table 30.2 – Regulations for SPI Zones, except that the maximum height shall be 30m.

28.3.9 **SI-B(1) Zone (the rear of 1123 Farewell Street) (66-1998)**

28.3.9(1) In addition to any SI-B use, in any SI-B(1) Zone as shown on Schedule “A” to this By-law, the following uses are also permitted:

(a) Bulk material storage within enclosed buildings, including indoor storage of aggregates

(b) Parking lot or truck maneuvering area only in association with a permitted use in an SI-A(7) Zone.

28.3.9(2) Notwithstanding any other provision of this By-law to the contrary, in any SI-B(1) Zone the western limit of the lands shall be deemed to be the front lot line.

28.3.9(3) Notwithstanding any other provision of this By-law to the contrary, in any SI-B(1) Zone no minimum yard depth need be provided or maintained abutting the area zoned SI-A(7).

28.3.9(4) Outdoor loading or unloading of trucks or railway cars shall not be permitted in connection with the uses specified in Section 28.3.9(1)(a).

28.3.9(5) Notwithstanding any other provision of this By-law to the contrary, the storage of coal, the outdoor storage of salt or paper, or a transfer station for the transfer of wastes other than dry recyclable material as defined in Section 28.3.7(1) shall not be permitted in any SI-B(1) Zone.

28.3.10 **SI-A(8) Zone (646, 650 and 660 Taunton Road West) (14-1996, 66-1998, 6-2008, 53-2009, 21-2023)**

28.3.10(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(8) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Assembly hall
(b) Banquet hall
(c) Brew your own operation
(d) Club, excluding nightclub
(e) Commercial recreation establishment
(f) Commercial school or training centre
(g) Convenience store
(h) Data processing centre
(i) Day care centre
(j) Financial Institution
(k) Food preparation plant
(l) Industrially oriented office
(m) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(n) Merchandise service shop
(o) Office
(p) Plumbing, electrical or building supply shop
(q) Printing establishment
(r) Research and development establishment
(s) Restaurant
(t) Sales outlet
(u) Service industry
(v) Studio
(w) Television or radio broadcasting station or studio
(x) Theatre
(y) Warehouse

28.3.10(2) In any SI-A(8) Zone, as shown on Schedule "A" to this By-law, a maximum of one convenience store is permitted provided such use shall not exceed 300m^2 of gross floor area.

28.3.10(3) In any SI-A(8) Zone, as shown on Schedule "A" to this By-law, a minimum 6.0m setback between the Vehicle Queuing Lane and east property line shall be provided. **(75-2017)**

28.3.11 **SI-B(2) Zone (1401 Phillip Murray Avenue) (39-2004)**

28.3.11(1) In addition to any SI-B use, in any SI-B(2) Zone, as shown on Schedule "A" to this By-law, a place of amusement is also a permitted use.

28.3.12 **SI-C(1) Zone (799 Bloor Street West and 800 Champlain Avenue) (39-2004, 86-2015)**

28.3.12(1) In addition to any SI-C use, in any SI-C(1) Zone, as shown on Schedule "A" to this By-law, an automobile sales and service establishment is also a permitted use.

28.3.13 **SI-A(9) Zone (670 Taunton Road West) (129-2004)**

28.3.13(1) Notwithstanding the definition of Animal hospital in Section 2 of this By-law and Subsection 28.1 to the contrary, in any SI-A(9) Zone, as shown on Schedule "A" to this By-law the following is the only permitted use:

(a) Animal hospital including an outdoor animal facility used as an exercise area for animals receiving medical care at the animal hospital.

28.3.13(2) Notwithstanding any other provisions of this By-law to the contrary, in any SI-A(9) Zone, as shown on Schedule "A" to this By-law the maximum impervious surface area of the lot shall be forty percent (40%).

28.3.14 **SI-A(10) Zone (northeast corner of Taunton Road West and Stevenson Road North) (141-2006)**

28.3.14(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(10) Zone, as shown on Schedule "A" to this By-law, an automobile sales and service establishment is the only permitted use.

28.3.14(2) Notwithstanding Subsection 39.6 to the contrary, in any SI-A(10) Zone, 2 small loading spaces shall be provided for any automobile sales and service establishment with a gross floor area between 951m^2 and 2,400m^2.

28.3.14(3) Notwithstanding any provision of this By-law to the contrary, no parking spaces are permitted in a front yard of any SI-A(10) Zone.

28.3.14(4) Notwithstanding any provisions of Sentence 28.3.14(3) to the contrary, a maximum of 4 vehicle display areas, displaying a maximum of 2 vehicles per display area for a maximum total of 8 vehicles, shall be permitted in the front yard in any SI-A(10) Zone.

28.3.14(5) In addition to the regulations in Subsection 28.2, in any SI-A(10) Zone, the maximum front yard depth shall be 17.5m.

28.3.14(6) Notwithstanding any other provision of this By-law to the contrary, in any SI-A(10) Zone, as shown on Schedule "A" to this By-law, no use other than landscaped open space or a driveway that traverses the landscaped open space shall be permitted within 3.0m of the street line of Taunton Road West and 4.5m of the street line of Stevenson Road North.

28.3.15 **SI-A(11) Zone (north side of Taunton Road West, east and west of Stevenson Road North) (6-2008, 75-2017)**

28.3.15(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(11) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Banquet hall
(b) Club, excluding nightclub
(c) Commercial recreation establishment
(d) Day care centre
(e) Financial institution
(f) Office
(g) Restaurant

(118-2020)

28.3.16 **SI-A(12) Zone (1464 Thornton Road North) (64-2012)**

28.3.16(1) Notwithstanding Subsection 28.2 to the contrary, in any SI-A(12) Zone as shown on Schedule "A" to this By-law a minimum lot frontage of 27.0m and a minimum lot area of 1,500m^2 shall be provided.

28.3.17 **SI-A(13) Zone (1472 Thornton Road North) (64-2012)**

28.3.17(1) Notwithstanding Subsection 28.2 to the contrary, in any SI-A(13) Zone as shown on Schedule "A" to this By-law a minimum lot frontage of 27.0m shall be provided.

28.3.18 **SI-A(14) (north side of Taunton Road West, east and west of Stevenson Road North) (68-2013)**

28.3.18(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(14) Zone, as shown on Schedule "A" to this By-law a hotel and a retail store are the only permitted uses. **(61-2016)**

28.3.18(2) Notwithstanding any provisions of this By-law to the contrary, in any SI-A(14) Zone, as shown on Schedule "A" to this By-law the gross leasable floor area of any retail store shall not be less than 2,000m^2.

28.3.19 **SI-A(15) Zone (certain lands north of Taunton Road West, east of the Oshawa-Whitby boundary, south of Highway 407 East and west of the Oshawa Creek) (58-2019)**

28.3.19(1) Notwithstanding the provisions of Subsection 28.1 to the contrary, in any SI-A(15) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Assembly Hall
(b) Auction establishment

(c) Banquet Hall
(d) Brew your own operation
(e) Call centre
(f) Club
(g) Commercial school or training centre
(h) Data processing centre
(i) Day care centre
(j) Financial institution
(k) Food preparation plant
(l) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(m) Merchandise service shop
(n) Office
(o) Outdoor storage accessory to any permitted use in the SI-A(15) Zone
(p) Personal Service establishment
(q) Plumbing electrical or building supply shop
(r) Post Secondary School
(s) Printing establishment
(t) Recreational Use
(u) Research and development establishment
(v) Restaurant
(w) Sales outlet
(x) Service industry
(y) Studio
(z) Taxi establishment
(aa) Television or radio broadcasting station or studio
(bb) Theatre
(cc) Warehouse for semi-manufactured or manufactured goods including a self-serve storage building
(dd) Wholesale distribution centre

28.3.20 **SI-A(16) Zone (northwest quadrant of Conlin Road West and Thornton Road North) (58-2019)**

28.3.20(1) Notwithstanding the provisions of Subsection 28.1 to the contrary, in any SI-A(16) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Any use permitted in a SI-A(15) Zone
(b) Hospital

28.3.21 **SI-A(17) Zone (northeast quadrant of Conlin Road West and Thornton Road North) (58-2019)**

28.3.21(1) Notwithstanding the provisions of Subsection 28.1 to the contrary, in any SI-A(17) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Any use permitted in a SI-A(16) Zone
(b) Post Secondary School

28.3.22 **SI-A(18) Zone (452, 462 and 472 Taunton Road West) (72-2019, 112-2024)**

28.3.22(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(18) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Assembly hall
(b) Banquet hall
(c) Brew your own operation
(d) Club, excluding nightclub
(e) Commercial recreation establishment
(f) Commercial school or training centre
(g) Data processing centre
(h) Day care centre
(i) Financial institution
(j) Food preparation plant
(k) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(l) Merchandise service shop
(m) Office
(n) Plumbing, electrical or building supply shop
(o) Printing establishment
(p) Research and development establishment
(q) Restaurant
(r) Sales outlet
(s) Service industry
(t) Studio
(u) Television or radio broadcasting station or studio
(v) Theatre
(w) Warehouse

28.3.22(2) Notwithstanding Table 39.6, in any SI-A(18) Zone, as shown on Schedule “A” to this By-law, a minimum of one small loading space is required for each unit.

28.3.23 **SI-A(19) Zone (620 Taunton Road West) (10-2020)**

28.3.23(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(19) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Assembly hall
(b) Banquet hall
(c) Brew your own operation
(d) Club, excluding nightclub
(e) Commercial recreation establishment
(f) Commercial school or training centre
(g) Data processing centre
(h) Day care centre
(i) Financial Institution
(j) Food preparation plant
(k) Industrially oriented office
(l) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(m) Merchandise service shop
(n) Office
(o) Place of amusement
(p) Plumbing, electrical or building supply shop
(q) Printing establishment
(r) Recreational use
(s) Research and development establishment
(t) Restaurant
(u) Sales outlet
(v) Self-serve storage building
(w) Service industry
(x) Studio
(y) Television or radio broadcasting station or studio
(z) Theatre
(aa) Warehouse

28.3.23(2) Notwithstanding any provision of this By-law to the contrary, in any SI-A(19) Zone, as shown on Schedule "A" to this By-law, a minimum front yard depth of 6.0m shall be provided.

28.3.24 **SI-A(20) Zone (certain lands east of Ritson Road North, south and west of Highway 407 East, and north of Nancy Diamond Boulevard) (5-2025)**

28.3.24(1) Notwithstanding Subsection 28.1 to the contrary, in any SI-A(20) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Any use permitted in a PI-A(2) Zone

(b) Outdoor storage accessory to any use permitted in the SI-A(20) Zone

28.3.24(2) Notwithstanding Subsection 28.2 to the contrary, the maximum height shall be 40.0m, subject to Sentence 28.3.24(3).

28.3.24(3) Notwithstanding Subsection 28.2 or Sentence 28.3.24(2) to the contrary, the maximum height shall be 10.0m for any portion of a building setback 10.0m or less from a street line abutting an arterial road, and the permitted maximum height shall increase by 1.0m for every 1.0m of setback from the street line, up to a maximum height of 40.0m for any portion of a building setback 40.0m or more from the street line.

28.3.24(4) Notwithstanding Article 5.5.8, an outdoor storage area shall not occupy more than forty percent (40%) of the surface area of a lot. For the purpose of this Sentence, the definition of “lot” shall be as defined in Section 2.0, and Article 3.7.2 shall not apply. This shall not be construed to permit outdoor storage in a zone or on lands that do not permit outdoor storage.

This page was intentionally left blank.

Section 29: GI – General Industrial Zones

29.1 Permitted Uses

29.1.1 No person shall within any GI Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Any industrial use not mentioned in this subsection which is not obnoxious
(b) Auction establishment
(c) Automobile body shop
(d) Automobile repair garage
(e) Automobile towing business
(f) Cleaning or dyeing plant
(g) Contracting yard
(h) Controlled environment agriculture facility
(i) Dry cleaning and laundry plant
(j) Equipment repair or servicing shop
(k) Food preparation plant
(l) Industrially oriented office
(m) Kennel
(n) Manufacturing, processing or assembly industry
(o) Metal stamping establishment
(p) Nightclub
(q) Outdoor storage accessory to a permitted use in a GI Zone
(r) Parking garage or parking lot associated with a permitted use in a GI Zone
(s) Printing establishment
(t) Recreational use
(u) Recreational vehicle storage
(v) Recycling depot
(w) Recycling operation
(x) Sales outlet
(y) Service industry
(z) Taxi establishment
(aa) Transport terminal including railway yard
(bb) Underground bulk liquid storage
(cc) Vehicle sales and service establishment
(dd) Warehouse
(ee) Wholesale distribution centre

(66-1998, 62-2000, 60-2005,112-2024)

29.2 Regulations

29.2.1 No person shall within any GI Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 29.2 and this Subsection.

Table 29.2 - Regulations for GI Zones

Zones	**GI**
Minimum Lot Frontage (m)	30.0
Minimum Lot Area (m^2)	4,000
Minimum Front Yard Depth (m)	9.0
Minimum Interior Side Yard Depth (m)	3.0
Minimum Exterior Side Yard Depth (m)	7.5
Minimum Rear Yard Depth (m)	7.5
Yard Requirement Adjacent to a Railway Line or Spur Line (m)	0.0
Maximum Lot Coverage and Outdoor Storage Combined (%)	75
Maximum Height (m)	20.0

29.2.2 Sales outlets are permitted uses only if the sales outlet is located on the same lot as the main use and the sales outlets do not occupy more than twenty-five percent (25%) of the gross floor area located on the site; and provided further that, in the case of multiple tenants in a building, the gross floor area of an individual sales outlet associated with an individual tenant shall not exceed forty-five percent (45%) of the gross floor area of the use to which it is accessory and incidental.

29.3 Special Conditions

29.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard GI Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

29.3.2 **GI(1) Zone (155 First Avenue)** **(123-2014)**

29.3.2(1) In addition to any GI use, in any GI(1) Zone, as shown on Schedule “A” to this By-law, the following uses also are permitted:

(a) Flea market
(b) Professional office

29.3.2(2) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any GI(1) Zone, as shown on Schedule "A" to this By-law, the following definition shall apply:

"**FLEA MARKET**" means a building or part of a building where sales to the public are made, with the only goods and services available being two or more of the following:

(a) Antiques
(b) Fast food restaurant
(c) Foodstuffs
(d) Handicrafts
(e) Hobby shop goods
(f) Home and auto supplies
(g) Home appliances, decorating and home furnishings
(h) Home improvement goods
(i) Household goods
(j) Newspapers or periodicals
(k) Personal services
(l) Pharmacy (not including the dispensing of controlled substances)
(m) One Place of Amusement
(n) Seasonal produce
(o) Second hand goods
(p) Tobacco or articles required for the use of tobacco

and provided that no individual establishment shall occupy more than $20m^2$ of gross floor area.

29.3.2(3) The total gross floor area devoted to flea markets shall not exceed $9,278m^2$.

29.3.2(4) The total gross floor area devoted to professional offices shall not exceed $965m^2$.

29.3.2(5) Notwithstanding Section 39.3 to the contrary, in any GI(1) Zone as shown on Schedule "A" to this By-law, parking for a flea market shall be provided at a minimum rate of 1 parking space for every $22m^2$ of gross floor area.

29.3.2(6) Notwithstanding any other provision of this By-law to the contrary, a portion of the required parking for 155 First Avenue may be provided at 144 First Avenue located on the north side of First Avenue between Front Street and Howard Street.

29.3.2(7) A flea market shall only be permitted to operate on Public Holidays (as defined in the Employment Standards Act, 2000 S.O. 2000 c.41), Saturdays and Sundays.

29.3.2(8) A maximum of 15 amusement machines shall be permitted in a place of amusement.

29.3.3 **GI(2) Zone (east side of Thornton Road South - south of CP Rail mainline)**

29.3.3(1) In addition to any GI use, in any GI(2) Zone, as shown on Schedule "A" to this By-law, a flea market is also a permitted use provided such use shall not exceed 2,790m^2 of gross floor area.

29.3.4 **GI(3) Zone (northwest corner of Park Road South and Phillip Murray Avenue)**

29.3.4(1) Notwithstanding any other provision of this By-law, any GI(3) Zone, as shown on Schedule "A" to this By-law, shall only be subject to the provisions contained in this Article.

29.3.4(2) Where this Special Condition is silent on any of the matters contained in Sections 1, 2, 3, 4, 5 and 39 of this By-law, the provisions of those Sections shall apply mutatis mutandis to the lands subject to this Special Condition, in addition to the provisions of this Special Condition.

29.3.4(3) The lands subject to this Special Condition are shown on Appendix "A" attached hereto and form part of this Special Condition and are identified thereon as Parts 1, 2, 3 and 4 respectively.

29.3.4(4) Part 1 shall not be used for any purpose or use other than the uses listed below:

(a) Access route or driveway, as required
(b) Private park

29.3.4(5) Any use not specifically set out in Sentence 29.3.4(4) is prohibited and without limiting the generality of the foregoing, outdoor storage, parking and loading areas are all prohibited in Part 1.

29.3.4(6) Part 2 shall not be used for any purpose or use other than the uses listed below:

(a) Access route or driveway

(b) Office

(c) Outdoor storage of goods, materials and machinery, including automobiles and transport vehicles

(d) Parking lot

(e) Plant for research and development related to manufacturing, processing and assembly, the said use or uses to be conducted wholly within an enclosed building

(f) Private park

(g) Transportation facilities, including enclosed railway lines for the delivery and removal of goods and wares

(h) Warehouse

29.3.4(7) The following regulations are applicable to Part 2:

(a) No building or structure or any berm or wall erected or to be erected shall exceed a height of 10.5m above the grade measured at the centreline of the nearest street.

(b) Not more than fifty percent (50%) of the total land area shall be covered with buildings or structures.

(c) Any building or structure erected or to be erected on the lands shall be setback a minimum distance of 52m from the west boundary of the road allowance of Park Road South and 52m from the north boundary of the road allowance of Phillip Murray Avenue.

29.3.4(8) Part 3 shall not be used for any purpose or use other than the uses listed below:

(a) Battery plant

(b) Machine repair shop

(c) Machine shop

(d) Parking lot

(e) Plant for electrical components manufacture

(f) Plant for the assembly and processing of products, or for scientific or technical research and development uses related to processing and assembly, the said use or uses to be conducted wholly within an enclosed building

(g) Plastic moulding manufacturing

(h) Radiator manufacturing

(i) Testing of motors and engines wholly within a building

(j) Uses permitted under Sentence 29.3.4(6) of this Special Condition

29.3.4(9) The following regulations are applicable to Part 3:

(a) No building or structure or any berm or wall erected or to be erected shall exceed a height of 16.5m above the grade measured at the centreline of the nearest street.

(b) Not more than seventy-five percent (75%) of the total land area shall be covered by buildings.

(c) Any building or structure erected or to be erected shall be set back a minimum distance of 136m from the west boundary of the road

allowance for Park Road South and 136m from the north boundary of the road allowance for Phillip Murray Avenue.

29.3.4(10) Part 4 shall not be used for any purpose or use other than the uses listed below:

(a) Access route or driveway

(b) Building or laboratory for research and development ancillary to manufacturing or assembly, the said use or uses to be conducted wholly within an enclosed building

(c) Office

(d) Parking lot

(e) Private park

(f) Transportation facilities, including unenclosed railway lines

(g) Warehouse

29.3.4(11) The following regulations are applicable to Part 4:

(a) No building or structure or any berm or wall erected or to be erected shall exceed a height of 10.5m above the grade measured at the centreline of the nearest street.

(b) Not more than fifty percent (50%) of the total land area shall be covered by buildings.

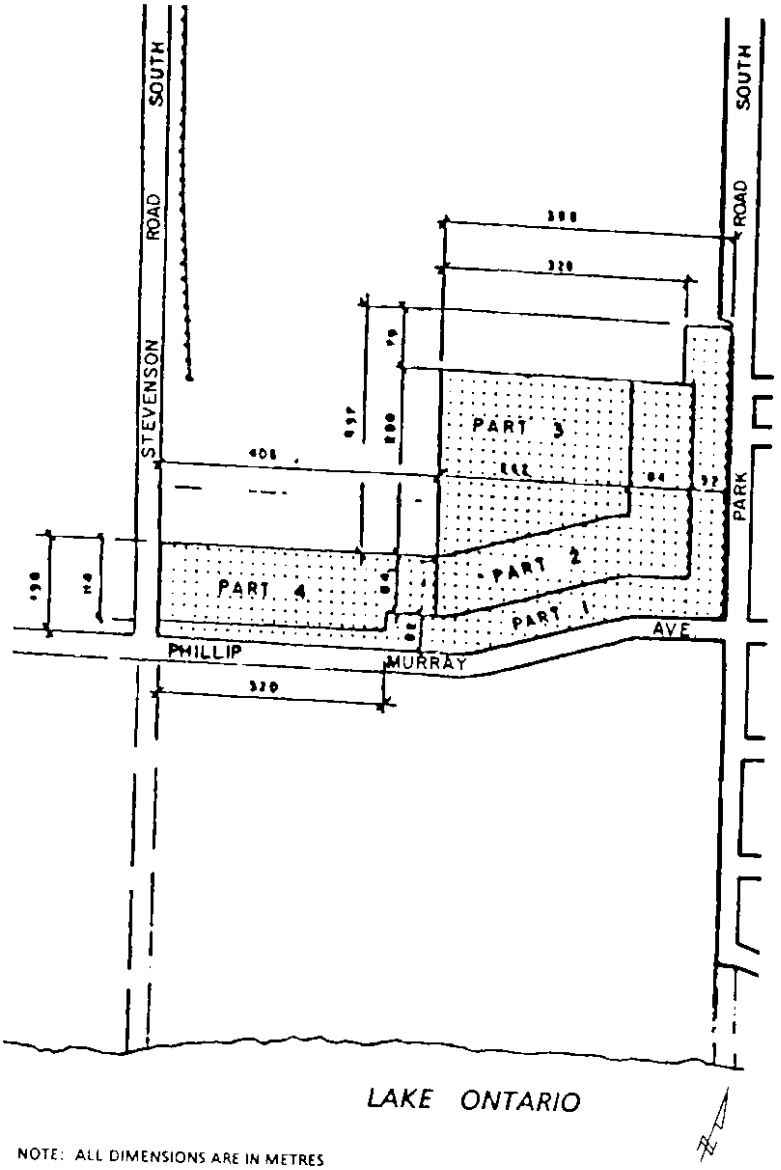
(c) Any building or structure erected or to be erected shall be set back a minimum distance of 22m from the north boundary of the road allowance for Phillip Murray Avenue and 12m from the east boundary of the road allowance for Stevenson Road South.

29.3.4(12) The outdoor storage of goods, materials and machinery including automobiles, where permitted on the lands shown as Part 2, 3, and 4 on Appendix “A” to this Special Condition shall be subject to the following regulations:

(a) The perimeter of any area of outdoor storage visible from Park Road South or Phillip Murray Avenue shall be landscaped and planted with trees and shrubs of a height of not less than 0.8m.

(b) Areas of outdoor storage shall be surfaced with a hard, dust free material and shall be suitably drained.

Appendix "A" to Special Condition GI(3)



29.3.5 **GI(4) Zone (1515 Thornton Road North)** **(82-1994)**

29.3.5(1) In addition to any GI use, in any GI(4) Zone, as shown on Schedule "A" to this By-law, a recycling establishment and/or transfer station which can receive and sort all types of non-hazardous waste are also permitted uses provided any transfer station for the recycling of waste shall only be in a fully enclosed building with negative pressure in appropriate areas.

29.3.6 **GI(5) Zone (certain lands east of Ritson Road North, south and west of Highway 407 East, and north of Nancy Diamond Boulevard)**
(5-2025)

29.3.6(1) Notwithstanding Subsection 29.1 to the contrary, in any GI(5) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Any industrial use not mentioned in this subsection which is not obnoxious
(b) Cleaning or dyeing plant
(c) Contracting Yard
(d) Controlled environment agriculture facility
(e) Dry cleaning and laundry plant
(f) Food preparation plant
(g) Industrially oriented office accessory to any main use permitted in the GI(5) Zone
(h) Manufacturing, processing or assembly industry
(i) Metal stamping establishment
(j) Outdoor storage accessory to a permitted use in a GI(5) Zone
(k) Printing establishment
(l) Recycling depot
(m) Recycling operation
(n) Sales outlet accessory to any permitted use in the GI(5) Zone
(o) Transport terminal including railway yard
(p) Underground bulk liquid storage
(q) Warehouse
(r) Wholesale distribution centre

29.3.6(2) Notwithstanding Subsection 29.2 to the contrary, the maximum height shall be 40.0m, subject to Sentence 29.3.6(3).

29.3.6(3) Notwithstanding Subsection 29.2 or Sentence 29.3.6(2) to the contrary, the maximum height shall be 10.0m for any portion of a building setback 10.0m or less from a street line abutting an arterial road, and the permitted maximum height shall increase by 1.0m for every 1.0m of setback from the street line, up to a maximum height of 40.0m for any portion of a building setback 40.0m or more from the street line.

29.3.6(4) Notwithstanding Subsection 29.2 to the contrary, an outdoor storage area shall not occupy more than forty percent (40%) of the surface area of a lot. For the purpose of this Sentence, the definition of "lot" shall be as defined in Section 2.0, and Article 3.7.2 shall not apply. This shall not be construed to permit outdoor storage in a zone or on lands that do not permit outdoor storage.

26.3.6(5) Notwithstanding Subsection 29.2 to the contrary, the maximum lot coverage shall be fifty percent (50%).

29.3.6(6) Notwithstanding any other provision of this By-law to the contrary, in any GI(5) Zone, as shown on Schedule “A” to the By-law, no loading space should have less than 4.20m of clearance.

29.3.7 **GI(6) Zone (918 Taunton Road West) (69-1997)**

29.3.7(1) Notwithstanding any other provision of this By-law to the contrary, in any GI(6) Zone, as shown on Schedule “A” to this By-law, the southern limit of the lands shall be deemed to be the front lot line.

29.3.7(2) Notwithstanding Subsection 29.2 to the contrary, in any GI(6) Zone, no minimum front yard depth need be provided or maintained.

29.3.7(3) Notwithstanding Subsection 29.2 to the contrary, in any GI(6) Zone, the minimum interior side yard depth shall be 0.3m for a self-serve storage building.

29.3.7(4) Notwithstanding Subsection 29.2 to the contrary, in any GI(6) Zone, the minimum rear yard depth shall be 0.6m for a self-serve storage building.

29.3.7(5) Notwithstanding any other provision of this By-law to the contrary the minimum parking space width shall be 2.6m where the side of a parking space is located adjacent to a solid wall, fence or other like structure.

29.3.8 **GI(7) Zone [Not in use] (73-2014)**

29.3.9 **GI(8) Zone (1157 Thornton Road South) (32-2005)**

29.3.9(1) In addition to any GI use, in any GI(8) Zone, as shown on Schedule “A” to this By-law, a transfer station which can receive and sort all types of non-hazardous industrial, commercial and institutional waste is also a permitted use.

29.3.9(2) Notwithstanding the definition of Outdoor Storage, Subsection 29.1 and Sentence 29.3.9(1) to the contrary, the storage of any waste or recyclable outside a fully enclosed building is not permitted as an accessory use to a transfer station recycling depot or recycling operation. The sorting and storage of any waste or recyclable only permitted within a fully enclosed building.

This page was intentionally left blank.

Section 30: SPI – Special Industrial Zones

30.1 Permitted Uses

30.1.1 No person shall within any SPI Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Auction establishment
(b) Automobile body shop
(c) automobile repair garage
(d) Automobile towing business
(e) Bulk liquid or material storage facility
(f) Cleaning or dyeing plant
(g) Concrete or paving establishment
(h) Contracting yard
(i) Equipment repair or servicing shop
(j) Industrially oriented office
(k) Kennel
(l) Manufacturing, processing or assembly industry
(m) Outdoor storage accessory to a permitted use in a SPI Zone
(n) Parking garage or parking lot associated with a permitted use in a SPI Zone
(o) Port and marine related transportation or cargo handling services or facilities
(p) Recreational use
(q) Recycling depot
(r) Recycling operation
(s) Sales outlet
(t) Salvage yard or automotive wrecking yard
(u) Ship yard
(v) Transport terminal including railway yard
(w) Truck and machinery rental, sales or service establishment
(x) Warehouse

(OMB R940316, 66-1998, 60-2005)

30.2 Regulations

30.2.1 No person shall within any SPI Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 30.2 and this Subsection.

Table 30.2 - Regulations for SPI Zones

Zones	SPI
Minimum Lot Frontage (m)	30.0
Minimum Lot Area (m^2)	4,000
Minimum Front Yard Depth (m)	9.0

Zones	SPI
Minimum Interior Side Yard Depth (m)	3.0
Minimum Exterior Side Yard Depth (m)	7.5
Minimum Rear Yard Depth (m)	7.5
Yard Requirement Adjacent to a Railway Line or Spur Line (m)	0.0
Maximum Lot Coverage And Outdoor Storage Combined (%)	75
Maximum Height (m)	24.0

(OMB R940316)

30.2.2 Sales outlets are permitted uses only if the sales outlet is located on the same lot as the main use, and the sales outlets do not occupy more than twenty-five percent (25%) of the gross floor area located on the site; and provided further that, in the case of multiple tenants in a building, the gross floor area of an individual sales outlet associated with an individual tenant shall not exceed forty-five percent (45%) of the gross floor area of the use to which it is accessory and incidental.

30.3 Special Conditions

30.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard SPI Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

30.3.2 **SPI(1) Zone (southeast corner of Farewell Street and Harbour Road)**

30.3.2(1) Notwithstanding Subsection 30.1 to the contrary, in any SPI(1) Zone as shown on Schedule “A” to this By-law, the most easterly 85m of Part 2, Plan 40R-10493, shall be used for no purpose except landscaped open space including berming. **(66-1998)**

30.3.2(2) Notwithstanding Subsection 30.2 to the contrary, in any SPI(1) Zone, the maximum height of any storage tank shall be 11.6m. **(66-1998)**

30.3.3 **[deleted]** **(58-2019)**

Section 31: HI – Hamlet Industrial Zones

31.1 Permitted Uses

31.1.1 No person shall within any HI Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Auction establishment
(b) Farm implement sales, rental or service establishment
(c) Light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(d) Outdoor storage accessory to a permitted use in the HI Zone
(e) Sales outlet
(f) Truck and light machinery rental, sales or service establishment
(g) Warehouse

(66-1998)

31.2 Regulations

31.2.1 No person shall within any HI Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 31.2.

Table 31.2 - Regulations for HI Zones

Zones	**HI**
Minimum Lot Frontage (m)	30.0
Minimum Lot Area (m^2)	4,000
Minimum Lot Depth (m)	60.0
Minimum Front Yard Depth (m)	15.0
Minimum Interior Side Yard Depth (m)	7.5
Minimum Exterior Side Yard Depth (m)	10.5
Minimum Rear Yard Depth (m)	13.5
Maximum Lot Coverage (%)	50
Maximum Height (m)	10.5

31.2.2 Sales outlets are permitted uses only if the sales outlets are located on the same lot as the main use, and the sales outlets do not occupy more than twenty-five percent (25%) of the gross floor area located on the site; and provided further that, in the case of multiple tenants in a building, the gross floor area of an individual sales outlet associated with an individual tenant shall not exceed forty-five percent (45%) of the gross floor area of the use to which it is accessory and incidental. **(66-1998)**

Section 32: AG – Agricultural Zones

32.1 Permitted Uses

32.1.1 No person shall within any AG Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

32.1.2 The following uses are permitted in any AG-A Zone:

(a) Accessory retail stands for the sale of seasonal produce, produced on the farm;

(b) Agricultural uses including a maximum of one farm dwelling;

(c) One single detached dwelling on an existing lot or on a lot created by consent;

(d) One seasonal worker housing unit accessory to a farm dwelling; and **(72-2024)**

(e) Riding stable.

32.1.3 The following uses are permitted in any AG-B Zone:

(a) Any use permitted in an AG-A Zone; and
(b) A farm implement sales, rental or service establishment.

32.1.4 The following uses are permitted in any AG-ORM Zone: **(38-2006)**

(a) Accessory retail stands for the sale of seasonal produce, produced on the farm;

(b) Agricultural uses including a maximum of one farm dwelling;

(c) One single detached dwelling on an existing lot or on a lot created by consent;

(d) One seasonal worker housing unit accessory to a farm dwelling; **(72-2024)**

(e) Riding stable; and

(f) Low intensity recreation.

32.2 Regulations

32.2.1 No person shall within any AG or AG-ORM Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 32.2 and this Subsection. **(38-2006)**

Table 32.2 – Regulations for AG or AG-ORM Zones

Zones	Any AG Zone
Minimum Lot Frontage (m)	100.0
Minimum Lot Area (ha)	20.0
Minimum Front Yard Depth (m)	15.0
Minimum Interior Side Yard Depth (m)	15.0
Minimum Exterior Side Yard Depth (m)	15.0
Minimum Rear Yard Depth (m)	15.0
Maximum Lot Coverage (%)	10
Maximum Number of Dwelling Units Per Lot (not including accessory apartments or seasonal worker housing units)	1

(5-2025)

32.2.2 Notwithstanding Article 32.2.1 to the contrary, for any single detached dwelling permitted in any AG or AG-ORM Zone, and being the only use on a lot, the regulations in Table 6.2 and the relevant general provisions applicable to the R1-G Zone shall apply to such use.

32.2.3 Notwithstanding Article 32.2.1 to the contrary, a farm implement sales, rental or service establishment may be developed on a lot having a minimum lot frontage of 30m and a minimum lot area of 2.0ha.

32.2.4 The following regulations shall apply to a seasonal worker housing unit: **(72-2024)**

(a) A seasonal worker housing unit shall only be permitted as an accessory use to an agricultural use having a farm dwelling in an AG-A, AG-B or AG-ORM Zone.

(b) A maximum of one seasonal worker housing unit shall be permitted.

(c) A seasonal worker housing unit shall only be permitted on lots having a minimum lot area of 20ha.

(d) A seasonal worker housing unit shall be separated from the farm dwelling on the same lot by not more than 100m.

(e) A seasonal worker housing unit shall be considered an accessory building and the regulations of Subsection 5.1 shall apply, except that the maximum height shall be 9m.

32.3 Special Conditions (25-1997)

32.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard AG Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

32.3.2 AG-ORM(1) Zone (15 Raglan Road East) (25-1997, 38-2006)

32.3.2(1) In addition to any AG-ORM use, in any AG-ORM(1) Zone, as shown on Schedule "A" to this By-law, a convenience store, the sale of arts and crafts, a retail bakery and a restaurant are permitted uses provided that:

(a) The maximum gross floor area devoted to any one or a combination of a convenience store, the sale of arts and crafts, a retail bakery and a restaurant shall not exceed 600m^2; and

(b) The maximum gross floor area devoted to any one or a combination of a retail bakery or restaurant shall not exceed 37m^2.

32.3.2(2) Notwithstanding Article 32.2.1 to the contrary, the uses permitted in any AG-ORM(1) Zone under Sentence 32.3.2(1) may be located on a lot having a minimum lot frontage of 85m and a minimum lot area of 1.0ha. **(38-2006)**

32.3.3 AG-ORM(2) Zone (5055 Simcoe Street North) (38-2006)

32.3.3(1) In addition to the uses permitted in the AG-ORM Zone, a retail store is a permitted use in any AG-ORM(2) Zone.

32.3.3(2) Notwithstanding the definition of Gross Floor Area in Section 2 of this By-law to the contrary, in any AG-ORM(2) Zone, the gross floor area devoted to a retail store, including any related accessory building, shall not exceed 450m^2.

32.3.3(3) Notwithstanding Subsections 5.1 and 32.2 to the contrary, the following regulations shall apply to a retail store, including any related accessory building, in any AG-ORM(2) Zone:

(a) A minimum lot area of 4,500m^2 shall be provided.

(b) A minimum front yard depth of 180m shall be provided.

(c) A minimum southern interior side yard depth of 15m shall be provided.

(d) A minimum northern interior side yard depth of 90m shall be provided

(e) A minimum rear yard depth of 54m shall be provided.

32.3.4 **AG-A(3) Zone (191 Howden Road East) (22-2008)**

32.3.4(1) Notwithstanding Article 32.1.2 to the contrary, in any AG-A(3) Zone, a farm dwelling and a single detached dwelling are not permitted uses.

32.3.4(2) Notwithstanding Article 32.2.1 to the contrary, in any AG-A(3) Zone, the minimum interior side yard depth for the existing agricultural building located to the east of the rear lot line of the lot at 3755 Simcoe Street North shall be 0.6m.

32.3.5 **AG-ORM(3) Zone (5151 Simcoe Street North) (38-2006)**

32.3.5(1) Notwithstanding anything in this by-law to the contrary, in any AG-ORM(3) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) An industrial metal products plant involving the manufacturing, fabricating, assembling, repair and welding of metal products.

(b) A warehouse use in conjunction with an industrial metal products plant.

(c) Any outdoor storage that is accessory to an industrial metal products plant.

32.3.5(2) The gross floor area devoted to industrial and warehouse uses combined shall not exceed 7,300m^2.

32.3.5(3) The provisions of Section 29.2 shall also apply to the lands in any AG-ORM(3) Zone.

32.3.6 **AG-ORM(4) Zone (1037 Howden Road East) (161-2011)**

32.3.6(1) Notwithstanding Article 32.1.4 of this By-law to the contrary, in any AG-ORM(4) Zone as shown on Schedule "A" to this By-law, a psychologist's office, excluding the practice of forensic psychology, is also a permitted use provided the psychologist's office use is operated in conjunction with a therapeutic farm.

32.3.6(2) Notwithstanding Article 32.1.4 of this By-law to the contrary, in any AG-ORM(4) Zone as shown on Schedule "A" to this By-law, low intensity recreation is only a permitted use in conjunction with a therapeutic farm.

32.3.6(3) Notwithstanding any other provision of this By-law to the contrary, no person shall use land or erect or use any building or structure for the purposes of any type of group home on the property municipally known as 1037 Howden Road East.

32.3.6(4) Notwithstanding any provision of this By-law to the contrary, in any AG-ORM(4) Zone as shown on Schedule "A" to this By-law, the gross floor of

a psychologist's office shall not exceed 300m^2 excluding any storage space and shall only be permitted in one building and the psychologist's office shall have a minimum setback of 90m from the Howden Road East streetline.

32.3.6(5) Notwithstanding the provisions of Subsection 39.3 of this By-law to the contrary, in any AG-ORM(4) Zone as shown on Schedule "A" to this By-law, a minimum of 18 parking spaces shall be provided for a psychologist's office including any storage space.

32.3.7 **AG-ORM(5) Zone (1037 Howden Road East) (161-2011)**

32.3.7(1) Notwithstanding Article 32.1.4 of this By-law to the contrary, in any AG-ORM(5) Zone as shown on Schedule "A" to this By-law, low intensity recreation is not a permitted use.

32.3.8 **AG-A(1) Zone (1037 Howden Road East) (161-2011)**

32.3.8(1) Notwithstanding Article 32.1.2 of this By-law to the contrary, in any AG-A(1) Zone as shown on Schedule "A" to this By-law, low intensity recreation is also a permitted use provided it is operated in conjunction with a therapeutic farm.

32.3.9 **AG-ORM(6) Zone (265, 543 and 571 Raglan Road East) (22-2012, 42-2018)**

32.3.9(1) Notwithstanding Article 32.1.4 of this By-law to the contrary, in any AG-ORM(6) Zone as shown on Schedule "A" to this By-law, a single detached dwelling is not a permitted use.

32.3.9(2) Notwithstanding any other provision of this By-law to the contrary, in any AG-ORM(6) Zone as shown on Schedule "A" to this By-law, the severance of a farm dwelling is prohibited.

32.3.10 **AG-A(2) Zone (265 Raglan Road East) (22-2012)**

32.3.10(1) Notwithstanding Article 32.1.2 of this By-law to the contrary, in any AG-A(2) Zone as shown on Schedule "A" to this By-law, a single detached dwelling is not a permitted use.

32.3.10(2) Notwithstanding any other provision of this By-law to the contrary, in any AG-A(2) Zone as shown on Schedule "A" to this By-law, the severance of a farm dwelling is prohibited.

32.3.11 **AG-A(4) Zone (1037 Howden Road East) (98-2012)**

32.3.11(1) Notwithstanding any provision of this By-law to the contrary, in any AG-A(4) Zone as shown on Schedule "A" to this By-law, a second farm dwelling is a permitted use.

32.3.11(2) Notwithstanding any provision of this By-law to the contrary, in any AG-A(4) Zone as shown on Schedule “A” to this By-law, a driveway access to Harmony Road North for any second farm dwelling is prohibited.

32.3.12 **AG-ORM(7) Zone (4405 Ritson Road North) (42-2018)**

32.3.12(1) Notwithstanding Subsection 5.1 of this By-law to the contrary, in any AG-ORM(7) Zone as shown on Schedule “A” to this By-law, the combined maximum ground floor area of all the accessory buildings except for the accessory building subject to Articles 32.3.12(2) and 32.3.12(3) shall be 141m^2.

32.3.12(2) Notwithstanding Subsection 5.1 of this By-law to the contrary, in any AG-ORM(7) Zone as shown on Schedule “A” to this By-law, the largest existing accessory building which is located at the rear of the property shall be subject to the following regulations:

(a) The maximum ground floor area shall be 316m^2.

(b) The maximum lot coverage as a percentage of the main building on the lot shall be 126%; and

(c) The maximum permitted height shall be 12.5m.

32.3.12(3) Notwithstanding the definition of “Existing” in Section 2 of this By-law to the contrary, in any AG-ORM(7) Zone as shown on Schedule “A” to this By-law, the following definition shall apply relating to the largest existing accessory building which is located at the rear of the property:

“**EXISTING**” means existing as of April 30, 2018.

32.3.13 **AG-A(5) Zone (3061 Wilson Road North and 3151 Wilson Road North) (43-2018)**

32.3.13(1) Notwithstanding any provision in this By-law to the contrary, in any AG-A(5) Zone as shown on Schedule “A” to this By-law, an agri-tourism use containing a hotel, restaurant and spa shall be permitted as an additional use.

32.3.13(2) Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any AG-A(5) Zone, as shown on Schedule “A” to this By-law, the following definition shall apply:

“**HOTEL**” means a building, or part of a building or group of buildings mainly used for the purposes of short term rental accommodation catering to the needs of the travelling public by furnishing sleeping accommodation. In addition, the HOTEL may be used as the owner's or operator's principal residence.

32.3.13(3) Notwithstanding any provision in this By-law to the contrary, in any AG-A(5) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply for an agri-tourism use containing a hotel, restaurant and spa:

(a) An agri-tourism use containing a hotel, restaurant and spa shall only be permitted on that portion of the property municipally known as 3151 Wilson Road North and zoned AG-A(5) as shown on Schedule “A” to this By-law, while the portion of the property municipally known as 3061 Wilson Road North is operated as an active agricultural operation.

(b) An agri-tourism use shall be limited to a maximum 1.0 ha in land area.

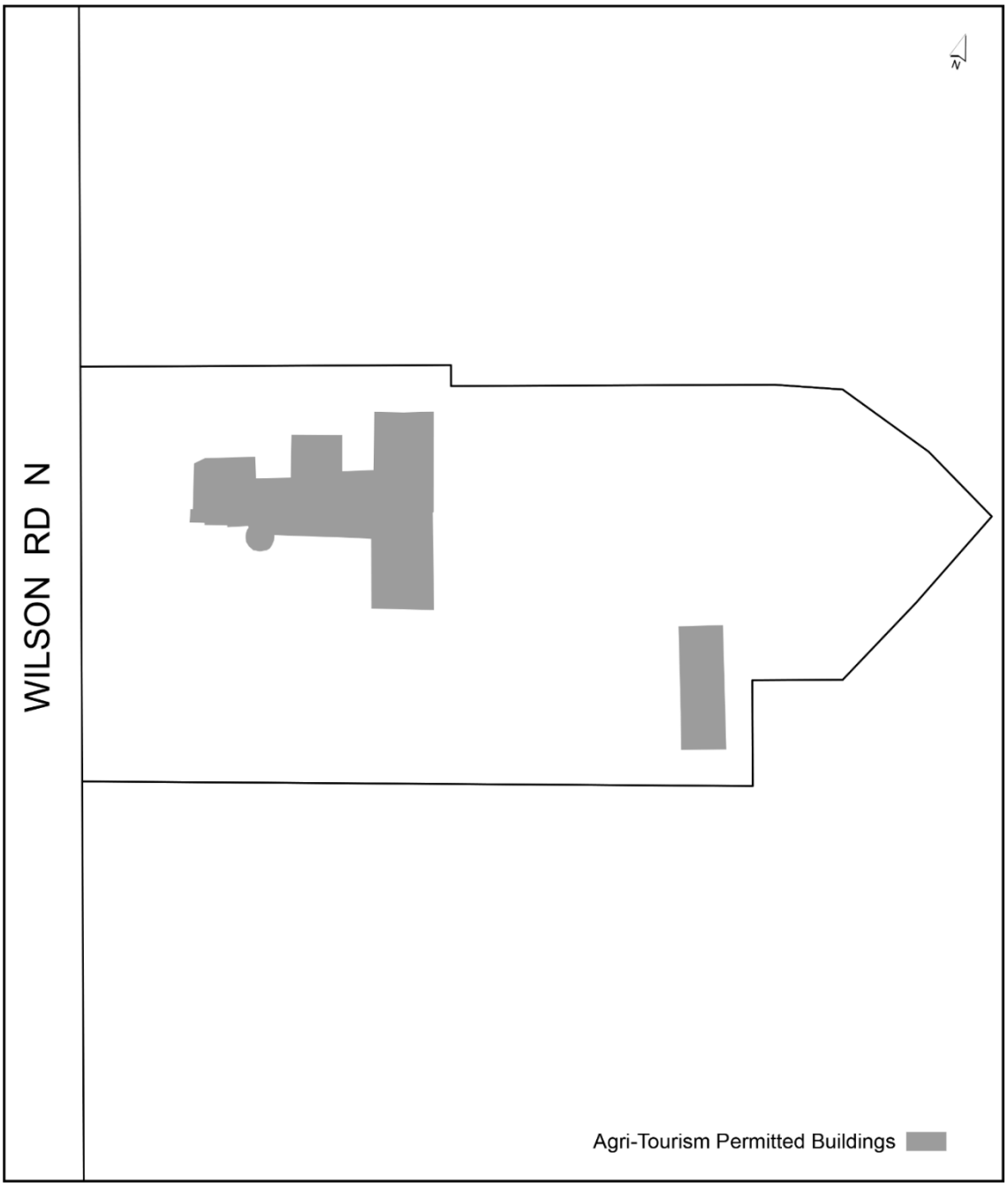
(c) A maximum of 28 seats is permitted in the restaurant.

(d) A maximum of 14 guest rooms are permitted as part of the hotel.

(e) The hotel, restaurant and spa are only permitted within buildings existing as of April 30, 2018 as shown shaded and indicated as “Agri-Tourism Permitted Buildings” on Appendix “A” to this Special Condition.

32.3.13(4) Notwithstanding any provision in this By-law to the contrary, in any AG-A(5) Zone, as shown on Schedule “A” to this By-law, a bed and breakfast establishment and home occupation shall not be permitted while an agri-tourism use is in operation.

Appendix “A” to Special Condition AG-A(5) “h-24”



32.3.14 **AG-A(6) Zone (430 Howden Road West)** **(55-2019)**

32.3.14(1) Notwithstanding any provision of this By-law to the contrary, in any AG-A(6) Zone as shown on Schedule "A" to this By-law, a second farm dwelling is a permitted use.

32.3.14(2) Notwithstanding any other provision of this By-law to the contrary, in any AG-A(6) Zone as shown on Schedule "A" to this By-law, the severance of a farm dwelling is prohibited.

32.3.15 **AG-A(7) Zone (430 Howden Road West)`** **(55-2019)**

32.3.15(1) Notwithstanding any other provision of this By-law to the contrary, in any AG-A(7) Zone as shown on Schedule "A" to this By-law, the severance of a farm dwelling is prohibited.

Section 33: AP – Airport Zones

33.1 Permitted Uses

33.1.1 No person shall within any AP Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

33.1.2 The following uses are permitted in any AP-A Zone:

(a) Airport
(b) Aviation related commercial uses
(c) Aviation related institutional uses
(d) Aviation related manufacturing, processing, or assembly industry
(e) Aviation related transport terminal
(f) Aviation related warehouse
(g) Club, excluding a nightclub
(h) Outdoor storage accessory to any use permitted in the AP-A Zone

(62-2000, 66-2023)

33.1.3 The following uses are permitted in any AP-B Zone:

(a) Agricultural uses, but not including new buildings
(b) Airport terminal
(c) Aviation related commercial uses
(d) Aviation related institutional uses including a museum
(e) Aviation related light industrial uses including light manufacturing, processing of semi-manufactured goods or assembly of manufactured goods
(f) Aviation related transport terminal
(g) Aviation related warehouse
(h) Banquet hall
(i) Club, excluding a nightclub
(j) Convention centre
(k) Hotel
(l) Office
(m) Outdoor storage accessory to any use permitted in the AP-B Zone
(n) Recreational use
(o) Restaurant
(p) Sales outlet

(62-2000)

33.1.4 The following uses are permitted in any AP-C Zone:

(a) Airport runways and taxiways

33.1.5 The following uses are permitted in any AP-D Zone:

(a) Agricultural uses, but not including new buildings
(b) Museum
(c) Recreational use

33.2 Regulations (OMB R940316-2)

33.2.1 No personal shall within any AP Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 33.2.

Table 33.2 - Regulations for AP Zones

Zones		**AP-A**	**AP-B**	**AP-C**	**AP-D**
Minimum Front Yard Depth (m)		N/A	9.0	N/A	50.0
Minimum Yard Depth (m) Other Than a Front Yard	Abutting a Residential Zone	N/A	N/A	N/A	50.0
	Abutting an Airport Zone	0.0	0.0	0.0	0.0
	Abutting an Open Space Zone	15.0	15.0	0.0	10.0
Maximum Lot Coverage (%)		75	50	N/A	30
Maximum Height (m)		Compliance with the federal aeronautics act is required			

33.2.2 Sales outlets are a permitted use only if the sales outlet is located on the same lot as the main use and the sales outlets do not occupy more than twenty-five percent (25%) of the gross floor area located on the site; and provided further, that in the case of multiple tenants in a building, the gross floor area of an individual sales outlet associated with an individual tenant shall not exceed forty-five percent (45%) of the gross floor area of the use to which it is accessory and incidental.

33.2.3 Notwithstanding any other provision of this By-law to the contrary, outdoor storage shall not be permitted within 15m of an Open Space Zone.

33.2.4 Notwithstanding Article 33.1.5 to the contrary, within the AP-D Zone as shown on Schedule “A” to this By-law, any lands within 50m of a Residential Zone shall be used for no purpose except airport buffer space.

33.2.5 Notwithstanding Articles 33.1.2 and 33.1.3 to the contrary, within the AP-A and AP-B Zones, the total number of flight training schools is restricted to a maximum of two. **(136-2015)**

33.3 Special Conditions (52-2004)

33.3.1 Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

33.3.2 **AP-B(1) Zone (lands along the south side of Taunton Road West, west of Airport Boulevard) (52-2004, 75-2017)**

33.3.2(1) Notwithstanding Subsection 33.1 to the contrary, in any AP-B(1) Zone as shown on Schedule “A” to this By-law, the following are the only permitted uses:

(a) Aviation related institutional uses including a museum
(b) Banquet hall
(c) Club, excluding a nightclub
(d) Commercial recreation establishment
(e) Convention centre
(f) Eat-in restaurant
(g) Hotel
(h) Office

33.3.3 **AP-B(2) Zone (1289 Keith Ross Drive) (21-2010)**

33.3.3(1) Notwithstanding Subsection 33.1 to the contrary, in any AP-B(2) Zone as shown on Schedule “A” to this By-law, the following is the only permitted use:

(a) Funeral Home.

This page was intentionally left blank.

Section 34: UT – Utilities Zones

34.1 Permitted Uses

34.1.1 No person shall within any UT Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Electric power transformer stations owned and operated by Ontario Hydro that transform power to 44 kv
(b) Water pollution control plant
(c) Water supply plant

This page was intentionally left blank.

Section 35: MA – Mineral Aggregate Zones

35.1 Permitted Uses

35.1.1 No person shall within any MA Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below:

(a) Agricultural uses without buildings or structures
(b) Mineral aggregate extraction operation

35.2 Regulations

35.2.1 No person shall within any MA zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 35.2 and this Subsection.

Table 35.2 - Regulations for MA Zones

Zones	**MA**
Minimum Lot Frontage (m)	100.0
Minimum Lot Area (ha)	10.0
All Minimum Yard Depths (m)	See subsection 35.2
Minimum Landscaped Open Space (%)	10
Maximum Lot Coverage (%)	10
Maximum Height (m)	15.0

35.2.2 The minimum setback of any building, structure or product stockpile shall be 30m from any lot line.

35.2.3 No pitface or excavation shall be located closer than 30m from any lot line or top of bank associated with a watercourse, whichever is the greater, except that this regulation shall not apply to a common property boundary between two active mineral aggregate extraction operations.

This page was intentionally left blank.

Section 36: CE – Cemetery Zones

36.1 Permitted Uses

36.1.1 No person shall within any CE Zone use any land or erect or use any building or structure for any purpose or use other than the use listed below:

(a) Cemetery

36.2 Regulations

36.2.1 No person shall within any CE Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 36.2.

Table 36.2 - Regulations for CE Zones

Zones	CE
Minimum Lot Frontage (m)	100.0
Minimum Lot Area (ha)	2.0
Minimum Front Yard and Exterior Side Yard Depth (m)	9.0
Minimum Interior Side Yard Depth (m)	9.0
Minimum Rear Yard Depth (m)	7.5

This page was intentionally left blank.

Section 37: FD – Future Development Zones (66-2023)

37.1 Permitted Uses

37.1.1 No person shall within any FD Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed below: **(66-2023)**

(a) Agricultural uses, but not including new farm dwellings.

(b) existing uses, located in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day this By-law was passed, and new one storey accessory buildings.

(c) Outdoor recreational uses without any buildings or structures.

(39-2004)

37.2 Regulations

37.2.1 No person shall within any FD Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 37.2 and this Subsection. **(66-2023)**

Table 37.2 - Regulations for FD Zones

Zones	FD
Minimum Lot Frontage (m)	44.0
Minimum Lot Area (ha)	2.0
Minimum Front Yard and Exterior Side Yard Depth (m)	9.0
Minimum Interior Side Yard Depth (m)	3.6
Minimum Rear Yard Depth (m)	7.5

(66-2023)

37.2.2 Minor enlargements of existing buildings or structures are permitted provided:

(a) Such enlargements are not greater than ten percent (10%) of the existing gross floor area of the building or structure being enlarged; and

(b) Not more than one enlargement is made to the existing building or structure.

37.2.3 Notwithstanding Article 37.2.2 to the contrary, enlargements of farm buildings, excluding farm dwellings, are permitted.

37.2.4 Notwithstanding any provision of this By-law to the contrary, any provisions affecting Residential Zones in Section 4 shall apply to existing residential uses in any FD Zone. **(62-2000, 66-2023)**

37.2.5 The maximum floor area for all buildings accessory to the permitted use "existing uses" shall be eight percent (8%) of the lot area or $60m^2$ whichever is more restrictive and the maximum height for such accessory buildings shall be 5.0m measured between grade and the highest point of the accessory building. **(39-2004)**

37.3 Special Conditions (86-2004)

37.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard FD Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply. **(66-2023)**

37.3.2 **FD(1) Zone [Not in use] (66-2023, 112-2024)**

37.3.3 **FD(2) Zone [Not in use] (58-2019)**

Section 38: EU – Existing Use Zones

38.1 Permitted Uses

38.1.1 No person shall within any EU Zone use any land or erect or use any building or structure for any purpose or use other than the following use:

(a) Existing uses, located in existing buildings or structures, provided such uses continue in the same manner and for the same purpose for which they were used on the day this By-law was passed, and new one storey accessory buildings. **(39-2004)**

38.2 Regulations

38.2.1 No person shall within any EU Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in this Subsection.

38.2.2 Minor enlargements of existing buildings or structures are permitted provided:

(a) Such enlargements are not greater than ten percent (10%) of the existing gross floor area of the building or structure being enlarged; and

(b) Not more than one enlargement is made to the existing building or structure.

38.2.3 Any enlargement shall be erected in compliance with the regulations applicable to the accompanying Compound Zone, as shown on Schedule “A” to this By-law.

38.2.4 Notwithstanding any provision of this By-law to the contrary, any provisions affecting Residential Zones in Section 4 shall apply to existing residential uses in any EU Zone. **(62-2000)**

38.2.5 The maximum floor area for accessory buildings shall be eight percent (8%) of the lot area or 60m^2 whichever is more restrictive and the maximum height for accessory buildings shall be 5.0m measured between the grade and the highest point of the building. **(39-2004)**

38.3 Special Conditions **(67-1995)**

38.3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard EU Zones. Where there is any conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that

this Subsection is silent on any matter, then all the other relevant provisions of this By-law shall apply. **(66-1998)**

38.3.2 **EU(1) Zone (lands on the south side of Bloor Street West between Park Road South and Stevenson Road South) (67-1995)**

38.3.2(1) Notwithstanding the definition of “existing” in Subsection 2.1 to the contrary, in any EU(1) Zone, as shown on Schedule “A” to this By-law, the term “existing” shall mean lawfully existing on September 5, 1995.

Section 38(A): SW – Special Waterfront Zones (OMB 960129)

38(A).1 Permitted Uses

38(A).1.1 No person shall within any SW Zone use any land or erect or use any building or structure for any purpose or use other than the following uses:

(a) Amphitheatre
(b) Arts or crafts studio
(c) Auditorium
(d) Assembly hall
(e) Banquet hall
(f) Club
(g) Commercial school or training centre
(h) Cultural centre
(i) Custom workshop
(j) Data processing centre
(k) Day care centre
(l) Educational centre
(m) Financial institution
(n) Hotel
(o) Institutional use
(p) Laboratory
(q) Museum
(r) Nature interpretive centre
(s) Office
(t) Place of amusement **(62-2025)**
(u) Place of worship **(62-2025)**
(v) Printing establishment
(w) Recreational use
(x) Research and development establishment
(y) Restaurant
(z) Sales outlet
(aa) Scuba diving centre
(bb) Television or radio broadcasting station or studio
(cc) Theatre
(dd) Warehouse for semi-manufactured or manufactured goods, excluding any self-serve storage building
(ee) Wholesale distribution centre
(ff) Light industrial uses, including light manufacturing, processing of semi-manufactured goods, assembly of manufactured goods, within enclosed buildings, provided such uses are not noxious or offensive
(gg) Publishing or bookbinding establishment

38(A).2 Regulations

38(A).2.1 No person shall within any SW Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 38(A).2 and this Subsection.

Table 38(A).2 - Regulations for SW Zones

Zones	**SW**
Minimum Lot Frontage (m)	45.0
Minimum Lot Area (m^2)	4,000
Minimum Front Yard and Exterior Side Yard Depth (m)	9.0
Minimum Interior Side Yard Depth (m)	4.5
Minimum Rear Yard Depth (m)	7.5
Maximum Lot Coverage (%)	50
Maximum Height (m)	12.0

38(A).2.2 Notwithstanding the maximum height permitted by Table 38(A).2, a maximum of twenty-five percent (25%) of the footprint of any building shall be permitted to have a maximum height of 20m.

38(A).2.3 Sales outlets are permitted uses only if the sales outlet is located on the same lot as the main use and the sales outlets do not occupy more than twenty-five percent (25%) of the gross floor area located on the site; and provided further that, in the case of multiple tenants in a building, the gross floor area of an individual sales outlet associated with an individual tenant shall not exceed forty-five percent (45%) of the gross floor area of the use to which it is accessory and incidental.

38(A).2.4 In addition to the other provisions of Section 38(A) any use in a SW Zone as shown on Map C-1 shall be subject to the general provisions contained in Section 4 of this By-law that are applicable to a Prestige Industrial Zone. In the event of a conflict between the provisions of Section 38(A) and Section 4, Section 38(A) shall prevail.

Section 38(B): MU – Mixed Use Zones (106-2006, OMB PL060815)

38(B).1 Permitted Uses

38(B).1.1 No person shall within any MU Zone use any land or erect or use any building or structure for any purpose or use other than the uses listed in this Subsection.

38(B).1.2 The following uses are permitted in any MU-A Zone:

(a) Apartment building
(b) Back-to-back street townhouse building with lot frontage on a local road
(c) Back-to-back street townhouse dwelling with lot frontage on a local road
(d) Block townhouse
(e) Day care centre
(f) Flat
(g) Long Term Care Facility
(h) Nursing home
(i) Office
(j) Private school
(k) Retirement home
(l) Street townhouse building with lot frontage on a local road
(m) Street townhouse dwelling with lot frontage on a local road

(69-2019, 62-2025)

38(B).1.3 The following uses are permitted in any MU-B Zone:

(a) Animal hospital
(b) Apartment building
(c) Art gallery
(d) Back-to-back street townhouse building with lot frontage on a local road
(e) Back-to-back street townhouse dwelling with lot frontage on a local road
(f) Block townhouse
(g) Brew your own operation
(h) Commercial school
(i) Commercial recreation establishment, except a billiard hall
(j) Day care centre
(k) Financial institution
(l) Flat
(m) Hotel
(n) Long Term Care Facility
(o) Merchandise service shop
(p) Nursing home
(q) Office

(r) Place of amusement
(s) Personal service establishment
(t) Printing establishment
(u) Private school
(v) Restaurant
(w) Retail store
(x) Retirement home
(y) Street townhouse building with lot frontage on a local or collector road
(z) Street townhouse dwelling with lot frontage on a local or collector road
(aa) Studio
(bb) University residence

(69-2019, 62-2025)

38(B).1.4 The following uses are permitted in any MU-C Zone:

(a) Animal hospital
(b) Apartment building
(c) Art gallery
(d) Block townhouse
(e) Brew your own operation
(f) Commercial school
(g) Commercial recreation establishment, except a billiard hall
(h) Day care centre
(i) Financial institution
(j) Flat
(k) Hotel
(l) Long Term Care Facility
(m) Merchandise service shop
(n) Nursing home
(o) Office
(p) Personal service establishment
(q) Place of amusement **(62-2025)**
(r) Printing establishment
(s) Private school
(t) Restaurant
(u) Retail store
(v) Retirement home
(w) Studio
(x) University residence

(69-2019)

38(B).2 Regulations

38(B).2.1 No person shall within any MU Zone use any land or erect or use any building or structure except in compliance with the regulations as set out in Table 38(B).2 and this Subsection.

Table 38(B).2 - Regulations for MU Zones

Zones		**MU-A**	**MU-B**	**MU-C**
Minimum Lot Frontage (m)		30.0	30.0	60.0
Minimum Front Yard and Exterior Side Yard Depth (m)		3.0	3.0	3.0
Maximum Front Yard and Exterior Side Yard Depth (m)		5.5	5.5	5.5
Minimum Interior Side Yard and Rear Yard Depth (m)	Abutting a Residential Zone	9.0	9.0	7.5 for any building greater than one storey measured above grade or 2m for any one storey building measured above grade
	Abutting a Mixed Use Zone	3.0	0.0	0.0 provided that 3.0 is required abutting a MU-A zone
	Abutting a Zone Other Than a Residential or Mixed Use Zone	3.0	3.0	3.0
Minimum Building Frontage (%)		60	60	60
Minimum Height (m)		5.5	5.5	5.5 for any building located 20.0m or greater from a residential zone
Maximum Height for Any Building Located 11.0m or Greater from a Residential Zone (m)		11.0	13.0	13.0
Maximum Height for Any Building Located Less Than 11.0m from a Residential Zone (m)		9.0	9.0	9.0
Maximum Density – Dwelling Units Per Hectare		85	85	150
Minimum Landscaped Open Space Abutting a Residential Zone (m)		4.5	4.5	7.5 for any building greater than one storey measured above grade or 2.0 for any one storey building measured above grade
Maximum Gross Floor Area of Office Use (m^2)		1,000	N/A	N/A

38(B).2.2 Notwithstanding the definitions in Section 2 of this By-law to the contrary, in any MU Zone, as shown on Schedule "A" to the By-law, the following definition shall apply:

(a) Minimum building Frontage means that percentage of the frontage on an arterial road where, cumulatively, the length of walls of main buildings facing the street are constructed in the area ranging from the minimum front yard and exterior side yard depth to the maximum front yard and exterior side yard depth applicable to the relevant Zone. Any areas affected by easements for hydro services shall be excluded from the frontage calculation. **(72-2024)**

38(B).2.3 [deleted] **(75-2017)**

38(B).2.4 Notwithstanding any other provision of this By-law to the contrary, in any MU Zone, parking areas, loading spaces or refuse enclosures are only permitted in rear and interior side yards, providing that no parking area, loading space or refuse enclosure is permitted between a building and a street line for any building located within 20m of a street line. **(112-2024)**

38(B).2.5 Notwithstanding any other provisions of this By-law to the contrary, no accessory building or structure in any MU Zone shall be permitted in an area required as landscaped open space abutting a Residential Zone.

38(B).2.6 For any block townhouse permitted in any MU Zone, the regulations in Table 9.2 and the relevant provisions applicable to the R4-A Zone shall apply to such use, except that the minimum building frontage, the applicable minimum and maximum front yard depth and exterior side yard depth and the minimum landscaped open space abutting a Residential Zone regulations in Table 38(B).2 shall apply to such use.

38(B).2.7 Notwithstanding any other provision of this By-law to the contrary, in any MU-A Zone, the permitted uses shall be located on a lot containing one of the following:

(a) A mixed-use building provided that for every m^2 of gross floor area devoted to an office, day care centre or private school, $2m^2$ of floorspace devoted to any use set out in items (a), (d), (e), (f) and (i) of Article 38(B).1.2 shall be provided; or

(b) A building containing only uses set out in items (a), (b), (e), (f), (i), (j), and (k) of Article 38(B).1.2; or

(c) A building containing only an office use, day care centre or private school, provided the lot is located within 60m of a local road and vehicular access is provided from the local road.

38(B).2.8 For any apartment building, Long Term Care Facility, nursing home or retirement home permitted in any MU-A Zone, the regulations in Table 11.2 and the relevant provisions applicable to the R6-B Zone shall

apply to such uses, except that the minimum building frontage, minimum lot frontage, the minimum and maximum front yard depth and exterior side yard depth, the minimum and maximum height and the minimum landscaped open space abutting a Residential Zone regulations in Table 38(B).2 shall apply to such uses. **(69-2019)**

38(B).2.9 Notwithstanding any other provision of this By-law to the contrary, in any MU-A Zone, an office or an office and flat use may be permitted in a building existing as of July 17, 2006 on a lot existing as of July 17, 2006 provided the regulations in Table 15.2 and the relevant provisions of this By-law applicable to the OC Zone and the minimum landscaped open space abutting a Residential Zone requirements of the MU-A Zone shall apply to such use.

38(B).2.10 For any back-to-back street townhouse building, back-to-back street townhouse dwelling, street townhouse building or street townhouse dwelling permitted in any MU-A or MU-B Zone, the regulations in Table 8.2 and the relevant provisions applicable to the R3-A Zone shall apply to such uses. **(62-2025)**

38(B).2.11 In any MU-B Zone, the gross floor area occupied by any individual financial institution, merchandise service shop, personal service establishment or retail store, excluding any floor area used for storage, interior pedestrian walkways, the provision of heating, air conditioning, plumbing, electrical or other services, washrooms or parking areas, shall not exceed 1,550m^2.

38(B).2.12 For any apartment building, Long Term Care Facility, nursing home, retirement home or university residence permitted in any MU-B Zone, the regulations in Table 11.2 and the relevant provisions applicable to the R6-B Zone shall apply to such uses, except that the minimum building frontage, the minimum lot frontage, the minimum and maximum front yard depth and exterior side yard depth, the minimum and maximum height and the minimum landscaped open space abutting a Residential Zone regulations in Table 38(B).2 shall apply to such uses. **(69-2019)**

38(B).2.13 Notwithstanding any other provision of this By-law to the contrary, in any MU-B Zone, an office or a personal service establishment may be permitted in a building existing as of July 17, 2006 on a lot existing as of July 17, 2006 provided the regulations in Table 15.2 and the relevant provisions of this By-law applicable to the OC Zone and the minimum landscaped open space abutting a Residential Zone requirements of the MU-B Zone shall apply to such uses.

38(B).2.14 For any apartment building, Long Term Care Facility, nursing home, retirement home or university residence permitted in any MU-C Zone, the regulations in Table 11.2 and the relevant provisions applicable to the R6-C Zone shall apply to such uses, except that the minimum building

frontage, the minimum lot frontage, the minimum and maximum front yard depth and exterior side yard depth, the minimum and maximum height and the minimum landscaped open space abutting a Residential Zone regulations in Table 38(B).2 shall apply to such uses. **(69-2019)**

38(B).3 Special Conditions

38(B).3.1 The provisions of this Subsection apply to unique or existing situations and the zones are not the standard MU Zones. Where there is a conflict between the provisions of this Subsection and any other provisions of this By-law, the provisions of this Subsection shall apply, but in the event that this Subsection is silent on any matter, then all other relevant provisions of this By-law shall apply.

38(B).3.2 **MU-A(1) Zone (1911 Simcoe Street North)**

38(B).3.2(1) Notwithstanding the provisions of Section 38(B).1.2 to the contrary, a financial institution is a permitted use in any MU-A(1) Zone.

38(B).3.3 **MU-C(1) Zone (2045-2069 Simcoe Street North)**

38(B).3.3(1) Notwithstanding the provisions of Section 5.15.11 to the contrary, a vehicle drive-through facility accessory to a financial institution shall be permitted in any MU-C(1) Zone, provided the financial institution is located between the vehicle drive-through facility and Simcoe Street North and is located within 30m of Simcoe Street North. **(75-2017)**

38(B).3.3(2) Notwithstanding the definition of “lot” in Section 2 of By-law 60-94, the lands zoned MU-C(1) shall be considered to be one lot for the purpose of applying regulations relating to minimum lot frontage, minimum interior side yard depth, minimum building frontage, maximum density, parking, loading and general provisions.

38(B).3.3(3) Notwithstanding the provisions of Table 38(B).2 to the contrary, the minimum building frontage in any MU-C(1) Zone shall be forty-five percent (45%).

38(B).3.4 **MU-A(2) Zone (2011 Simcoe Street North and 2 Taylorwood Road) (146-2007)**

38(B).3.4(1) Notwithstanding the provisions of Article 38(B).1.2 to the contrary, the following additional uses are permitted in any MU-A(2) Zone:

(a) Animal hospital
(b) Art gallery
(c) Financial institution
(d) Fitness centre
(e) Merchandise service shop
(f) Personal service establishment

(g) Printing establishment
(h) Restaurant
(i) Retail store

38(B).3.4(2) Notwithstanding the provisions of Article 38(B).1.2 to the contrary, back-to-back street townhouses, block townhouses and street townhouses are not permitted in any MU-A(2) Zone. **(62-2025)**

38(B).3.4(3) The provisions of Article 38(B).2.7 shall not apply to buildings in a MU-A(2) Zone.

38(B).3.4(4) The uses set out in items (b), (c), (e), (f), (g), (h) and (i) in Sentence 38(B).3.4(1) are only permitted in the storey that is closest to above grade of a minimum 3 storey building in any MU-A(2) Zone provided that none of the aforementioned uses shall be permitted above grade facing a Residential Zone.

38(B).3.4(5) No part of any main building greater than 2 storeys in height can be located further than 45m from Simcoe Street North.

38(B).3.4(6) Notwithstanding the provisions of Table 38(B).2 to the contrary, the following regulations apply in any MU-A(2) Zone and all other regulations in Table 38(B).2 apply:

Table 38(B).2

Regulations	**MU-A(2)**
Minimum building frontage (%)	18
Maximum height (m)	16.2 or 4 storeys, whichever is the most restrictive, provided that no more than 3 storeys above grade shall face any Residential Zone.
Total maximum gross floor area of retail stores (m^2)	1,300
Maximum gross floor area of an individual restaurant (m^2)	280
Maximum gross floor area of office use (m^2)	3,000

38(B).3.4(7) Notwithstanding the provisions of Article 38(B).2.4 to the contrary, in any MU-A(2) Zone, a single row of parking spaces and an aisle may be permitted in the area between the street line and the building along Simcoe Street North.

38(B).3.4(8) Balconies are permitted for any buildings located in any MU-A(2) Zone only if they face Simcoe Street North.

38(B).3.5 **MU-B(1) Zone (1670, 1704, 1706, 1710 Simcoe Street North)**

(86-2008, OMB PL081025)

38(B).3.5(1) Notwithstanding the provisions of Subsection 38(B).2 and Article 38(B).2.12 to the contrary, the following regulations apply in any MU-B(1) Zone:

Regulations	**MU-B(1)**
Maximum Lot Coverage (%) for an apartment building	38
Maximum Density – Dwelling Units Per Hectare	108
Minimum Landscaped Open Space Abutting a Residential Zone (m)	3.0
Minimum Interior Side Yard Depth (m)	3.5
Minimum Rear Yard Depth (m)	8.0

38(B).3.5(2) The maximum height for any building located 11.0m or greater from a Residential Zone shall be the more restrictive of 22m or 6 storeys on the lands shown as Site “A” and the more restrictive of 15.3m or 4 storeys on the lands shown as Site “B” on Appendix “A” to this Special Condition in an MU-B(1) Zone.

38(B).3.5(3) Notwithstanding Subsection 39.3 to the contrary, in any MU-B(1) Zone the following parking requirements shall apply:

Use or Purpose	**Minimum Number of Parking Spaces Required**
(a) Apartment building – Rental for student accommodation only	0.87 per dwelling unit plus 0.13 per dwelling unit for visitors
(b) Shopping Centre with less than 900m^2 of gross floor area	1 per 27m^2

38(B).3.5(4) Balconies are not permitted on the most westerly building elevation closest to a Residential Zone.

38(B).3.5(5) [deleted] **(61-2010)**

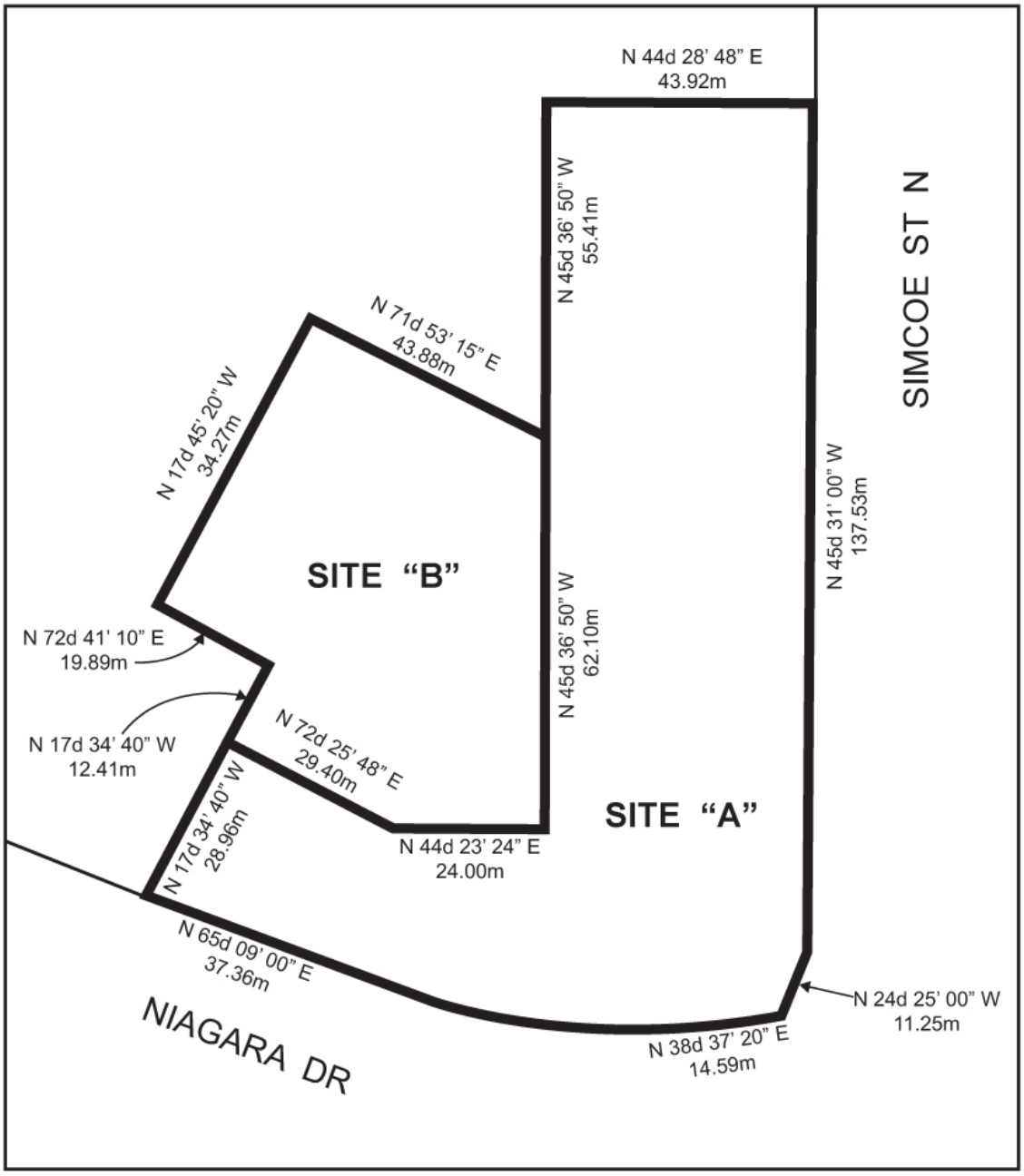
38(B).3.5(6) No person shall within a MU-B(1) Zone use any land or erect or use any building or structure for any MU-B use unless all the lands in a MU-B(1) Zone, excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

38(B).3.5(7) Notwithstanding the provisions of Subsection 4.6.1 to the contrary canopies may encroach no more than 3.0m into the required minimum

front and exterior side yards on Simcoe Street North and Niagara Drive.

38(B).3.5(8) A maximum gross floor area of 465m^2 may be used for the sale and consumption of alcohol.

Appendix "A" to Special Condition MU-B(1)



38(B).3.6 **MU-A(3) Zone (2015-2023 Simcoe Street North) (58-2011)**

38(B).3.6(1) Notwithstanding Article 38(B).1.2 to the contrary, back-to-back street townhouse buildings, back-to-back street townhouse dwellings, street

townhouse buildings and street townhouse dwellings are not permitted in any MU-A(3) Zone. **(62-2025)**

38(B).3.6(2) Notwithstanding any provision of Subsection 38(B).2 to the contrary, the minimum rear yard depth abutting a Residential Zone shall be 10m for a block townhouse and 16m for all other uses in a MU-A(3) Zone.

38(B).3.6(3) Notwithstanding any provision of Subsection 38(B).2 to the contrary, the minimum landscaped open space abutting a Residential Zone shall be 5.5m in a MU-A(3) Zone.

38(B).3.6(4) Notwithstanding any provision of Subsection 38(B).2 to the contrary, the maximum height shall be 9.0m in a MU-A(3) Zone.

38(B).3.6(5) Balconies are permitted for any buildings located in any MU-A(3) Zone only if they face Simcoe Street North.

38(B).3.6(6) Item (c) in Sentence 38(B).2.7 does not apply to lands located in any MU-A(3) Zone.

38(B).3.7 **MU-A(4) Zone (2029-2043 Simcoe Street North) (58-2011)**

38(B).3.7(1) Notwithstanding Article 38(B).1.2 to the contrary, back-to-back street townhouse buildings, back-to-back street townhouse dwellings, street townhouse buildings and street townhouse dwellings are not permitted in any MU-A(4) Zone. **(62-2025)**

38(B).3.7(2) Notwithstanding any provision of Subsection 38(B).2 to the contrary, the minimum rear yard depth abutting a Residential Zone shall be 16m for all uses other than block townhouses in a MU-A(4) Zone.

38(B).3.7(3) Notwithstanding any provision of Subsection 38(B).2 to the contrary, the minimum landscaped open space abutting a Residential Zone shall be 5.5m in a MU-A(4) Zone.

38(B).3.7(4) Notwithstanding any provision of Subsection 38(B).2 to the contrary, the maximum height shall be 9.0m for block townhouses and 11.0m for all other uses in a MU-A(4) Zone.

38(B).3.7(5) Balconies are permitted for any buildings located in any MU-A(4) Zone only if they face Simcoe Street North.

38(B).3.7(6) Item (c) in Sentence 38(B).2.7 does not apply to lands located in any MU-A(4) Zone.

38(B).3.8 **MU-B(2) Zone (1720-1808 Simcoe Street North and 426 Niagara Drive) (90-2011)**

38(B).3.8(1) Notwithstanding the provisions of Subsection 38(B).2 to the contrary, in any MU-B(2) Zone, the maximum height for any apartment building or an apartment building with commercial uses on the first floor closest to the ground level shall be the more restrictive of 22.0m or 6 storeys; and

38(B).3.8(2) Notwithstanding the provisions of Subsection 38(B).2 and Article 38(B).2.12, to the contrary, in any MU-B(2) Zone, the maximum density permitted shall be 150 units per hectare.

38(B).3.9 **MU-C(2) Zone (43 and 53 Conlin Road East) (123-2012)**

38(B).3.9(1) Notwithstanding Article 5.15.11 of this By-law to the contrary, a vehicle drive-through facility accessory to a financial institution shall be permitted in any MU-C(2) Zone as shown on Schedule “A” attached to this By-law, subject to the following provisions:

(a) Notwithstanding Articles 5.15.7 and 5.15.8 including Table 5.15.8 of this By-law to the contrary, a vehicle drive-through facility shall have a minimum of four (4) vehicle queuing spaces with each queuing space having a minimum length of 6.0m and a minimum width of 4.0m;

(b) Notwithstanding Table 5.15.2 of this By-law to the contrary, a vehicle drive-through facility shall be located a minimum of 25.0m from a Residential Zone; and

(c) The financial institution shall be located between the vehicle drive-through facility and Conlin Road East.

(75-2017)

38(B).3.9(2) Notwithstanding Article 39.4.5 of this By-law to the contrary, in any MU-C(2) Zone as shown on Schedule “A” attached to this By-law, traffic movement may be two-way in an aisle abutting a maximum of 3 parallel parking spaces that have parking angle of 0 degrees.

38(B).3.9(3) Notwithstanding Subsection 39.6 of this By-law to the contrary, in any MU-C(2) Zone as shown on Schedule “A” attached to this By-law, a small loading space is not required for any gross floor area between 450m^2 and 800m^2.

38(B).3.10 **MU-B(3) Zone (1900 Simcoe Street North) (28-2016)**

38(B).3.10(1) Notwithstanding any provision of this By-law to the contrary, in any MU-B(3) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply to a building greater in height than 13 metres and density greater than 85 units per hectare:

Regulations	**MU-B(3)**
Minimum Front Yard Depth (m)	1.9
Minimum Interior Side Yard Depth – north side (m)	5.5
Minimum Interior Side Yard Depth – south side (m)	10
Minimum Rear Yard Depth (m)	20
Minimum Building Frontage (%)	34
Maximum Height (m)	26.5 or 8 storeys, whichever is the most restrictive
Maximum Density - Dwelling Units Per Hectare	629
Maximum Number and Type of Units	308 bachelor apartment units. For the purpose of this Special Condition, “bachelor unit” shall mean a dwelling unit consisting of a single room used for sleeping accommodation, living room and kitchen, with separate bathroom.
Maximum Floor Area of Dwelling Unit	$37m^2$
Minimum Landscaped Open Space (%)	15
Maximum Lot Coverage (%)	32
Minimum Gross Floor Area devoted to non-residential uses listed in Article 38(B).1.3	$300m^2$
Maximum Gross Floor Area devoted to non-residential uses listed in Article 38(B).1.3	$605m^2$
Balconies	Not permitted
Parking Area Location	Not less than 2.2m from a street line
Minimum Number of Parking Spaces Required for Apartment Building – Rental or Condominium	0.22 per dwelling unit, of which shall include at all times a minimum of 0.175 per dwelling unit for residents and 0.03 per dwelling unit for visitors
Minimum Number of Parking Spaces Required for Non-Residential Uses	1 per $36m^2$ of gross floor area

38(B).3.11 **MU-B(4) Zone (east of Harmony Road North, north of Conlin Road East) (122-2018)**

38.(B).3.11(1) Notwithstanding Subsection 38(B).2 of this By-law to the contrary, in any MU-B(4) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) A maximum building height of 18m shall be permitted.
(b) A maximum gross floor area of 1,000m^2 shall be permitted.

38(B).3.12 **MU-B(5) Zone (north of Conlin Road East, east of Ritson Road North) (29-2001)**

38(B).3.12(1) Notwithstanding the provisions of Subsection 38(B).1 of this By-law to the contrary, in any MU-B(5) Zone back-to-back street townhouse buildings, back-to-back street townhouse dwellings, street townhouse buildings and street townhouse dwellings are not permitted. **(62-2025)**

38(B).3.12(2) The gross floor area of non-residential uses permitted in any MU-B(5) Zone shall not exceed 7,432m^2.

38(B).3.12(3) Article 38(B).2.11 and Article 38(B).2.12 shall not apply to lands in any MU-B(5) Zone.

38(B).3.12(4) Notwithstanding the definition of front lot line in Section 2 of this By-law to the contrary, in any MU-B(5) Zone the lot line abutting Conlin Road East shall be the front lot line.

38(B).3.12(5) Notwithstanding the provisions of Subsection 38(B).2 of this By-law to the contrary, in any MU-B(5) Zone, the following regulations shall apply:

(a) The minimum building height of any building containing a dwelling unit shall be 8.0m and 3 storeys.

(b) The maximum building height for any portion of a building located 24m or greater from a Residential Zone shall be 24m or 8 storeys, whichever is greater.

(c) The maximum building height for any portion of a building located less than 24m and greater than 13m from a Residential Zone shall be 18m.

(d) The maximum building height for any portion of a building located 13m or less from a Residential Zone shall be 13m.

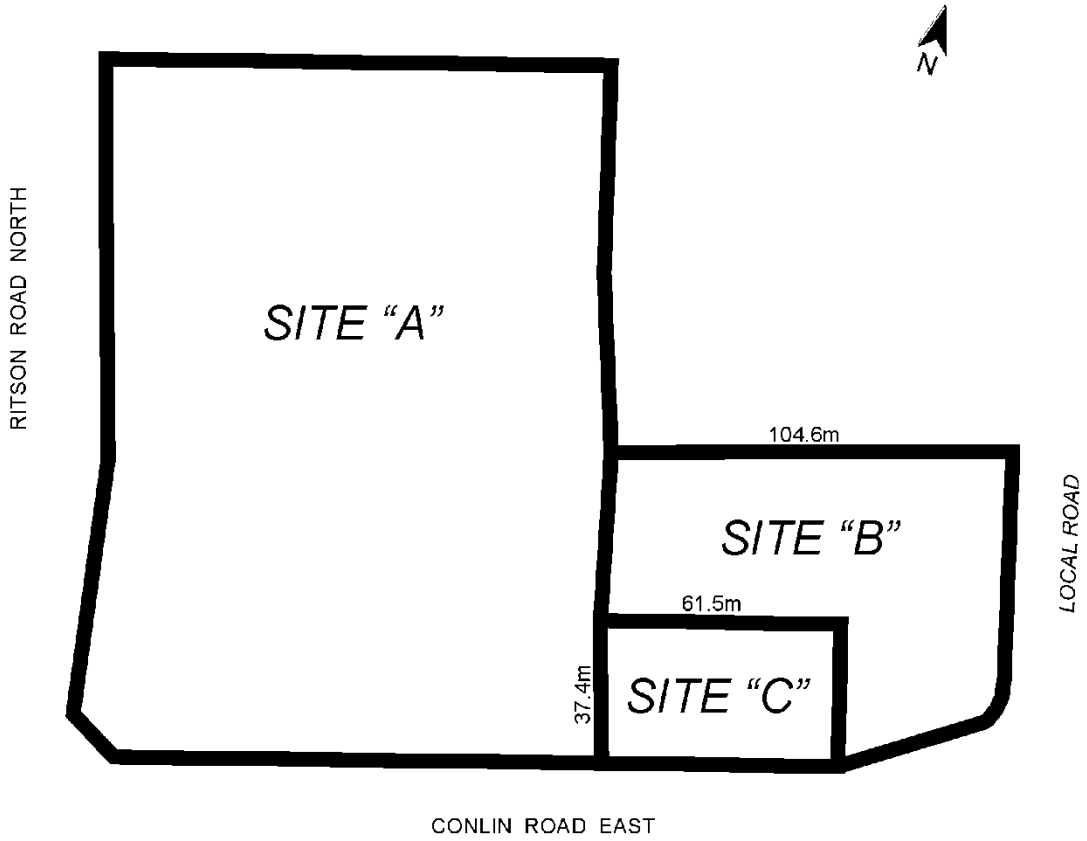
38(B).3.12(6) Within the lands shown as Site "C" on Appendix "A" to this Special Condition, no person shall use any land or erect or use any building or structure for any MU-B(5) Zone use unless all lands within Site "C", excluding any lands conveyed to the City or Region of Durham, are described in a single Transfer/Deed of Land of legal effect registered in

the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham.

38(B).3.12(7) Within the lands shown as Site “B” on Appendix “A” to this Special Condition, no person shall use any land or erect or use any building or structure for any MU-B(5) Zone use unless all lands within Site “B” and Site “C”, excluding any lands conveyed to the City or Region of Durham, are combined and described in a single Transfer/Deed of Land of legal effect registered in the Land Registry Office or the Land Titles Office for the Land Registry Division of Durham, or an easement for driveway access has been provided through Sites “A” and/or “B” for access to Site “C” and a building permit has been issued for the redevelopment of Site “C”. This shall not prevent a driveway connection through Site “B” between Site “A” and a local road.

38(B).3.12(8) Notwithstanding the definition of “lot” in Section 2 to the contrary, all lands zoned MU-B(5) shall be considered to be one lot for the purposes of applying regulations related to parking and loading.

Appendix “A” to Special Condition MU-B(5)



38(B).3.13 **MU-C(3) Zone (north of Britannia Avenue East, between Wilson Road North and Grandview Street North) (15-2021)**

38(B).3.13(1) Notwithstanding the definition of Front Lot Line in Section 2 of this By-law to the contrary, in any MU-C(3) Zone, as shown on Schedule "A" to this By-law, Harmony Road North shall be considered the Front Lot Line.

38(B).3.13(2) Notwithstanding the provisions of Subsection 38(B).1 of this By-law to the contrary, in any MU-C(3) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Apartment building
(b) Day care centre
(c) Flat
(d) Long Term Care Facility
(e) Nursing home
(f) Office
(g) Personal service establishment
(h) Retail store
(i) Retirement home

38(B).3.13(3) The gross floor area of non-residential uses permitted in any MU-C(3) Zone shall not exceed 1625m^2, provided that where an MU-C(3) Zone abuts an MU-C(4) Zone, the combined gross floor area of non-residential uses in said zones shall not exceed 1625m^2.

38(B).3.13(4) Notwithstanding the provisions of Subsection 38(B).2 of this By-law to the contrary, in any MU-C(3) Zone, the following regulations shall apply to uses other than those uses listed in Sentence 38(B).3.13(8):

(a) A minimum lot frontage of 50m shall be provided.

(b) A minimum interior side depth of 1.2m shall be provided.

(c) A minimum rear yard depth of 6.0m shall be provided.

(d) A minimum landscaped open space abutting a residential zone of 3.0m shall be provided.

(e) The minimum height of any mixed use building shall be 9.0m and 3 storeys.

(f) The minimum height of any building not described under Item (e) above shall be 5.5m.

(g) The maximum height of any building located less than 11m from a residential zone shall be 12.5m, and the maximum height of any building located 11m or greater from a residential zone shall be 30.0m or 8 storeys, whichever is greater.

(h) No minimum density requirement for residential units in a mixed use building shall apply.

(i) A maximum density of 150 uph shall be provided.

38(B).3.13(5) [deleted] **(72-2024)**

38(B).3.13(6) Notwithstanding the provisions of Article 38(B).2.4 to the contrary, parking spaces, loading spaces and refuse enclosures are subject to the relevant regulations in Sections 4, 5 and 39 of this By-law.

38(B).3.13(7) Notwithstanding the provisions of Article 38(B).2.5 to the contrary, accessory buildings or structures are subject to the relevant regulations in Section 5 of this By-law.

38(B).3.13(8) Notwithstanding the provisions of Article 38(B).2.14 to the contrary, for any single use apartment building, Long Term Care Facility, nursing home or retirement home in an MU-C(3) Zone, the following regulations shall apply:

(a) A minimum front yard depth of 3.0m shall be provided.

(b) A minimum interior side yard depth of 1.2m shall be provided.

(c) A minimum exterior side yard depth of 2.4m shall be provided.

(d) A minimum rear yard depth of 6.0m shall be provided.

(e) A minimum landscaped open space of twenty percent (20%) shall be provided.

(f) The minimum height of any building shall be 9.0m and 3 storeys.

(g) The maximum height of any building located less than 11m from a residential zone shall be 12.5m, and the maximum height of any building located 11m or greater from a residential zone shall be 30.0m or 8 storeys, whichever is greater.

(h) A minimum density of 85 uph shall be provided.

(i) A maximum density of 150 uph shall be provided.

38(B).3.13(9) Cross access easements shall be established between Block 137, Draft Plan S-O-2017-07 and Block 47, Draft Plan S-O-2016-01.

38(B).3.14 **MU-C(4) Zone (North of Britannia Avenue East, between Wilson Road North and Grandview Street North) (15-2021)**

38(B).3.14(1) Notwithstanding the definition of Front Lot Line in Section 2 of this By-law to the contrary, in any MU-C(4) Zone, as shown on Schedule “A” to this By-law, Harmony Road North shall be considered the Front Lot Line.

38(B).3.14(2) Notwithstanding the provisions of Subsection 38(B).1 of this By-law to the contrary, in any MU-C(4) Zone, as shown on Schedule “A” to this By-law, only the following uses are permitted:

(a) Apartment building
(b) Block townhouse
(c) Day care centre
(d) Flat
(e) Long Term Care Facility
(f) Nursing home
(g) Office
(h) Personal service establishment
(i) Retail store
(j) Retirement home

38(B).3.14(3) The gross floor area of non-residential uses permitted in any MU-C(4) Zone shall not exceed 1625m^2, provided that where an MU-C(4) Zone abuts an MU-C(3) Zone, the combined gross floor area of non-residential uses in said zones shall not exceed 1625m^2.

38(B).3.14(4) Notwithstanding the provisions of Subsection 38(B).2 of this By-law to the contrary, in any MU-C(4) Zone, the following regulations shall apply:

(a) The minimum height of any mixed use or single use residential building shall be 9.0m and 3 storeys.

(b) The minimum height of any building not described under item (a) above shall be 5.5m.

(c) No minimum density requirement for units in mixed use buildings shall apply.

(d) Notwithstanding Item (c) above, for all other residential uses a minimum density of 45 uph shall be provided.

(e) A maximum density of 85 uph shall be provided.

38(B).3.14(5) Notwithstanding the provisions of Article 38(B).2.4 to the contrary, parking spaces, loading spaces and refuse enclosures are subject to the relevant regulations in Sections 4, 5 and 39 this By-law.

38(B).3.14(6) Notwithstanding the provisions of Article 38(B).2.5 to the contrary, accessory buildings or structures are subject to the relevant regulations in Section 5 of this By-law.

38(B).3.14(7) Notwithstanding the provisions of Article 38(B).2.14 of Sentence 38(B).3.14(4) to the contrary, for any block townhouse or apartment building in an MU-C(4) Zone, the provisions of Table 38(B).2 shall not apply and instead the relevant provisions of the R4-A(25) Zone shall apply, save and except the maximum height of

any building located less than 11m from a residential zone shall be 12.5m, and the maximum height of any building located 11m or greater from a residential zone shall be 30.0m or 8 storeys, whichever is greater.

38(B).3.15 MU-B(6) Zone (west of Harmony Road North and north of Conlin Road East) (88-2022)

38(B).3.15(1) Notwithstanding the definition of Front Lot Line in Section 2 of this By-law to the contrary, in any MU-B(6) Zone, as shown on Schedule "A" to this By-law, the lot line abutting Harmony Road North shall be considered the Front Lot Line.

38(B).3.15(2) Notwithstanding the provisions of Subsection 38(B).1 of this By-law to the contrary, in any MU-B(6) Zone, as shown on Schedule "A" to this By-law, only the following uses are permitted:

(a) Apartment building
(b) Block townhouse
(c) Day care centre
(d) Flat
(e) Long Term Care Facility
(f) Nursing home
(g) Office
(h) Personal service establishment
(i) Private school
(j) Retail store
(k) Retirement home

38(B).3.15(3) The maximum combined gross floor area of non-residential uses permitted in any MU-B(6) Zone shall not exceed 1,533m^2.

38(B).3.15(4) Notwithstanding the provisions of Subsection 38(B).2 and Article 38(B).2.12 of this By-law to the contrary, in any MU-B(6) Zone, the following regulations shall apply to single use residential buildings and mixed use buildings:

(a) A minimum front yard depth of 2.0m shall be provided.

(b) A minimum exterior side yard depth of 2.0m shall be provided.

(c) A minimum landscaped open space abutting a Residential Zone of 3.0m shall be provided.

(d) The minimum height of any mixed use or single use residential building shall be 9.0m and 3 storeys.

(e) The minimum height of any building not described under Item (d) above shall be 5.5m.

(f) The maximum height of any building located less than 11m from a Residential Zone shall be 12m, and the maximum height of any building located 11m or greater from a Residential Zone shall be 22.0m or 6 storeys, whichever is greater.

(g) No minimum density requirement for residential units in a mixed use building shall apply.

(h) Notwithstanding Item (g) above, for all other residential uses a minimum density of 45 units per hectare shall be provided.

(i) A maximum density of 85 units per hectare shall be provided.

38(B).3.15(5) Notwithstanding the provisions of Article 38(B).2.2 to the contrary, the definition of minimum building frontage shall apply to Harmony Road North and Britannia Avenue East.

38(B).3.15(6) Notwithstanding the provisions of Article 38(B).2.4 to the contrary, parking spaces, loading spaces and refuse enclosures are subject to the relevant regulations in Sections 4, 5 and 39 of this By-law.

38(B).3.15(7) Notwithstanding the provisions of Article 38(B).2.5 to the contrary, accessory buildings or structures are subject to the relevant regulations in Section 5 of this By-law.

38(B).3.16 MU-B(7) Zone (1804, 1806, and 1808 Simcoe Street North and 426 Niagara Drive) (15-2025)

38(B).3.16(1) Article 38(B).2.12 shall not apply to lands in any MU-B(7) Zone.

38(B).3.16(2) Notwithstanding Article 38(B).2.1 of this By-law to the contrary, in any MU-B(7) Zone, as shown on Schedule “A” to this By-law, the following regulations shall apply:

Regulations	**MU-B(7)**
Minimum Lot Frontage (m)	30.0
Minimum Front Yard and Exterior Side Yard Depth (m)	0.0
Maximum Front Yard and Exterior Side Yard Depth (m)	5.5
Minimum Interior Side Yard and Rear Yard Depth (m)	As shown on Appendices “A” to “D” to this Special Condition
Minimum Building Frontage (%)	60
Minimum Height (m)	5.5
Maximum Height	180m above sea level to the top of any portion of the building (including mechanical penthouse)

Regulations	MU-B(7)
Maximum Density – Dwelling Units Per Hectare	862
Minimum Landscaped Open Space Abutting a Residential Zone (m)	4.5

38(B).3.16(3) Notwithstanding any provision of this By-law to the contrary, in any MU-B(7) Zone as shown on Schedule "A" to this By-law, the following regulations shall apply:

(a) No building shall be permitted on the lands subject to this Special Condition except within the area shown shaded and indicated as "Permitted Building Area" on Appendices "A" to "D" to this Special Condition.

(b) The gross floor area of non-residential uses permitted in any MU-B(7) Zone shall not exceed 2,512m^2.

(c) Balconies are not permitted on the most westerly building elevation closest to a Residential Zone unless said building face is setback 20m or more from the Residential Zone and the balcony does not project more than 4m from the west building face.

(d) A portion of a main building is permitted to project into the corner sight triangle and a driveway sight triangle provided the projection is a minimum 4m above the ground level.

38(B).3.16(4) Notwithstanding Subsections 39.3 and 39.6 and Article 39.4.1 of this By-law to the contrary, in any MU-B(7) Zone, as shown on Schedule "A" to this By-law, the following regulations shall apply:

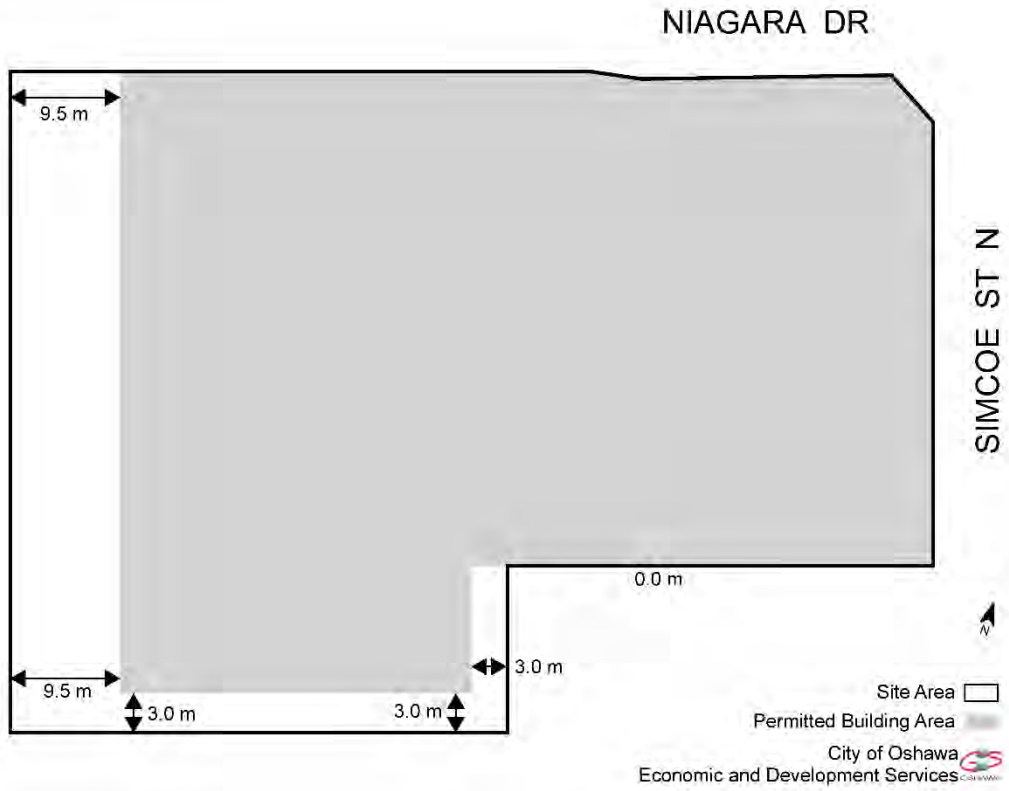
(a) A minimum of 0.345 parking spaces per bedroom plus 0.053 parking spaces per bedroom for visitors shall be provided for an apartment building.

(b) A minimum of 1 parking space per 24.4m^2 of gross floor area of non-residential uses shall be provided.

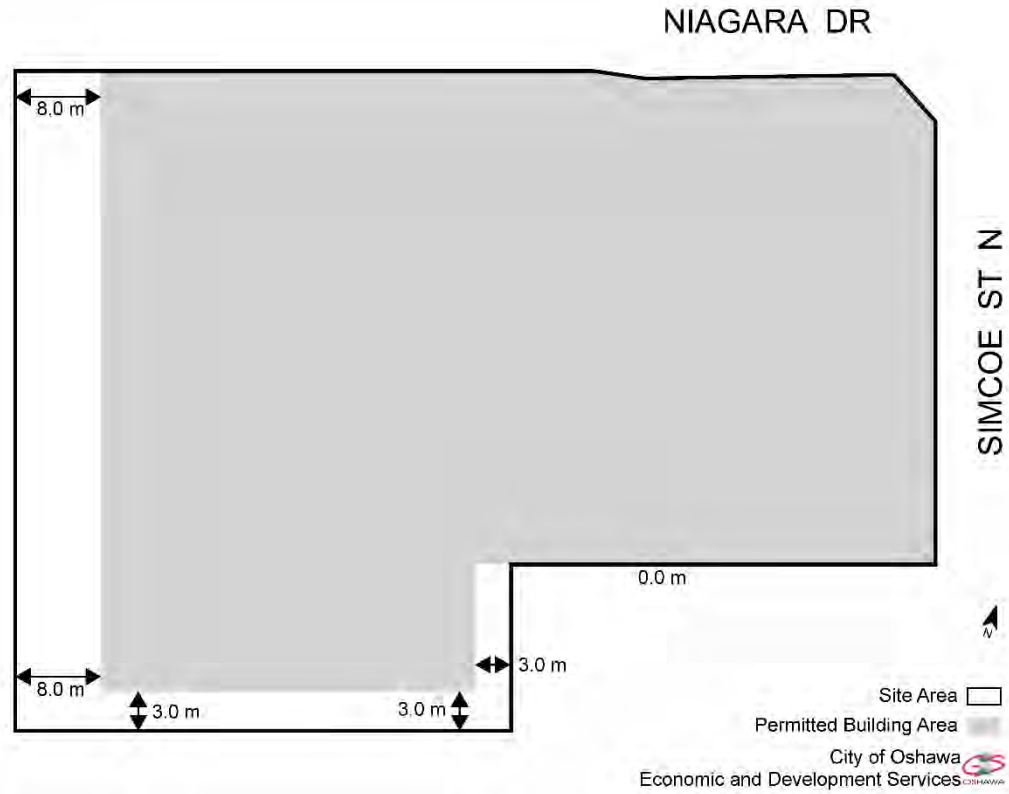
(c) There shall be no minimum parking space width and length for a parking space in an automated parking system.

(d) A minimum of 2 large loading spaces shall be provided for non-residential uses having an aggregate gross floor area between 951m^2 and 2,512 m^2.

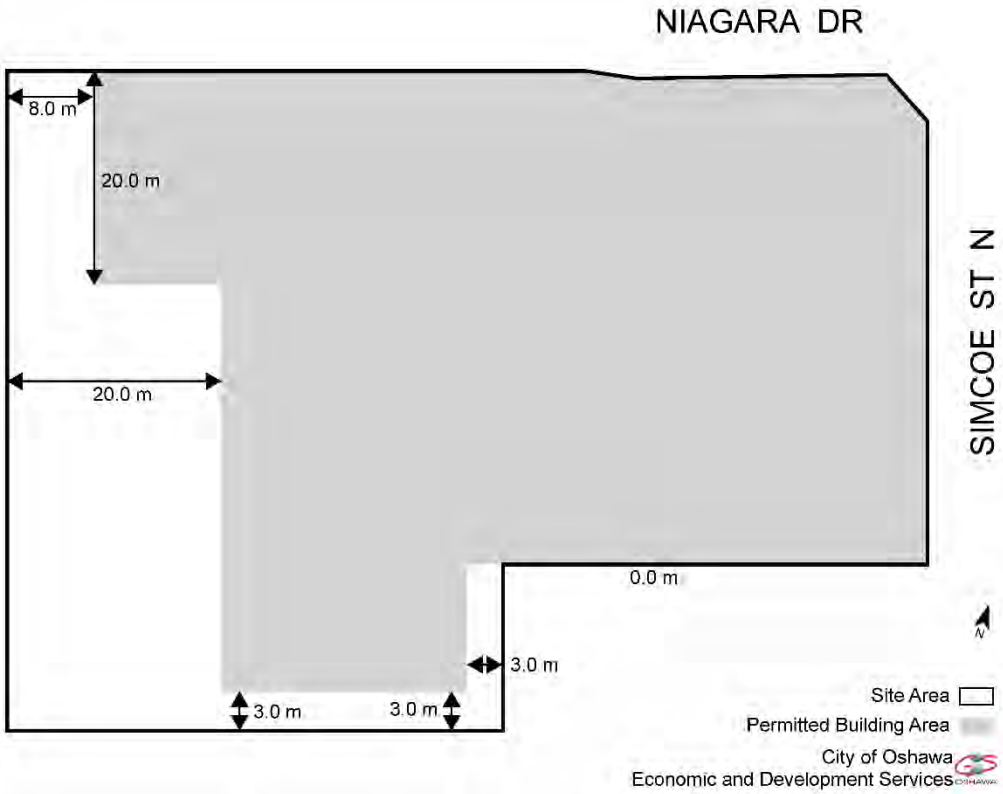
Appendix "A" to Special Condition MU-B(7): Ground Floor



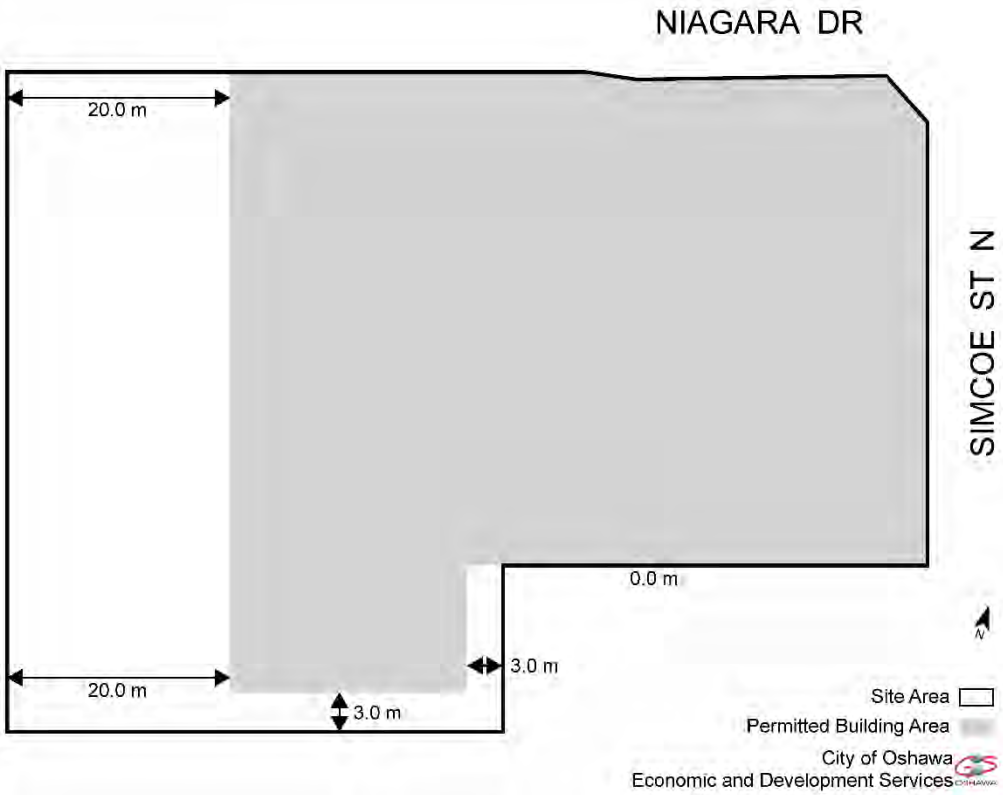
Appendix "B" to Special Condition MU-B(7): 2nd-4th Floors



Appendix "C" to Special Condition MU-B(7): 5th-7th Floors



Appendix "D" to Special Condition MU-B(7): 8th-10th Floors



Section 39: Parking and Loading

39.1 Parking and Loading Requirement

39.1.1 For every land, building or structure to be erected or used, provision shall be made and maintained for parking spaces and loading spaces on the same lot in accordance with the standards of this Section.

39.1.2 Where a use is changed within an existing building or structure, and where the new use requires more parking or loading spaces than the former use, the number of additional parking spaces or loading spaces required shall be the difference between the parking spaces or loading spaces required by the new use and the parking spaces or loading spaces required by the former use.

39.1.3 Where an addition to an existing building or structure is to be constructed, parking and loading spaces shall be provided for the new construction in accordance with the standards of this Section, in addition to the existing number of parking and loading spaces already provided and required to be maintained for the existing building or structure.

39.2 Multiple Uses

39.2.1 The parking requirements for more than one use on a single lot or a building containing a number of uses shall be the sum total of the parking requirement for each of the component uses, except in the case of a shopping centre or industrial mall for which the standards cited specifically for a shopping centre or for an industrial mall, plus the parking requirement for any other use on the same site, shall apply.

39.3 Number of Parking Spaces Required

39.3.1 Except as provided in Subsection 39.10, the number of parking spaces required for non-residential uses shall be set out in Table 39.3A. Unless otherwise specified, the standards are expressed in one space per specified square metres of gross floor area. **(112-2024)**

Table 39.3A - Non-Residential Parking Requirements

Use or Purpose	Minimum Number of Parking Spaces Required
Art gallery, museum or similar cultural facility	1 per 28m^2
Assembly hall, cinema, theatre, arena, athletic stadium, auditorium, gymnasium and recreational centre containing a variety of recreational features, but not including any such features within a school building	1 parking space per 6 fixed seats or 4.0m of bench space, or 1 parking space for each 6m^2 of assembly floor area whichever is the greater
Automobile sales and service establishment and Automobile rental establishment	1 per 50m^2
Automobile service station, automobile body shop, automobile repair garage and car wash, excluding a self-serve car wash **(62-2000)**	1 per 24m^2
Baseball diamonds, soccer fields, lacrosse fields, football fields or any other similar use	30 parking spaces per diamond or field
Business office	1 per 28m^2
Business or commercial uses other than those separately listed in this table	1 per 24m^2
Club, billiard hall and community centre that contains recreational facilities **(66-1998)**	1 per 20m^2 provided, however, that where more than fifty percent (50%) of the gross floor area of a Club or community centre is designed or used for assembly purposes, the parking requirement for an assembly hall shall apply **(66-1998)**
Community centre used for social, charitable or education activities	Same as an assembly hall
Curling rinks, tennis courts, bowling alleys or similar recreational facilities	4 parking spaces per ice sheet, court or lane or similar recreational feature provided that, where facilities for a tavern or assembly hall are provided, the greater parking requirement for either the recreational facilities or for the assembly floor area shall apply
Day care centre	1 parking space for every 2 employees plus queue storage of 1 space for every 5 persons capacity for which care is being provided **(66-1998)**

Use or Purpose	**Minimum Number of Parking Spaces Required**
Elementary school	1.5 parking spaces per classroom plus day care centre requirements if applicable
Financial institution	1 per 24m^2
Flea market	1 per 17m^2
Golf driving range	1 parking space for every tee-off facility
Golf course	50 parking spaces for every 9 holes
Home and auto supply store	1 per 17m^2 provided that, for any basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, one parking space for each 90m^2 of gross floor area devoted to such uses is required, in lieu of the foregoing
Home furnishing store	1 per 67m^2
Home improvement store	1 per 27m^2 provided that, for any basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, one parking space for each 90m^2 of gross floor area devoted to such uses is required, in lieu of the foregoing
Hospital	1.8 parking spaces per bed plus 1 parking space for every 90m^2 of gross floor area of outpatient clinic space
Hotel	1 parking space per suite plus the requirement for any tavern or assembly hall located therein, with no additional parking requirement for a restaurant, retail store or personal service establishment incidental and accessory to the hotel
Industrial mall	1 per 45m^2 provided that, where a warehouse or any other industrial use has a gross floor area greater than 500m^2 the individual parking requirement for that use shall apply to the gross floor area devoted to that use, in lieu of the foregoing
Industrial uses, other than those separately listed in this table	1 per 90m^2 up to 2,000m^2 of gross floor area plus 1 additional parking space for every 450m^2 of gross floor area over 2,000m^2.
Laundromat	1 parking space per washing machine
Laundry plant	1 per 90m^2 excluding customer deposit, pick-up, retail sales or waiting area, if any, for which 1 additional parking space shall be provided for each 9m^2 of such area

Use or Purpose	**Minimum Number of Parking Spaces Required**
Marina	0.7 parking spaces per berth
Medical office, clinic or other health practitioners for humans	1 per 19m^2
Miniature golf facilities	21 parking spaces per 9 holes
Nightclub	1 parking space for every three persons of maximum occupant load capacity **(62-2000)**
Nursery and garden store	1 per 17m^2
Place of worship or funeral home **(62-2025)**	Same as an assembly hall provided, however, that where an assembly hall is located on the same lot as a place of worship, the greater of the requirements for the place of worship or assembly hall area need only be provided **(62-2025)**
Professional office, except medical offices and clinics	1 per 28m^2
Restaurant	1 per 11m^2
Retail store other than those separately listed in this table	1 per 24m^2
Secondary school, excluding adult secondary school	3 parking spaces per classroom **(39-2004)**
Self-serve car wash	0.5 parking spaces per washing bay **(62-2000)**

Use or Purpose	Minimum Number of Parking Spaces Required
Shopping centre with less than 2,800m^2 of gross floor area	1 per 24m^2 provided that, where a supermarket, tavern or assembly hall occupies ten percent (10%) or more of the gross floor area, the individual parking requirements for that use shall apply to the gross floor area devoted to that use and, provided further that, for any basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, one parking space for each 90m^2 of gross floor area devoted to such uses is required, in lieu of the foregoing and provided further that where a shopping centre includes a self-serve car wash, the individual parking requirement for that use shall apply to the number of washing bays devoted to that use in lieu of the foregoing and provided further that where a shopping centre includes a hotel or self-serve storage building, the individual parking and loading requirements for these uses shall apply **(6-2008, 42-2017)**
Shopping centre with 2,800m^2 to 28,000m^2 of gross floor area	1 per 24m^2 provided that, for any basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, 1 parking space for each 90m^2 of gross floor area devoted to such uses is required, in lieu of the foregoing and provided further that where a shopping centre includes a self-serve car wash, the individual parking requirement for that use shall apply to the number of washing bays devoted to that use in lieu of the foregoing and provided further that where a shopping centre includes a hotel or self-serve storage building, the individual parking and loading requirements for these uses shall apply **(6-2008, 42-2017)**
Shopping centre with more than 28,000m^2 of gross floor area	1 per 21m^2 of gross leasable floor area provided that, for a basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, 1 parking space for each 90m^2 of gross leasable floor area devoted to such uses is required, in lieu of the foregoing and provided further that where a shopping centre includes a hotel or self-serve storage building, the individual parking and loading requirements for these uses shall apply **(42-2017)**

Use or Purpose	**Minimum Number of Parking Spaces Required**
Supermarket	1 per 13m^2 provided that, for any basement, cellar or mezzanine used for storage, equipment rooms, washrooms, or staff lunch rooms or locker rooms, 1 parking space for each 90m^2 of gross floor area devoted to such uses is required, in lieu of the foregoing
Tavern	Same as an assembly hall
University, college and adult secondary school	15 parking spaces per classroom
Video rental establishment greater than 500m^2 of gross floor area	1 per 10m^2
Warehouse	1 per 90m^2 up to 2,000m^2 of gross floor area plus 1 additional parking space for every 450m^2 of gross floor area over 2,000m^2

39.3.2 The number of parking spaces required for residential uses shall be as set out in Table 39.3B. **(112-2024)**

Table 39.3B – Residential Parking Requirements **(112-2024)**

Use or Purpose	**Minimum Number of Parking Spaces Required**		
	Outside of the Areas shown on Schedule "D"	**Area shown on Schedule "D" as Area A**	**Area shown on Schedule "D" as Area B**
Accessory Apartment – pursuant to Article 5.12.2	1 parking space per accessory apartment, in addition to residential parking requirements for a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or street townhouse dwelling	1 parking space per accessory apartment, in addition to residential parking requirements for a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or street townhouse dwelling	1 parking space per accessory apartment, in addition to residential parking requirements for a single detached dwelling, semi-detached dwelling, semi-detached building, duplex or street townhouse dwelling
Any building not specifically mentioned containing 3 or more dwelling units	1 per dwelling unit plus 0.30 per dwelling unit for visitors	0.5 spaces per dwelling unit plus 0.25 spaces per bedroom after the first, except no parking is required for the first 10 flats or dwelling units in a mixed use building	0.5 spaces per dwelling unit plus 0.25 spaces per bedroom after the first, plus 0.25 spaces per dwelling unit for visitors
Apartment building – condominium	1.45 per dwelling unit plus 0.3 per dwelling unit for visitors	0.50 per dwelling unit plus 0.25 per bedroom after the first	0.50 per dwelling unit plus 0.25 per bedroom after the first plus 0.25 per dwelling unit for visitors
Apartment building - rental, except senior citizens apartment building	1 per dwelling unit plus 0.30 per dwelling unit for visitors	0.50 per dwelling unit plus 0.25 per bedroom after the first	0.50 per dwelling unit plus 0.25 per bedroom after the first plus 0.25 per dwelling unit for visitors
Bed and breakfast establishment	2 parking spaces plus 1 parking space for each bedroom which is available to travelers	Only the parking applicable to the single detached dwelling use	2 parking spaces plus 1 parking space for each bedroom which is available to travelers

Use or Purpose	Minimum Number of Parking Spaces Required		
	Outside of the Areas shown on Schedule "D"	**Area shown on Schedule "D" as Area A**	**Area shown on Schedule "D" as Area B**
Block townhouse – condominium including a block townhouse tied to a common elements condominium	1.65 per dwelling unit plus 0.35 per dwelling unit for visitors	1 per dwelling unit	1 per dwelling unit for residents plus 0.25 per dwelling unit for visitors
Block townhouse - rental	1.25 per dwelling unit plus 0.35 per dwelling unit for visitors	1 per dwelling unit	1 per dwelling unit for residents plus 0.25 per dwelling unit for visitors
Duplex	1 per dwelling unit	1 per dwelling unit	1 per dwelling unit
Flat or dwelling unit other than those listed in this table	1 per dwelling unit	0.5 spaces per dwelling unit plus 0.25 spaces per bedroom after the first, except no parking is required for the first 10 flats or dwelling units in a mixed use building	0.5 spaces per dwelling unit plus 0.25 spaces per bedroom after the first, except no parking is required for the first 10 flats or dwelling units in a mixed use building
Group home, including correctional group home	1 parking space for every 3 residents	0 spaces	1 parking space for every 3 residents
Lodging house	0.5 spaces for every lodging unit plus 1 parking space if the lodging house also contains a separate dwelling unit	0 spaces plus 1 space if the lodging house contains a separate dwelling unit	0.5 spaces for every lodging unit plus 1 parking space if the lodging house also contains a separate dwelling unit

Use or Purpose	**Minimum Number of Parking Spaces Required**		
	Outside of the Areas shown on Schedule "D"	**Area shown on Schedule "D" as Area A**	**Area shown on Schedule "D" as Area B**
Nursing home, Long Term Care Facility or crisis care residence	1 parking space for every 4 beds	1 parking space for every 4 beds	1 parking space for every 4 beds
Retirement home	0.38 per suite	0.3 per suite	0.38 per suite
Semi-detached building	4 parking spaces per building	4 parking spaces per building	4 parking spaces per building
Semi-detached dwelling	2 per dwelling unit	2 per dwelling unit	2 per dwelling unit
Senior citizens apartment building	0.5 per dwelling unit	0.27 per dwelling unit	0.27 per dwelling unit for residents plus 0.03 per dwelling unit for visitors
Single detached dwelling	2 per dwelling unit	2 per dwelling unit	2 per dwelling unit
Street townhouse dwelling, including back-to-back street townhouse dwelling	2 per dwelling unit	2 per dwelling unit	2 per dwelling unit
University residence	0.5 parking spaces per bed	0.5 parking spaces per bed	0.5 parking spaces per bed

(5-2025, 62-2025)

39.4 Parking Space Standards

39.4.1 Each parking space provided on a lot shall have a minimum width, length and adjoining aisle width as set out in Table 39.4.

Table 39.4

Parking Angle (degrees)	Parking Space Width (m)	Parking Space Length (m)	Aisle Width (m)
0 to 20	2.6	6.7	3.5
21 to 45	2.6	5.4	3.2
46 to 60	2.6	5.4	3.9
61 to 75	2.6	5.4	5.1
76 to 90	2.6	5.4	6.5

39.4.2 Notwithstanding Article 39.4.1 to the contrary, the minimum parking space width shall be 2.75m and the minimum parking space length shall be 5.75m for a single detached dwelling, a semi-detached dwelling, a semi-detached building, a back-to-back street townhouse dwelling, a street townhouse dwelling or a bed and breakfast establishment. **(62-2000, 62-2025)**

39.4.3 Notwithstanding Article 39.4.1 to the contrary, no aisle need be provided in conjunction with a parking space for a single detached dwelling, a semi-detached dwelling, a semi-detached building, a back-to-back street townhouse dwelling, a street townhouse dwelling, any type of group home or a bed and breakfast establishment; parking for such uses may be tandem parking spaces. **(17-1999, 62-2000, 60-2005, 62-2025)**

39.4.4 Tandem parking spaces may be provided to satisfy the individual resident parking requirement for block townhouses. **(90-2011)**

39.4.5 Where the minimum aisle width indicated in Table 39.4 is less than 6.5m, the aisle shall provide for traffic movement in one direction only. **(66-1998)**

39.4.6 Notwithstanding Article 39.4.1 to the contrary, the minimum parking space width shall be 3.0m where the side of any parking space is located adjacent to a solid wall, fence or like structure that is supplied in conjunction with any use other than a single detached dwelling, semi-detached dwelling, semi-detached building, a back-to-back street townhouse dwelling, street townhouse dwelling or in a private garage serving an individual dwelling in a block townhouse. **(66-1998, 62-2000, 90-2011, 62-2025)**

39.4.7 Where a use or purpose in Table 39.3B requires that parking be provided for visitors, such parking spaces shall be designated, signed and maintained for visitor parking. **(66-1998)**

39.4.8 Notwithstanding Article 39.4.1 to the contrary, no aisle need be provided in conjunction with a parking space for a duplex provided however that such parking spaces are directly accessible from a street.

(39-2004, 61-2010, 89-2014)

39.5 Calculation of Requirement

39.5.1 Where the number of parking spaces or loading spaces are calculated on the basis of a rate or ratio, the required number of spaces shall be rounded to the nearest whole number.

39.6 Number of Loading Spaces Required

39.6.1 Except as noted in Subsection 39.10, the owner or occupant of every shopping centre, industrial mall and any building to be erected or used for the purpose of a retail store, restaurant, transport terminal, hotel, hospital, industrial use, warehouse, or any other use similarly involving frequent shipping, loading and unloading, shall provide and maintain at least the number of loading spaces required for such building or structure as set out in Table 39.6.

Table 39.6

Gross Floor Area of building (m^2)	Minimum Number and Type Spaces to be Provided
450 to 950	1 small
951 to 2,400	2 large
2,401 to 7,500	3 large
7,501 to 9,000	4 large
over 9,000	5 large + 1 large for each 9,000m^2 of gross floor area in excess of 9,000m^2 of gross floor area

39.6.2 Notwithstanding any provisions of this Subsection to the contrary, no loading spaces shall be required for self-serve storage buildings. **(62-2000)**

39.7 Loading Space Standards

39.7.1 Each type of loading space shall have a minimum width, length and clear height as set out in Table 39.7.

Table 39.7

Type of Loading Space	Width of Loading Space (m)	Length of Loading Space (m)	Clear Height(m)
Large	3.6	15.0	4.25
Small	3.6	9.0	4.25

39.8 Loading Space Requirements (138-2008)

39.8.1 Loading spaces shall be provided on the same lot as the building or structure that said loading spaces serve.

39.8.2 Loading spaces shall not be located within any part of the front yard or the required minimum exterior side yard.

39.8.3 No part of any loading area shall be located closer than 3.0m to any streetline.

39.9 Driveway Requirements

39.9.1 A driveway shall have a minimum width of 3.0m provided, however, for a single detached dwelling, a semi-detached dwelling, a semi-detached building, a duplex, a back-to-back street townhouse dwelling, or a street townhouse dwelling, the minimum width of a driveway shall be 2.75m. **(45-2012, 89-2014, 62-2025)**

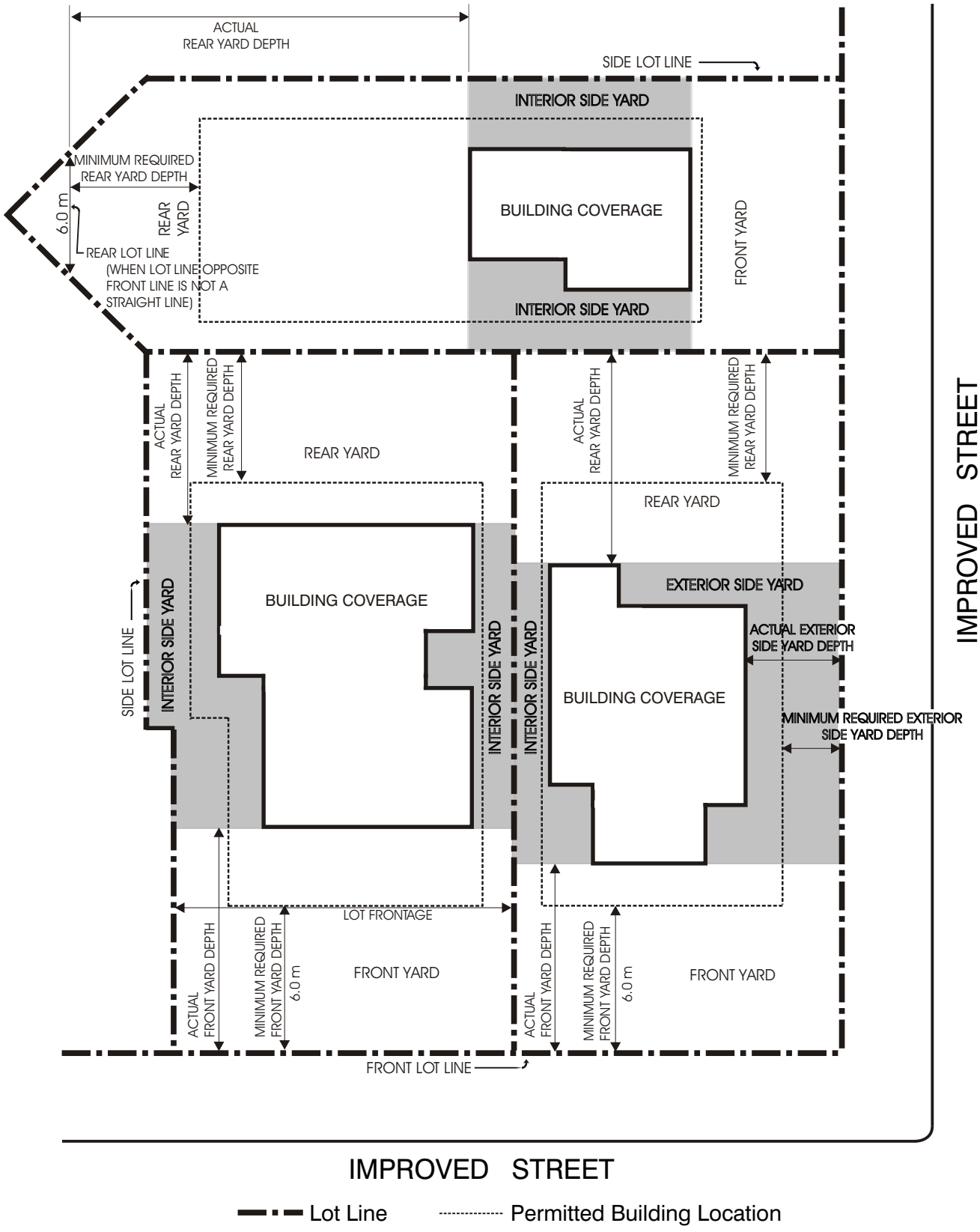
39.10 Exemption (112-2024)

39.10.1 Within the area shown as Area A on Schedule “D” to this By-law, the requirements of Section 39, save and except Subsections 39.4 and 39.5 and Article 39.3.2, shall not apply to any building or structure.

By-law read a first time this 6th day of June, 1994
By-law read a second time this 6th day of June, 1994
By-law read a third time and finally passed this 6th day of June, 1994

MAYOR CLERK

Illustration of Yard Definitions



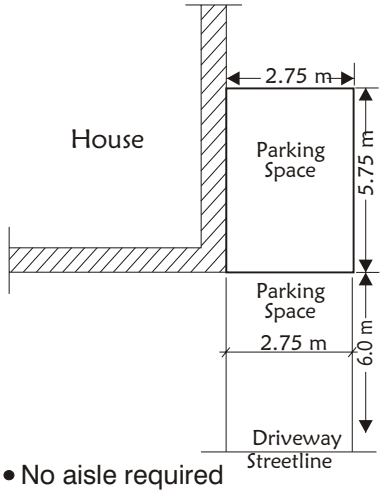
Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

July 2004

Illustration of Required Parking Space and Aisle Sizes for Certain Uses

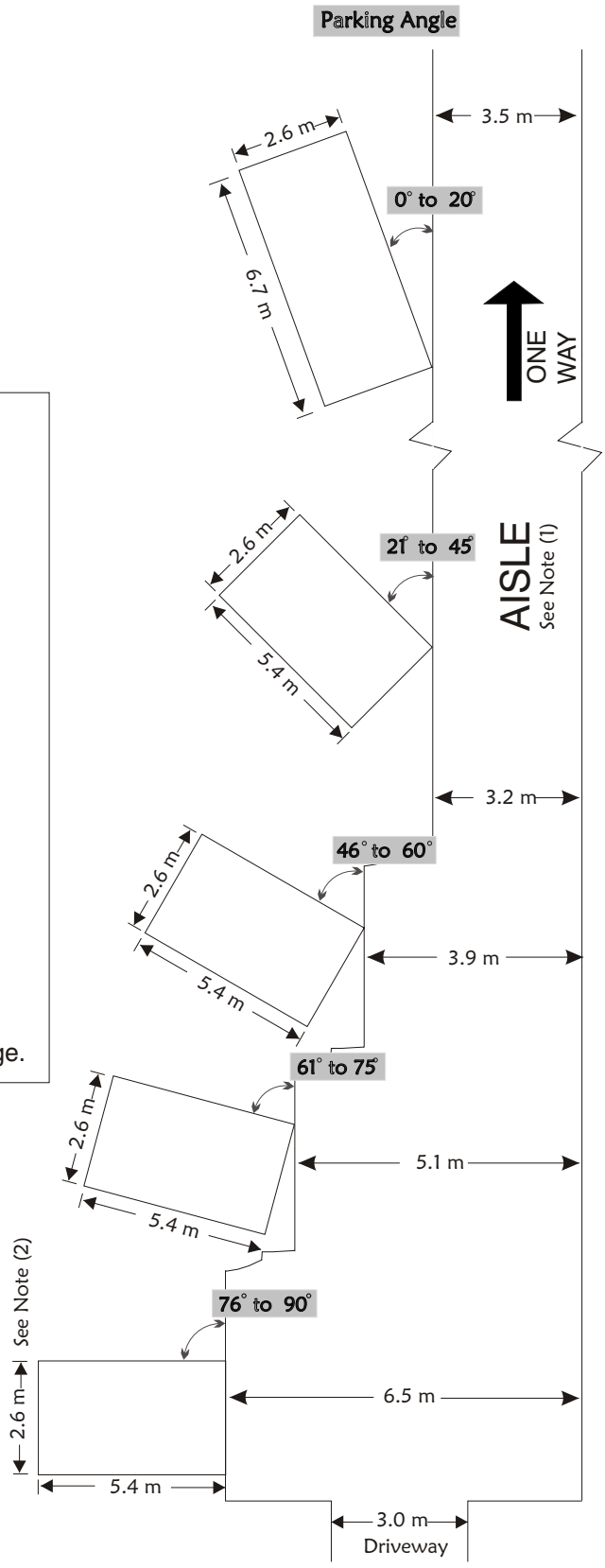
Note (1)
Where Aisle width is less than 6.5m, the aisle shall provide for traffic movement in one direction only.

Requirements applicable to single detached and semi detached dwellings, street town house dwelling or bed and breakfast establishment



- No aisle required
- At least one space to be located in a side yard, rear yard or garage.

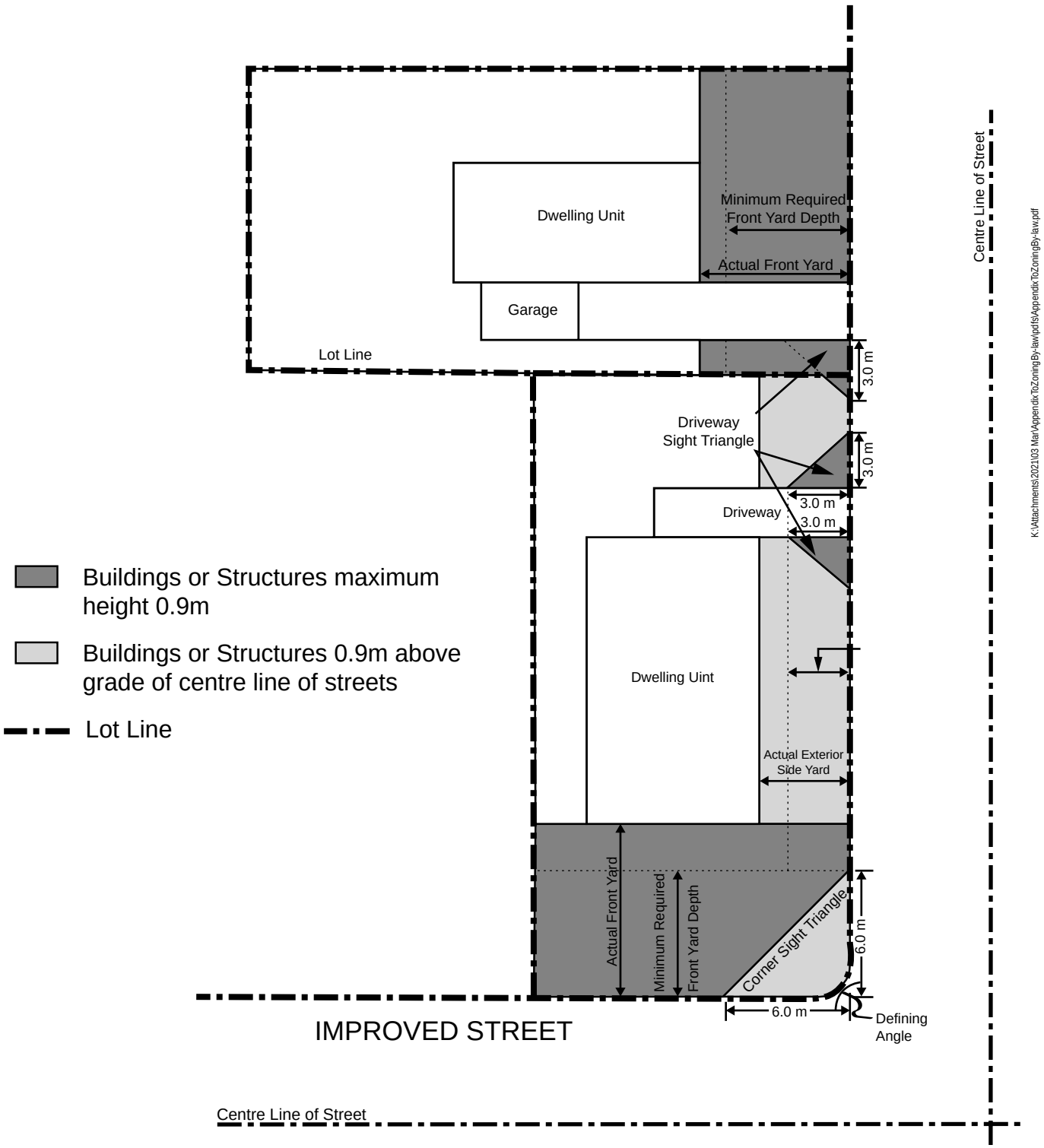
Note (2)
Minimum width is 3.0 m if parking space is beside a solid wall or fence etc. (See 39.4.6)



Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

July 2004

Illustration of Sight Triangles and Maximum Heights for Buildings and Structures

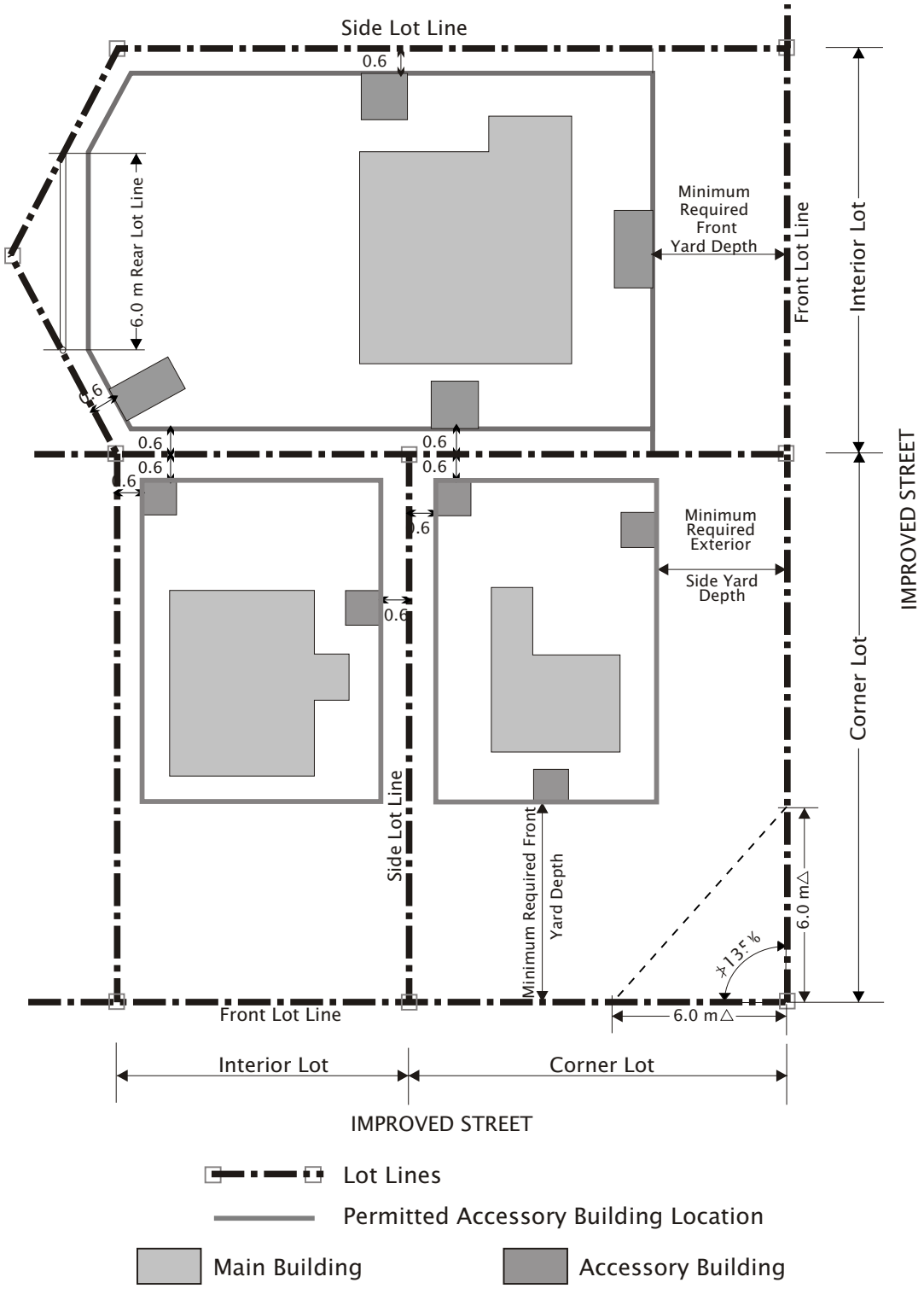


Notes: 1) The above illustrations are for clarification and convenience only and don not form part of this By-Law
2) These provisions not applicable in CBD Zone

March 2021

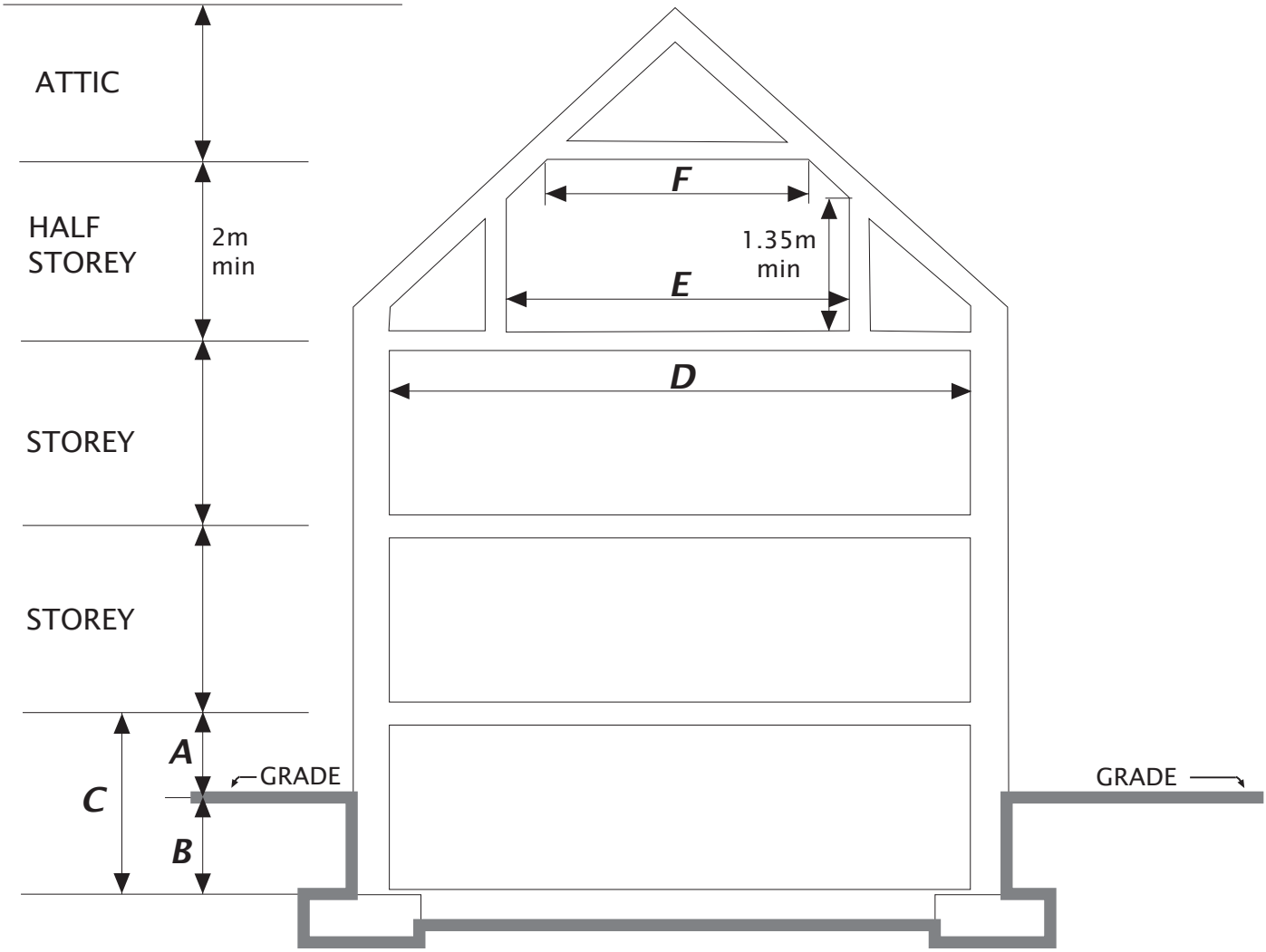
City of Oshawa
Development Services Department

Illustration of Accessory Buildings- Permitted Location



Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law. Regulations do not apply to "gate houses" in industrial zones.

Illustration of Cellar, Basement and Storey



When 'A' is less than 'B', 'C' is a cellar

When 'A' is greater than or equal to 'B',
but not greater than 2 times 'B', 'C' is a basement

When 'A' is greater than 2 times 'B', 'C' is the first floor
of the building

'E' must be at least 1/2 but not grater than 2/3 of 'D'

'F' must be at least 1/2 of 'D'

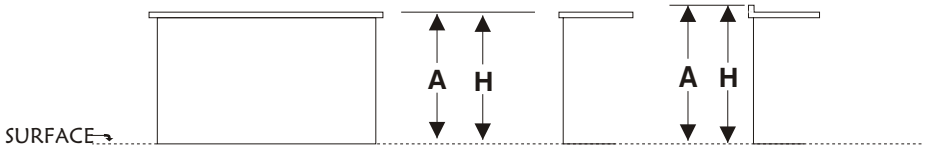
If 'E' or 'F' is less than 1/2 of 'D' it is an attic

'Grade' for the purpose of this illustration, means the
average level of the proposed or finished ground adjacent to all exterior
walls of the building

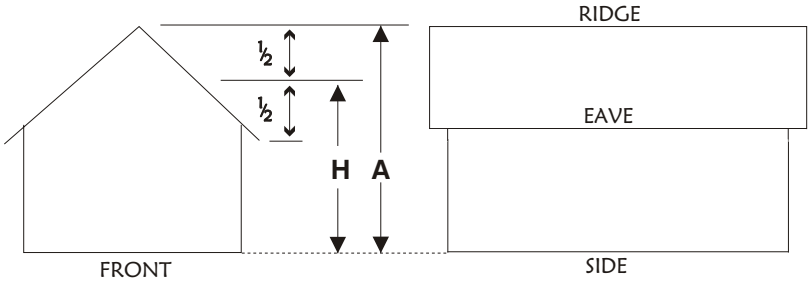
Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

June 2018

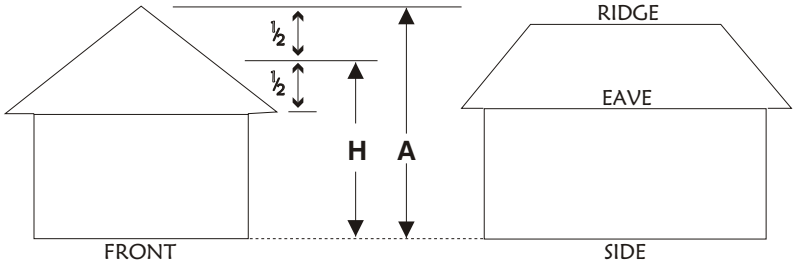
Illustration of Building Height Definitions



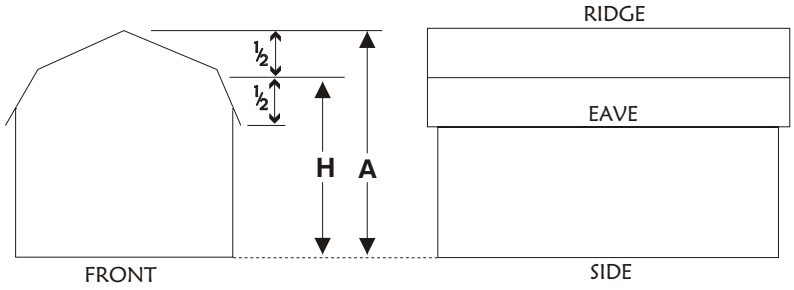
FLAT ROOF



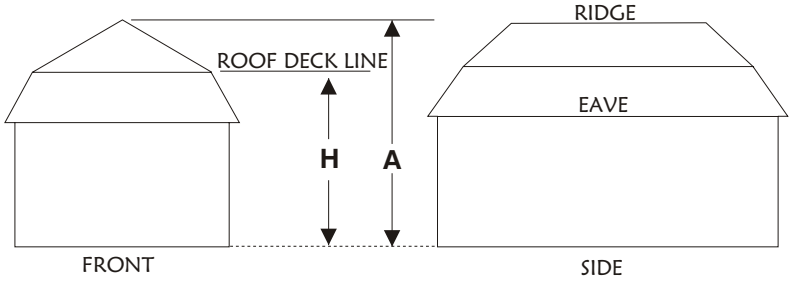
GABLE ROOF



HIP ROOF



GAMBREL ROOF



MANSARD ROOF

H = Height of Building

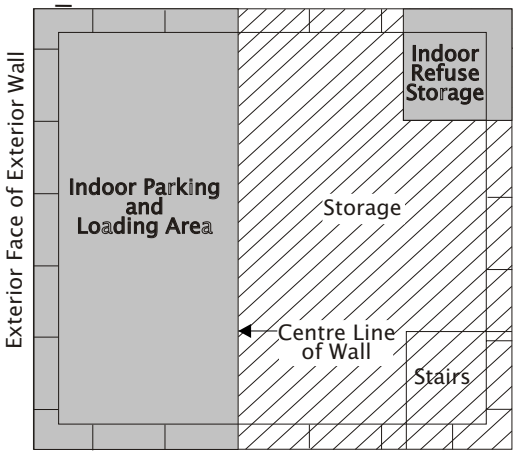
A = Height of Accessory Building in R1-A, R1-B, R1-C, R2, R3 and R5 [excluding accessory buildings for apartments] Zones

Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

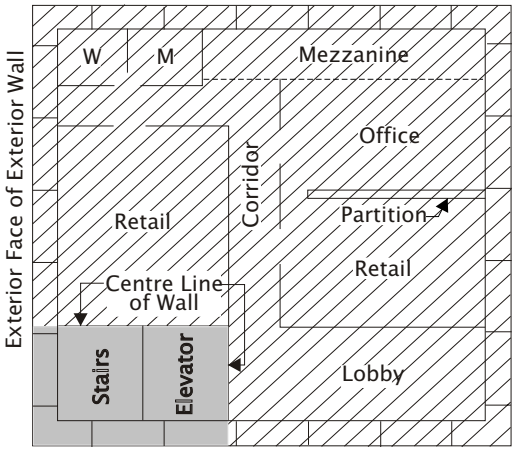
July 2004

Illustration of Gross Floor Area (GFA)

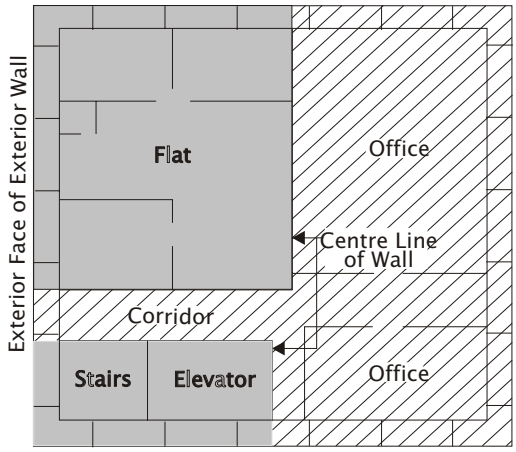
Cellar or Basement



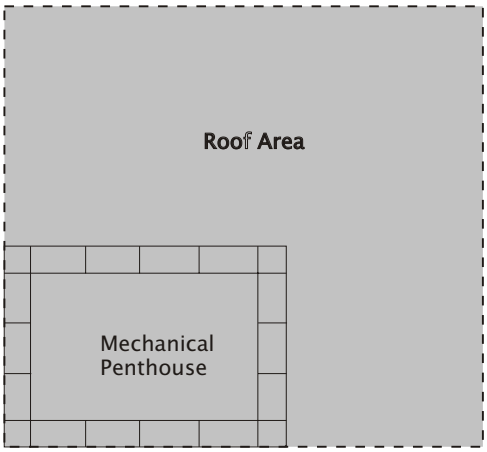
First Floor



Second Floor



Roof / Mechanical Penthouse



Excluded

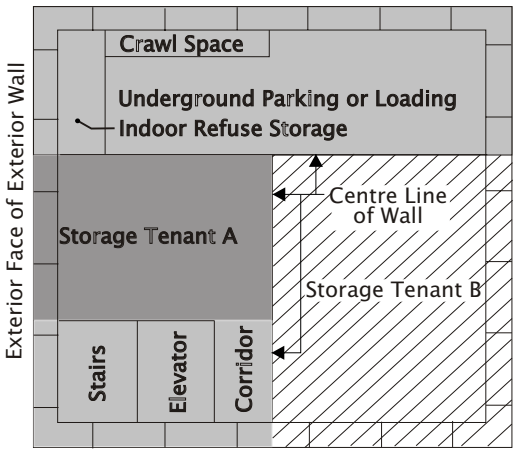
Included

Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

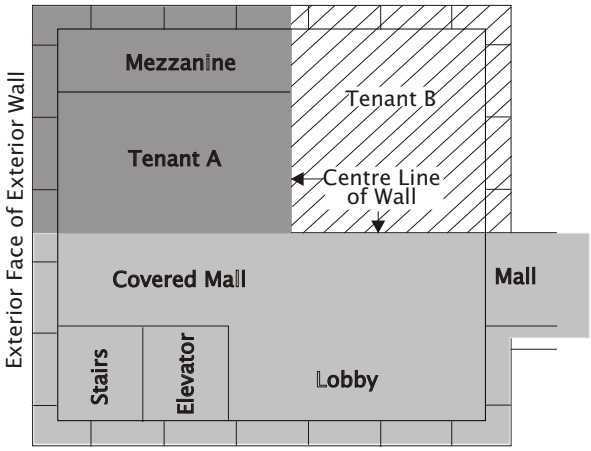
Illustration of Gross Leasable Floor Area

(Not applicable to residential uses)

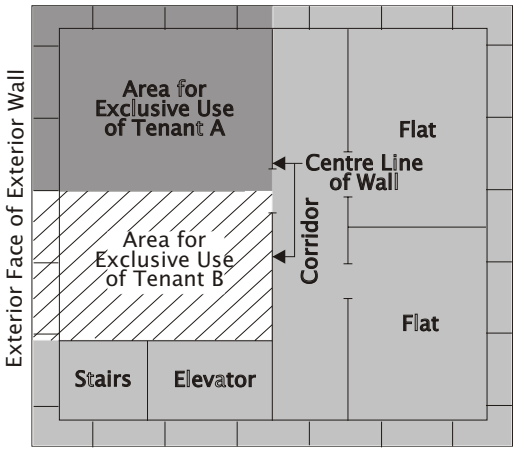
Cellar or Basement



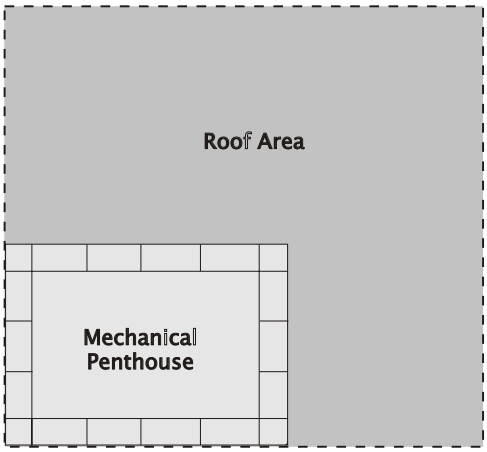
First Floor



Second Floor



Roof / Mechanical Penthouse



Included Tenant A

Included Tenant B

Excluded

Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

July 2004

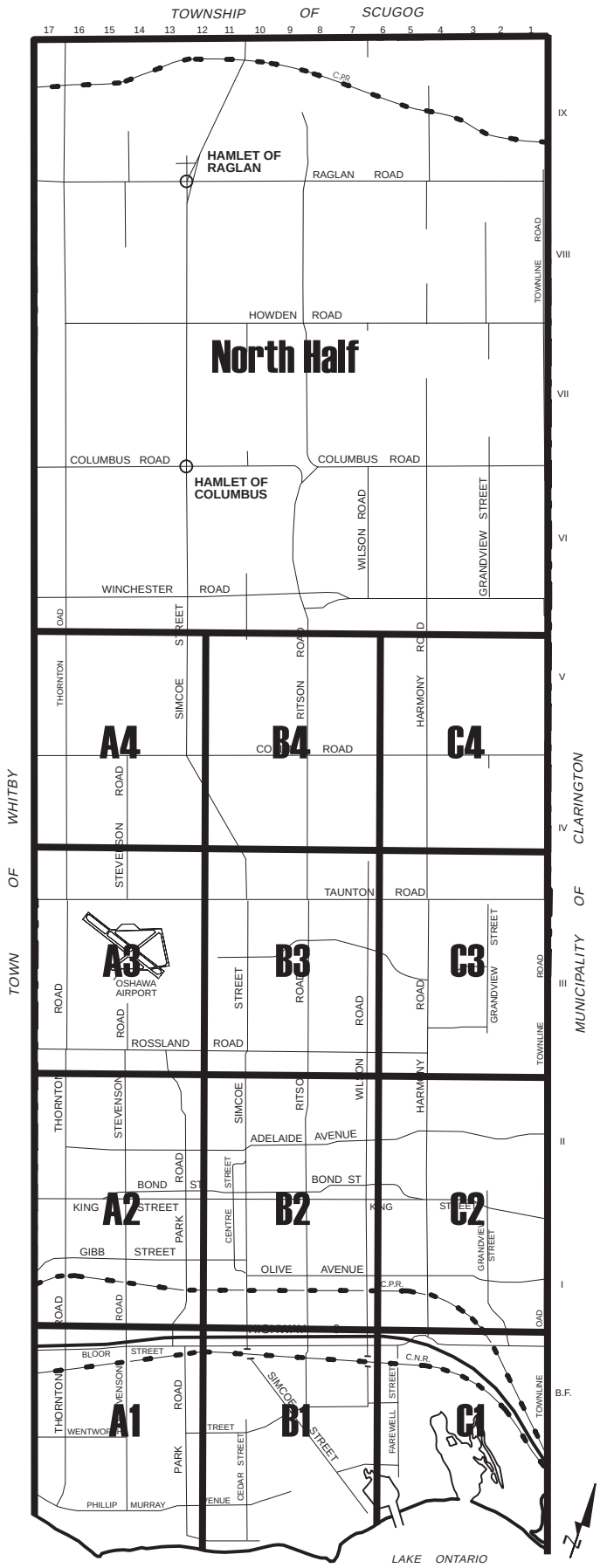
Illustration of Dwelling Unit Types



Note: The above illustrations are for clarification and convenience only and do not form part of this By-Law.

July 2004

ZONING BY-LAW INDEX MAP



Map A2

TOWN OF WHITBY

MAP A1

Zoning By-Law Number 60-94, as amended

Schedule "A"

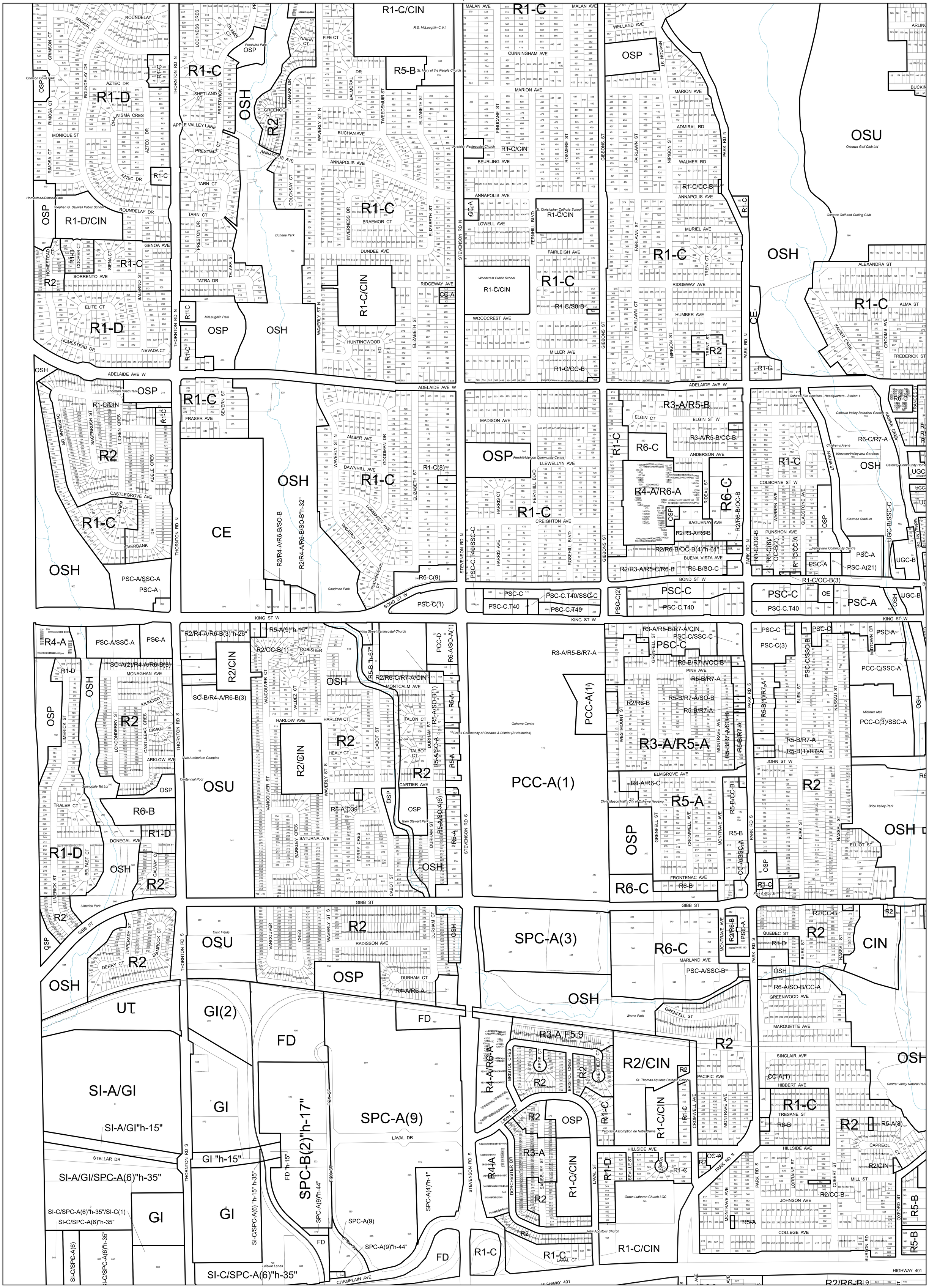
0 50 100 200 300 400 500 Meters

Updated July 2023

City of Oshawa
Development Services Department

Map B1

Map A3


R1-C/CIN
R.S. McLaughlin C.V.I.
R5-B
St. Mary of the People Church
R1-C
R1-D
R1-D/CIN
R2
OSH
OSP
OSU
CE
R1-C/CIN
R1-C/S0-B
R1-C/CC-B
R1-C/CC-B
R1-C/SSC-A
R1-C/OC-B(2)
R1-C/OC-B(3)
R1-C/OC-B(6)
R1-C(6)
R1-C(8)
R1-C(9)
R1-C/T40/SSC-C
R1-C/T40
R2/R4-A/R6-B/SO-B
R2/R4-A/R6-B/SO-B"h-32"
R2/R4-A/R6-B(3)"h-26"
R2/OC-B(1)
R2/CIN
R2/CC-B
R2/R3-A/R6-B
R2/R6-B/OC-B(4)"h-61"
R2/R6-B/OC-B
R2/R6-B/OC-B
R2/R6-B
R2/R6-C/R7-A/CIN
R3-A/R5-B
R3-A/R5-B/CC-B
R3-A/R5-B/R7-A/CIN
R3-A/R5-B/R7-A
R3-A/R5-B/R7-A/OC-B
R3-A/R5.9
R4-A
R4-A/R6-A
R4-A/R6-C
R4-A/R6-C
R4-A/R5-A
R5-A
R5-A(1)
R5-A(2)
R5-A(4)"h-1"
R5-A(9)"h-10"
R5-A/SO-A(1)
R5-A/SO-B(1)
R5-A/SO-A(6)
R5-A/SO-A
R5-A D39
R5-B
R5-B/R7-A/SO-B
R5-B/R7-A/OC-B
R5-B/R7-A
R5-B(1)/R7-A
R5-B/CC-B
R5-B/SSC-C
R5-B"h-67"
R5-B/R7-A/SO-B
R5-B/R7-A
R5-A(8)
R6-A/SO-B/CC-A
R6-B
R6-B/SO-C
R6-B
R6-C
R6-C/R7-A
R6-C
R6-C
R6-C
R6-C
R6-C
R6-C
R6-C
R6-C
R6-C
PCC-A(1)
PCC-C/SSC-A
PCC-C(3)/SSC-A
PCC-D
PSC-A
PSC-A/SSC-A
PSC-A(21)
PSC-C
PSC-C(1)
PSC-C(2)
PSC-C(3)
PSC-C.T40
PSC-C.T40
PSC-C.T40/SSC-C
PSC-C.T40
PSC-C.T40
PSC-C/SSC-C
PSC-C/SSC-B
SPC-A(3)
SPC-A(9)
SPC-A(9)"h-44"
SPC-B(2)"h-17"
SI-A/GI
SI-A/GI"h-15"
SI-A/GI/SPC-A(6)"h-35"
SI-C/SPC-A(6)"h-35"/SI-C(1)
SI-C/SPC-A(6)"h-35"
SI-C/SPC-A(6)"h-35"
SI-C/SPC-A(6)"h-35"
SI-C/SPC-A(6)"h-35"
SI-C/SPC-A(6)
GI
GI
GI "h-15"
GI(2)
FD
FD
FD "h-15"
UT
CC-A
CC-A
CC-A

Map A4

Map B3

TOWN OF WHITBY

Map A2

MAP A3

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

Updated July 2024

City of Oshawa
Development Services Department

North Half

MAP A4

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

Updated August 2025

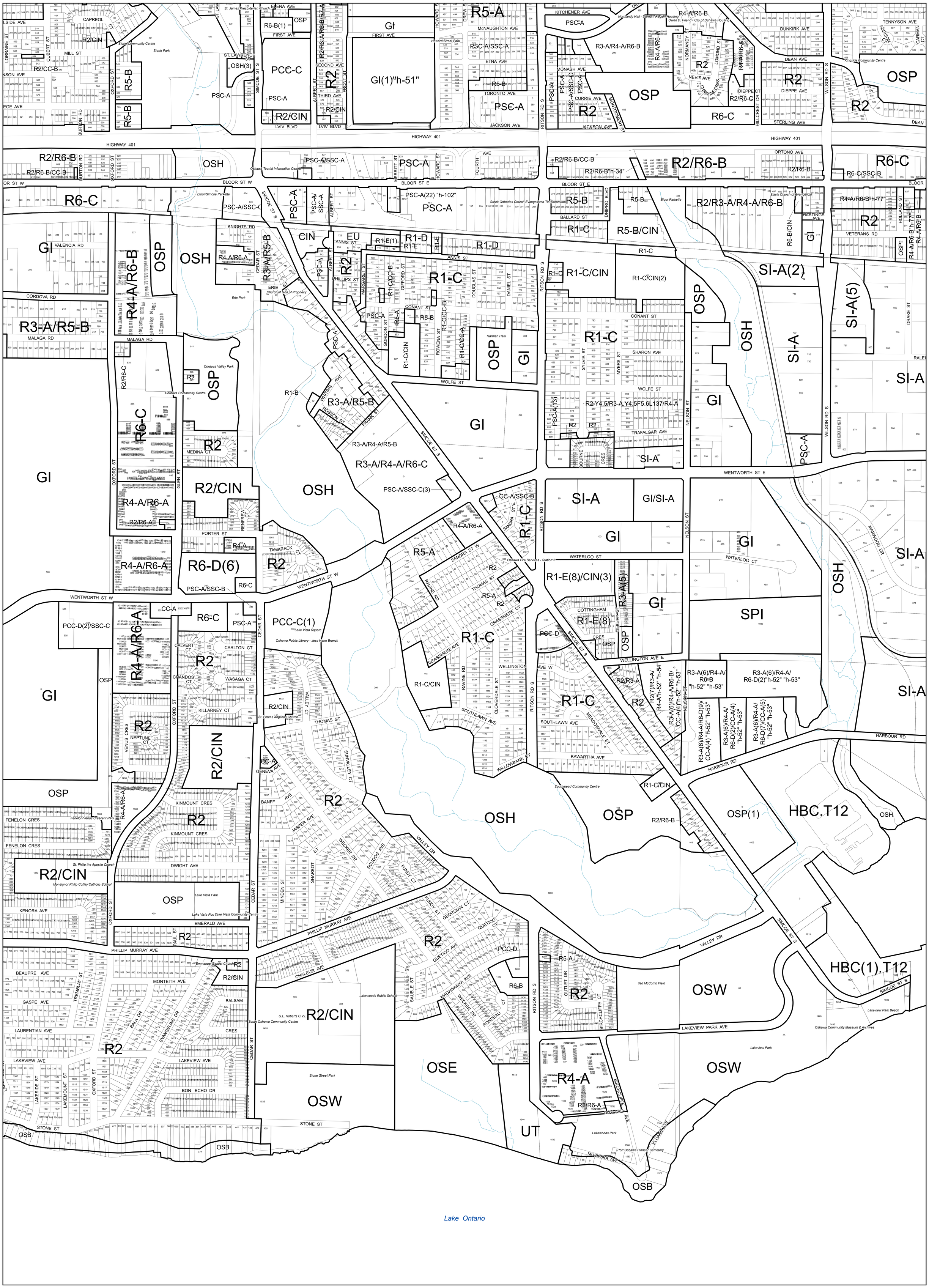
City of Oshawa
Economic and Development Services

Map A3

Map B4

TOWN OF WHITBY

Map B2



MAP B1

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

Updated August 2025

City of Oshawa
Economic and Development Services

Map B3

Map A2

Map C2

Map B1

MAP B2

Zoning By-Law Number 60-94, as amended

Schedule "A"

N

Updated August 2025

0 50 100 200 300 400 500 Meters

City of Oshawa
Economic and Development Services

Map B4

Map A3

Map C3

Map B2

MAP B3

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

Updated August 2025

City of Oshawa
Economic and Development Services

North Half

MAP B4

Zoning By-Law Number 60-94, as amended

Schedule "A"

N

Updated August 2025

0 50 100 200 300 400 500 Meters

City of Oshawa
Economic and Development Services

Map C2

MAP C1

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

Updated July 2023

City of Oshawa
Development Services Department

MUNICIPALITY OF CLARINGTON

Map C3

Map B2

Map C1

MAP C2

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

Updated August 2025

City of Oshawa
Economic and Development Services

MUNICIPALITY OF CLARINGTON

Map C4

Map B3

Map C2

MAP C3

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

N

Updated August 2025

City of Oshawa
Economic and Development Services

MUNICIPALITY OF CLARINGTON

North Half

Map B4

Map C3

MAP C4

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 50 100 200 300 400 500 Meters

N

Updated August 2025

City of Oshawa
Economic and Development Services

MUNICIPALITY OF CLARINGTON

TOWNSHIP OF SCUGOG

TOWN OF WHITBY

MUNICIPALITY OF CLARINGTON

Map A4

Map B4

Map C4

North Half

Zoning By-Law Number 60-94, as amended

Schedule "A"

0 125 250 500 750 1,000 Meters

Updated March 2025

City of Oshawa
Economic and Development Services

TOWNSHIP OF SCUGOG

TOWN OF WHITBY

MUNICIPALITY OF CLARINGTON

C.P.R.

SIMCOE ST N

RAGLAN RD E

RAGLAN RD W

THORNTON RD N

RITSON RD N

TOWNLINE RD N

HOWDEN RD W

HOWDEN RD E

COLUMBUS RD W

COLUMBUS RD E

SIMCOE ST N

WINCHESTER RD W

WINCHESTER RD E

HARMONY RD N

RITSON RD

CONLIN RD W

CONLIN RD E

THORNTON RD N

OSHAWA

K:\ZoningByLaw\Maps\ScheduleB.mxd\10-03-08

Schedule "B" Hazard Lands
(North Half)

N

Hazard Lands

(Not to Scale)

TOWN OF WHITBY

MUNICIPALITY OF CLARINGTON

CONLIN RD W
CONLIN RD E
STEVENSON RD N
HARMONY RD N
TAUNTON RD W
TAUNTON RD E
SIMCOE ST N
WILSON RD N
GRANDVIEW ST N
TOWNLINE RD N
ROSSLAND RD W
ROSSLAND RD E
ADELAIDE AVE W
ADELAIDE AVE E
BOND ST W
BOND ST E
KING ST W
KING ST E
GIBB ST
OLIVE AVE
C.P.R
RITSON RD S
WILSON RD S
HARMONY RD S
GRANDVIEW ST S
SIMCOE ST S
HWY 401
BLOOR ST W
BLOOR ST E
C.N.R.
THORNTON RD S
STEVENSON RD S
PARK RD S
WENTWORTH ST
FAREWELL ST
TOWNLINE RD S
PHILLIP MURRAY AVE
LAKE ONTARIO

OSHAWA

K:\ZoningByLaw\Maps\ScheduleB(South).mxd

Schedule "B" Hazard Lands
(South Half)

N

Hazard Lands

(Not to Scale)



Legend:

Regional Floodline

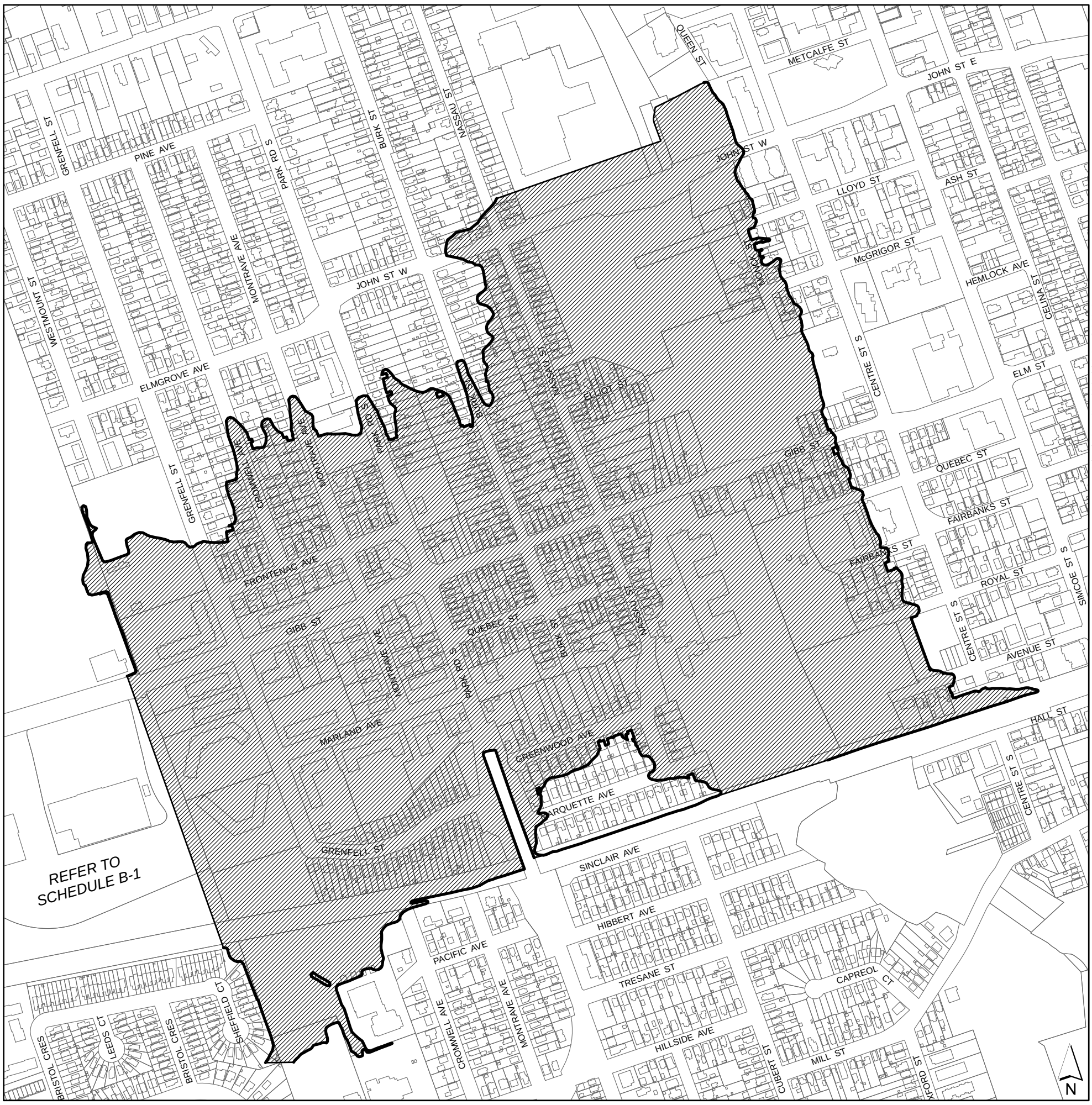
Area subject to the Two Zone Floodplain Management Policy for a Reach of the Goodman Creek as adopted by the Central Lake Ontario Conservation Authority on March 24, 1998. The Two Zone Policy applies to an area that has been or may be subject to flooding hazards. A floodway and floodfringe area has been identified. The floodway refers to that portion of the floodplain where development would cause or result in a threat to public health and safety and property damage.The flood fringe is where the level and speed of floodwater is of lesser risk to people and property and where development may be permitted subject to certain established standards and procedures. The Two Zone Policy may specify development constraints and discourage the development of new basement apartments. There are also areas outside the Regional Floodline where safe access is restricted during certain flood events. Please contact the Central Lake Ontario Conservation Authority for more detail on this Policy.

Schedule B-1

Goodman Creek Two Zone Flood Plain Management Policy

Note: Map is not to scale

October 1998
text amended April 2013



Legend:

Regional Floodline

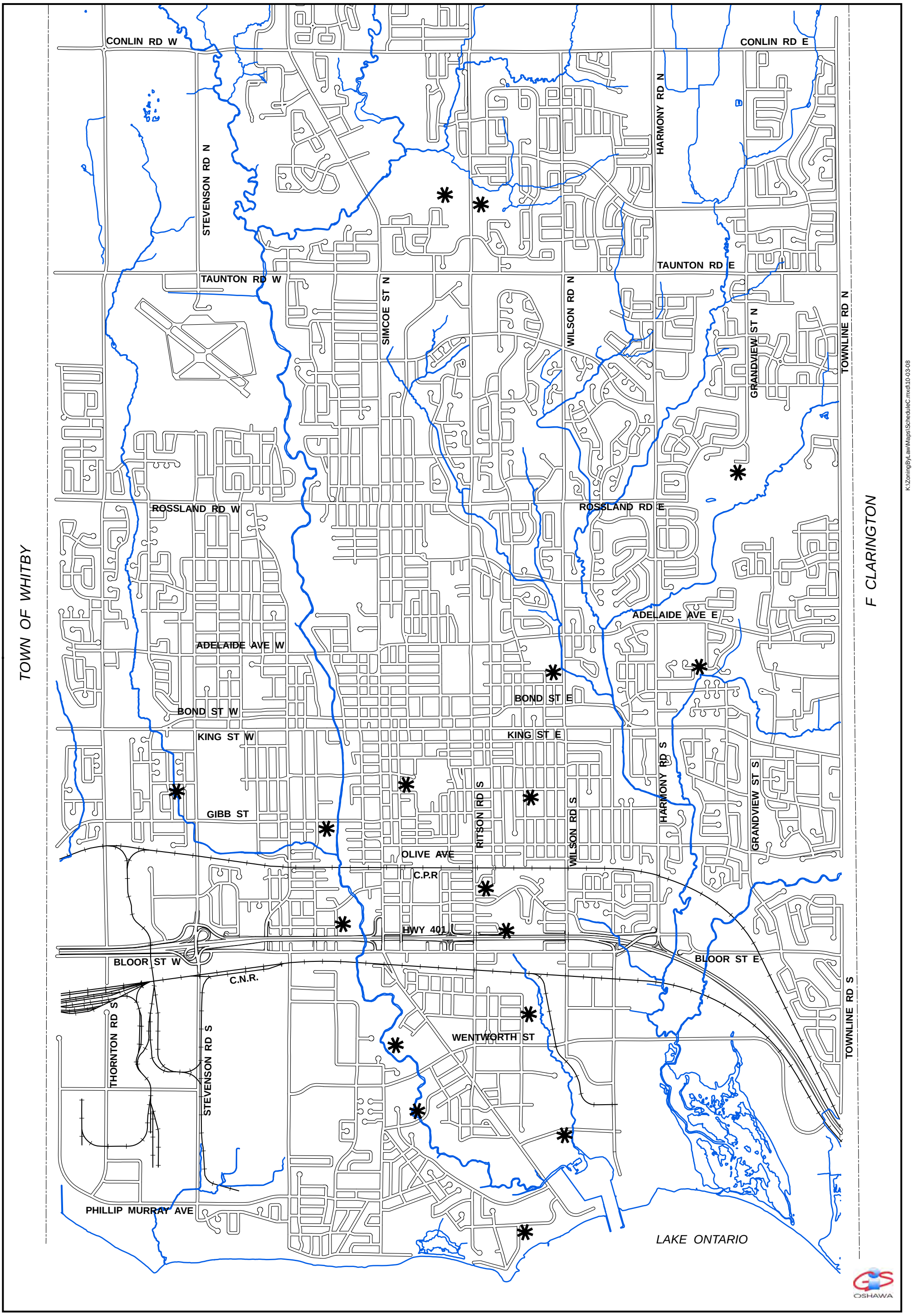
Area subject to the Two Zone Floodplain Management Policy for part of the Goodman Creek & Oshawa Creek as adopted by the Central Lake Ontario Conservation Authority in April 2013. The Two Zone Policy applies to an area that has been or may be subject to flooding hazards. A floodway and flood fringe area has been identified. The floodway refers to that portion of the floodplain where development would cause or result in a threat to public health and safety and property damage. The flood fringe is where the level and speed of floodwater is of lesser risk to people and property and where development may be permitted subject to certain established standards and procedures. The Two Zone Policy may specify development constraints and discourages the development of new basement apartments. There are also areas outside the Regional Floodline where safe access is restricted during certain flood events. Please contact the Central Lake Ontario Conservation Authority for more detail on this Policy.

Schedule B-2

Goodman & Oshawa Creek Two Zone Flood Plain Management Policy

Note: Map is not to scale

April 2013

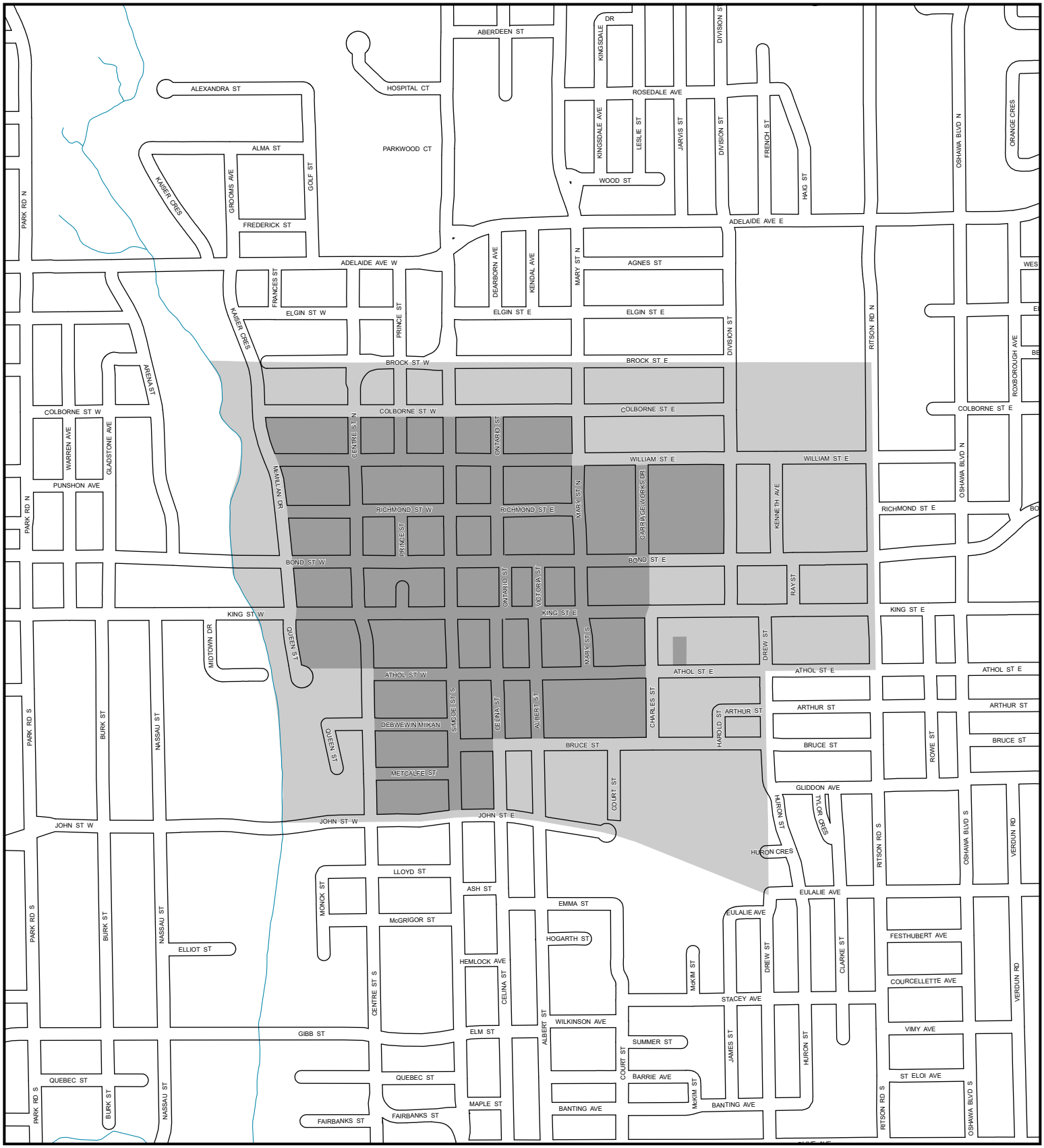


Schedule "C" Waste Disposal Assessment Areas

N

✱ Waste Disposal Assessment Areas

(Not to Scale)



Schedule "D" Downtown Parking/Loading Exempt Area

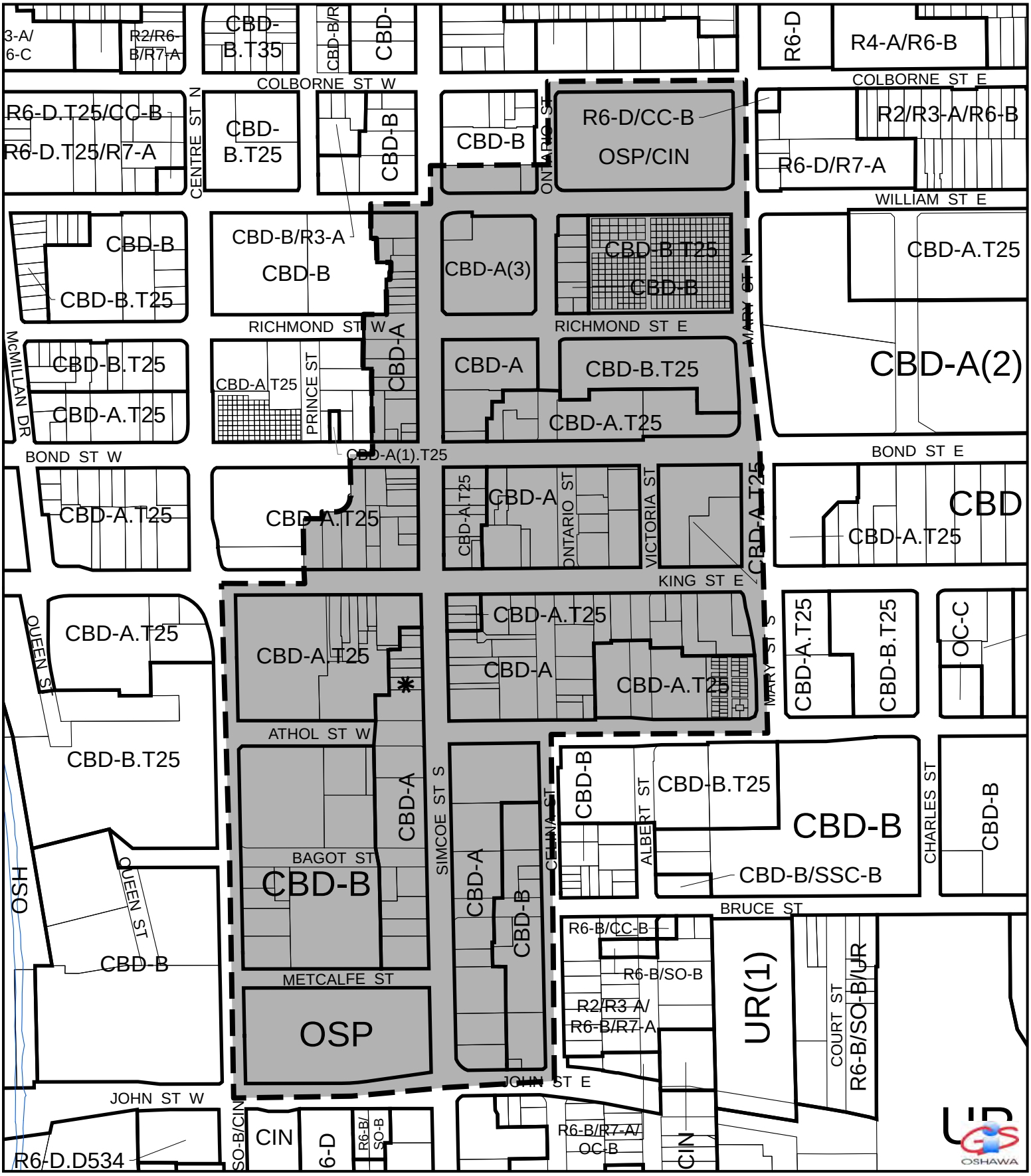
Area A

Area B

Scale: 10 000

City of Oshawa
Economic and Development Services

C:\Users\rwilkes\Documents\ArcGIS\Projects\MyProject1\MyProject1.aprx\12/03/2024



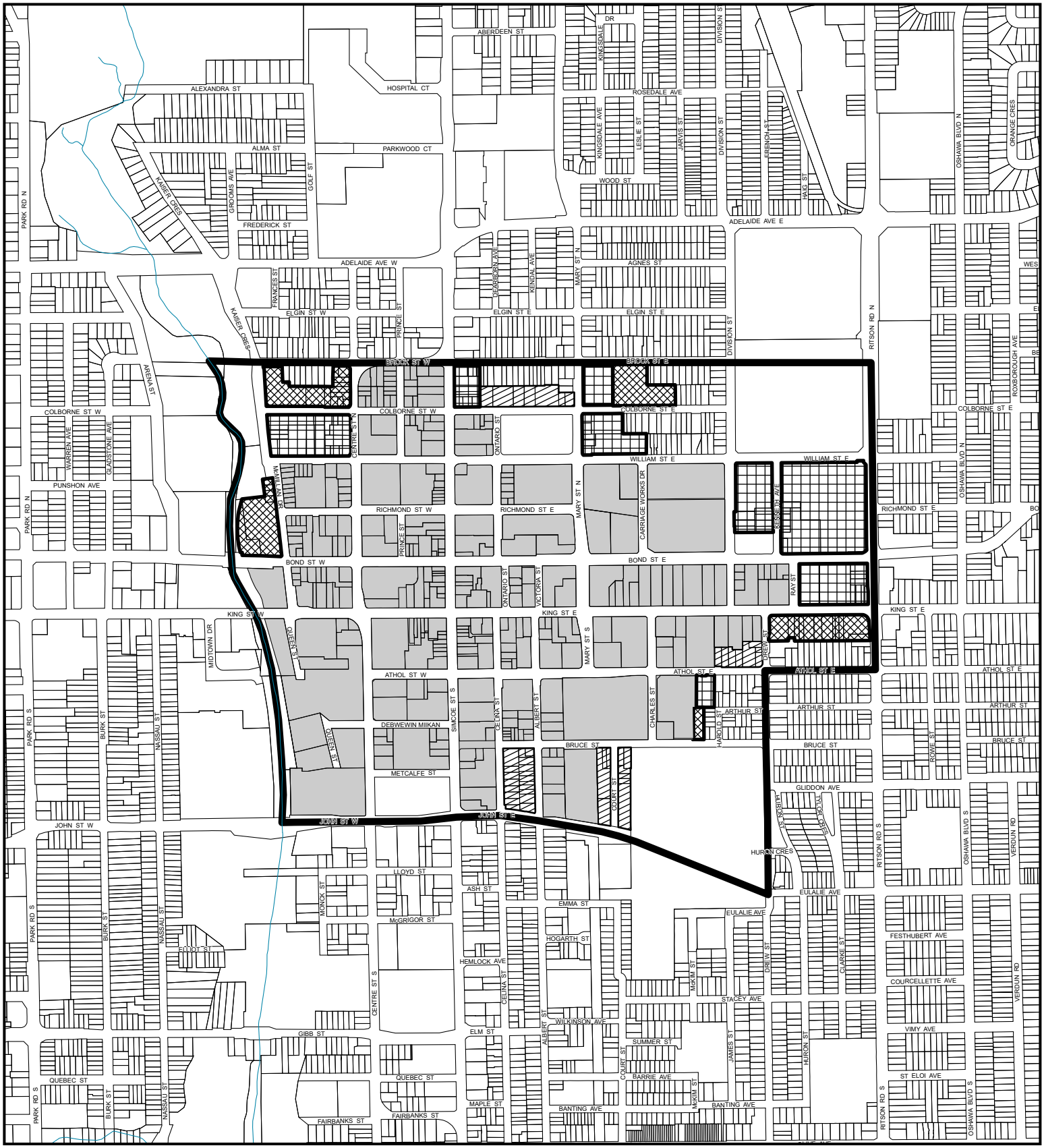
K:\ZoningByLaw\Maps\ScheduleE.mxd

Schedule "E" Methadone Clinic Prohibited Area

N

Subject Area Boundary

* 32 Simcoe Street South



C:\Users\rwilkes\Documents\ArcGIS\Projects\MyProject1\MyProject1.aprx\12/03/2024

Schedule "F" Maximum Permitted Heights in the Downtown Oshawa Urban Growth Centre

- Up to 18m
- Up to 25m
- Up to 35m
- Up to 180m Above Sea Level
- Downtown Oshawa Urban Growth Centre Boundary

N

Scale: 10 000

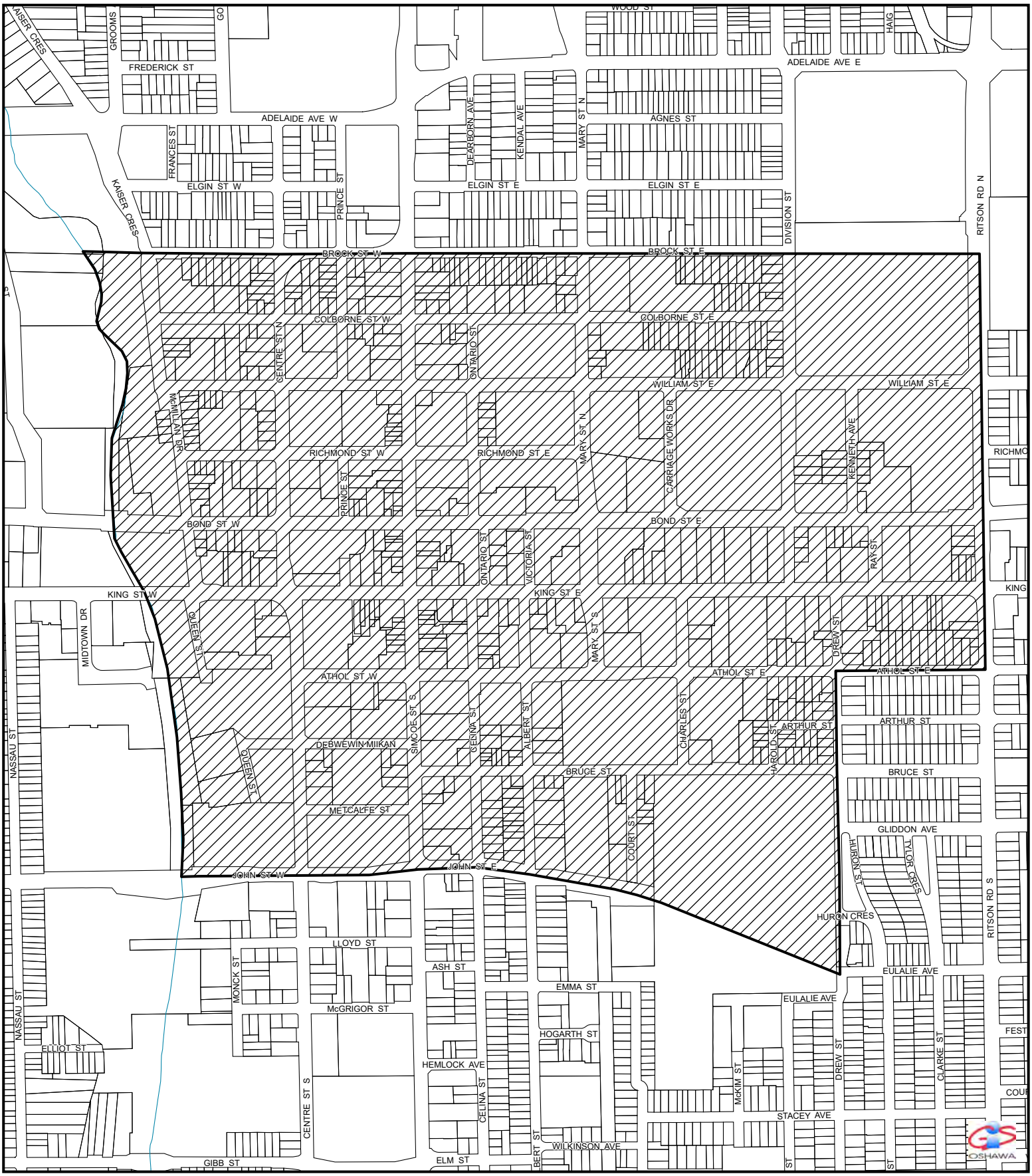
City of Oshawa
Economic and Development Services



Schedule "G" Main Pedestrian and Shopping Streets in the Downtown Oshawa Urban Growth Centre

N

Lands affected by Section 16.4

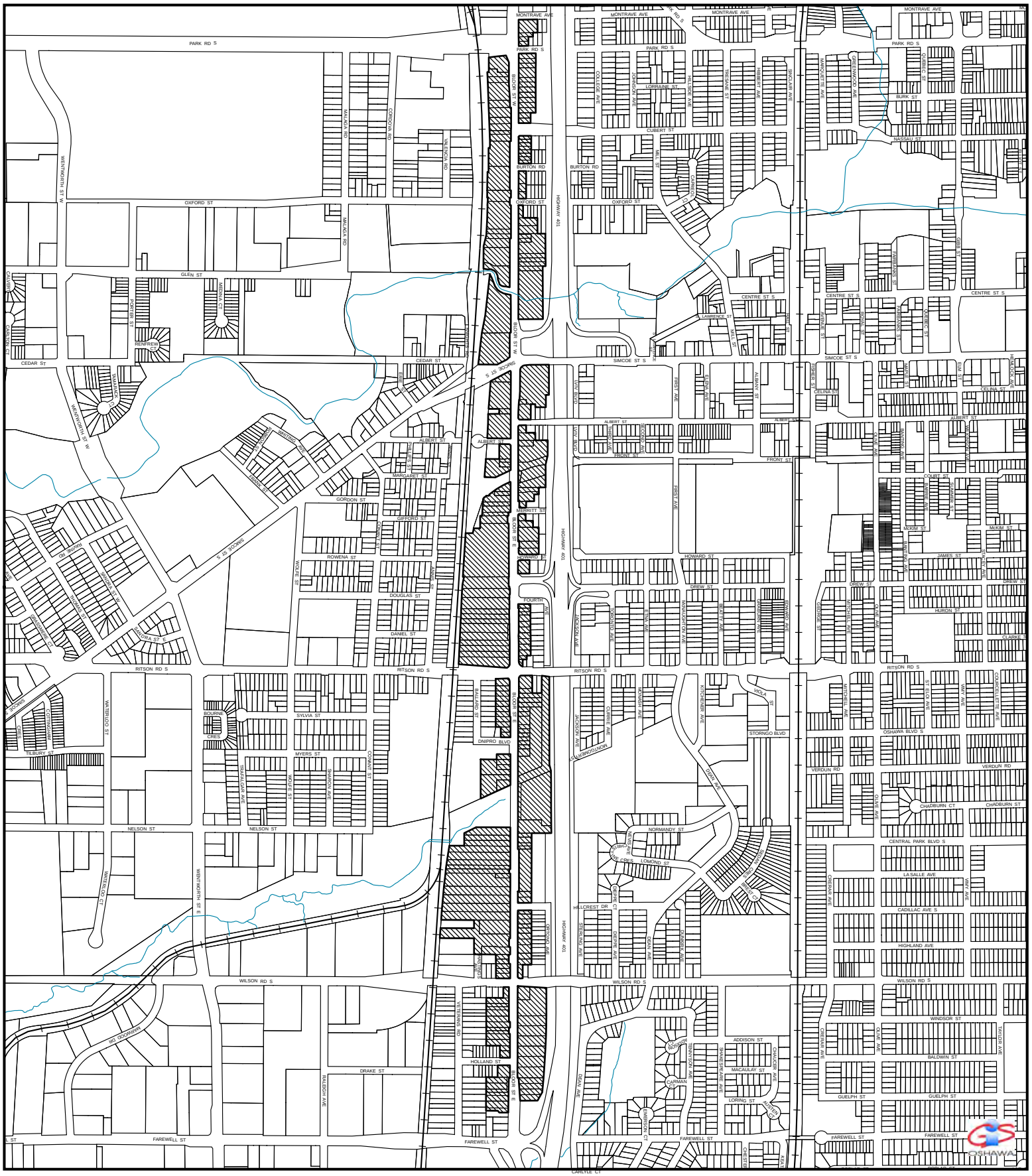


H:\PLAN\07-IT Mgmt\09-Data Trans\ZoningByLaw\ZoningByLawSchedules\ZoningByLawSchedules.aprx\14/07/2025

Schedule "I" Urban Growth Centre

N

Area subject to Article 5.15.11 of this By-law



Schedule "J" Bloor Street Intensification Area

N

Area subject to Article 5.15.11 of this By-law



K:\ZoningByLawMaps\ScheduleK.mxd\22/11/2017

Schedule "K" King Street/Thornton Road Intensification Area

N

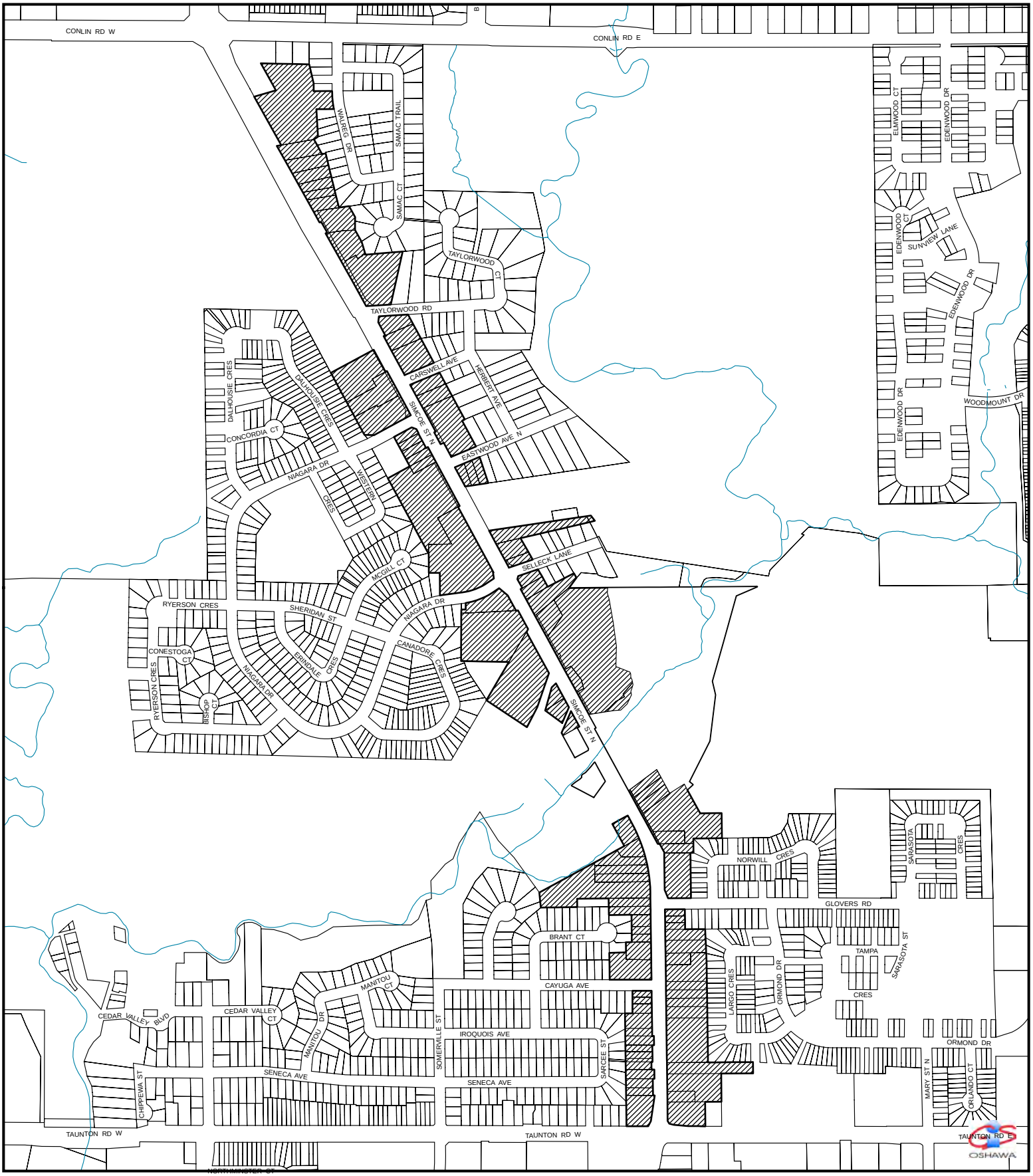
Area subject to Article 5.15.11 of this By-law



Schedule "L" Taunton Road East Intensification Area

N

Area subject to Article 5.15.11 of this By-law



K:\ZoningByLawMaps\ScheduleM.mxd\22/11/2017

Schedule "M" Simcoe Street North Intensification Area

N

Area subject to Article 5.15.11 of this By-law