# Kingston Zoning By-law Number 2022-62

## Part 3 of 5: Section 21

# Section 21: Exceptions

## 21.1. Exception Overlay

**21.1.1.** In accordance with Clause 5.5.1., the following provisions apply to all lands that are subject to an Exception with the corresponding Exception Number on Schedule E:

**E1.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **townhouse**.

**(b)** **Townhouses** must comply with the following provisions:

**(i)** The maximum **height** is 10.7 metres;

**(ii)** The minimum **front setback** is 4.5 metres;

**(iii)** The minimum **exterior setback** is 3.0 metres;

**(iv)** The minimum **interior setback** is 0.6 metres;

**(v)** The minimum **rear setback** is 6.0 metres;

**(vi)** The minimum **lot area** is 157 square metres;

**(vii)** The minimum **lot width** is 6.0 metres for an **interior lot** and 9.0 metres for a **corner lot**;

**(viii)** A minimum of 37 **visitor spaces** are required.

**(ix)** A minimum of 9 **accessible spaces** are required.

**(x)** **Porches** and steps are permitted to project 1.5 metres into required **front setbacks** and **exterior setbacks**;

**(xi)** A maximum of 257 **dwelling units** are permitted, in the aggregate, on all lands subject to this Exception;

**(xii)** A minimum of 1,500 square metres of **amenity area** must be provided, in the aggregate, on all lands subject to this Exception;

**(xiii)** **Accessory buildings** must comply with Section 4.1, except as follows:

**(1)** The minimum **interior setback** is 0.6 metres;

**(2)** The minimum **exterior setback** is 3.0 metres;

**(3)** The minimum **rear setback** is 0.6 metres;

**(4)** Where an **accessory building** shares a common party wall with an **accessory building** on an adjacent **lot**, the minimum **interior setback** is 0 metres.

**E2.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **mobile home parks**;

**(ii)** commercial facilities supplying essential goods or services for exclusive **use** of the **mobile home park** residents; and

**(iii)** **accessory buildings**.

**(b)** The **uses** permitted by (a) must comply with the following provisions:

**(i)** The minimum **front setback** is 4.5 metres from the edge of pavement of any roadway.

**(ii)** The minimum **setback** from any **mobile home park lot line** is 1.2 metres.

**(iii)** The minimum **mobile home** lot area is 325.0 square metres for single width units and 418.0 square metres for double width units.

**(iv)** The minimum **mobile home** lot width is 9.7 metres width for single width units and 12.0 metres width for double width units.

**(v)** The minimum permitted **mobile home** dimensions are 12.2 metres long and 3.0 metres wide.

**(vi)** The maximum permitted **mobile home** dimensions are 20.0 metres long and 7.3 metres wide.

**(vii)** The maximum **height** of a mobile home is 1 **storey**.

**(viii)** The minimum **landscaped open space** is 30% of the total **lot area**.

**(ix)** **Accessory buildings** must comply with Section 4.1, except as follows:

**(1)** The maximum **height** is the **height** of the **mobile home** to which it is **accessory**;

**(2)** The maximum **lot coverage** is 10% of **mobile home** lot area;

**(3)** Location On Lot: same provision as govern the mobile home to which it is an **accessory building**;

**(4)** A minimum **separation distance** of 4.5 metres is required between an **accessory building** any a **mobile home**; and

**(5)** The minimum **setback** from any mobile home **lot line** is 3.6 metres.

**E3.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** food and beverage preparation;

**(ii)** warehousing and distribution (both wholesale and retail);

**(iii)** service of related vehicle and equipment; and

**(iv)** **office**, industrial and **residential uses** which existed as of the date of passing of this By-law.

**E4.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **use** is the only permitted **use**:

**(i)** **townhouse**.

**(b)** The maximum **height** is 12 metres.

**E5.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **use** is the only permitted **use**:

**(i)** **townhouse**.

**(b)** The minimum **lot frontage** is 5.8 metres; and

**(c)** The maximum **height** is 12 metres.

**E6.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **apartment building**.

**(b)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 35.0 metres;

**(ii)** The maximum **height** is 12.0 metres;

**(iii)** The minimum **front setback** is 7.5 metres plus 10% of **height** above 10.5 metres;

**(iv)** The minimum **rear setback** is 7.5 metres plus 15% of **height** above 10.5 metres;

**(v)** The minimum **exterior setback** is 7.5 metres plus 10% of **height** above 10.5 metres;

**(vi)** The minimum **interior setback** is 7.5 metres plus 15% of **height** above 10.5 metres; and

**(vii)** The minimum **landscaped open space** is 45%.

**(c)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **interior setback** is 0.6 metres if abutting a public pathway; and

**(ii)** The maximum **height** is 12.0 metres.

**E7.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **use** is the only permitted **use**:

**(i)** **single detached house**.

**(b)** The minimum **rear setback** is 12.0 metres.

**(c)** The minimum **exterior setback** is 3.5 metres.

**E8.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **duplex**; and

**(ii)** **semi-detached house**.

**(b)** The minimum **lot frontage** is 9.25 metres.

**E9.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **townhouse**; and

**(ii)** **apartment building**.

**(b)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 35.0 metres;

**(ii)** The maximum **height** is 12.0 metres;

**(iii)** The minimum **front setback** is 7.5 metres plus 10% of **height** above 10.5 metres;

**(iv)** The minimum **rear setback** is 7.5 metres plus 15% of **height** above 10.5 metres;

**(v)** The minimum **exterior setback** is 7.5 metres plus 10% of **height** above 10.5 metres;

**(vi)** The minimum **interior setback** is 7.5 metres plus 15% of **height** above 10.5 metres; and

**(vii)** The minimum **landscaped open space** is 45%.

**(c)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The maximum **height** is 12.0 metres.

**E10.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **semi-detached house**; and

**(ii)** **townhouse**.

**E11.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The maximum **height** is 13.0 metres.

**E12.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **interior setback** is 2.5 metres plus 0.5 metres for every storey, or portion thereof, above the **first storey**.

**E13.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **front setback** is 3.0 metres; and

**(b)** The minimum **exterior setback** is 3.0 metres.

**E14.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** The maximum number of **dwelling units** per **lot** is a number that equals the servicing demand associated with 548 persons, to the satisfaction of the **City**.

**(c)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(d)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(e)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 33.5 metres;

**(ii)** The maximum **height** is 18.2 metres;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **rear setback** is the greater of 50% of the **building height** or 10.6 metres;

**(v)** Despite (iv), where a **rear lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres;

**(vi)** The minimum **exterior setback** is 6.0 metres;

**(vii)** The minimum **interior setback** is the greater of 50% of the **building height** or 10.6 metres;

**(viii)** Despite (vii), where an **interior lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **interior lot line**, the minimum **interior setback** is 1.8 metres; and

**(ix)** The minimum **landscaped open space** is 45%.

**(f)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres; and

**(ii)** The minimum **rear setback** is 7.6 metres,

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E15.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The maximum **height** is 12.0 metres.

**E16.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** The maximum number of **dwelling units** per **lot** is a number that equals the servicing demand associated with 140 persons, to the satisfaction of the **City**.

**(c)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(d)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(e)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 33.5 metres;

**(ii)** The maximum **height** is 18.2 metres;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **rear setback** is the greater of 50% of the **building height** or 10.6 metres;

**(v)** Despite (iv), where a **rear lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres;

**(vi)** The minimum **exterior setback** is 6.0 metres;

**(vii)** The minimum **interior setback** is the greater of 50% of the **building height** or 10.6 metres;

**(viii)** Despite (vii), where an **interior lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **interior lot line**, the minimum **interior setback** is 1.8 metres; and

**(ix)** The minimum **landscaped open space** is 45%.

**(f)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres; and

**(ii)** The minimum **rear setback** is 7.6 metres,

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E17.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **rear setback** is 12.0 metres; and

**(b)** The minimum **exterior setback** is 3.5 metres.

**E18.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **interior setback** is 1.0 metre.

**E19.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **rear setback** is 15.3 metres.

**E20.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** marine supplies establishment;

**(ii)** boat and shipbuilding;

**(iii)** drydock;

**(iv)** fuel supply and effluent transfer facility;

**(v)** marine salvage and repair facility;

**(vi)** marine service and mooring facility;

**(vii)** marine-related instructional facility;

**(viii)** sail lofts; and

**(ix)** small motor equipment sales and service establishment.

**E21.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **density** of **dwelling units** per net hectare on lands with **residential uses**, excluding lands **used** for roads, stormwater management, public walkways, parks or open spaces, is 30.0 **dwelling units** per net hectare;
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**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building** with a maximum of 4 **dwelling units**.

**(c)** **Triplexes** and **apartment buildings** with 4 **dwelling units** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 15.0 metres;

**(ii)** The maximum **height** is the lesser of 12 metres or 3 **storeys**;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 3.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**E22.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **density** of **dwelling units** per net hectare on lands with **residential uses**, excluding lands **used** for roads, stormwater management, public walkways, parks or open spaces, is 37.5 **dwelling units** per net hectare;

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**(b)** The maximum **building height** for all **buildings**, except for an **apartment building**, is 12.0 metres;

**(c)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **stacked townhouse**;

**(ii)** **apartment building**;

**(iii)** **triplex**;

**(iv)** **apartment building** with a maximum of 4 **dwelling units**; and

**(v)** **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2., where the **non-residential uses** are located only on the **first storey**.

**(d)** **Stacked townhouses** must comply with the provisions that apply to **townhouses**.

**(e)** **Triplexes** and **apartment buildings** with 4 **dwelling units** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 15.0 metres;

**(ii)** The maximum **height** is the lesser of 12 metres or 3 **storeys**;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 3.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(f)** **Apartment buildings** with 5 or more **dwelling units** must comply with the provisions of the URM1 Zone, except:

**(i)** The maximum **height** is the lesser of 20.0 metres or 6 **storeys**.

**E23.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **triplex**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.3 metres;

**(ii)** The maximum **height** is 10.7 metres;

**(iii)** The minimum **front setback** is 6.1 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.1 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**E24.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **triplex**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.3 metres;

**(ii)** The maximum **height** is 10.7 metres;

**(iii)** The minimum **front setback** is 6.1 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.1 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(c)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.5 metres.

**E25.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.1 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(c)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 24.4 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.1 metres;

**(iv)** The minimum **rear setback** is 10.6 metres;

**(v)** The minimum **exterior setback** is 6.1 metres;

**(vi)** The minimum **interior setback** is 3.0 metres;

**(vii)** The minimum **landscaped open space** is 30%; and

**(viii)** The maximum number of **dwelling units** is 4.

**(d)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres.

**(e)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **interior setback** is 0.9 metres. Where a common party wall is located along a **lot line**, the minimum **interior setback** is 0 metres.

**E26.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The maximum **height** for all permitted **uses** is 10.9 metres.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(c)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 16.4 metres;

**(ii)** The minimum **front setback** is 4.5 metres;

**(iii)** The minimum **rear setback** is 6.0 metres;

**(iv)** The minimum **exterior setback** is 3.0 metres;

**(v)** The minimum **interior setback** is 1.2 metres; and

**(vi)** The minimum **landscaped open space** is 30%.

**(d)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 24.3 metres;

**(ii)** The minimum **front setback** is 6.1 metres;

**(iii)** The minimum **rear setback** is 10.6 metres;

**(iv)** The minimum **exterior setback** is 6.1 metres;

**(v)** The minimum **interior setback** is 3.1 metres;

**(vi)** The minimum **landscaped open space** is 30%; and

**(vii)** The maximum number of **dwelling units** is 4.

**(e)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres.

**(f)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **interior setback** is 0.9 metres. Where a common party wall is located along a **lot line**, the minimum **interior setback** is 0 metres.

**E27.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **triplex**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 12.0 metres;

**(ii)** The maximum **height** is 10.5 metres;

**(iii)** The minimum **front setback** is 4.5 metres;

**(iv)** The minimum **rear setback** is 6.0 metres;

**(v)** The minimum **exterior setback** is 3.0 metres;

**(vi)** The minimum **interior setback** is 1.2 metres on one side and 0.6 metres on the other; and

**(vii)** The minimum **landscaped open space** is 30%.

**(c)** **Single-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **front setback** is 4.5 metres; and

**(ii)** The minimum **rear setback** is 6.0 metres.

**(d)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **front setback** is 4.5 metres; and

**(ii)** The minimum **rear setback** is 6.0 metres.

**E28.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The maximum number of **dwelling units** is 187.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(c)** **Triplexes** and **apartment buildings** with 4 **dwelling units** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** **Apartment buildings** with 5 or more **dwelling units** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 33.5 metres;

**(ii)** The maximum **height** is 18.2 metres;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **rear setback** is the greater of 50% of the **building height** or 10.6 metres;

**(v)** Despite (iv), where a **rear lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres;

**(vi)** The minimum **exterior setback** is 3.0 metres;

**(vii)** The minimum **interior setback** is the greater of 50% of the **building height** or 10.6 metres;

**(viii)** Despite (vii), where an **interior lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **interior yard**, the minimum **interior setback** is 1.8 metres; and

**(ix)** The minimum **landscaped open space** is 45%.

**(e)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 7.2 metres per **dwelling unit**; and

**(ii)** The minimum **interior setback** is 0.9 metres. Where a common party wall is located along a **lot line**, the minimum **interior setback** is 0 metres.

**(f)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres.

**E29.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres.

**E30.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **triplex**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.3 metres;

**(ii)** The maximum **height** is 10.7 metres;

**(iii)** The minimum **front setback** is 6.1 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.1 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(c)** **Semi-detached houses** must comply with the applicable zone provisions, except:

**(i)** The minimum **lot frontage** is 7.6 metres per **dwelling unit**.

**E31.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **use** is the only permitted **use**:

**(i)** **townhouse**.

**(b)** The maximum number of **dwelling units** per **townhouse building** is 4 **dwelling units**.

**(c)** The maximum **height** is 11.0 metres.

**E32.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **single detached house**; and

**(ii)** **townhouse**.

**(c)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres.

**(ii)** The minimum **rear setback** is 7.6 metres.

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E33.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres;

**(ii)** The minimum **rear setback** is 7.6 metres; and

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E34.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the provisions of the applicable Zone, **single detached houses** are only permitted on a **lot** accessed by a **private street** or public lane adjacent to a **rear lot line**.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(c)** The minimum **rear setback** is 14.5 metres.

**(d)** **Triplexes** and **apartment buildings** must comply with the following provisions:

**(i)** The maximum **density** is 75 **dwelling units** per net hectare.

**(ii)** The minimum **lot frontage** is 18.0 metres;

**(iii)** The maximum **height** is 13.0 metres;

**(iv)** The minimum **front setback** is 3.0 metres where vehicular access to a **lot** is provided by a **private street** and 4.5 metres where vehicular access to a **lot** is provided by a **street**.

**(v)** The minimum **exterior setback** is 2.4 metres;

**(vi)** The minimum **interior setback** is 1.2 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(e)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 8.5 metres; and

**(ii)** The maximum **height** is 11.0 metres.

**(f)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 6.5 metres per **dwelling unit** where a **lot** is accessed by a **private street**;

**(ii)** The maximum **height** is 12.0 metres; and

**(iii)** The minimum **front setback** is 0 metres where vehicular access to a **lot** is provided by a **private street**.

**(g)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.5 metres per **dwelling unit** where a **lot** is accessed by a **private street**;

**(ii)** The maximum **height** is 12.0 metres; and

**(iii)** The minimum **front setback** is 0 metres where vehicular access to a **lot** is provided by a **private street**.

**E35.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(b)** The minimum **rear setback** to a **principal building** is 14.5 metres.

**(c)** The minimum **rear setback**, **interior setback** and **exterior setback** for an **accessory building** connected to the **principal building** via an enclosed walkway is 0 metres.

**(d)** Despite (b), an enclosed walkway is permitted within the required **rear setback** connecting the **principal building** to an **accessory building**. The maximum width of an enclosed walkway is 2.7 metres, measured from the exterior faces of the exterior walls. However, at the transition between the enclosed walkway and **rear wall** of the **principal building**, the enclosed walkway may be a maximum of 3.9 metres wide for a maximum distance of 1.2 metres from the **rear wall** of the **principal building**.

**(e)** Despite (b), the **rear wall** of the **principal building** may project a maximum of 2 metres into the required **rear setback** at the transition between the enclosed walkway and the **rear wall**.

**(f)** **Triplexes** and **apartment buildings** must comply with the following provisions:

**(i)** The maximum **density** is 75 **dwelling units** per net hectare.

**(ii)** The minimum **lot frontage** is 18.0 metres;

**(iii)** The maximum **height** is 13.0 metres;

**(iv)** The minimum **front setback** is 3.0 metres where vehicular access to a **lot** is provided by a **private street** and 4.5 metres where vehicular access to a **lot** is provided by a **street**;

**(v)** The minimum **exterior setback** is 2.4 metres;

**(vi)** The minimum **interior setback** is 1.2 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(g)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 8.5 metres where a **lot** is accessed by a **private street** adjacent to the **rear lot line**;

**(ii)** The maximum **height** is 11.0 metres;

**(iii)** The minimum **front setback** is 3.0 metres;

**(h)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 6.5 metres per **dwelling unit** where a **lot** is accessed by a **private street** adjacent to the **rear lot line**;

**(ii)** The maximum **height** is 12.0 metres;

**(iii)** The minimum **front setback** is 0.0 metres where a **lot** is accessed by a **private street**;

**(i)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.5 metres per **dwelling unit** where a **lot** is accessed by a **private street** adjacent to the **rear lot line**;

**(ii)** The maximum **height** is 12.0 metres;

**(iii)** The minimum **front setback** is 0.0 metres where a **lot** is accessed by a **private street**.

**E36.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(c)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 24.3 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 10.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres;

**(vii)** The minimum **landscaped open space** is 30%; and

**(viii)** The maximum number of **dwelling units** is 4.

**(e)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres;

**(ii)** The minimum **rear setback** is 7.6 metres; and

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E37.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **density** of **dwelling units** per net hectare on lands with **residential uses**, excluding lands **used** for roads, stormwater management, public walkways, parks or open spaces, is 27.0 **dwelling units** per net hectare. The Minimum density applies in the aggregate across all lands subject to this Exception, not to individual lots;

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**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building** with a maximum of 4 **dwelling units**.

**(c)** **Triplexes** and **apartment buildings** with 4 **dwelling units** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 15.0 metres;

**(ii)** The maximum **height** is the lesser of 12 metres or 3 **storeys**;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 3.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** Definition:

ARU Ready Space means:

(1) Indoor floor area within a residential building on a lot created through a plan of subdivision that has been designed to be easily retrofitted with an additional residential unit, with:

a. required parking spaces provided for both the principal dwelling unit and future additional residential unit in place; and

b. sufficient unobstructed exterior area to provide the required walkway for the future additional residential unit;

(2) where "easily retrofitted with an additional residential unit" means that all of the following are provided:

a. plumbing "rough-ins" for a minimum of one bathroom and one kitchen;

b. windows in conformity with egress requirements in the Ontario Building Code; and

c. required electrical and telecommunication fixtures and wiring; and

(3) where the developer of such residential building provides a homeowner's handbook with the initial sale of the property, which includes conceptual floor plan(s) illustrating how the space in the residential building can be converted to establish and function as an additional residential unit. Such conceptual floor plan(s) can be used to inform the application for building permit(s) required to support the development of an additional residential unit in the future.

Note: ARU Ready Spaces are considered a dwelling unit for the purpose of calculating the minimum density required by this Exception.

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**E38.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **single detached house**;

**(ii)** **townhouse**;

**(iii)** **triplex**; and

**(iv)** **apartment building**.

**(b)** **Triplexes** and **apartment buildings** must comply with the following provisions:

**(i)** The maximum **density** is 75 **dwelling units** per net hectare;

**(ii)** The minimum **lot frontage** is 18.0 metres;

**(iii)** The maximum **height** is 13.0 metres;

**(iv)** The minimum **front setback** is 3.0 metres where vehicular access to a **lot** is provided by a **private street** and 4.5 metres where vehicular access to a **lot** is provided by a **street**;

**(v)** The minimum **rear setback** is 14.5 metres where a **lot** is accessed by a **private street** and 7.5 metres where a **lot** is accessed by a **street**;

**(vi)** The minimum **exterior setback** is 2.4 metres;

**(vii)** The minimum **interior setback** is 1.2 metres; and

**(viii)** The minimum **landscaped open space** is 30%.

**(c)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 6.5 metres per **dwelling unit** where a **lot** is accessed by a **private street**;

**(ii)** The maximum **height** is 12.0 metres;

**(iii)** The minimum **front setback** is 0.0 metres where a **lot** is accessed by a **private street**; and

**(iv)** The minimum **rear setback** is 14.5 metres where a **lot** is accessed by a **private street**.

**(d)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.5 metres per **dwelling unit** where a **lot** is accessed by a **private street** and 6.0 metres per **dwelling unit** where a **lot** is accessed by a **street**;

**(ii)** The maximum **height** is 12.0 metres; and

**(iii)** The minimum **front setback** is 0.0 metres where a **lot** is accessed by a **private street**.

**E39.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **triplex**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.3 metres;

**(ii)** The maximum **height** is 10.7 metres;

**(iii)** The minimum **front setback** is 6.1 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.1 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(c)** **Semi-detached houses** must comply with the applicable zone provisions, except:

**(i)** The minimum **lot frontage** is 7.6 metres per **dwelling unit**;

**(ii)** The minimum **front setback** is 5.5 metres; and

**(iii)** The minimum **exterior setback** is 3.7 metres.

**E40.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **use** is the only permitted **use**:

**(i)** **townhouse**.

**(b)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The maximum number of **dwelling units** is 156;

**(ii)** The minimum **lot frontage** is 121.0 metres;

**(iii)** The minimum **rear setback** is 7.6 metres; and

**(iv)** Despite (iii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E41.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **separation distance** from the **high water mark** of a **waterbody** to any **use** or **building**, including any part of a **private sewage system** is 15.3 metres.

**E42.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **triplex**.

**(b)** The minimum **front setback** for all permitted **uses**, except for a **triplex**, is 3.0 metres.

**(c)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 16.5 metres;

**(ii)** The maximum **height** is 11.0 metres;

**(iii)** The minimum **front setback** is 3.0 metres where vehicular access to a **lot** is provided by a **private street** and 4.5 metres where vehicular access to a **lot** is provided by a **street**;

**(iv)** The minimum **rear setback** is 14.5 metres where a **lot** is accessed by a **private street** and 6.0 metres where a **lot** is accessed by a **street**;

**(v)** The minimum **exterior setback** is 2.4 metres;

**(vi)** The minimum **interior setback** is 1.2 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 7.0 metres where a **lot** is accessed by a **private street**;

**(ii)** The maximum **height** is 11.0 metres;

**(iii)** The minimum **rear setback** is 14.5 metres where a **lot** is accessed by a **private street**; and

**(iv)** The minimum **interior setback** is 1.2 and 0.3 metres.

**(e)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 6.5 metres per **dwelling unit** where a **lot** is accessed by a **private street**;

**(ii)** The maximum **height** is 11.0 metres; and

**(iii)** The minimum **rear setback** is 14.5 metres where a **lot** is accessed by a **private street**; and

**(iv)** The minimum **interior setback** is 1.2 metres. Where a common party wall is located along a **lot line**, the minimum **interior setback** is 0 metres.

**(f)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The maximum number of **dwelling units** is 4;

**(ii)** The minimum **lot frontage** is 5.5 metres per **dwelling unit** where a **lot** is accessed by a **private street**;

**(iii)** The maximum **height** is 11.0 metres; and

**(iv)** The minimum **rear setback** is 14.5 metres where a **lot** is accessed by a **private street**.

**E43.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **triplex**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 16.5 metres;

**(ii)** The maximum **height** is 11.0 metres;

**(iii)** The minimum **front setback** is 3.0 metres where vehicular access to a **lot** is provided by a **private street** and 4.5 metres where vehicular access to a **lot** is provided by a **street**;

**(iv)** The minimum **rear setback** is 14.5 metres;

**(v)** The minimum **exterior setback** is 2.4 metres;

**(vi)** The minimum **interior setback** is 1.2 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(c)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 7.0 metres where a **lot** is accessed by a **private street**;

**(ii)** The maximum **height** is 11.0 metres;

**(iii)** The minimum **rear setback** is 14.5 metres; and

**(iv)** The minimum **interior setback** is 1.2 and 0.3 metres.

**(d)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 6.5 metres per **dwelling unit** where a **lot** is accessed by a **private street**;

**(ii)** The maximum **height** is 11.0 metres; and

**(iii)** The minimum **rear setback** is 14.5 metres; and

**(iv)** The minimum **interior setback** is 1.2 metres. Where a common party wall is located along a **lot line**, the minimum **interior setback** is 0 metres.

**(e)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The maximum number of **dwelling units** is 4;

**(ii)** The minimum **lot frontage** is 5.5 metres per **dwelling unit** where a **lot** is accessed by a **private street**;

**(iii)** The maximum **height** is 11.0 metres; and

**(iv)** The minimum **rear setback** is 14.5 metres.

**E44.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(c)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 24.3 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 10.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres;

**(vii)** The minimum **landscaped open space** is 30%; and

**(viii)** The maximum number of **dwelling units** is 4.

**(e)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres;

**(ii)** The minimum **rear setback** is 7.6 metres; and

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E45.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** and **semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **rear setback** is 6.7 metres.

**E46.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **single detached house**; and

**(ii)** **townhouse**.

**(c)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres;

**(ii)** The minimum **rear setback** is 7.6 metres; and

**(iii)** Despite (ii), where the **main wall does** not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E47.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** and **semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **rear setback** is 13.0 metres where a **rear lot line** is adjacent to a **lot** in an Employment Zone or adjacent to a **lot** in an

Open Space Zone that buffers the boundary of an Employment Zone and 7.5 metres for all other properties.

**E48.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** and **semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **rear setback** is 15.0 metres where a **rear lot line** is adjacent to a **lot** in an Employment Zone or adjacent to a **lot** in an Open Space Zone that buffers the boundary of an Employment Zone and 7.5 metres for all other properties.

**E49.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(c)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** is 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** **Apartment buildings** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 33.5 metres;

**(ii)** The maximum **height** is 18.2 metres;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **rear setback** is the greater of 50% of the **building height** or 10.6 metres;

**(v)** Despite (iv), where a **rear lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres;

**(vi)** The minimum **exterior setback** is 6.0 metres;

**(vii)** The minimum **interior setback** is the greater of 50% of the **building height** or 10.6 metres;

**(viii)** Despite (vii), where an **interior lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **interior lot line**, the minimum **interior setback** is 1.8 metres; and

**(ix)** The minimum **landscaped open space** is 45%.

**(e)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres; and

**(ii)** The minimum **rear setback** is 7.6 metres,

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E50.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** and **semi-detached houses** comply with the applicable Zone provisions, except:

**(i)** The minimum **front setback** is 3.0 metres; and

**(ii)** The minimum **exterior setback** is 3.0 metres.

**E51.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

**(i)** **apartment building**.

**(b)** **Apartment buildings** must comply with the following provisions:

**(i)** The maximum **density** is 160 **dwelling units** per net hectare;

**(ii)** The minimum **lot frontage** is 20.0 metres;

**(iii)** The maximum **height** is 10.5 metres;

**(iv)** The minimum **front setback** is 3.0 metres;

**(v)** The minimum **rear setback** is the greater of 50% of the **building height** or 10.6 metres;

**(vi)** Despite (v), where a **rear lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres;

**(vii)** The minimum **exterior setback** is 3.0 metres;

**(viii)** The minimum **interior setback** is the greater of 50% of the **building height** or 10.6 metres;

**(ix)** Despite (viii), where an **interior lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **interior lot line**, the minimum **interior setback** is 1.8 metres; and

**(x)** The minimum **landscaped open space** is 45%.

**E52.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **front setback** is 3.0 metres;

**(ii)** The minimum **rear setback** is 7.4 metres; and

**(iii)** The minimum **exterior setback** is 3.0 metres.

**E53.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The maximum **height** for all permitted **uses** is 10.9 metres.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**.

**(c)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.9 metres;

**(iii)** The minimum **front setback** is 6.0 metres;

**(iv)** The minimum **rear setback** 7.6 metres;

**(v)** The minimum **exterior setback** is 6.0 metres;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **interior setback** is 0.9 metres. Where a common party wall is located along a **lot line**, the minimum **interior setback** is 0 metres.

**E54.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** There is no maximum **density** or number of permitted **principal buildings** per **lot**, provided all other provisions are complied with.

**(b)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**; and

**(ii)** **apartment building**.

**(c)** **Triplexes** and **apartment buildings** with 4 **dwelling units** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.2 metres;

**(ii)** The maximum **height** is 10.6 metres;

**(iii)** The minimum **front setback** is 4.5 metres;

**(iv)** The minimum **rear setback** 6.7 metres;

**(v)** The minimum **exterior setback** is 4.5 metres where a **lot** has an **exterior lot line** adjacent to an Arterial Road as identified on Schedule 4 and 3.0 metres where a **lot** has an **exterior lot line** adjacent to a Collector Road as identified on Schedule 4;

**(vi)** The minimum **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**(d)** **Apartment buildings** with 5 or more **dwelling units** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 33.5 metres;

**(ii)** The maximum **height** is 18.2 metres;

**(iii)** The minimum **front setback** is 4.5 metres;

**(iv)** The minimum **rear setback** 6.7 metres;

**(v)** The minimum **exterior setback** is 4.5 metres where a **lot** has an **exterior lot line** adjacent to an Arterial Road as identified on Schedule 4 and 3.0 metres where a **lot** has an **exterior lot line** adjacent to a Collector Road as identified on Schedule 4;

**(vi)** The minimum **interior setback** is the greater of 50% of the **building height** or 10.6 metres;

**(vii)** Despite (vi), where an **interior lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **interior lot line**, the minimum **interior setback** is 1.8 metres; and

**(viii)** The minimum **landscaped open space** is 45%.

**E55.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, and the following provisions:

**(i)** The minimum **lot frontage** is 46.0 metres;

**(ii)** The maximum **height** is 9.0 metres;

**(iii)** The minimum **front setback** is 10.5 metres;

**(iv)** The minimum **rear setback** 7.5 metres;

**(v)** The minimum **exterior setback** is 10.5 metres;

**(vi)** The minimum **interior setback** is 4.5 metres;

**(vii)** The minimum **landscaped open space** is 30%.

**(b)** **Non-residential buildings** must comply with the applicable Zone provisions, and the following provision:

**(i)** The minimum **interior setback** is 9.0 metres.

**E56.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The maximum number of permitted **principal buildings** is 2 and the maximum number of **dwelling units** is 3 per **principal building**.

**(b)** The minimum **interior setback** for all permitted **uses** is 27.0 metres from the western **interior lot line** and 7.6 metres from all other **interior lot lines**.

**(c)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**.

**(d)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 18.3 metres;

**(ii)** The maximum **height** is 10.7 metres;

**(iii)** The minimum **front setback** is 6.1 metres;

**(iv)** The minimum **rear setback** 7.6 metres;

**(v)** The minimum **exterior setback** is 6.1 metres;

**(vi)** The minimum **interior setback** is 27.0 metres from the western **interior lot line** and 7.6 metres from all other **interior lot lines**; and

**(vii)** The minimum **landscaped open space** is 30%.

**(e)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 7.6 metres.

**E57.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, and the following provision:

**(i)** All exterior openings of a **building** must be located above the minimum elevation of 76.14 metres Geodetic Surveys of Canada.

**E58.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **triplex**.

**(b)** **Triplexes** must comply with the following provisions:

**(i)** The minimum **lot frontage** is 15.0 metres;

**(ii)** The maximum **height** is 10.7 metres;

**(iii)** The minimum **front setback** is 7.5 metres;

**(iv)** The minimum **rear setback** 6.0 metres;

**(v)** The minimum **exterior setback** is 7.5 metres;

**(vi)** The minimum **interior setback** is 1.2 metres and the minimum aggregate **interior setback** is 3.0 metres; and

**(vii)** The minimum **landscaped open space** is 30%.

**E59.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 22.9 metres;

**(ii)** All **buildings** must have a minimum **setback** of 7.6 metres from the 102 metre geodetic contour, as shown on the approved grading plan along the eastern portion of the **lot** abutting the stormwater management pond;

**(iii)** All exterior openings of a **building** must be located above the minimum elevation of 102.3 metres Geodetic Surveys of Canada; and

**(iv)** The minimum **driveway** elevation is 102.1 metres Geodetic Surveys of Canada.

**E60.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is the **lot frontage** that existed on the date of passing of this By-law.

**E61.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** A minimum **separation distance** of 10.0 metres is required from all **buildings** to the surveyed top-of-bank along Collins Bay.

**E62.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **exterior setback** is 3.6 metres.

**E63.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **exterior setback** is 2.4 metres.

**E64.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **front setback** is 3.5 metres

**(ii)** The minimum **exterior setback** is 3.0 metres.

**E65.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **exterior setback** is 4.5 metres.

**E66.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The minimum **density** of **dwelling units** per net hectare on lands with **residential uses**, excluding lands **used** for roads, stormwater management, public walkways, parks or open spaces, is 25.0 **dwelling units** per net hectare.

**E67.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Semi-detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 7.0 metres per **dwelling unit**;

**(ii)** The minimum **exterior setback** is 4.3 metres; and

**(iii)** All exterior openings of a **building** must be located above the minimum elevation of 76.6 metres geodetic.

**(b)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **exterior setback** is 4.3 metres; and

**(ii)** All exterior openings of a **building** must be located above the minimum elevation of 76.6 metres geodetic.

**E68.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **front setback** is 4.5 metres.

**E69.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Single detached houses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **rear setback** is 4.5 metres, with no part of the **principal building** being more than 19.0 metres from the **front lot line**.

**E70.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.5 metres.

**E71.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **use** is the only permitted **use**:

**(i)** **townhouse**.

**(b)** The maximum number of **dwelling units** is 40.

**(c)** A **planting strip** must be provided along the entire length of the south **lot line**.

**E72.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres;

**(ii)** The minimum **rear setback** is 7.6 metres; and

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**E73.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The maximum number of **dwelling units** is 165.

**(b)** **Townhouses** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 5.4 metres; and

**(ii)** The minimum **rear setback** is 7.6 metres; and

**(iii)** Despite (ii), where the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres.

**(c)** **Triplexes** must comply with the applicable Zone provisions, except:

**(i)** The minimum **interior setback** is 3.0 metres.

**(d)** **Apartment buildings** must comply with the applicable Zone provisions, except:

**(i)** The minimum **lot frontage** is 33.5 metres;

**(ii)** The maximum **height** is 18.2 metres;

**(iii)** The minimum **front setback** is 3.0 metres;

**(iv)** The minimum **exterior setback** is 3.0 metres;

**(v)** The minimum **interior setback** is the greater of 50% of the **building height** or 10.6 metres;

**(vi)** Despite (v), where an **interior lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **interior lot line**, the minimum **interior setback** is 1.8 metres;

**(vii)** The minimum **rear setback** is the greater of 50% of the **building height** or 10.6 metres;

**(viii)** Despite (vii), where a **rear lot line** is not adjacent to a **lot** in an UR1, UR2 or UR3 zone and the **main wall** does not contain windows facing the **rear lot line**, the minimum **rear setback** is 1.8 metres; and

**(ix)** The minimum **landscaped open space** is 45%.

**E74.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **semi-detached house**.

**E75.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

**(i)** **semi-detached house**; and

**(ii)** **duplex**.

**E76.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** a minimum 15.0 metre wide **planting strip** must be provided along the portion of the **rear lot line** that abuts the OS2 zone; and

**(b)** the minimum **height** for the row of trees or a continuous hedgerow of evergreens or shrubs located in the **planting strip** is 1.5 metres.

**E77.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

**(i)** **restaurant**.

**E78.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** The maximum **height** is 40 metres.

(By-Law Number 2022-62; 2024-332)

**E79.** Minister's Zoning Order (MZO): The lands subject to this Exception are subject to Ontario Regulation 768/21. While Ontario Regulation 768/21 is in effect:

**(a)** the subject lands are not subject to the provisions of this By-law; and

**(b)** the provisions of **former zoning by-law** 8499 that were in effect on the day Ontario Regulation 768/21 came into effect apply.

**E80.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

**(a)** In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted in a **building** and must comply with the provisions of the M1 Zone:

**(i)** **Recreation facilities**;

**(ii)** **Community centre**;

**(iii)** **Creativity centre**;

**(iv)** **Automobile body shop**;

**(v)** **Automobile repair shop**;

**(vi)** **Industrial repair shop**;

**(vii)** **Towing compound**; and

**(viii)** **Equipment rental**.

**(b)** In addition to the **uses** permitted by the applicable Zone, **outdoor storage** is permitted as a **principal use** and must comply with the following provisions:

**(i)** Maintain a minimum **separation distance** of 200 metres from the **street line** adjacent to Princess Street;

**(ii)** Maintain a minimum **separation distance** of 150 metres from the **street line** adjacent to Sir John A. Macdonald Boulevard; and

**(iii)** be provided with a **visual screen** a minimum **height** of 1.8 metres in such a manner that the **outdoor storage** is not visible from a **street**, the ground floor of any **use** other than those specified in E80(a)(iv) to E80(a)(viii) or a **lot** that is located in any Zone other than an Employment Zone. For clarity, this provision does not require screening of **outdoor storage** such that views of such **outdoor storage** would not be available from the second floor and above of other **buildings** on the subject property.

**(c)** The maximum permitted aggregate **gross floor area** of all **recreation facilities**, **community centres** and **creativity centres** is 8,200 square metres.

**(d)** **Outdoor storage** associated with **uses** permitted by the M1 Zone must comply with the provisions of the M1 Zone.

**(e)** **Outdoor storage** associated with **uses** permitted by this Exception in E80(a)(iv) to E80(a)(viii) M1 Zone must comply with the provisions of the M1 Zone and must:

**(i)** Maintain a minimum **separation distance** of 200 metres from the **street line** adjacent to Princess Street;

**(ii)** Maintain a minimum **separation distance** of 150 metres from the **street line** adjacent to Sir John A. Macdonald Boulevard; and

**(iii)** be provided with a **visual screen** a minimum **height** of 1.8 metres in such a manner that the **outdoor storage** is not visible from a **street**, the ground floor of any **use** other than those specified in E80(a)(iv) to E80(a)(viii) or a **lot** that is located in any Zone other than an Employment Zone. For clarity, this provision does not require screening of **outdoor storage** such that views of such **outdoor storage** would not be available from the second floor and above of other **buildings** on the subject property.

**(f)** **Uses** permitted by this Exception in E80(a)(iv) to E80(a)(viii) must comply with the provisions of the M1 Zone and must be provided with a **visual screen** a minimum **height** of 1.8 metres in such a manner that the **use** is not visible from a **street**, the ground floor of any **use** other than those specified in E80(a)(iv) to E80(a)(viii) or a **lot** that is located in any Zone other than an Employment Zone.

**E81.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Houses must comply with the Zone provisions applicable to houses, except:

(i) Minimum **lot area**: 417 square metres

(ii) Minimum **front setback**: 4.2 metres

(iii) Minimum **interior setback**: 1.1 metres

(iv) Maximum **building depth**: 14.7 metres

(v) Minimum **driveway** width: 2.6 metres

(vi) Minimum **drive aisle** width: 4.8 metres

(vii) Minimum **parking space** length: 5.2 metres

(viii) Minimum **walkway**:

(1) For projections or balconies that are more than 1.2 metres in **height** above the **finished grade** and are located on the west side of a **dwelling unit**, a privacy barrier of a minimum height of 1.5 metres must be provided on the north side of each balcony or projection.

(2) Minimum **walkway** described in Section 4.27 of Zoning By-Law 2022-62 may be 1.1 metres wide.

(By-Law 2022-62; 2024-332)

**E82.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **complementary uses** are permitted:

(i) **Personal Service Shops**

(ii) **Retail Stores**

(iii) **Restaurants**

(b) The maximum permitted **height** is:

(i) For an **Institutional Use**: 32 metres

(ii) For all other permitted **uses**, including a **complementary use** or accessory **parking structure**: 23 metres

(c) **Complementary uses** must comply with the following provisions:

(i) The maximum aggregate **gross floor area** is 500 square metres.

(d) There is no **planting strip** requirement.

(e) The minimum length of all **parking spaces** and **accessible aisles** is 5.2 metres."

(By-Law Number 2022-62; 2022-152)

**E83.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The zone provisions described in Clause 10.2.2. of this By-law do not apply;

(b) The maximum **building heights** are specified on Figure E83. The maximum **building heights** may be increased by the greater of:

(i) 0.5 metres; and

(ii) the percentage of the maximum **building height** prescribed by the ***Planning Act***;

(c) The **building setbacks** are specified on Figure E83. The **building setbacks** may be varied by the greater of:

(i) 5%; and

(ii) the percentage of the **setback** distance prescribed by the ***Planning Act***;

(d) The minimum **streetwall height** for all **buildings** is 18.7 metres;

(e) The minimum floor to floor **height** of the **first storey** is 4.5 metres. Residential **dwelling units** with ground floor access directly from Chatham Street and/or Creighton Street are not subject to this requirement;

(f) The minimum **setback** for a pedestrian bridge to a **lot line** along Alfred Street is 0.0 metres, and the minimum unobstructed clearance below the pedestrian bridge is 11.0 metres;

(g) The minimum **parking space** requirement for all parking types, excluding **accessible spaces**, is 0.2 **parking spaces** per **dwelling unit**;

(h) A minimum of 6 **accessible spaces** is required;

(i) A minimum of 1 **loading space** is required;

(j) The dimension requirements for **amenity areas** described in Clause 4.3.3. of this By-law do not apply;

(k) Vents, flues and exhausts are permitted to project into any required **setback** a maximum distance of 0.5 metres, provided such feature is **setback** a minimum of 0.5 metres to any **lot line**;

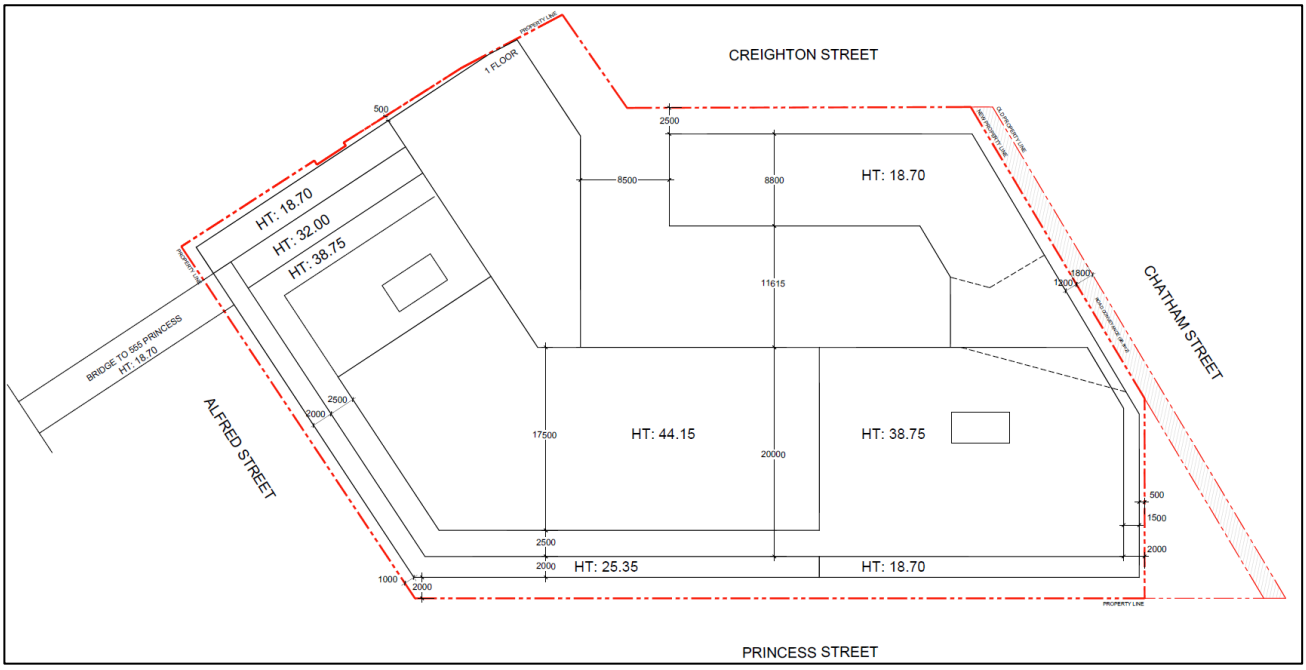
(l) **Canopies** are permitted to project into any required **setback** a maximum distance of 2.0 metres;

(m) **Horizontal bike spaces** must have dimensions of 0.45 metre wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.9 metres;

(n) **Vertical bike spaces** must have dimensions of 0.45 metre wide by 1.8 metres vertical length, with a minimum horizontal clearance from the wall of 1.2 metres;

(o) **Stacked bike spaces** must have minimum dimensions of 0.45 metre wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.2 metres; and

(p) Figure E83




(By-Law Number 2022-62; 2022-89; 2026-23)

**E84.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The zone provisions described in Clause 10.2.2. of this By-law do not apply;

(b) The maximum **building heights** are specified on Figure E84. The maximum **building heights** may be increased by the greater of:

(i) 0.5 metres; and

(ii) the percentage of the maximum **building height** prescribed by the ***Planning Act***;

(c) The **building setbacks** are specified on Figure E84. The **building setbacks** may be varied by the greater of:

(i) 5%; and

(ii) the percentage of the **setback** distance prescribed by the ***Planning Act***;

(d) The minimum **streetwall height** for all **buildings** is 10.1 metres;

(e) The minimum floor to floor **height** of the **first storey** is 4.2 metres;

(f) The minimum **setback** for a pedestrian bridge to a **lot line** along Alfred Street is 0.0 metres, and the minimum unobstructed clearance below the pedestrian bridge is 11.0 metres;

(g) The minimum **parking space** requirement for all parking types, excluding **accessible spaces**, is 0.2 **parking spaces** per **dwelling unit**;

(h) A minimum of 2 **accessible spaces** is required;

(i) A minimum of 1 **loading space** is required;

(j) The dimension requirements for **amenity areas** described in Clause 4.3.3. of this by-law do not apply;

(k) Vents, flues and exhausts are permitted to project into any required **setback** a maximum distance of 0.5 metres, provided such feature is **setback** a minimum of 0.5 metres to any **lot line;**

(l) **Canopies** are permitted to project into any required **setback** a maximum distance of 2.0 metres;

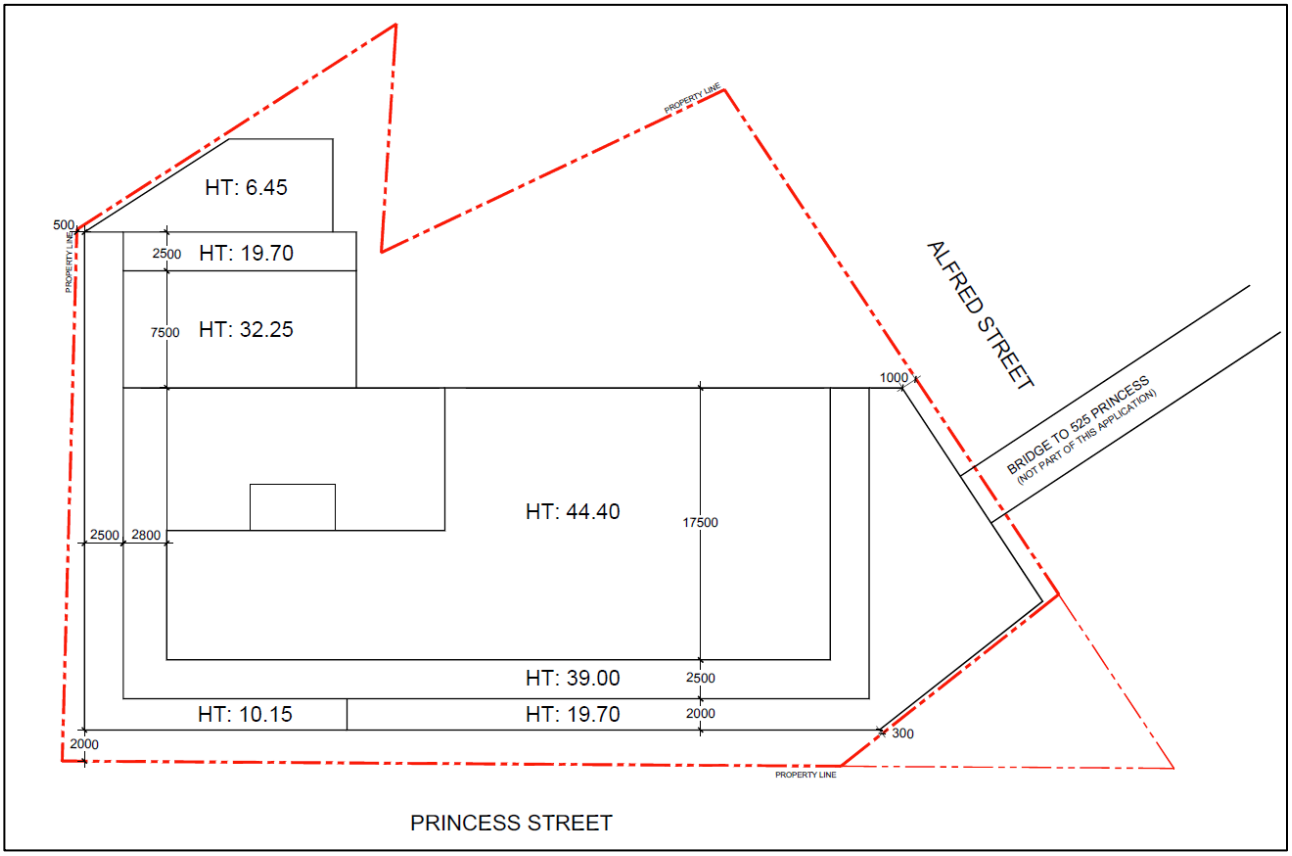
(m) **Horizontal bike spaces** must have dimensions of 0.45 metre wide by 1.8 metres horizontal length, with a minimum vertical clearance of 1.9 metres;

(n) **Vertical bike spaces** must have dimensions of 0.45 metre wide by 1.8 metres vertical length, with a minimum horizontal clearance from the wall of 1.2 metres;

(o) **Stacked bike spaces** must have minimum dimensions of 0.45 metre wide by 1.8 metre horizontal length, with a minimum vertical clearance of 1.2 metre;

(p) A maximum of 18% of **parking spaces** provided on a **lot**, excluding **accessible spaces**, **visitor spaces** and **car-share spaces**, are permitted to be **parking spaces** for small cars; and

(q) **Figure E84**




(By-Law Number 2022-62; 2022-89; 2026-23)

**E85.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

(i) A **Steel Yard**

(ii) Ancillary Uses Directly Related to a **Steel Yard**

(b) For purposes of this section, a "**Steel Yard**" means the **use** of any **lot**, or **building** for the purpose of the buying, selling and open storage of steel and steel products, but does not include any manufacturing or processing uses or a **salvage yard**.

(c) **Outdoor storage**

(i) Every **outdoor storage use** shall comply with the **yard** and **setback** provisions of Section 5(20) and Section 24(2)(c)(ii) hereof as if such **outdoor storage use** were a **building**;

(ii) Nothwithstanding paragraph (i) above, no outdoor storage use shall be located in a front yard or exterior yard when located in front of a building; and

(iii) Every **outdoor storage use** shall be enclosed within a **fence** consisting of at least an eight-wire farm fence and maintained in good condition. Solid privacy fencing is only required where the **yard** fronts onto a **street**.

(By-Law Number 2022-62; 2022-79)

**E86.** Reserved

**E87.** Reserved

**E88.** Reserved

**E89.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(q) Permitted **Uses**:

(i) **Residential Uses**:

**Single detached house**

**Semi-detached house**

**Duplex**

**Townhouse**

Linked dwelling (as defined herein).

(ii) Non-Residential **Uses**:

A **home occupation**;

A **public use**

(r)

| **Lot frontage** (minimum) | **Corner Lot** | Other **Lot** |
|---|---|---|
| **Single detached house** | 10.3 metres | 9.0 metres |

| | | |
|---|---|---|
| **Semi-detached house** | 8.8 metres | 7.5 metres |
| **Townhouse** | 8.6 metres | 6.1 metres |
| **Duplex** | 10.3 metres | 9 metres |
| Linked dwelling house | 11.2 metres | 9 metres |

(s) **Front Setback** (minimum) 3 metres.

(t) **Exterior Setback** (minimum) 2.4 metres

(u) **Interior Setback** (minimum) 1.2 metres

Where a minimum **interior setback** of 1.2 metres is provided in one **interior yard**, the other **interior setback** is reduced to 0.6 metres, except that no **setback** is required for a side that is attached to another **residential building**.

Where no attached garage is provided, one **interior setback** must be a minimum of 3.0 metres.

(v) **Rear Setback** (minimum) 6.0 metres

(w) **Driveway** Width:

Maximum **driveway** width as measured at the **lot line** shall be 6.0 metres or 50% of **lot frontage**, whichever is less with the exception of **townhouses**, where a maximum **driveway** width of 3.5 metres is permitted.

(x) **Sight Triangles**:

**Sight triangles** shall be measured 3.5 metres from the point of intersection of the **street lines**

(y) Minimum **Lot Area** Not Applicable

(z) Maximum **Lot Coverage** Not Applicable

(aa) **Private Garage**

The wall of an attached **private garage** that contains the opening for **vehicle** access shall be set back a minimum of 6.0 metres from the **lot line** that the **driveway** crosses to access the attached **private garage**

(bb) Definitions

Linked dwelling house: means one of two or more **dwelling units** linked by a common underground masonry footing, each of which has an independent entrance directly from the outside but does not include any other **residential building** otherwise defined in this By-law. For the purposes of this section, a linked dwelling house shall be deemed to be a type of **residential building.**

(cc) Environmental Protection Area

Notwithstanding provision '(f), where a **lot** abut a Protected Open Space Zone (OS1), the minimum **rear setback** is 12.0 metres and no **accessory uses** are permitted within 12.0 metres of the **rear lot line**.

(By-Law Number 2022-62; 2022-94)

**E90.** Reserved

**E91.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) Maximum **height**:

(i) **Flat roof**: 10.0 metres

(ii) Other roof: 13.0 metres

(b) **Yard** depth (minimum): Where a **lot** has an **exterior setback** or **interior setback** of 6.0 metres or greater, a minimum **rear setback** of 2.0 metres will be provided.

(c) **Decks** and **porches** must comply with the following provisions:

(i) Maximum area: 50% of the **yard** in which it is located

(ii) Minimum **front yard** setback: 1.0 metres

(iii) Minimum **interior setback**:

(1) **Semi-detached house** and **townhouse**: Must comply with the zone provisions, except along a common party wall where there is no minimum **setback** required, provided there is a common privacy **fence** that is a minimum of 1.5 metres tall.

(2) All other **uses**: Must comply with the zone provisions

(iv) Minimum **exterior setback**: 1.0 metre

(v) Minimum **rear setback**: 2.0 metres"

(d) Required number of **parking spaces**: Notwithstanding anything in Section 7.1.1 to the contrary, for a **common element townhouse**, a maximum of 2.0 **parking spaces** per **dwelling unit** is permitted.

(e) **Driveway** width: The maximum cumulative width of all **driveways** on a **lot** within the required **front setback** or **exterior setback** is the lesser of:

(i) 6.0 metres; or

(ii) 50% of the length of the applicable **street line**, provided that the minimum width of the **driveway** is 3.0 metres.

(f) **Density**: The minimum **density** is 27.0 **dwelling units** per net hectare of land, excluding lands used for public **streets** and public **walkways**. The minimum **density** applies in the aggregate across all lands subject to Exceptions E91 and E92.

(g) Special Provision: The total number of **townhouse** dwellings shall not be less than 42 percent of the total number of **dwelling units** within the registered plan of subdivision."

**(By-Law Number 2022-62; 2022-158)**

**E92.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Maximum permitted **height:** 9.5 metres

(b) **Yard** depth (minimum): Where a **lot** has an **exterior setback** or **interior setback** of 6.0 metres or greater, a minimum **rear setback** of 2.0 metres will be provided.

(c) **Decks** and **porches** must comply with the following provisions:

(i) Maximum area: 50% of the **yard** in which it is located

(ii) Minimum **front setback**: 1.0 metre

(iii) Minimum **interior setback**:

(1) **Semi-detached house** and **townhouse**: Must comply with the zone provisions, except along a common party wall where there is no minimum **setback** required, provided there is a common privacy **fence** that is a minimum of 1.5 metres tall.

(2) All other **uses**: Must comply with zone provisions

(iv) Minimum **exterior setback**: 1.0 metre

(v) Minimum **rear setback**: 2.0 metres

(d) Required number of **parking spaces**: Notwithstanding anything in Section 7.1.1 to the contrary, for a **common element townhouse**, a maximum of 2.0 **parking spaces** per **dwelling unit** is permitted.

(e) **Driveway** width: The maximum cumulative width of all **driveways** on a **lot** within the required **front setback** or **exterior setback** is the lesser of:

(i) 6.0 metres; or

(ii) 50% of the length of the applicable **street line**, provided that the minimum width of the **driveway** is 3.0 metres.

(f) **Density**: The minimum **density** is 27.0 **dwelling units** per net hectare of land, excluding lands used for public **streets** and public **walkways**. The minimum **density** applies in the aggregate across all lands subject to Exceptions E91 and E92."

(By-Law Number 2022-62; 2022-158)

**E93.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Notwithstanding the permitted **uses** of the EPA Zone, the lands will not be used for any purpose other than **conservation use** and/or **passive recreation use.**"

**(By-Law Number 2022-62; 2022-158)**

**E94.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Notwithstanding the permitted **uses** of the OS.2 Zone, the lands shall not be used for any purpose other than a **park use**."

**(By-Law Number 2022-62; 2022-158)**

**E95.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Notwithstanding the permitted **uses** of the OS.2 Zone, the lands will not be used for any purpose other than a **park**, **recreation facility** and/or stormwater management infrastructure **use**."

**(By-Law Number 2022-62; 2022-158)**

"**E96.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Definitions

i. **Live-Work Unit:** A **dwelling unit** that contains a workplace component used and operated by one or more persons residing in the **dwelling unit**. The workplace component can include: **creativity centre**; **bakery**; **wellness clinic**; **day care centre**; **home occupation**; **personal service shop**; **office**; or a commercial use similar in scale and impact to the aforementioned uses.

(b) Permitted **Uses:**

i. **Mixed Use Building**, where the permitted **non-residential uses** are those identified in (c) below and limited to a maximum of 5,000 square metres

ii. **Live-Work Units** within a **Mixed Use Building**

(c) Permitted Commercial **Uses** within a **Mixed Use Building:**

**i. Day Care Centre**
**ii. Laundry Store**
**iii. Fitness Centre**
**iv. Grocery Store**
**v. Wellness Clinic**
**vi. Office**
**vii. Personal Service Shop**
**viii. Retail Store**
**ix. Restaurant**

(d) Regulations

i. **Building Height**: the maximum permitted **building height** is as shown on Figures 'E96-1', 'E96-2', 'E96-3' and 'E96-4' to this By-law, subject to the provisions of subsection (ii) allowing for variations in the building footprint and articulation from that shown on Figures 'E96-1', 'E96-2', 'E96-3' and 'E96-4'. For clarity, the maximum height of each portion of the building is as follows:

1) 4 storey height limit: 16 metres

2) 5 storey height limit: 20 metres

3) 6 storey height limit: 24 metres

4) 8 storey height limit: 32 metres

ii. **Height** Exemptions: **height** limits identified in (i) shall not apply to prevent the erection of decorative, functional, or mechanical elements approved under the Site Plan Agreement or required for the normal operations of the building and permitted uses, including but not limited to the following: window washing equipment, lighting fixtures, ornamental elements, lightning rods, parapets, trellises, eaves, window sills, guardrails, balustrades, railings, stairs, stair enclosures, wheel chair ramps, vents, mechanical equipment and/or mechanical penthouse, ventilating equipment, landscape and green roof elements, solar panels, amenity area features, partitions dividing outdoor amenity areas, wind mitigation features, chimney stack, exhaust flues, garbage chute overrun, antennae, mast and public art elements. For clarity, this includes allowances for architectural elements such as clock towers, false facades providing vertical articulation and similar such features.

iii. Ground Floor **Uses**:

1) Within the areas identified as “Mandatory Ground Floor Commercial” on Figures ‘E96-1’, ‘E96-2’, ‘E96-3’ and ‘E96-4’ to this By-law, the ground floor area of the **building** shall only be used for the Commercial Uses identified in (c)

2) Within the areas identified as “Flex Commercial” on Schedule A3-1 to the By-law, the ground floor and second floor area of the **building** may be used for Live-Work Units and for those Commercial Uses identified in (c).

iv. Minimum **height** of the first storey: the following minimum floor-to- ceiling heights must be provided:

1) Areas of Mandatory Ground Floor Commercial: 3.65 m

2) Areas of Flex Commercial: 3.65 m

3) Residential: 3.0 m

v. Minimum **setback** requirements are shown on Figures cE96-1', cE96-2', 'E96-3' and 'E96-4' to this By-law and as per paragraph (vii), with a maximum 5% variance on noted dimensions permitted except that the minimum separation distance from the **high water mark** will not be reduced to less than 30 metres.

vi. Projections into Required **Setbacks**: balconies, banding, solar shading, canopies, barrier free ramps, stairs, and similar features shall be permitted to project into required setbacks, if approved under a Site Plan Control Agreement and provided that the minimum separation distance from the **high water mark** is not reduced to less than 30 metres.

vii. Building Articulation: a minimum of 10% and a maximum of 50% of the building façade shall be set back 0.3 metres from the outermost wall of the building along each frontage. Building articulation may include inset balconies.

viii. Floor Space Index (maximum): 4.45

ix. **Landscaped Open Space** (minimum): 20% of the total lot area

x. **Density**:

1) For the lands zoned for development, the maximum number of **dwelling units** permitted is 1670

2) **Dwelling units** within Live-Work Units are not included as part of the total density

xi. **Parking:**

1) Despite the provisions of Section 7.1.15 and 7.1.19, in addition to the required number of **parking spaces**, an additional 0.1 **parking spaces** per **dwelling unit** is permitted where such additional **parking spaces** are electric vehicle ready.

2) Of the required per unit parking, 20% is required to be electric vehicle ready.

3) Live-Work Units are subject to the same standards as **dwelling units** within a **mixed-use building**.

4) A minimum of 10 **car share spaces** must be provided per phase as shown on Figures 'E96-1', 'E96-2', 'E96-3' and 'E96-4'.

5) A maximum of 10% of **parking spaces** may have a reduced depth of 5.2 metres.

xii. **Bike Spaces**:

1) Commercial (minimum): 3.0 **bike spaces**, plus 0.2 **bike spaces** per 100 square metres of gross floor area, applied as a cumulative standard for all Commercial gross floor area

2) Live-Work (minimum): 1.0 **bike space** per live-work unit

3) Design Standards:

(a) **Horizontal bike space**: 1.8 metres long x 0.3 metres wide x 2.1 metres high

(b) **Vertical bike space**: 1.8 metres long x 0.6 metres wide x 1.9 metres high

(c) **Stacked bike space**: 1.8 metres long x 0.6 metres wide x 1.2 metres high

4) Location: Maximum of 10% of required **bike spaces** may be located in a non-weather protected location outside of **building** entrances.

xiii. **Loading space**:

1) Number of **loading spaces** (minimum): 1 per phase as shown on Figures ‘E96-1’, ‘E96-2’, ‘E96-3’ and ‘E96-4’

2) Location: may be located in a **yard** abutting a **street** in accordance with an approved Site Plan

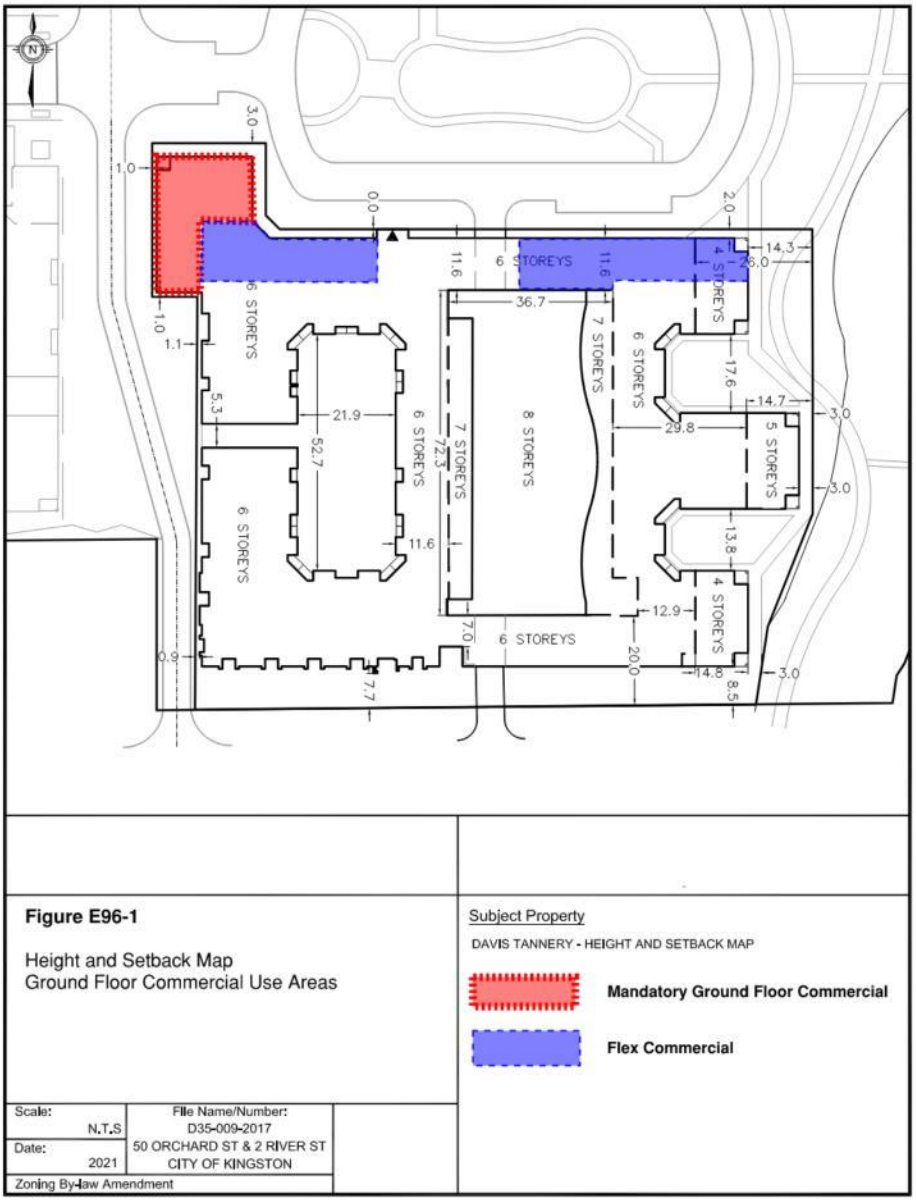
xiv. Off-site **Parking**: required **parking spaces** may be provided within 60 metres of the subject lands

Lands within this zone indicated as Phase 1 and Phase 3 on Figures ‘E961’ and ‘E96-3’ are within a Class 4 Area as defined in the Ontario Ministry of the Environment Publication NPC-300 Environmental Noise Guideline.

See Figures E96-1; E96-2; E96-3 and E96-4 below

Figures:

**E96-1**



**E96-2**

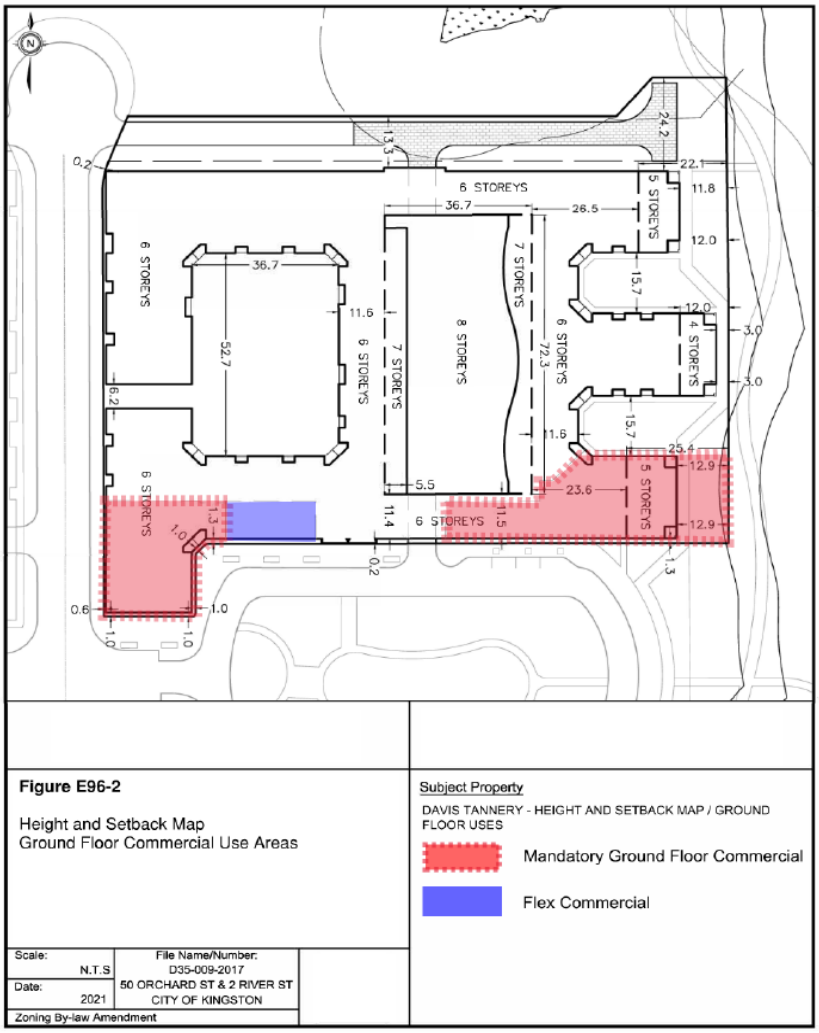



**Figure E96-2**

Height and Setback Map
Ground Floor Commercial Use Areas

Subject Property

DAVIS TANNERY - HEIGHT AND SETBACK MAP / GROUND FLOOR USES

Mandatory Ground Floor Commercial

Flex Commercial

| | |
|---|---|
| Scale: N.T.S | File Name/Number: D35-009-2017 |
| Date: 2021 | 50 ORCHARD ST & 2 RIVER ST CITY OF KINGSTON |
| Zoning By-law Amendment | |

**E96-3**

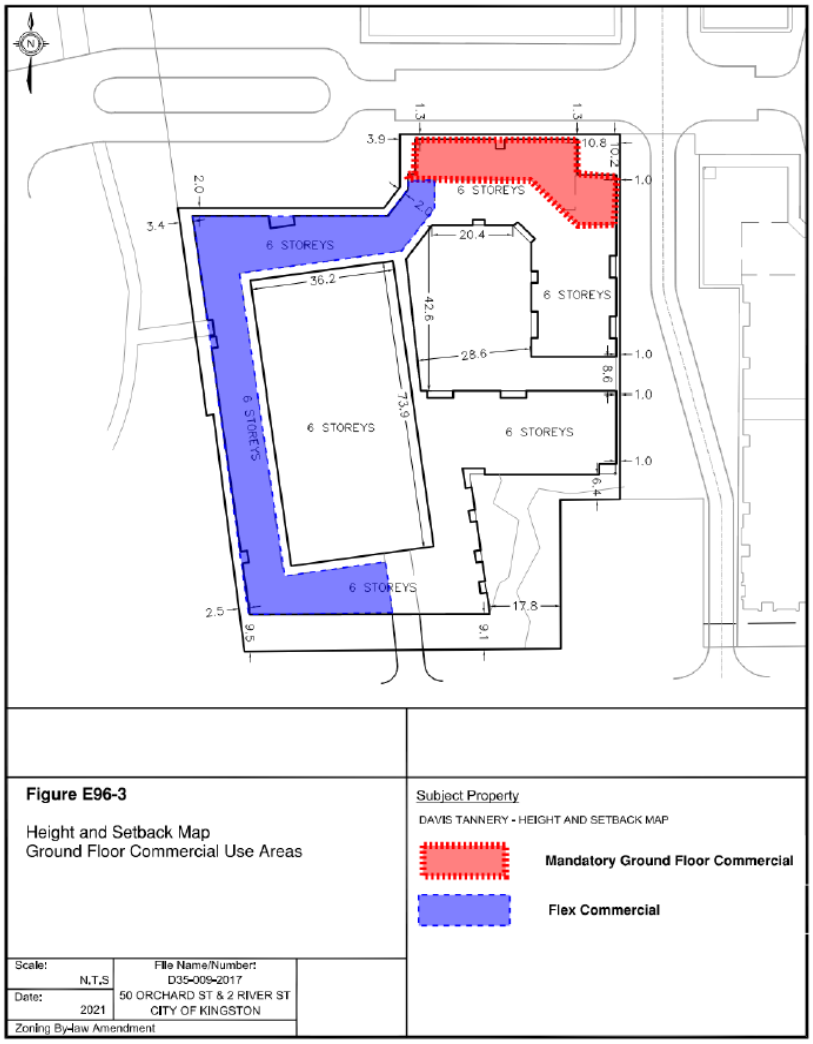



**Figure E96-3**

Height and Setback Map
Ground Floor Commercial Use Areas

Subject Property

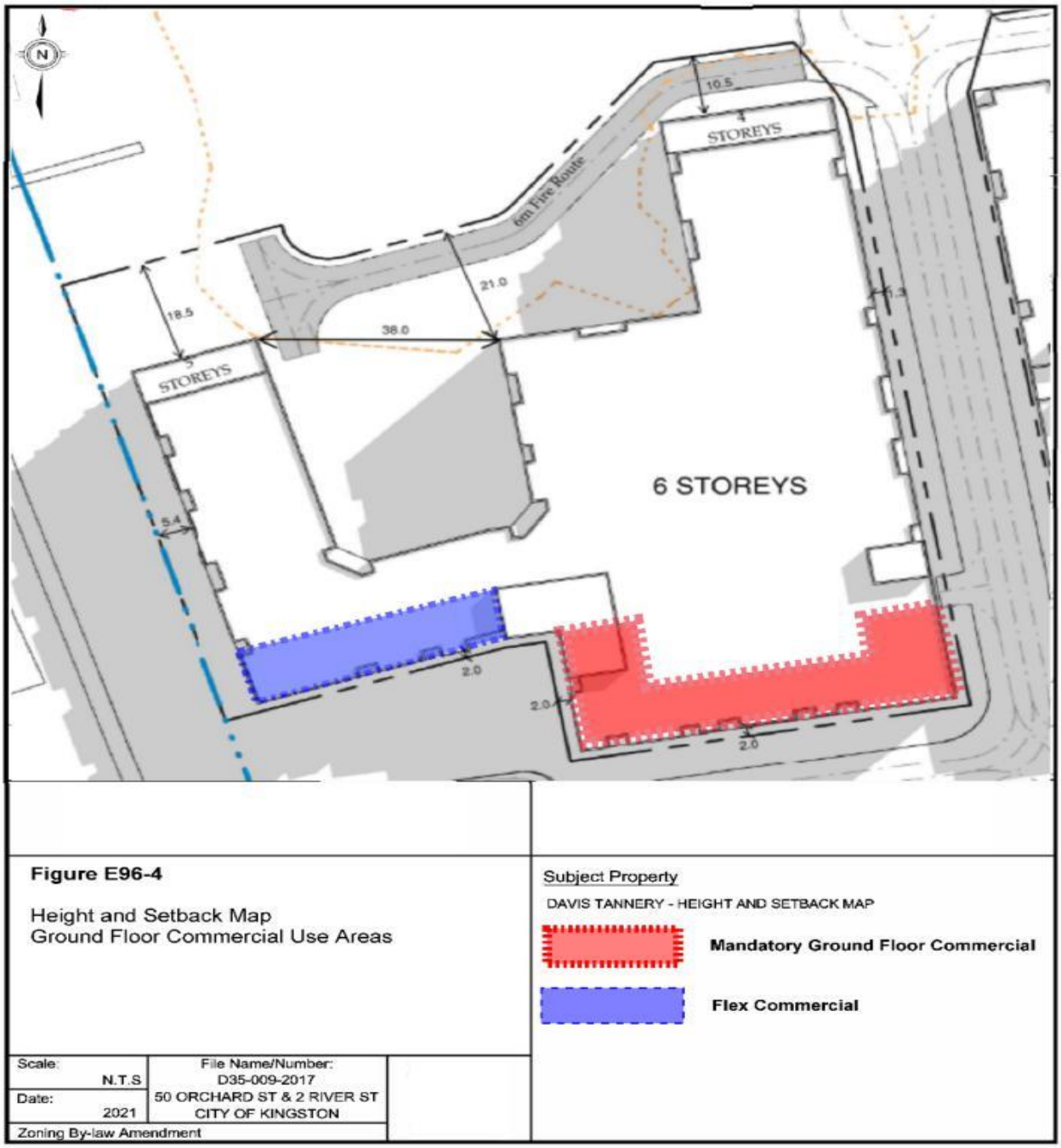
DAVIS TANNERY - HEIGHT AND SETBACK MAP

**Mandatory Ground Floor Commercial**

**Flex Commercial**

| | |
|---|---|
| Scale: N.T.S | File Name/Number: D35-009-2017 |
| Date: 2021 | 50 ORCHARD ST & 2 RIVER ST CITY OF KINGSTON |
| Zoning By-law Amendment | |

**E96-4**




(By-Law Number 2022-62; 2025-295)

**E97.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) For clarity, a supportive housing provider is permitted to use a **dwelling unit** as an office to provide supportive services to residents of the **building**.

(b) The maximum permitted **height** is 34.0 metres.

(c) The maximum residential **density** is 176 **dwelling units** per net hectare.

(d) Mechanical and service equipment penthouses, elevator or stair penthouses are permitted to cover a maximum of 18% of the roof area on which they are located, in the aggregate, and must be set back a minimum of 2.2 metres from the edge of the roof.

(e) A maximum of 35% of the horizontal length of each face of the **main wall** of each **storey** may be occupied by **balconies.**

(f) The minimum required **setback** from the lot line adjacent to a main line railway **right-of-way** to a **parking structure** is 13 metres. For clarity, **amenity area** can be located on top of this **parking structure**.

(g) The minimum required number of **parking spaces** is 0.65 **parking spaces** per **dwelling unit**.

(h) The maximum width of a **driveway** within the required **front setback** is 8.0 metres.

(i) A maximum of 1 **parking space** may be located in the **front yard.**

(j) The minimum dimensions of a **loading space** are 3.5 metres wide by 6.0 metres long, with a minimum vertical clearance of 4.2 metres.

(k) If a **loading space** is located at least 30.0 metres from a **front lot line**, no additional **visual screen** will be required.

(l) The lands subject to this Exception are within a Class 4 Area, as defined in the Ontario Ministry of the Environment Publication NPC-300 Environmental Noise Guideline.

(By-Law Number 2022-62; 2022-180)

**E98.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

a) Minimum **setback** from a woodland, as shown on Figure E98 – 5 metres, as measured from the **dripline**.

b) Minimum **setback** from a wetland, as shown on Figure E98 – 30 metres

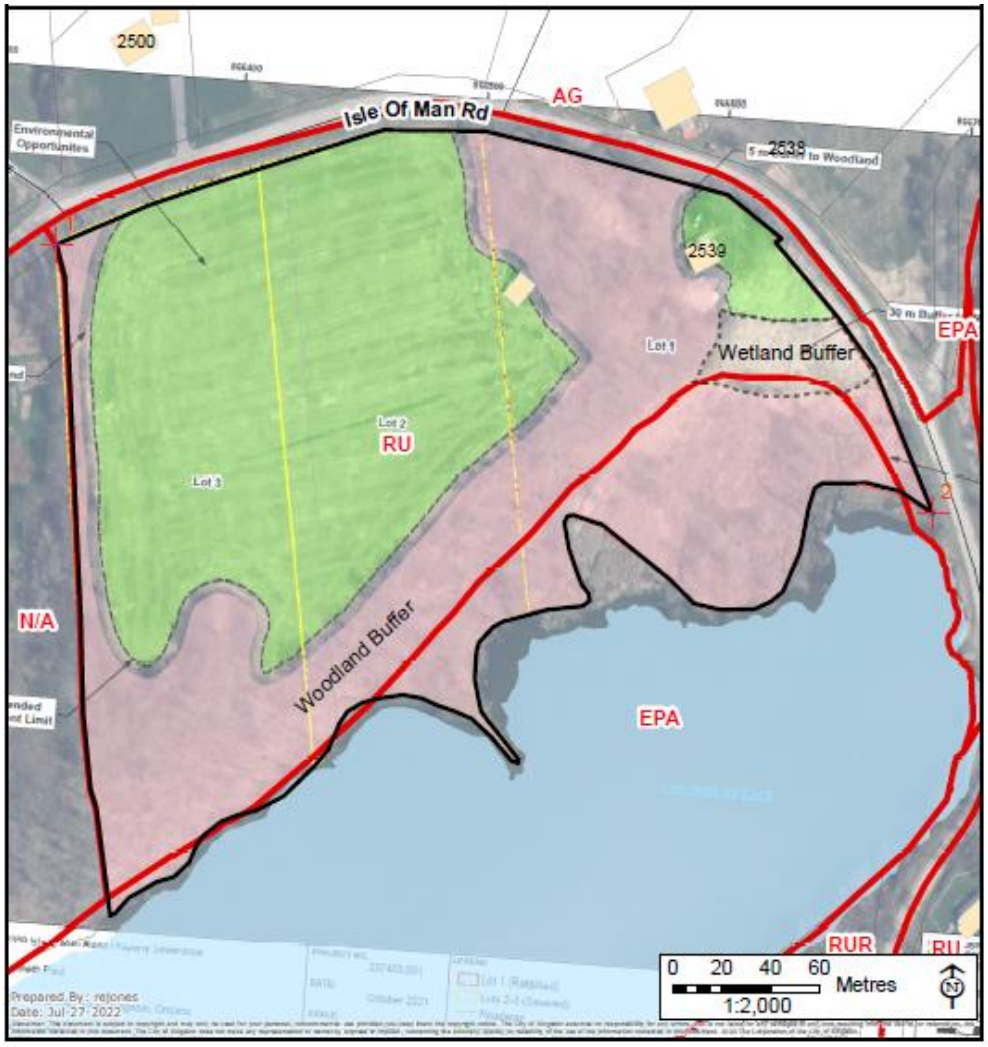
c) Despite Sections 4.23 and 6.5, a **marine facility** is prohibited in a **yard** abutting a **shoreline** or **waterbody**, or within the **waterbody**.

d) Definition

(i) **Dripline**: The outermost circumference of the tree's canopy, from which water drips onto the ground. The dripline area is taken to include the soil and roots that lie within that circumference."

(By-Law 2022-62; 2022-178)

e) Figure E98



**E99.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) In addition to an **apartment building**, a **park**, outdoor gallery and **museum** are also permitted

(b) A minimum of 157.9 square metres (1,700 square feet) of **lot area** must be devoted to the **park**, outdoor gallery and **museum**

(c) No food concessions or **retail stores** are permitted as part of the **museum** use

(d) Appurtenances are not considered a **building**

(e) The maximum **height** of a **building** is 20 metres

(f) The minimum **rear setback** is 4 metres

(g) For **balconies**, the maximum horizontal projection from the **main wall** is 4.6 metres

(h) Communal **amenity area** must be aggregated into one area or grouped into an area of not less than 40 square metres

(i) A cupola, occupying less than 10% of the roof area, is permitted above the maximum **height** projection on the **building** it is located

(j) A maximum of 2.1 **parking spaces** per **dwelling unit** is permitted

(k) A maximum of 15 surface **parking spaces** is permitted

(l) The minimum length of all **parking spaces** and **accessible aisles** is 5.2 metres and the minimum width of a Type B **accessible space** is 2.6 metres

(m) The maximum **driveway** width is 7.2 metres

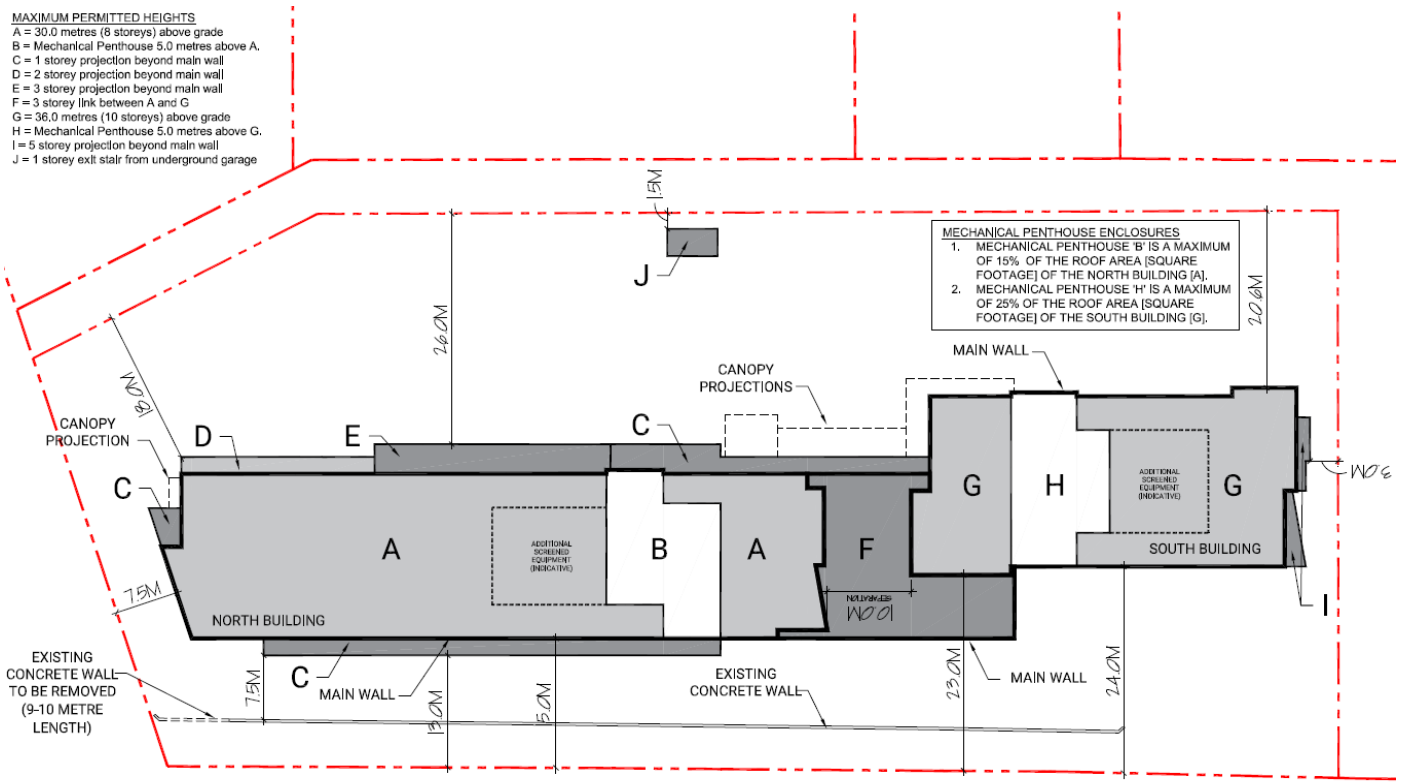
**(By-Law 2022-62; 2022-181)**

**E100.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the permitted uses of the URM4 Zone, a **special needs facility** is permitted as a primary use

(b) In addition to the permitted uses of the URM4 Zone, a **personal service shop** and **wellness clinic** are permitted as **complementary uses**

(c) No part of the **building** will exceed the **height** limits, in metres, shown on Figure E100, with a maximum 5% variance on noted dimensions permitted




(d) The minimum **rear setback** is 2.5 metres

(e) The maximum **density** is 245 units per net hectare

(f) **Balconies** may project up to 3.5 metres from the **main wall** and shall are not subject to the maximum horizontal length of the **main wall** face provision of Clause 4.20.12.

(g) A minimum of 10 square metres of **amenity space** is required per dwelling unit. The minimum communal **amenity space** area in Clause 4.3.4. does not apply

(h) A **mechanical penthouse** is permitted to project a maximum of 5 metres above the permitted **height**, with a maximum area of 15% of the roof area on the north **building** and a maximum of 25% on the south **building**, and a minimum setback of 0 metres from the edge of the roof, as shown in Figure E100

(i) A minimum of 0.6 **parking spaces** per **apartment building dwelling unit** is required and a minimum of 0.3 **parking spaces** per **special needs facility dwelling** unit is required

(j) A maximum of 28 surface **parking spaces** is permitted. There is no restriction on the number of underground **parking spaces**

(k) The minimum length of all **parking spaces** and **accessible aisles** is 5.2 metres and the minimum width of a Type B **accessible space** is 2.6 metres

(l) The maximum **drive aisle** width is 7.2 metres

(m) A total of 12 short term **bicycle spaces** are required

(n) The long-term bicycle parking requirements of Clause 7.3.7., short term bicycle parking requirements of Clause 7.3.9., horizontal bicycle space dimensions of Clause 7.3.10., vertical bicycle space dimensions of Clause 7.3.11., stacked bicycle space dimensions of Clause 7.3.12., and enhanced bicycle parking facilities for multi-unit residential buildings of Clause 7.3.13. do not apply

**(By-Law 2022-62; 2022-181)**

**E101.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) A **hotel** is a permitted **principal use**

(b) The following complementary commercial uses are permitted, but will not exceed 25% of the **gross floor area** of the **building** in which they are located, in the aggregate:

- **retail store**;
- **restaurant**;
- **personal service shop**;
- **wellness clinic**;
- **animal care**;
- **office**;
- **club; and**
- **fitness centre**.

(c) The maximum building **height** is 40 metres, or up to 10 storeys, excluding **mechanical penthouse**

(d) The minimum **rear setback** is 30 metres

(e) A minimum of 10 square metres of **amenity space** is required per **dwelling unit** and communal **amenity areas** may be aggregated into spaces which are not less than 40 square metres in area

(f) A **mechanical penthouse** is permitted to project a maximum of 5 metres above the permitted **height**, with a maximum area of 15% of the roof area on which it is located

(g) A minimum of 0.9 **parking spaces** are required per **hotel** guest room

(h) A maximum of 22 surface **parking spaces** is permitted.

(i) The minimum length of all **parking spaces** and **accessible aisles** is 5.2 metres and the minimum width of a Type B accessible **parking space** is 2.6 metres

(j) Vehicular access is permitted by a shared **driveway** located within 50 metres of the site

(k) A minimum of one commercial **loading space** is required

**(By-Law 2022-62; 2022-181)**

**E102.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) Only the following **uses** are permitted:

- **museum**; and
- **park**

(b) The minimum **front setback** is 9 metres

(c) The minimum **side yard setback** is 3 metres

(d) The minimum **rear setback** is 3 metres

(e) The maximum **height** is 4.6 metres.

(f) No food concessions or **retail stores** are permitted as part of the **museum**.

**(By-Law 2022-62; 2022-181)**

**E103.** Reserved

**E104.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **lot frontage** for a **corner lot** is 7.3 metres;

(b) The minimum **exterior setback** for **lots** abutting a **private street** is 1.2 metres;

(c) The minimum **interior setback** is 1.1 metres;

(d) The minimum **rear setback** is 5.4 metres, except where a common party wall is located along a **lot line**, in which case the minimum **rear setback** is 0 metres;

(e) The maximum **height** is 10.8 metres;

(f) The minimum **landscaped open space** for **townhouse** dwellings that share both a side and rear common party wall is 15%;

(g) The minimum **parking space** length is 5.2 metres;

(h) The maximum width of a **driveway** within the required **front yard** depth is 3.7 metres;

(i) The maximum number of **parking spaces** is 2.0 **parking spaces** per **dwelling unit**;

(j) The minimum number of **electric vehicle ready parking spaces** is 1.0 per **dwelling unit;**

(k) The minimum number of **electric vehicle ready parking spaces** for **visitor spaces** is 2.0;

(l) **Walkways** to access **principal dwelling units** are not required to be provided from the **street line** to the main exterior entrance, or to stairs leading to the main exterior entrance;

(m) The Enhanced Bike Parking Facilities requirements as described in Clause 7.3.13. do not apply;

(n) Watercourse **setbacks**

(i) For **lots** on which an identified watercourse is located, the following provisions apply:

(1) Within an **interior yard**, no **building** may be located within 3.5 metres of a watercourse; and

(2) Within a **rear yard**, no **building** may be located within 6 metres of a watercourse.

(By-Law Number 2022-62; 2022-191)

**E105.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

1) Additional Permitted **Uses**:
**Special needs facility.**

2) Minimum Setbacks:
a) The following setbacks apply to the **building** existing on the date of passing of this By-law:
i) North side (**rear setback**): 3.9 metres
ii) East side (**interior setback**): 0.45 metres
iii) South side (**interior setback**): 0.17 metres

b) Despite paragraph (a) above, any redevelopment of the lands subject to this Exception must comply with the UR13 zone setback requirements.

3) The **planting strip** requirements for **non-residential uses** under Section 4.16 of this By-law do not apply to a **special needs facility**.

4) For the purposes of calculating the minimum required **landscaped open space**, the **lot area** subject to this Exception is 1675 square metres, pursuant to Clause 1.9.3. of this By-law."

(By-Law Number 2022-62; 2022-190)

**E106.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to Section 16 of this by-law, additional permitted uses shall also include:

(i) The maximum **gross floor area** for all **complementary uses** on site is 25% of all **buildings**.

(ii) The following **complementary uses** are permitted:
- **fitness centre**;
- **financial institution**;
- **personal service shop**;
- **restaurant;**
- **retail store;**
- **wellness clinic**
- **recreation facility**
- **research establishment**
- **laboratory**

(By-Law Number 2022-62; 2023-4)

**E107.** Despite anything to the contrary in this By-Law, the following provision applies to the lands subject to this Exception:

a) **residential uses** are prohibited

(By-Law Number 2022-62; 2023-56)

**E108.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Maximum **building depth**: 21 metres

(b) Minimum **driveway** or **drive aisle width** where the **Parking Space** is oriented perpendicular to the **drive aisle**: 6.0 metre **drive aisle.**

(By-Law Number 2022-62; 2023-46)

**E109.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Maximum **height**: 5 **storeys**, not to exceed 13.6
(b) Minimum **stepbacks**: storey 5: minimum 4.0 metres from the front and rear wall of the 4th storey
(c) Minimum **front setback**: 2.0 metres
(d) Minimum **interior setback**: 1.18 metres
(e) Maximum **building depth**: 30.6 metres
(f) Maximum **density:** 117 **dwelling units** per net hectare
(g) Maximum number of **bedrooms** is 21
(h) A **balcony** may not project into an **interior yard**

(i) A **porch** may encroach into a required **front setback** provided that such **porch** must be **setback** a minimum of 1.3 metres from the **front lot line**.

(j) Exterior stairs may encroach into a required **front setback** provided that such **porch** must be **setback** a minimum of 1.3 metres from the **front lot line**.

(k) Parking requirements:

(i) A minimum of 2 **parking spaces** are required.

(ii) A minimum of 0 **visitor spaces** are required.

(iii) A minimum of 0 **accessible spaces** are required.

(l) Bike Parking Requirements:

(i) A minimum of 10 **long-term bike spaces** are required.

(ii) A minimum of 2 **short-term bike spaces** are required.

(m) Additional permitted uses: **stacked townhouse**

(By-Law Number 2022-62; 2023-57)

**E110.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following definitions apply for the purposes of Exception Number E110 only:

(i) **Apartment building** means any **building** with 4 or more **dwelling units** that is not otherwise defined.

(ii) **Mixed residential building** means a **building** containing both **stacked townhouse** and **apartment building uses**.

(b) In addition to the **uses** permitted by the URM2 Zone a **mixed residential building** is permitted.

(c) The lands within Exception Number E110 may contain a maximum of 5 **principal buildings**, which may include a maximum of 1 **apartment building**, 1 **mixed residential building**, 2 **stacked townhouse buildings** and 1 **townhouse building**.

(d) The lands located within Exception Number E110 are considered one lot for the purposes of calculating **landscaped open space,** maximum **lot coverage,** and maximum **density**.

(e) The maximum **density** is 73 units per net hectare.

(f) The minimum **setback** from the boundaries of Exception Number E110 to any portion of a **principal building** is as follows:

(i) North boundary: 15 metres

(ii) East boundary: 9 metres

(iii) South boundary: 6.9 metres

(iv) West boundary: 7.5 metres

(g) Despite paragraph (f) above, the minimum **setback** of a **mixed residential building** to the south boundary is 70 metres.

(h) Despite paragraph (f) above, the minimum **setback** of a **stacked townhouse** to the south boundary is 25 metres.

(i) Despite paragraph (f) above, the minimum **setback** of a **stacked townhouse** to the west boundary is 16 metres.

(j) Despite Section 3, for any lot containing a **stacked townhouse** or **mixed residential building**, all **lot lines** are **interior side lot lines**.

(k) For any **lot** containing a **stacked townhouse** or **mixed residential building**, there is no minimum **lot frontage**, minimum **front setback**, or minimum **rear setback**.

(l) The maximum **height** of a **stacked townhouse** is 13.7 metres.

(m) The minimum **height** of a **mixed residential building** is 6 metres.

(n) The maximum height of a mixed residential building is 20.5 metres.

(o) The minimum interior setback for all uses is 1.2 metres, except for a townhouse building along a common party wall, where no interior setback is required.

(p) The minimum front setback for a townhouse building is 2.7 metres.

(q) Despite paragraph (p) above, the minimum setback for a townhouse building from a front lot line to a private garage is 6 metres.

(r) The minimum rear setback for a townhouse building is 6.9 metres.

(s) The minimum lot area for a townhouse building is 165 square metres.

(t) Projections Above Maximum Height

(i) Despite Clause 4.18.2, for **stacked townhouses** the identified **building** components may have a maximum area of 35% of the roof area on which they are located, in aggregate, and may be **setback** from the edge of the roof a minimum of 0.2 metres.

(ii) Despite Clause 4.18.2, for **mixed residential buildings** the identified **building** components include enclosed **amenity space** and may project a maximum of 4.0 metres above the maximum permitted height and may have a maximum area of 35% of the roof area on which they are located, in aggregate. A maximum of 25 metres of the identified **building** components may have a 0-metre setback from the edge of the roof, with the remaining components required to be **setback** a minimum of 2 metres from the edge of the roof.

(u) Decks and Porches

(i) Despite paragraph (i) above, a **patio, deck** and/or **balcony** may project from a **stacked townhouse** up to 4 metres into the required west boundary **setback** along the entire main wall of the **building**.

(ii) Despite 4.20.1, a deck connected to the rear wall of an **apartment building** may have a maximum horizontal projection 0f 4.5 metres. For clarity, the maximum horizontal length provision of 40.2.1.2 does not apply.

(v) Parking and Bike Parking

(i) The minimum width of a surface **drive aisle**, including a ramp, is 6 metres.

(ii) Parking associated with an **apartment building** may be located in the **front yard**.

(iii) Despite paragraph 7.3.10(i), **horizontal bike spaces** may have minimum dimensions of 0.3 metres wide by 1.8 metres

horizontal length, with a minimum vertical clearance of 1.9 metres.

(iv) Despite paragraph 7.3.11(i), **vertical bike spaces** may have minimum dimensions of 0.2 metres wide by 1.8 metres vertical length, where the bike, when secured on the storage rack is provided with a minimum horizontal clearance from the wall of 1.2 metres.

(By-Law Number 2022-62; 2023-72)

**E111.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following **complementary uses** are permitted, up to a maximum of 25% of the total **gross floor area**, in the aggregate:

(i) **Financial Institution**

(ii) **Wellness Clinic**

(iii) **Place of Worship**

(iv) **Day Care Centre**

(v) **Fitness Centre**

(vi) **Recreation Facility**

(vii) **Animal Care**

(viii) **Animal Shelter**

(ix) **Personal Service Shop**

(x) **Restaurant**

(xi) **Banquet Hall**

(By-Law Number 2022-62; 2023-71)

**E112.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** is 20;

(b) The maximum **height** of a **principal building** is 10.7 metres;

(c) The following setbacks apply to the buildings existing on the date of passing of this By-law:

i. The minimum **rear setback** is 4.1 metres;

ii. The minimum **interior setback** from the western lot line is 3.7 metres;

(d) Despite the above setback requirements, any redevelopment of the lands subject to this Exception must comply with the URM2 zone setback requirements.

(e) The maximum number of **principal buildings** per lot is 2.

(f) **Parking spaces** oriented perpendicular to a **drive aisle** may be accessed by a minimum 6.0 metre access easement in favour of the lands; and

(g) The enhanced bike parking facilities requirements as described in Clause 7.3.13. do not apply.

(By-Law 2022-62; 2023-97)

**E113.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **lot area** is 0.2 hectares; and

(b) The minimum **lot frontage** is 33 metres.

(By-Law 2022-62; 2023-96)

**E114.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum building heights are specified on Figure E114, with a maximum 2% variance on noted dimensions permitted;

(b) The building setbacks are shown on Figure E114, with a maximum 5% variance on noted dimensions permitted;

(c) The maximum tower floorplate is 800 square metres;

(d) The height and coverage provisions for the mechanical penthouse and service equipment penthouse, elevator or stairway penthouse, and enclosed building components providing tenants with access to the rooftop amenity areas is to be constructed in accordance with Figure E114;

(e) The maximum number of dwelling units is 192;

(f) A minimum of 6 square metres of amenity area must be provided per dwelling unit;

(g) The use of the fourth floor roof as communal outdoor amenity area is prohibited, but may be used as a private amenity area extending a maximum of 2 metres from the tower;

(h) Any furniture or structures within an outdoor patio will be set back a minimum of 0.5 metres from the street line;

(i) The required minimum number of parking spaces is 0.18 parking spaces per dwelling unit. There is no requirement for car share spaces or visitor spaces;

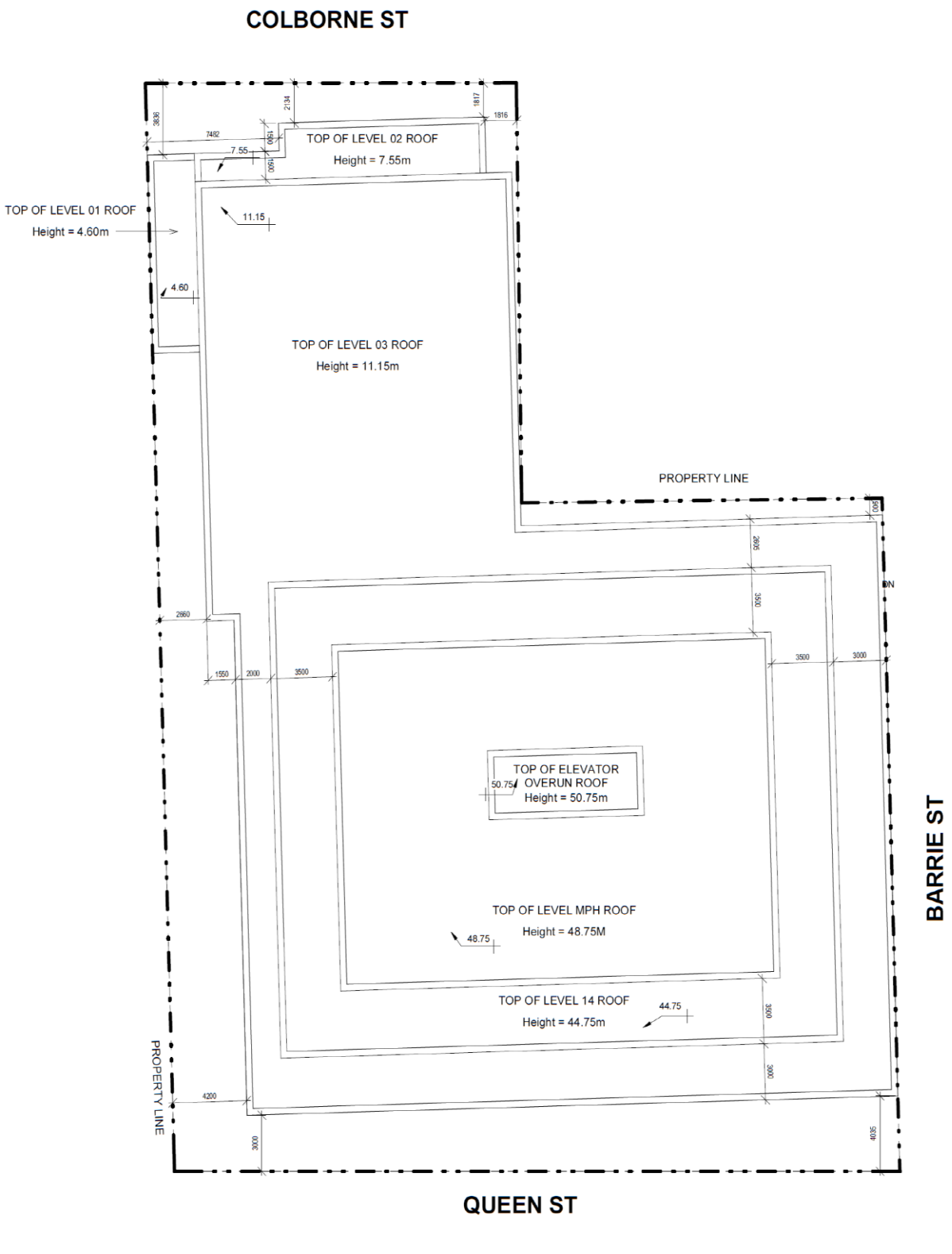
(j) The minimum drive aisle width for the underground parking garage is 6 metres where the parking space is perpendicular to the drive aisle;

(k) Horizontal bike parking must have minimum dimensions of 0.4 metres wide by 1.6 metres long, with a minimum vertical clearance of 1.2 metres;

(l) Stacked bike parking must have minimum dimensions of 0.4 metres wide by 1.6 metres horizontal length, with a minimum vertical clearance of 1.2 metres; and

(By-Law Number 2022-62; 2023-221 order by **OLT-22-004553**)

(m) Figure E114




(By-Law Number 2022-62; 2023-221 order by **OLT-22-004553**)

**E115.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum lot area is 120 square metres; and

(b) The minimum frontage is 5.3 metres."

(By-Law 2022-62; 2023-121)

**E116.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(o) General Provisions

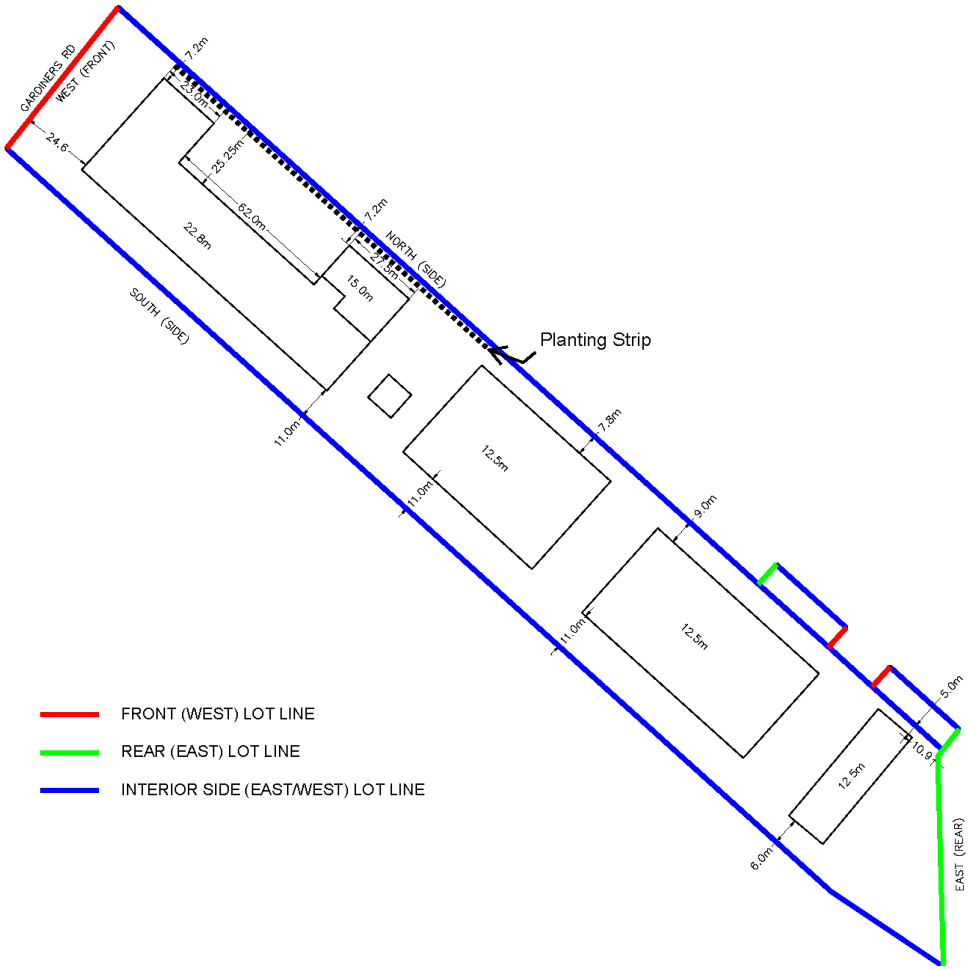
(i) The lands subject to this Exception are deemed to be one **lot** for the purposes of interpreting zoning provisions;

(ii) For purposes of interpreting zoning provisions, the **lot lines** are as specified on Figure E116;

(iii) The maximum **building heights** and minimum **setbacks** are specified on Figure E116;

(iv) A minimum 2.0 metre wide **planting strip** must be provided as shown on Figure E116;

(v) Figure E116:




(vi) A maximum of 1 **apartment building** and 10 **stacked townhouse buildings** are permitted on one **lot**;

(vii) The minimum **lot area** provision does not apply;

(viii) The maximum **height** of an **accessory building** is 7.0 metres;

(ix) Gardiners Road and Bigham Court will be connected by a **walkway** along the northern **interior yard** that is at least 1.5 metres wide throughout. The **walkway** must be unobstructed and uninterrupted, except where crossing a 1.5 metre deep turnaround area at the end of a **driving aisle**;

(x) The minimum **drive aisle** width is 6.0 metres;

(xi) The minimum **separation distance** from **visitor parking spaces** and **car-share spaces** to the **front lot line** is 5.0 metres;

(xii) A maximum of 3 **accessible parking spaces** that are not **visitor spaces** may be located within the **front yard**;

(xiii) The lands subject to this Exception are within a Class 4 Area, as defined in the Ontario Ministry of the Environment Publication NPC-300 Environmental Noise Guideline;

(p) **Apartment building**

(i) The maximum number of **dwelling units** is 209 **dwelling units**;

(ii) The maximum percentage of wall occupied by **balconies** for the north side of the **apartment building** (inner courtyard facades) is 39%, and for the east side of the **apartment building,** is 36%;

(iii) The minimum number of **car-share spaces** is 2 spaces;

(iv) The minimum number of **visitor spaces** is 8 spaces;

(q) **Stacked townhouse buildings**

(i) The maximum number of **dwelling units** is 94 **dwelling units;**

(ii) Each **stacked townhouse building** may contain one associated **porch** over 1.2 metres above grade that has a maximum surface area of 140 square metres;

(iii) The minimum distance separation between **stacked townhouse buildings** is 3.0 metres;

(iv) The minimum number of **car-share spaces** is 1 space;

(v) The minimum number of **visitor spaces** is 4 spaces;

(vi) The minimum number of **long-term bike spaces** is 1 space per **dwelling unit;**

(vii) The minimum number of **short-term bike spaces** is 0 spaces per **dwelling unit**; and,

(viii) The enhanced bike parking facilities described in Clause 7.3.13. do not apply.

(By-Law 2022-62; 2023-148

**E117.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) General Provisions

(i) The maximum number of **buildings** permitted is 3;

(ii) The minimum number of **car-share spaces** is 2;

(iii) The minimum number of **visitor spaces** is 8;

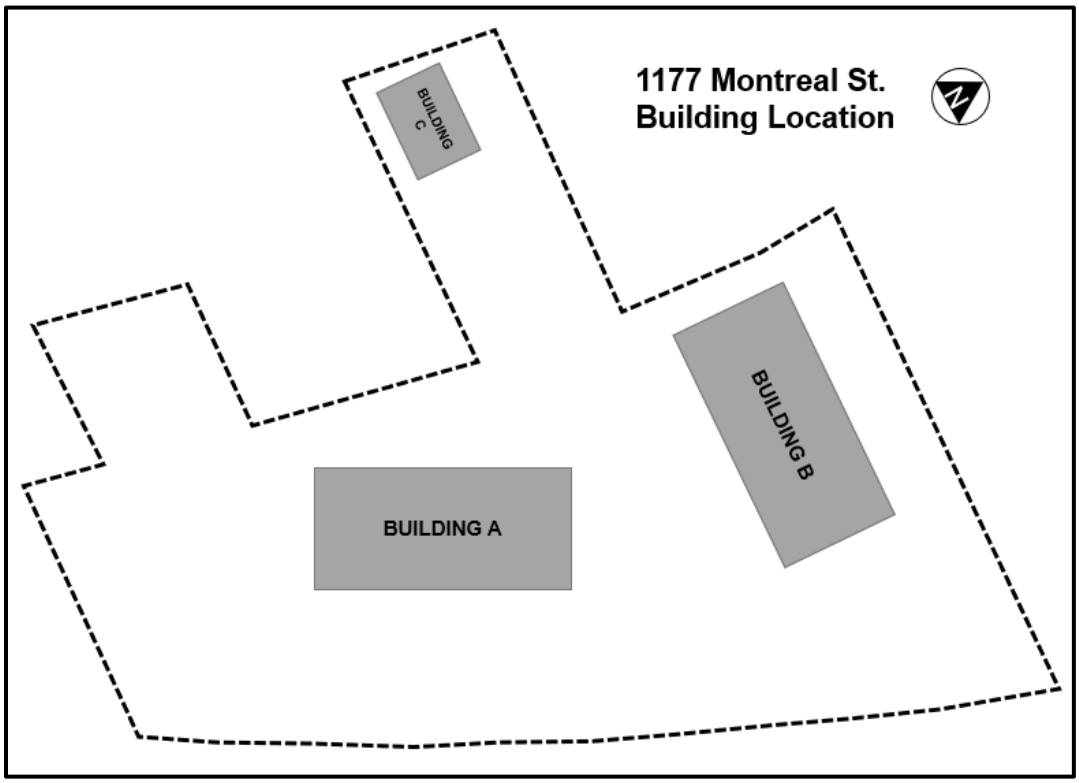
(iv) The minimum **drive aisle** width is 6 metres;

(v) One exterior **amenity area** may be exempted from clause 4.3.3., which requires that **amenity areas** must be designed and located so that the length does not exceed four times the width;

(vi) **Parking spaces, drive aisles** and **driveways** must not be located within 20 metres of a railway **right-of-way**;

(vii) The **buildings** are labelled in Figure E117; and

(viii) **Figure E117**




(b) **Building A**

(i) The maximum **height** is 19 metres;

(ii) The maximum floor plate is 1120 square metres. The floor plate includes all areas enclosed within exterior walls, including hallways, elevators, stairs, mechanical shafts, and all similar components. For clarity, **balconies** are not included in the calculation for the floor plate;

(iii) The maximum number of **dwelling units** is 63; and

(iv) The minimum **interior setback** is 11.0 metres.

(c) **Building B**

(i) The maximum **height** is 19 metres;

(ii) The maximum floor plate is 1120 square metres. The floor plate includes all areas enclosed within exterior walls, including hallways, elevators, stairs, mechanical shafts, and all similar components. For clarity, **balconies** are not included in the calculation of the floor plate;

(iii) The maximum number of **dwelling units** is 63;

(iv) The minimum **setback** to the northern **interior lot line** is 13.0 metres; and

(v) The minimum **setback** to the western **interior lot line** is 7.0 metres.

(d) **Building C**

(i) The minimum **front setback** is 3.8 metres;

(ii) The minimum **interior setback** is 5 metres;

(iii) The maximum number of **dwelling units** is 4.

(By-Law 2022-62; 2023-163)

**E118.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The only permitted use is a **single detached house**.

(b) The minimum **front setback** is 0.5 metres.

(c) The maximum **lot coverage** is 30%.

(d) The maximum **building height** is 8.5 metres.

(By-Law 2022-62; 2023-134)

**E119.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The only permitted use is a **single detached house**.

(b) The minimum number of **dwelling units** per **lot** is 2.

(c) The minimum **front setback** is 0.5 metres.

(d) The maximum **lot coverage** is 30%.

(e) The maximum **building height** is 8.5 metres.

(By-Law 2022-62; 2023-134)

**E120.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The only permitted use is a **single detached house**.

(b) The minimum **front setback** is 0.5 metres.

(c) The minimum aggregate of **interior setbacks** for **interior lots** is 3.0 metres.

(d) The maximum **lot coverage** is 30%.

(e) The maximum **building height** is 8.5 metres.

(f) The **private street** as shown on the plan of subdivision is intended for vehicular access only for the properties subject to this Exception. The only permitted use for this block of land is a **private street**.

(g) The **front lot line** is the **lot line** that abuts a public **street**.

(By-Law 2022-62; 2023-134)

**E121.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) A **duplex** is a permitted use, and a maximum of two (2) duplexes are permitted;

(b) The minimum **front setback** for a **duplex** is 1.7 metres;

(c) The minimum **interior setback** for a **duplex** is 0.7 metres from the north **interior lot line**;

(d) The minimum **interior setback** for a **duplex** is 1.1 metres from the south **interior lot line**;

(e) The minimum **front setback** for a **deck** or **porch** is 0 metres;

(f) The minimum width of a **drive aisle** perpendicular to a **parking space** is 5.3 metres where there is a minimum 2.1 metre deep turnaround area;

(g) The minimum **interior setback** for a **balcony** projecting from a **duplex** is 1.7 metres from the west **interior lot line**;

(h) The minimum **interior setback** for an **accessory building** containing an air conditioning unit is 0.5 metres from the west **interior lot line** where there is a minimum 1.8 metres high wood fence;

(i) A minimum of 8 **long-term bike spaces** are required for two (2) **duplexes**; and

(j) Where a **horizontal bike space** is provided adjacent to and in the same orientation as another **horizontal bike space**, the minimum width for each **horizontal bike space** is 0.45 metres.

(By-Law Number 2022-62; 2023-147)

**E122.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) A **lot** that does not have a **lot line** which is also a **street line** is permitted to be **used** or **developed** where such **lot** has deeded access to a **right-of-way** with direct access from a **street**.

(b) The westernmost **lot line** is deemed to be the **front lot line,** the easternmost **lot line** is deemed to be the **rear lot line**, and all other **lot lines** are deemed to be **interior lot lines**.

(c) The maximum number of **dwelling units** is 338 units.

(d) The minimum **lot area** is 15,000 square metres.

(e) The maximum **height** is the lesser of 25 metres and 6 **storeys**, excluding **basement storeys**.

(f) The minimum **streetwall height** does not apply.

(g) The minimum **front setback** is 30 metres.

(h) The minimum **rear setback** is 20 metres.

(i) The minimum **interior setback** is 5.5 metres.

(j) The minimum **setback** from a railway **right-of-way** is 15 metres. A **landscaped berm** is not required within this **setback**.

(k) The minimum **landscaped open space** is 30%.

(l) The maximum **lot coverage** is 35%.

(m) The maximum **floor space index** is 2.0.

(n) **Parking spaces** may be located in any **yard**.

(o) A maximum of 17 short term bike spaces are permitted to be located in the underground parking area.

(p) The enhanced bike parking facilities described in Clause 7.3.13. do not apply.

(q) The minimum **parking space** length is 5.2 metres.

(r) The minimum **drive aisle** width is 6 metres.

(s) The 1 metre radius between **parking spaces** and the required turnaround area described in Clause 7.4.5. do not apply.

(t) The additional width required for **parking spaces** next to fixed objects as described in Clause 7.4.9.1. does not apply.

(u) A maximum of 50% of the horizontal length of each face of the **main wall** of each **storey** may be occupied by **balconies**.

(v) The lands subject to this Exception are within a Class 4 Area, as defined in the Ontario Ministry of the Environment Publication NPC-300 Environmental Noise Guideline.

(By-Law 2022-62; 2023-157)

**E123.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **exterior setback** for a **common element townhouse** abutting a **private street** is 1.4 metres;

(b) The minimum **rear setback** for a **townhouse** is 5.5 metres;

(c) Despite subsection 1.3(b) of this By-Law, the following minimum **rear setbacks** apply to the specified lots on Figure E123:

(i) The minimum **rear setback** for Lot 62 is 5.3 metres;

(ii) The minimum **rear setback** for Lot 63 is 5.0 metres;

(iii) The minimum **rear setback** for Lot 66 is 5.2 metres;

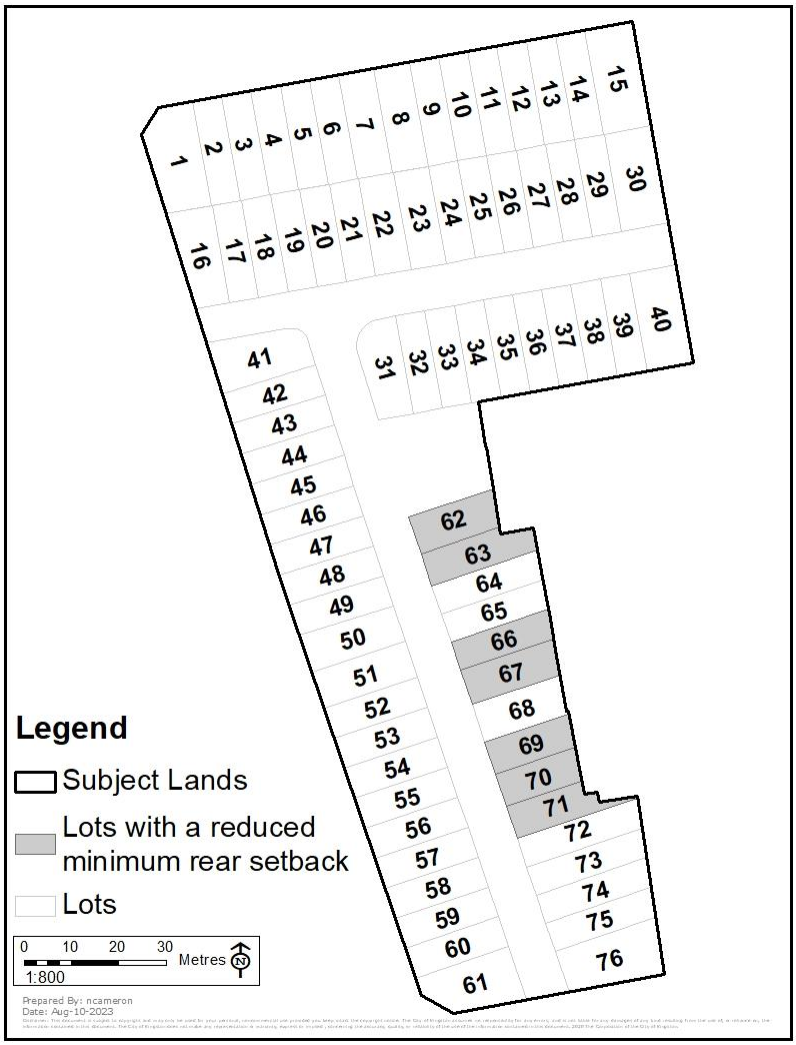
(iv) The minimum **rear setback** for Lot 67 is 4.3 metres;

(v) The minimum **rear setback** for Lot 69 is 5.2 metres;

(vi) The minimum **rear setback** for Lot 70 is 4.5 metres; and

(vii) The minimum **rear setback** for Lot 71 is 4.0 metres;

(d) **Figure E123**




(e) The minimum **parking space** length in a **driveway** providing access to a **private street** is 5.4 metres;

(f) The minimum required **setback** from a **private garage** to the **private street** line where the driveway gains access to a **private street** is 5.4 metres;

(g) Where a **common element townhouse** has an attached **private garage** the bike parking requirements in Table 7.3.1. of the Kingston Zoning By-Law do not apply to a **principal dwelling unit**; and

(h) The required **long-term bike space** for an **additional residential unit** is permitted to be a **vertical bike space**, and located in either a common vestibule or within a required **parking space** in a **private garage**.

(i) Where two or more **vertical bike spaces** are provided, the minimum width is 0.3 metres.

(By-Law Number 2022-62; 2023-190)

**E124.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **building height** is 13.32 metres.

(b) The minimum **rear setback** is 10.5 metres.

(c) The minimum **side yard setback** on the north side is 14.5 metres.

(d) The minimum **long-term bike space** requirement is 28 spaces, where up to 50% of the **long-term bike spaces** may be provided in a stacked configuration with a 1.2 metre access aisle.

(e) The minimum number of larger **long-term bike spaces** is 0 spaces.

(f) The minimum number of **long-term bike spaces** that must be provided in secure bike lockers is 0 spaces.

(g) A **loading space** located in the **rear yard** does not require **visual screening**.

(h) A maximum of 34% of the horizontal length of the south face of each storey may be occupied by **balconies**.

(By-Law Number 2022-62; 2023-189)

**E125.** Reserved

**E126.** Reserved

**E127.** Reserved

**E128.** Reserved

**E129.** Reserved

**E130.** Reserved

**E131.** Reserved

**E132.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) For the purposes of the E132 Exception, the following definitions apply:

(i) **Podium** means the base component of any **building** that is no greater than 20 meters in height (excluding mechanical penthouses) and only includes the first **storey** through sixth **storey** of such **building**.

(ii) **Tower** means any portion of any **building** that is greater than 20 metres in **height** (excluding a **podium**, below grade **building** components and **mechanical penthouses**). A **tower** is only permitted above a **podium**.

(b) In addition to the **uses** of the CN Zone, the following **non-residential uses** are also permitted as part of a **mixed use building**: **animal care**, **banquet hall, club, entertainment establishment, recreation facility, repair shop, secondary school, special needs facility.**

(c) The maximum **height** is the lesser of 64 metres or 20 **storeys**, excluding a **basement storey**.

(d) The minimum **streetwall height** is 10.5 metres.

(e) The maximum **streetwall height** is 20 metres.

(f) The minimum **front setback** and **exterior setback** is 7 metres.

(g) The minimum **interior setback** and **rear setback** is 3 metres.

(h) The minimum **landscaped open space** is 15%.

(i) There is no maximum **floor space index**.

(j) The minimum floor to floor **height** of the **first storey** is 4.5 metres.

(k) A minimum of 10% and a maximum of 50% of the building façade must be setback 0.3 metres from the outermost wall of the building along each frontage. This building articulation may include inset balconies.

(l) The minimum separation between podiums on the same lot is 9 metres.

(m) Buildings are required to have non-residential uses on the first storey generally adjacent to all areas identified as “Required Ground Floor Commercial” on Figure E132.

(n) The minimum floor area of non-residential uses for each area identified on Figure E132 as “Required Ground Floor Commercial” is 200 square metres. For clarity, each such area may be configured with one or multiple non-residential use units.

(o) The maximum floor plate of a tower is 800 square metres. Tower floor plate includes all areas enclosed within exterior walls, including hallways, elevators, stairs, mechanical shafts, and all similar components. For clarity, balconies are not included.

(p) The maximum number of towers permitted within the E132 exception overlay is 7.

(q) The maximum number of towers permitted to be more than 39 metres in height within the E132 exception overlay is 4.

(r) The maximum number of dwelling units permitted within the E132 exception overlay is 2,000.

(s) The minimum stepback from a tower to the exterior wall of a podium is 2.0 metres.

(t) The minimum separation distance between a tower and another tower is 25.0 metres.

(u) The minimum setback from a tower to a lot line shared with an adjacent property is 12.5 metres.

(v) The minimum setback of any tower taller than 39 metres to the Bath Road frontage is 75 metres.

(w) The minimum setback of any tower taller than 39 metres to the Centennial Drive frontage is 60 metres where the tower is located south of the Conceptual Pedestrian Enhanced Driveway shown on Figure E132.

(x) A maximum of 20% of parking provided for **dwelling units** may be located at-grade. All other residential parking is required to be located underground or within a **building**.

(y) **Loading spaces**, **parking spaces** and **parking lots** are not permitted in a **front yard** or **exterior yard**.

(z) A minimum of 10.0 square metres of **amenity area** must be provided for each **dwelling unit** on a **lot**.

(aa) A **planting strip** is not required;

(bb) The maximum horizontal projection of a **balcony** from the **main wall** is 2.0 metres;

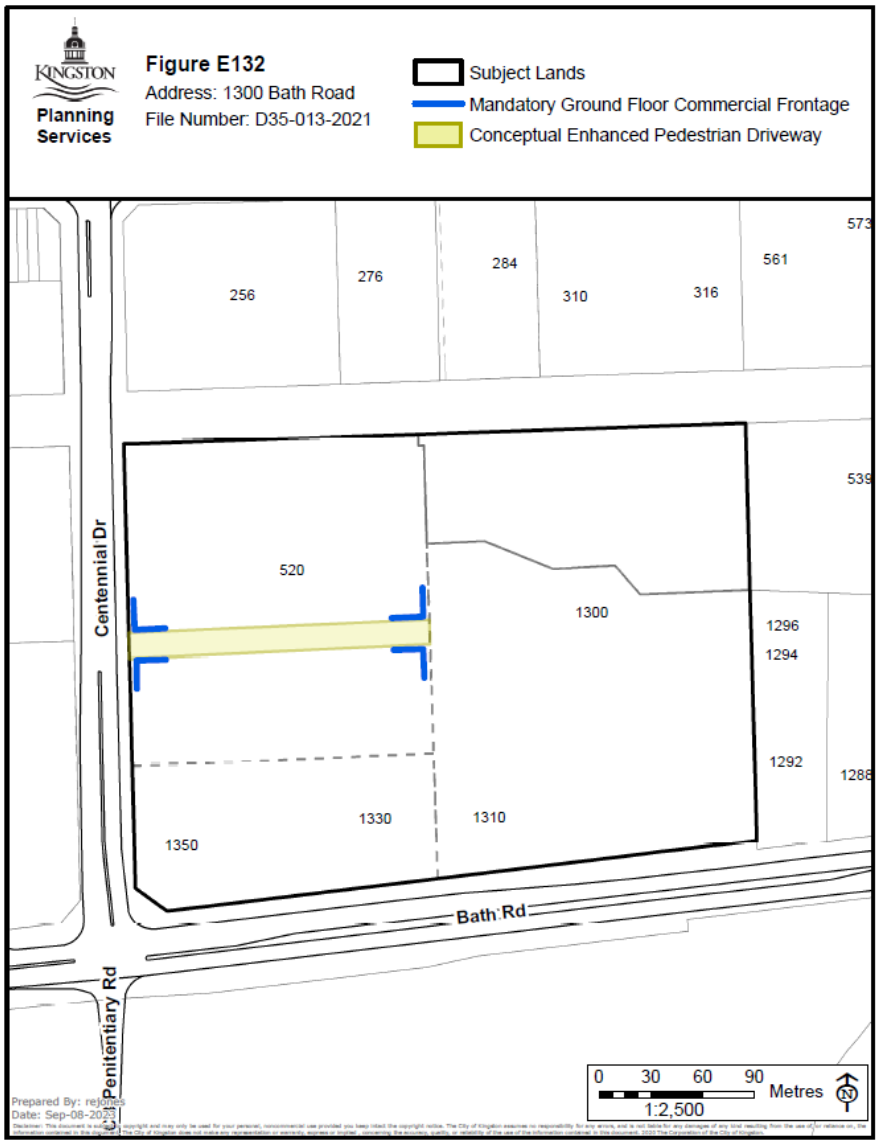
(cc) The maximum roof coverage of **building** components identified in Section 4.18.2 that are located on top of a **tower** is 20%;

(dd) The minimum **setback** from a railway **right-of-way** is 15 metres. No **landscaped berm** is required within this **setback**; and

(ee) **Buildings** located along the Conceptual Enhanced Pedestrian Driveway shown on Figure E132 will be set back a minimum of 5 metres from the travelled roadway and any on-street **parking spaces**.

**See Figure E132 below**

**Figure E132**




**E133.** Reserved

**E134.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) **Parking spaces** are permitted to encroach into the required **yard setback** along West Street;

(b) A maximum of two **principal buildings** are permitted on the property;

(c) The maximum number of **dwelling units** is 15;

(d) The maximum **building depth** is 28 metres; and

(e) The maximum **density** is 80 **dwelling units** per net hectare.

(By-Law 2022-62, 2023-207)

**E135.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) A **parking space** in line with and accessed directly from a **driveway** must be a minimum of 2.6 metres in width by 5.5 metres in length;

(b) The maximum width of a **driveway** is 7.85 metres;

(c) A **private garage** is permitted to be a minimum of 0 metres to a **street line**;

(d) The minimum **front setback** is 0 metres;

(e) The minimum **interior setback** from the south **lot line** is 0 metres;

(f) The minimum **landscaped open space** is 25%;

(g) The maximum **building depth** is 32 metres;

(h) The maximum **density** is 75 **dwelling units** per net hectare;

(i) A **deck** or **balcony** with a height greater than 1.2 metres above grade is permitted to have:

(i) a maximum area of 40.0 square metres;

(ii) a minimum **interior setback** of 0.6 metres; and

(iii) a minimum **rear setback** of 0.6 metres; and

(j) The maximum horizontal projection of a **balcony** from the **main wall** is 2.5 metres.

(By-Law 2022-62, 2023-207)

**E136.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) **Long-term bike spaces** are not required for **buildings** existing on the date of passing of this by-law.

(b) **Long-term bike spaces** are not required for any **buildings** constructed on the lands municipally known as 795 Innovation Drive after the date of passing of this by-law.

(c) **End-of-trip bike facilities** for **non-residential uses** are not required for **buildings** existing on the date of passing of this by-law.

(d) **End-of-trip bike facilities** for **non-residential uses** are not required for any **buildings** constructed on the lands municipally known as 795 Innovation Drive after the date of passing of this by-law.

(By-Law 2022-62, 2023-208)

**E137.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **principal buildings** per **lot** is 2;

(b) The maximum **density** is 67 **dwelling units** per net hectare;

(c) An **apartment building** with a maximum of 4 **dwelling units** is a permitted use;

(d) **Apartment buildings** must comply with the provisions for a **single detached house** as set out in Table 11.11.1. except that the minimum **interior setback** is 0.50 metres;

(e) The **building depth** of a **duplex** is to be measured as the horizontal distance between the **main wall** closest to the **front lot line** and the **rear wall** of the **building**;

(f) An aggregate **setback** is to be measured between the **interior lot line** and the nearest part of a **building** on the **lot** at a given horizontal cross section measured parallel to the **front lot line**;

(g) The minimum **rear setback** for a gazebo is 0.6 metres;

(h) The minimum width of a **drive aisle** is 3 metres;

(i) The minimum length of a **parking space** is 5.2 metres;

(j) A **parking lot** is permitted in the required **front yard** provided no **parking space** is less than 7.5 metres from the **front lot line**; and

(k) A **walkway** may be **used** to aid in the execution of **vehicle** turning movements provided there is a clear visual distinction which delineates the **driveway** from the **walkway**.

**(By-Law 2022-62, 2023-213)**

**E138.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The following **complementary uses** are permitted, up to a maximum of 49% of the total **gross floor area**, in the aggregate:

(i) **Animal Care**
(ii) **Animal Shelter**
(iii) **Banquet Hall**
(iv) **Day Care Centre**
(v) **Financial Institution**
(vi) **Fitness Centre**
(vii) **Laundry Store**
(viii) **Personal Service Shop**
(ix) **Place of Worship**
(x) **Recreation Facility**
(xi) **Restaurant**
(xii) **Wellness Clinic**

(b) The lands subject to this Exception are deemed to be one lot for the purposes of interpreting zoning provisions;

(c) **Long-term bike spaces** are not required for **buildings** existing on the date of passing of this By-Law at 1329, 1343 and 1347 Gardiners Road;

(d) **End-of-trip bike facilities** for **non-residential uses** are not required for **buildings** existing on the date of passing of this By-Law at 1329, 1343 and 1347 Gardiners Road;

(e) Despite clause (b) of this By-Law**, bike space** requirements and **end-of-trip bike facility** requirements are calculated and provided for each new **building** as though they are on their own individual lot; and

(f) A minimum of 6 loading spaces must be provided.

(By-Law 2022-62; 2024-105)

**E139.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** in an **apartment building** is 302;

(b) The **front lot line** is the **lot line** dividing the **lot** from Princess Street;

(c) The **exterior lot line** is the **lot line** dividing the **lot** from Andersen Drive;

(d) The maximum **building heights** are specified on Figure E139, with a maximum 0.5 metre variance on noted dimensions permitted;

(e) The **building setbacks** are shown on Figure E139, with a maximum 5% variance on noted dimensions permitted;

(f) The maximum percentage of a **main wall** occupied by **balconies** facing an inner courtyard is 84%, facing a **rear lot line** is 57%, and all other **main walls** is 78%;

(g) Above the second **storey** a Juliet balcony is the only permitted form of **balcony** on a **main wall** facing a **rear lot line;**

(h) The maximum distance that building components less than 3 metres in width may project from a **main wall** is 1 metre;

(i) A minimum 2-metre-wide **planting strip** must be provided along the **rear lot line**;

(j) Communal outdoor **amenity area** above the fourth **storey** must be set back a minimum of 1.2 metres from the north **main wall**;

(k) The only defined area for providing access that is permitted within 12 metres of the **rear lot line** is a fire route and such area may not be used as a **driveway** or **drive aisle**;

(l) The minimum **drive aisle** width is 6.0 metres;

(m) The minimum number of **car-share spaces** is 2;

(n) The minimum number of **visitor spaces** is 10;

(o) A maximum of 50 **parking spaces** are permitted for small cars, with a minimum length of 4.8 metres and a minimum width of 2.4 metres, and must include signage that identifies the **parking space** as "small car parking space";

(p) Within an underground parking structure standard **parking spaces** may have a partial obstruction on either side of the **parking space**;

(q) Within an underground parking structure a column may encroach into a **parking space** on one side with a maximum depth of 0.2 metres for a maximum length of 0.4 metres provided it is no greater than 1.0 metre from the end of the **parking space**;

(r) A maximum of 50 **parking spaces** may be located within a **front setback** or **exterior setback** provided no **parking space** is closer than 9.0 metres to a **front lot line** and 15 metres from a **rear lot line**;

(s) A minimum of 0.75 **long-term bike spaces** are required per **dwelling unit**;

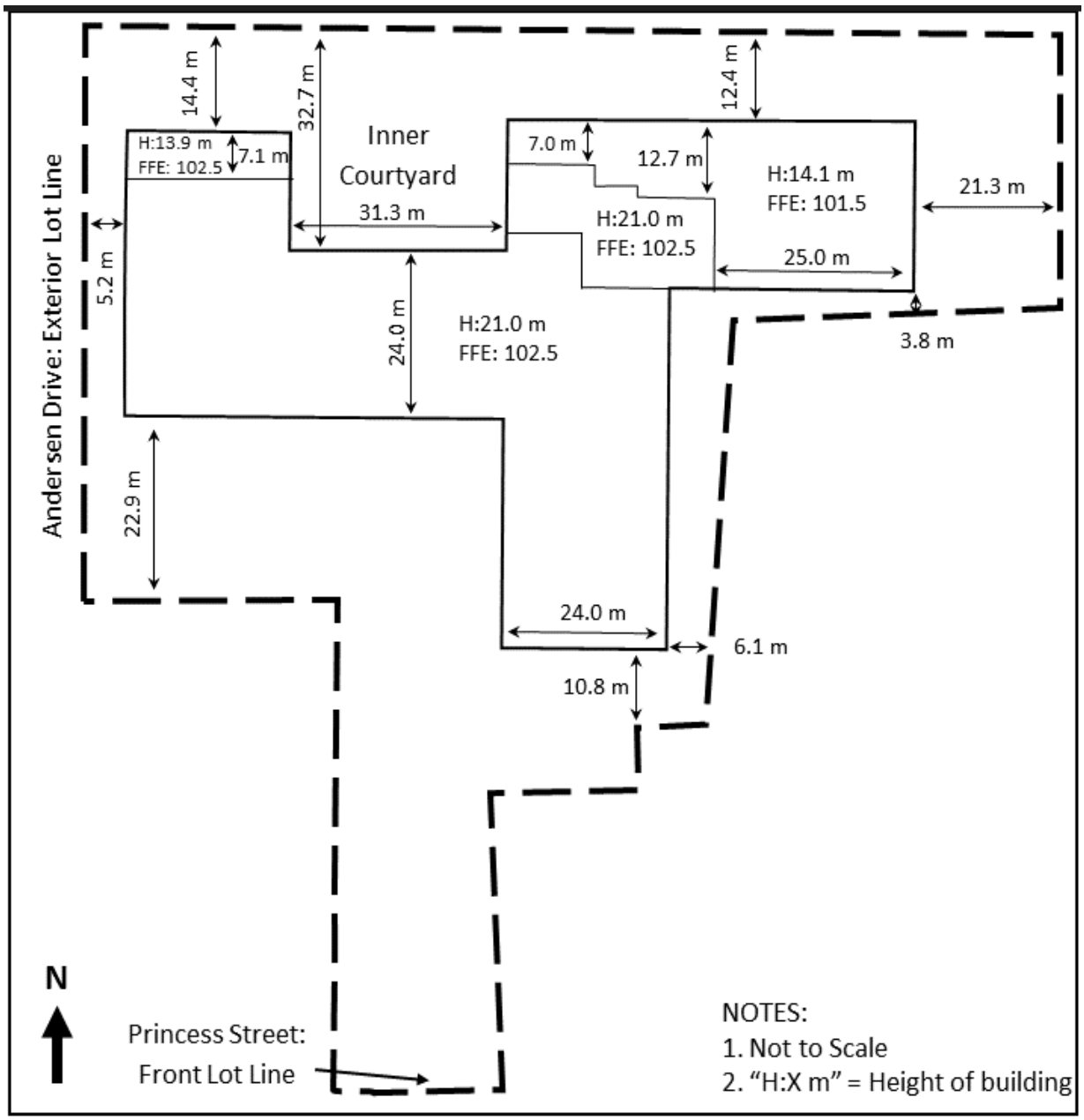
(t) **Short-term bike spaces** are not required to be weather-protected; and

(u) The minimum **amenity area** is 15 square metres per **dwelling unit**.

(v) **Figure E139**: see below

(By-Law Number 2022-62; 2024-369)

**Figure E139**:




**E140.** Reserved

**E141. 769 King Street West**

Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **front setback** is 3.3 metres;

(b) The minimum **rear setback** is 6 metres;

(c) The minimum **exterior setback** is 2.8 metres;

(d) The minimum **front setback** of a **balcony** over 1.2 metres in height is 2.1 metres;

(e) The minimum **exterior setback** of a **balcony** over 1.2 metres in height is 3.4 metres;

(f) The minimum **front setback** of a **deck** or p**orch** over 1.2 metres in height is 2.1 metres;

(g) The minimum **exterior setback** of a **deck** or **porch** over 1.2 metres in height is 3.4 metres;

(h) The minimum **front setback** a **deck** or **porch** between 0.6 and 1.2 metres in height is 1.3 metres;

(i) The minimum **exterior setback** of a **deck** or **porch** between 0.6 and 1.2 metres in height is 1.3 metres; and

(j) The minimum **interior setback** to an **accessory structure** containing long-term bicycle parking is 0 metres, except adjacent to the property at 9 Cartwright Street where it is a minimum of 1.2 metres.

(k) The minimum **sight triangle** at the corner of Cartwright Street and King Street West is 5.9 metres by 5.9 metres.

(By-Law Number 2022-62; 2024-106)

**E142.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **density** is 280 **dwelling units** per net hectare;

(b) **Dwelling unit** in a **mixed-use building** is a permitted use;

(c) The provisions for **apartment buildings** apply to **mixed use buildings**;

(d) **Mixed-use buildings** may only contain **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2., and the **non-residential uses** are only permitted on the **first storey**;

(e) The minimum floor to floor **height** of the **first storey** of a **mixed use building** is 4.5 metres, and in all other respects the provisions for an **apartment building** apply to a **mixed use building**;

(f) The maximum **building height** is 22 metres;

(g) The minimum **amenity area** is 5.7 square metres per unit;

(h) The minimum number of **parking spaces** is 0.77 per dwelling unit;

(i) Required **parking spaces** may be provided off-site on a **lot** located within the E143 Zone."

(By-Law 2022-62; 2024-113; 2025-127)

**E143.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(r) The maximum residential **density** is 280 **dwelling units** per net hectare;

(s) **Dwelling unit** in a **mixed-use building** is a permitted use;

(t) The provisions for **apartment buildings** apply to **mixed use buildings**;

(u) **Mixed-use buildings** may only contain **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2., and the **non-residential uses** are only permitted on the **first storey**;

(v) The minimum floor to floor **height** of the **first storey** of a **mixed use building** is 4.5 metres, and in all other respects the provisions for an **apartment building** apply to a **mixed use building**;

(w) For a **lot** abutting an OS1 Zone the minimum **gross floor area** of **non-residential uses** is 200 square meters for any **building** within 30 metres of a **street**;

(x) The maximum **building height** is 22 metres;

(y) The minimum **rear setback** is 20 metres;

(z) The minimum **interior setback** is 5 metres;

(aa) The minimum **landscaped open space** is 27%;

(bb) The maximum number of **principal buildings** per **lot** is 2;

(cc) The minimum **amenity area** for the first 170 **dwelling units** within the E143 Zone is 11.9 square metres per **dwelling unit**. For each additional **dwelling unit** thereafter, the minimum **amenity area** is 14.4 square metres per **dwelling unit**;

(dd) The minimum of number of **parking spaces** is 0.77 per **dwelling unit**;

(ee) Required **parking spaces** may be provided off-site on a **lot** located within the E142 Zone;

(ff) A maximum of 20% of **parking spaces**, excluding **accessible spaces**, **visitor spaces** and **car-share spaces**, are permitted to be **parking spaces** for small cars, with a minimum length of 4.8 metres and a minimum width of 2.6 metres, with signage that identifies the space as “small car parking space”;

(gg) A maximum of 22% of **parking spaces**, excluding **accessible spaces**, **visitor spaces** and **car-share spaces**, are permitted to be **parking spaces** for small cars, with a minimum length of 5.5 metres and a minimum width of 2.4 metres, with signage that identifies the space as “small car parking space”.”

(By-Law 2022-62; 2024-113; 2025-127)

**E144.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

(i) **triplex**; and

(ii) **apartment building**.

(b) The maximum number of **dwelling units** within an **apartment building** is 4;

(c) **Apartment buildings** and **triplexes** must comply with the following provisions:

(i) The minimum **lot frontage** is 15.0 metres;

(ii) The maximum **height** is the lesser of 12 metres or 3 storeys;

(iii) The minimum **front setback** is 3.0 metres;

(iv) The minimum **rear setback** is 7.6 metres;

(v) The minimum **exterior setback** is 3.0 metres;

(vi) The minimum **interior setback** is 3.0 metres; and

(vii) The minimum **landscaped open space** is 30%.

(d) The minimum density of **dwelling units** per net hectare on lands with residential uses, excluding lands used for roads, stormwater management, sanitary servicing, public walkways, parks or open spaces is 30.5 dwelling units per net hectare;

(e) **Additional residential units** and ARU Ready Spaces are considered a **dwelling unit** for the purpose of calculating the minimum **density**;

(f) For the purposes of this Exception an “ARU Ready Space” means floor area within a **residential building** that has been designed to be

easily retrofitted with an **additional residential unit** or meets the criteria for an ARU-Ready Space for a detached **accessory building**, and includes the provision of:

(i) **parking spaces** for 2 **dwelling units**; and

(ii) an unobstructed exterior area sufficient to provide a **walkway** to the **additional residential unit**.

(g) For the purposes of this Exception an "easily retrofitted with an **additional residential unit**" means that all of the following are provided:

(i) plumbing "rough-ins" for a minimum of 1 bathroom and 1 kitchen;

(ii) windows in conformity with egress requirements in the Ontario Building Code; and

(iii) required electrical and telecommunication fixtures and wiring.

(h) For the purposes of this Exception "ARU-Ready Space for a detached **accessory building**" means:

(i) The sanitary stub is provided to the rear footing (clear of weeping tile) and capped. Cleanouts and access knock outs to be provided as required by the Ontario Building Code;

(ii) A domestic water stub is provided to the rear footing (clear of weeping tile) and capped. Shut off valves to be provided as per the Ontario Building Code; and

(iii) Gas and electrical to be trenched from metre location (note: to be further completed by homeowner after occupancy).

(i) Where a **lot** includes an ARU-Ready Space for a detached **accessory building** a second **driveway** from an **exterior side lot line** is

permitted provided the cumulative width of all **driveways** does not exceed 6.0 metres.

(By-Law Number 2022-62; 2024-119)

**E145.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

(i) **stacked townhouse**;

(ii) **apartment building**;

(iii) **triplex**; and

(iv) **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2., where the **non-residential uses** are located only on the **first storey**.

(b) A **stacked townhouse** must comply with the provisions that apply to a **townhouse**.

(c) The maximum **building height** for a **building** other than an **apartment building** is 12.0 metres;

(d) An **apartment building** with 5 or more **dwelling units** must comply with the provisions of the URM1 Zone, except that the maximum **height** is the lesser of 20.0 metres or 6 **storeys**;

(e) **Apartment buildings** with **4 dwelling units** and **triplexes** must comply with the following provisions:

(i) The minimum **lot frontage** is 15.0 metres;

(ii) The maximum **height** is the lesser of 12 metres or 3 storeys;

(iii) The minimum **front setback** is 3.0 metres;

(iv) The minimum **rear setback** is 7.6 metres;

(v) The minimum **exterior setback** is 3.0 metres;

(vi) The minimum **interior setback** is 3.0 metres; and

(vii) The minimum **landscaped open space** is 30%.

(f) The minimum **density** of **dwelling units** per net hectare on lands with residential uses, excluding lands used for roads, stormwater management, sanitary servicing, public walkways, parks or open spaces is 37.5 dwelling units per net hectare;

(g) **Additional residential units** and ARU Ready Spaces are considered a **dwelling unit** for the purpose of calculating the minimum **density**;

(h) For the purposes of this Exception an "ARU Ready Space" means floor area within a **residential building** that has been designed to be easily retrofitted with an **additional residential unit** or meets the criteria for an ARU-Ready Space for a detached **accessory building**, and includes the provision of:

(i) **parking spaces** for 2 **dwelling units**; and

(ii) an unobstructed exterior area sufficient to provide a **walkway** to the **additional residential unit**.

(i) For the purposes of this Exception an "easily retrofitted with an **additional residential unit**" means that all of the following are provided:

(i) plumbing "rough-ins" for a minimum of 1 bathroom and 1 kitchen;

(ii) windows in conformity with egress requirements in the Ontario Building Code; and

(iii) required electrical and telecommunication fixtures and wiring.

(j) For the purposes of this Exception "ARU-Ready Space for a detached **accessory building**" means:

(i) The sanitary stub is provided to the rear footing (clear of weeping tile) and capped. Cleanouts and access knock outs to be provided as required by the Ontario Building Code;

(ii) A domestic water stub is provided to the rear footing (clear of weeping tile) and capped. Shut off valves to be provided as per the Ontario Building Code; and,

(iii) Gas and electrical to be trenched from metre location (note: to be further completed by homeowner after occupancy).

(k) Where a **lot** includes an ARU-Ready Space for a detached **accessory building** a second **driveway** from an **exterior side lot line** is permitted provided the cumulative width of all **driveways** does not exceed 6 metres.

(By-Law 2022-62; 2024-119)

**E146.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following **complementary use** is permitted, up to 100% of the total **gross floor area**, in the aggregate:

(i) **Office**.

(By-Law 2022-62; 2024-118)

**E147.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Where **dwelling units** are **developed**, the minimum number of **dwelling units** is 11.

(b) Where **co-living units** are **developed**, the minimum number of private **bedrooms** and/or living spaces in **co-living units** is 44.

(c) The minimum **lot area** in Table 12.9.1. does not apply.

(d) The minimum **interior setback** is 0 metres, except that a minimum 1.1 metre wide area must be provided at grade with an unobstructed **height** a minimum of 2.1 metres in the form of a **walkway** allowing exterior pedestrian access from the **front yard** to the **rear yard**. The **walkway** is permitted to overlap a **driveway** if it complies with Subclause 4.27.5.1.

(e) There is no minimum **stepback** required where a **main wall** faces Aberdeen Street, Division Street, William Street or Earl Street.

(f) The maximum **floor space index** and **lot coverage** in Table 12.9.1. do not apply.

(g) Subclause 12.9.2.1. does not apply.

(h) Balconies are not permitted on a **main wall** that faces a **street line**.

(i) **Standard parking spaces**, **visitor parking spaces** and **car-share spaces** are not required.

(j) A minimum of 5 square metres of **amenity area** must be provided for each **dwelling unit** on a **lot**.

(k) **Amenity area** is not permitted on the roof of a **building**.

(l) For the properties municipally known as 3, 5, 7, 9, 11, 15 and 19 Aberdeen Street, future **development** must maintain the **front setback** and reflect the uniform spacing of the front **main walls** facing Aberdeen Street, as they existed on the date of passing of the site-specific by-law, to the satisfaction of the City through the site plan review process. Any future **development** is encouraged to retain and adaptively reuse the existing **buildings** to the greatest extent feasible.

(m) For the property municipally known as 267 Earl Street, the **lot** is permitted to be developed in accordance with the provisions of the E109 Exception or in accordance with the provisions of this Exception.

(n) For the property municipally known as 271 Earl Street, the **lot** is permitted to be **developed** in accordance with the provisions of the L275 Exception or in accordance with the provisions of this Exception.

(o) For the property municipally known as 217-219 University Avenue and 330 William Street, the **lot** is permitted to be **developed** in accordance with the provisions of the L172 Exception or in accordance with the provisions of this Exception.

(p) For the property municipally known as 241 University Avenue, the **lot** is permitted to be **developed** in accordance with the provisions of the L213 Exception or in accordance with the provisions of this Exception.

(By-Law Number 2022-62; 2024-332)

**E148.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

(i) **Contractor's yard**.

(By-Law Number 2022-62; 2024-332)

**E149.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted within the **buildings** existing on the date of passing of the site specific by-law:

(i) **dwelling units** in a **mixed use building**;

(ii) **apartment building**; and

(iii) all **uses** permitted in the CN Zone.

(b) The maximum number of **dwelling units** is 200.

(c) No **loading spaces** are required.

(d) **Amenity area** is not required for **residential uses** in a **building** existing on the date of passing of the site specific by-law.

(e) **Short-term bike spaces** or **long-term bike spaces** are not required for any **use** in a **building** existing on the date of passing of the site specific by-law.

(f) **End-of-trip bike facilities** are not required for **non-residential uses** in a **building** existing on the date of passing of the site specific by-law.

(g) The **buildings** existing on the date of passing of the site specific by-law are deemed to comply with the provisions of this By-law.

(By-Law Number 2022-62; 2024-332)

**E150.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the uses permitted by the applicable Zone, the following uses are permitted:

(i) a **transportation depot**;

(ii) a **waste processing site**

(iii) a **waste transfer station**;

(iv) a **salvage yard**;

(v) a **heavy equipment or truck repair shop**;

(vi) an **automobile sales establishment**; and

(vii) an **automobile body shop**.

(b) Where a common boundary agreement exists with an abutting **lot** licensed under the *Aggregate Resources Act*, the minimum **setback** along the **lot line** of the common boundary is 0 metres.

(By-Law 2022-62; 2024-167)

**E151.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) For the purposes of the exception overlay, the yard abutting Durham Street shall be deemed to be the **front yard** and the yard abutting Toronto Street shall be deemed to be the **exterior yard**.

(b) The minimum **rear setback** is 3.0 metres.

(By-Law 2022-62; 2024-114)

**E152.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **lot area** is 195 square metres;

(b) The minimum **lot frontage** is 11.3 metres;

(c) The minimum **front setback** is 3.1 metres;

(d) The minimum **rear setback** is 4.9 metres; and

(e) The minimum **front setback** for a **porch** is 2.4 metres."

(By-Law 2022-62; 2024-114)

**E153.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **lot area** is 1430.0 square metres.

(b) For the purposes of interpreting zoning provisions, the **lot lines** are as specified on Figure E153.

(c) The minimum **exterior setback** is specified on Figure E153, with a maximum 5% variance on noted dimensions permitted.

(d) The minimum **interior setback** is specified on Figure E153, with a maximum 5% variance on noted dimensions permitted.

(e) The maximum **lot coverage** is 65%.

(f) The minimum number of required **parking spaces** per **dwelling unit** is 0.76.

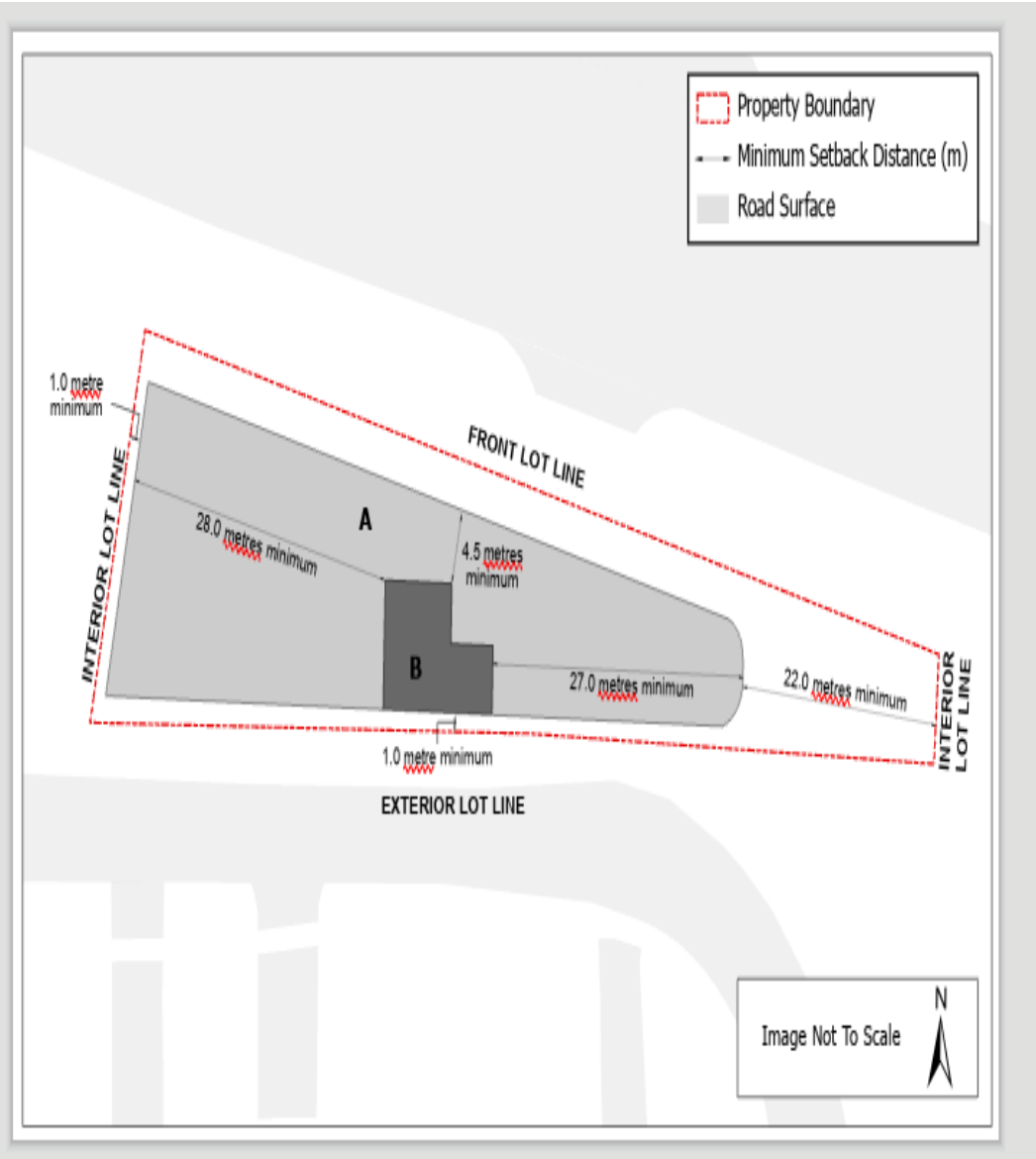
(g) For the purposes of this By-law, "mixed use space" means a **parking space** within a **mixed use building** reserved solely for **use** by customers of a business or as a **car share space** or **visitor space**.

(h) The minimum number of required **mixed use spaces** per **dwelling unit** is 0.26.

(i) A minimum of 24 square metres of enclosed **amenity area** must be provided within Part B on Figure E153.

(j) Despite Clause 4.18.2, the identified **building** components may include an enclosed **amenity area** and the minimum **setback** from the edge of the roof of 0 metres as shown as Part B on Figure E153, with a maximum 5% variance on noted dimensions permitted.

(k) Figure E153




(By-Law 2022-62; 2024-168)

**E154.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **principal buildings** permitted is 3;

(b) The minimum number of required **parking spaces** per **dwelling unit** is 0.73;

(c) The minimum number of required **visitor spaces** per **dwelling unit** is 0.03;

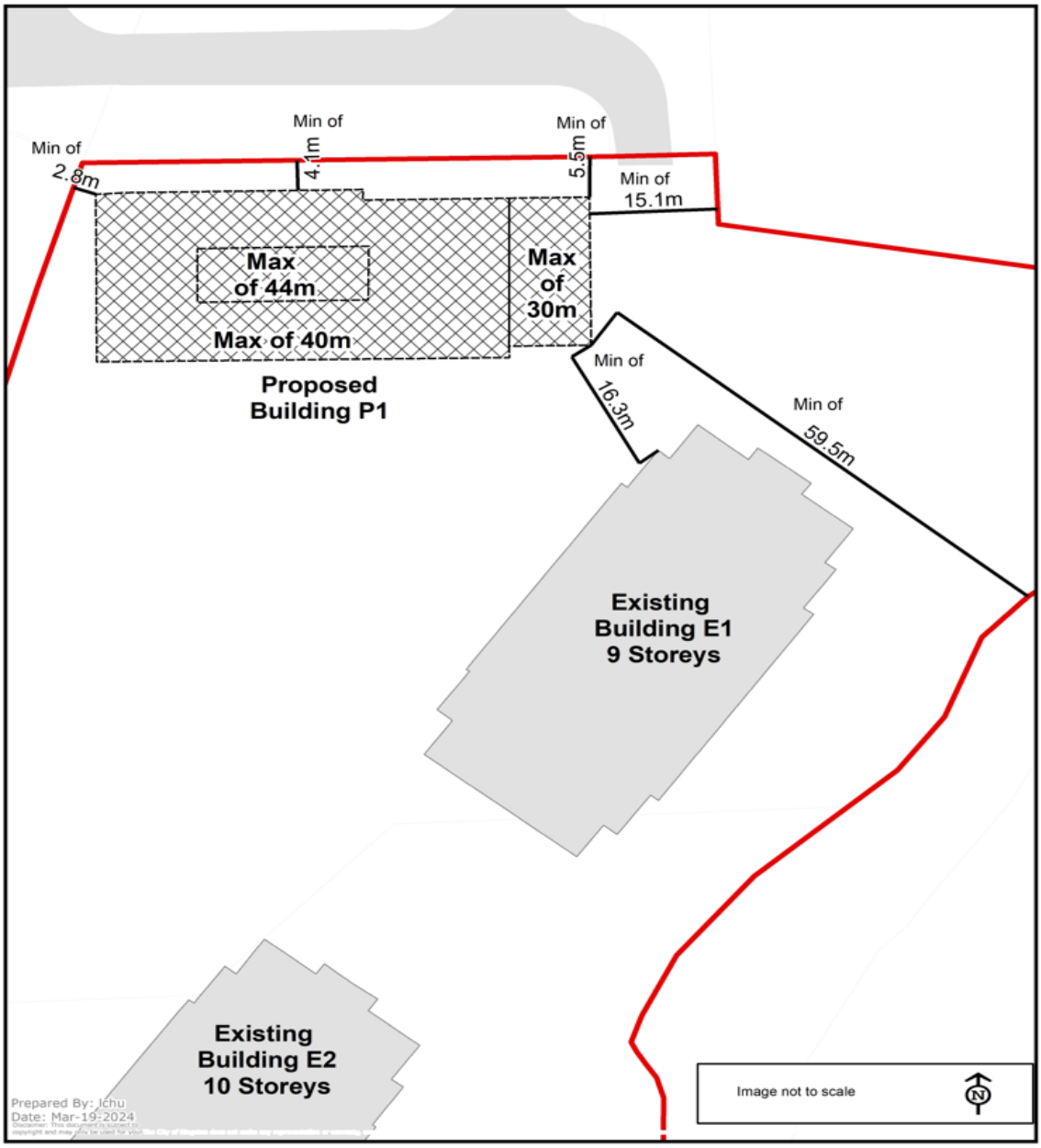
(d) The minimum number of required **car-share spaces** is 2.0;

(e) The maximum **building heights** are specified on Figure E154, with a maximum 0.5 metre variance on noted dimensions permitted; and

(f) The minimum **building setbacks** are specified on Figure E154, with a maximum 5% variance on noted dimensions permitted.

(g) Figure E154

(By-Law Number 2022-62; 2024-190)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Building E1
9 Storeys
Existing
Building E2
10 Storeys
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Prepared By: lchu
Date: Mar-19-2024

**E155.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **lot area is** 153 square metres per **dwelling unit**;

(b) The minimum **lot frontage** is 5.5 metres;

(c) The minimum **interior setback** is 1.1 metres;

(d) The maximum **lot coverage** is 55%;

(e) The minimum **driveway** width is 2.7 metres;

(f) The maximum number of **parking spaces** per **dwelling unit** is 2.0;

(g) The maximum cumulative width of all **driveways** on a **lot** within the required **front setback** or **exterior setback** is 2.7 metres;

(h) Eaves and gutters are permitted within 0.15 metres of a **lot line**;

(i) The minimum **interior setback** for a **deck** or **porch** with a height no greater than 0.6 metres is 0.40 metres, except along a common party wall where it may be 0.0 metres if there is a common privacy **fence** a minimum of 1.5 metres tall; and

(j) The minimum **separation distance** from a registered **right-of-way** for a **pipeline** is 0.2 metres for **driveways**, **drive aisles**, **parking spaces**, **parking lots**, retaining walls, light standards and utility poles

(By-Law Number 2022-62; 2024-195)

**E156.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **height** of an **apartment building** is 17.0 metres;

(b) The maximum number of dwelling units is 49;

(c) The minimum **front setback** is 3 metres;

(d) The minimum **long-term bike space** requirement is 24 spaces, where all **long-term bike spaces** may be provided in a stacked configuration with a 1.5 metre access aisle;

(e) The minimum number of larger **long-term bike spaces** is 0 spaces;

(f) The minimum number of **long-term bike spaces** that must be provided in secure bike lockers is 0 spaces;

(g) A **canopy** on the north side of an **apartment building** is permitted to project 0.85 metres into the required **setback**; and

(h) The minimum **separation distance** from a registered **right-of-way** for a **pipeline** is 0.3 metres for **driveways**, **drive aisles**, **parking spaces, parking lots**, retaining walls, light standards and utility poles.

(By-Law Number 2022-62; 2024-195)

**E157.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **landscaped open space** is 15%;

(b) Where a **parking lot** is adjacent to a sidewalk or **walkway**, a **planting strip** is not required between such **parking lot** and sidewalk or **walkway**;

(c) A **loading space** located in the **rear yard** or **interior yard** does not require **visual screening**;

(d) A **planting strip** is not required along the **interior lot line** that abuts a **residential use** or undeveloped land in an Urban Residential Zone and Urban Multi-Unit Residential Zone; and

(e) The minimum **separation distance** from a registered **right-of-way** for a **pipeline** is 0.3 metres for **driveways**, **drive aisles**, **parking spaces**, **parking lots**, retaining walls, light standards and utility poles.

(By-Law Number 2022-62; 2024-195)

**E158.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following definition applies for the purpose of this Exception:

**End wall** means all portions of the exterior side walls of a building perpendicular to the **building frontage** and all structural components of these exterior side walls essential to support the roof.

(b) General Provisions

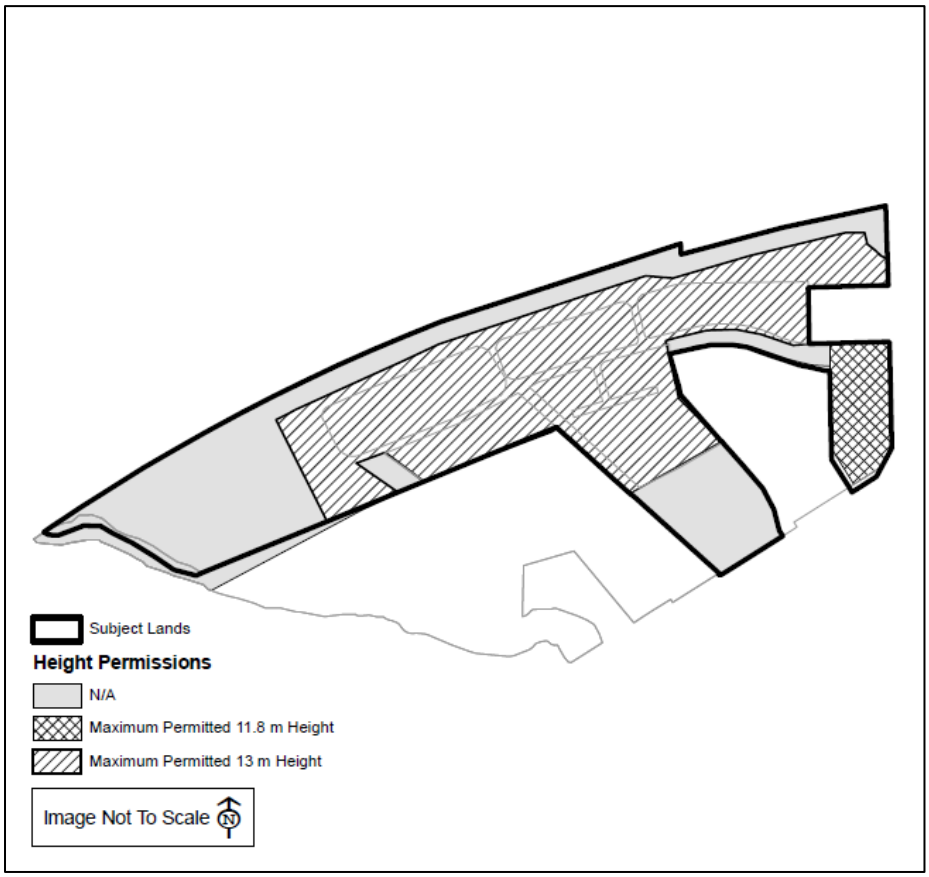
(i) The lands subject to this Exception are deemed to be one **lot** for the purposes of interpreting zoning provisions;

(ii) The lands subject to this Exception are permitted to contain **apartment buildings. Apartment buildings** also include multiple multi-unit **residential buildings** when they are located on one **lot**. For clarity, on the lands subject to this Exception, **Apartment building** includes **townhouses,** back-to-back **townhouses**, **stacked townhouses** and back-to-back **stacked townhouses**;

(iii) **Dwelling units** in a **stacked townhouse** can be accessed by an internal vestibule, shared by no more than two **dwelling units**;

(iv) The maximum **building heights**, including location thereof, are specified on Figure E158;

(v) **Figure E158**




(vi) Despite the maximum **building heights** in Figure E158, stairway penthouses constructed for the sole purpose of providing access to rooftop **amenity areas** are permitted to project to a maximum total height of 13.6 metres, measured from the **finished grade** to the highest point of such stairway penthouse;

(vii) Up to ten model homes are permitted in the aggregate, and may take the form of **townhouses,** back-to-back **townhouses, stacked townhouses** and back-to-back **stacked townhouses,** with the location and regulation thereof to be set out in a Model Home Agreement;

(viii) The minimum **density** of **dwelling units** per net hectare on the lands subject to this Exception is 28 **dwelling units** per net hectare;

(ix) The maximum number of **principal buildings** per **lot** does not apply;

(x) The minimum **setbacks** for any **building, private street**, parking area and **drive aisle** are as follows:

i. The minimum **setback** from an 'OS1' Zone is 7.5 metres;

ii. The minimum **setback** from the edge of McGuin Millrace archaeological site, as surveyed through a Stage 3 Archaeological Assessment, is 5.0 metres, except where documentation has been approved in writing to the satisfaction of the **City** in consultation with the provincial **public authority** having jurisdiction; and,

iii. The minimum **setback** from a **street line** abutting Bath Road is 14 metres;

(xi) **Accessory buildings** must comply with the Zone provisions that are applicable to the lands subject to this Exception, except:

i. An **accessory building** may encroach into a required **setback**, provided that such **accessory building** must be **setback** a minimum of 6.0 metres from a **private street** and a minimum of 1.2 metres from all **lot lines**;

ii. Despite (b)(xi)(i), a detached **private garage** must be **setback** a minimum of 5.5 metres from a **private street**;

iii. The minimum **separation distance** between an **apartment building** and a detached **private garage** is 6.0 metres; and,

iv. Despite (b)(xi)(i), where an **accessory building** is located within 30 metres from the northern **lot line**, such **accessory building** must be setback a minimum of 1.2 metres from a **private street.**

(c) **Apartment Buildings**

(i) The minimum **separation distance** between the **end walls** of an **apartment building** and any **residential building** is 6.0 metres;

(ii) For back-to-back **townhouses** and back-to-back **stacked townhouses**, a separation distance does not apply to the **rear walls**;

(iii) The minimum **setback** from a **lot line** is 7.5 metres;

(iv) Notwithstanding (iii), the minimum **setback** from a **street line** abutting Station Street is 4.0 metres;

(v) The minimum **setback** from a **private street** is 6.0 metres except, where an **end wall** abuts a **private street** or where the units also abut Station Street, the minimum **setback** is 2.5 metres from a **private street**;

(vi) **Porches** or **decks** that project from the **main wall** of an **apartment building** must comply with the following provisions:

i. The maximum surface area of floor levels of **porches** and **decks** for each **apartment building** is 100 square metres in the aggregate per **building** facade;

ii. The minimum **setback** of a **porch** or **deck**, excluding stairs and their associated guards, to a **private street** or to a **street line** abutting Station Street is 3.0 metres;

iii. Stairs and their associated guards connected to **porches** and **decks** are permitted to project into any required **setback**, provided such stairs are **setback** a minimum of 1.5 metres from a **private street** or from a **street line** abutting Station Street;

(vii) Balconies that project from the **main wall** of an **apartment building** must comply with the following provisions:

i. The minimum **setback** from a **lot line** is 1.2 metres;

(viii) The maximum number of standard **parking spaces** permitted for an **apartment building** is 1.75 **parking spaces** per **dwelling unit** if all **parking spaces** provided above 1.00 **parking spaces** per **dwelling unit** are **electric vehicle ready**;

(ix) The enhanced bike parking facilities described in Clause 7.3.13. do not apply; and,

(x) Where an **apartment building dwelling unit** has a **private garage**, the maximum width of the **driveway** leading to the **private garage** is 6 metres.

(d) **Apartment Buildings** that are **Townhouses**

(i) **Apartment buildings** that are **townhouses** on the lands subject to this Exception may accommodate up to three **dwelling units**, subject to and in accordance with a registered description under the *Condominium Act*, *1998*;

(ii) The following provisions apply to **apartment buildings** that are **townhouses** on the lands subject to this Exception as if each **principal dwelling unit** was located on its own independent **lot**:

i. 1.0 minimum required **parking space** per **dwelling unit** for the first two **dwelling units** on a lot;

ii. The **walkway** requirements of section 4.27; and,

iii. A maximum of 8 **bedrooms**; and,

(iii) Notwithstanding section 4.3.1, amenity area requirements do not apply to **apartment buildings** that are **townhouses** on the lands subject to this Exception.

(e) **Amenity Area Building(s)**

(i) For clarity, the **accessory building** provisions of this Exception apply to any **buildings** containing interior **amenity area** common to all **dwelling units** on the lot; and,

(ii) The maximum **height** of an **accessory building** containing interior **amenity area** common to all **dwelling units** on the lot is 1 storey."

**E159.**

**E159A.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Despite the uses permitted by the applicable Zone, the only permitted use is a **conservation use**."

**E159B.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Despite the uses permitted by the applicable Zone, the only permitted uses are **conservation use** and **passive recreation**."

(By-Law Number 2022-62; 2024-408)

**E160.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The existing commercial buildings can be converted to contain a maximum of 107 **dwelling units**;

(b) The enhanced bike parking facilities requirements described in Clause 7.3.13. do not apply.

(By-Law Number 2022-62; 2024-192)

**E161.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The existing **accessory dwelling** is permitted on the lands.

(b) The expansion of, alteration to, or relocation of the existing **accessory dwelling** is permitted subject to and in accordance with the performance standards set out in Clause 8.2.1. of this By-law.

(c) No other **residential uses** are permitted after the date of passing of this by-law except as provided for in (a) and (b) above."

(By-Law Number 2022-62; 2024-173)

**E162.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the uses permitted by the applicable Zone, the following **uses** are permitted in the **building** existing on the date of passing of the site specific by-law:

(i) **Office**; and

(ii) A maximum of one **dwelling unit**.

(By-Law Number 2022-62; 2024-332)

**E163.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following complementary commercial **uses** are permitted:

(i) **creativity centre**;

(ii) **financial institution**;

(iii) **fitness centre**;

(iv) **grocery store**;

(v) **laundry store**;

(vi) **office**;

(vii) **personal service shop**;

(viii) **place of worship**;

(ix) **restaurant**;

(x) **retail store**; and

(xi) **wellness clinic**;

(b) Show or display windows, and commercial signage associated with any permitted complementary commercial **uses** that are visible from the exterior of the **building** are prohibited;

(c) Complementary commercial **uses** will be accessed from common corridors within the **building**. Access to complementary commercial **uses** is not permitted directly from an external part of the **building**, except in cases where those **uses** require direct service entrances from any **street** or where the **use** includes an outdoor **patio**;

(d) The minimum **setback** from University Avenue is 6.0 metres;

(e) The minimum **setback** from Union Street is 9.53 metres;

(f) The minimum **setback** from Division Street is 0.0 metres;

(g) The minimum **setback** from Earl Street is 0.0 metres;

(h) The interior **side yard setback** on the east side is 3.2 metres; and

(i) The interior **side yard setback** on the west side is 3.6 metres

(By-Law 2022-62; 2024-236)

**E164.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **setback** from Union Street is 6.79 metres;

(b) The minimum **setback** from Alfred Street is 0.0 metres;

(c) The minimum **setback** from University Avenue is 0.0 metres; and

(d) The maximum **building height** measured to the top of the mechanical shaft on Alfred Street is 31 metres."

(By-Law 2022-62; 2024-236)

**E165.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **heights** are specified on Figure E165, with a maximum 1 metre variance on noted dimensions permitted;

(b) The minimum **setbacks** and **stepbacks** are as shown on Figure E165, with a maximum 5% variance on noted dimensions permitted;

(c) The **angular plane** and **build to plane** requirements described in Subsection 4.5 do not apply;

(d) The maximum tower floorplate above the 3rd storey is 765 square metres;

(e) The **building** components described in Clause 4.18.2. are permitted to cover a maximum area of 50% of the roof area on which they are located, in the aggregate, with maximum **heights** and minimum **setbacks** as shown on Figure E165;

(f) Despite the minimum **setback** requirements, architectural features such as ramps, stairs, **canopies**, and wind screens may project horizontally into the required **setback** up to the **lot line**;

(g) The maximum number of **dwelling units** is 344;

(h) The minimum **first storey height** is 4.5 metres;

(i) The minimum **non-residential** floor area on the **ground floor** is 240 square metres;

(j) A maximum of 85% of the horizontal length of each face of the **main wall** of each **storey** may be occupied by **balconies;**

(k) One communal **amenity area** may have a minimum area of 40 square metres;

(l) Clause 4.3.3. does not apply to a communal exterior **amenity area** accessed from the 3rd storey;

(m) The minimum number of required **parking spaces** is 83;

(n) A maximum of 11 required **parking spaces** are permitted to be used for small cars, with a minimum length of 4.8 metres and a minimum width of 2.4 metres, and must include signage that identifies the space as a "small car parking space";

(o) A minimum of 5 **visitor spaces** are required;

(p) A minimum of 1 **short-term delivery parking space** is required;

(q) A minimum of 1 **car share** space is required;

(r) A minimum of 10% of the required **long-term bike spaces** must be **horizontal bike spaces**. The remainder of the **long-term bike spaces** may be provided as **stacked bike spaces** or **vertical bike spaces**;

(s) The minimum width of a **vertical bike space** is 0.4 metres.

(t) The minimum **drive aisle** width is 6 metres;

(u) Despite paragraph (s) above, where a **drive aisle** is permitted at-grade for access from Wellington Street the minimum **drive aisle** width is 5.75 metres;

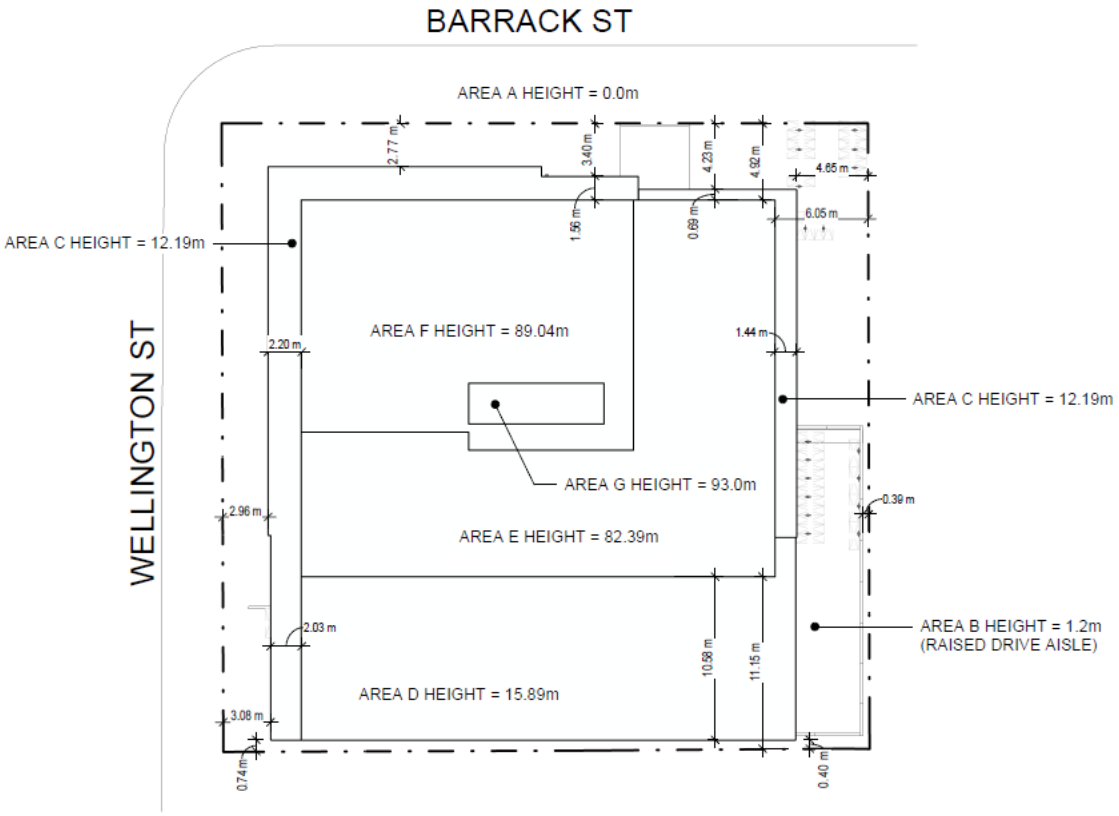
(v) The maximum width of a **driveway** within the required **front setback** is 7.3 metres;

(w) The minimum dimension of the required **sight triangle** is 5 by 5 metres; and

(x) A minimum of 1 **loading space** is required with minimum dimensions of 11.5 metres in length and 3.5 metres in width.

(By-Law 2022-62; 2024-343)

(y) **Figure E165**




**MAX BUILDING HEIGHTS & MAX NUMBER OF STORIES**

AREA A HEIGHT = 0.0m (0 STORIES)
AREA B HEIGHT = 1.2m (0 STORIES)
AREA C HEIGHT = 12.19m (3 STORIES)
AREA D HEIGHT = 15.89m (4 STORIES)
AREA E HEIGHT = 82.39m (25 STORIES)
AREA F HEIGHT = 89.04m (25 STORIES)
AREA G HEIGHT = 93.0m (25 STORIES)

FOR ZONING SCHEDULE PURPOSE
AVEREAGE GRADE FOR 64 BARRACK ST.
= 78.32m GEODETIC ELEVATION

(By-Law 2022-62; 2024-343)

**E166.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Despite table 16.1.2., the following **uses** are prohibited:

(i) **Day Care Centre**

(ii) **Hotel**

(iii) **Place of Worship**

(By-Law Number 2022-62; 2024-309)

**E167.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) **Long-term bike spaces** will not be required for a change of **use** at the existing building at 1287 Gardiners Road. However, if any other **development** is proposed, **long-term bike spaces** must be provided in accordance with all provisions of Subsection 7.3 of this By-law.

**End-of-trip bike facilities** for non-residential uses will not be required for a change of **use** at the existing building at 1287 Gardiners Road. However, if any other **development** is proposed, **end-of-trip bike facilities** must be provided in accordance with all provisions of Subsection 7.3 of this By-Law.

(By-Law Number 2022-62; 2024-329)

**E168.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

a. The minimum **lot** size for an **agricultural use** is 2 hectares.

(By-Law Number 2022-62; 2024-330)

**E169.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the uses permitted in the HB Zone, an **apartment building** or a **dwelling unit** in a **mixed use building** are permitted **uses;**

(b) The maximum number of **dwelling units** in a **mixed-use** or **apartment building** is 118;

(c) The following non-residential uses are also permitted within a **mixed use building**:
- (i) Creativity Centre
- (ii) Fitness Centre
- (iii) Grocery Store
- (iv) Laundry Store
- (v) Library
- (vi) Museum
- (vii) Office
- (viii) Personal Service Shop
- (ix) Wellness clinic

(d) The maximum **building height** is the lesser of 19 storeys and 61 metres;

(e) The minimum **separation distance** from the **high water mark** of a **waterbody** to any **building** is as follows:

(i) South lot line: 14.5 metres except that this may be reduced to 14.0 metres for a maximum building length of 7.0 metres through Site Plan Control and in consultation with the Cataraqui Region Conservation Authority.

(ii) North lot line: 12.0 metres, except this may be reduced to 7.5 metres for an underground **parking structure**.

(iii) East lot line: 56.0 metres, except that this may be reduced to 43.0 metres for an underground **parking structure**.

(f) Private **amenity space**, **patios** associated with a **restaurant** use, and **drive aisles** are also permitted in the minimum **separation distance** from the **high water mark** of a **waterbody**, subject to approval through Site Plan Control and in consultation with the Cataraqui Region Conservation Authority;

(g) A portion of a **mixed use building** including an underground **parking structure**, private **amenity space**, **patios** associated with a **restaurant** use, and **drive aisles** may also be permitted in the area identified as "Floodplain – Wave Uprush" on Schedule A, subject to approval through Site Plan Control and in consultation with the Cataraqui Region Conservation Authority;

(h) The minimum **height** of the **first storey** is 4.5 metres;

(i) The minimum **non-residential use** floor area is 90 square metres;

(j) The minimum **stepback** above the third **storey** is 1.5 metres for the north exterior wall, 10 metres for the east exterior wall, 4.5 metres for the south exterior wall, and 10 metres for the west exterior wall.

(k) The maximum tower floorplate above the third storey is 800 square metres;

(l) The minimum **landscaped open space** is 30%;

(m) The **building** components identified in Clause 4.18.2. are permitted to project a maximum of 5.5 metres above the maximum permitted **height**, with a maximum area of 35% of the roof area on which they are located, in the aggregate. No minimum **setback** is required from the edge of the roof on one side only;

(n) The minimum length of a **parking space** is 5.2 metres;

(o) The minimum length of a Type B **accessible space** is 5.2 metres;

(p) Three Type B **accessible spaces** are permitted to be a minimum width of 2.6 metres;

(q) A maximum of 23 **small car spaces** are permitted;

(r) **Parking spaces** and **visitor spaces** may be located in a **front yard** provided they are **setback** at least 1.5 metres from any **lot line** and 7.4 metres from **any street line**;

(s) The minimum length of a **parking space** parallel to a **drive aisle** is 6.4 metres where a **drive aisle** is at least 7 metres wide;

(t) 1 **loading space** is required and may be provided off-site within 10 metres of the **lot**. Clause 7.5.7 does not apply;

(u) A **loading space** must be a minimum of 5 metres wide by 7.5 metres long;

(v) The minimum **drive aisle** width is 6 metres;

(w) The maximum width of a **driveway** within the required **front setback** is 7.6 metres;

(x) Clauses 7.4.5 and 7.4.9.1 do not apply; and,

(y) Off-site parking associated with an adjacent property may be provided on the site subject to approval through Site Plan Control.

(By-Law Number 2022-62; 2025-300)

**E170.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following **complementary uses** are permitted, up to a maximum of 49% of the total **gross floor area**, in the aggregate:

(i) **Animal Care**

(ii) **Animal Shelter**

(iii) **Day Care Centre**

(iv) **Financial Institution**

(v) **Fitness Centre**

(vi) **Laundry Store**

(vii) **Personal Service Shop**

(viii) **Recreation Facility**

(ix) **Wellness Clinic**;

(b) The calculation for the number of bike spaces and **end-of-trip bike facilities** will be determined based on the individual units within the **building**, and not on the overall **building**;

(c) Clause 7.3.16. does not apply to a **change of use**;

(d) A **retail store** is permitted only as an **accessory use** to a **principal use** on the **lot** and must not exceed 25% of the **gross floor area** of the **building**; and

(e) **Outdoor Storage**:

(i) Minimum **rear setback** is 3.0 metres;
(ii) Minimum **interior setback** is 3.0 metres; and
(iii) Maximum area of **outdoor storage** is 25% of lot area

(By-Law 2022-62; 2024-342)

**E171.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Despite the **uses** permitted by the applicable Zone, the following **uses** are the only permitted **uses**:

(i) **supply depot**;
(ii) **propane transfer facility**;
(iii) **outdoor storage**;
(iv) **transportation depot**;
(v) **warehouse**;
(vi) **light industrial use**; and
(vii) **heavy equipment or truck repair shop**.

(b) A minimum 30.0 metre wide undisturbed vegetated buffer must be maintained adjacent to a **waterbody**;

(c) The following definitions apply for the purpose of this Exception:

(i) **Supply Depot**: means the **use** of any **lot** or **building** for wholesale, commercial purposes or bulk storage and distribution of gasoline, propane, diesel fuel, aviation fuel, heating oil, motor oil or other fuels.

(ii) **Propane Transfer Facility**: means the **use** of any **lot** or **building**, pursuant to the *Technical Standards and Safety Act, 2000*, S.O. 2000, c. 16, for the filling of compressed gas cylinders and vehicles, the sale of propane to end users, or transferring propane in bulk.

(By-Law 2022-62; 2024-362)

**E172.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** is 9;

(b) The maximum number of **bedrooms** is 46;

(c) The minimum **front setback** is 1.2 metres;

(d) The minimum **interior setback** is 0 metres for the first 15 metres as measured from the **front lot line**, and 3.0 metres for the area afterwards to the **rear lot line**;

(e) Despite (c), a **porch** may project from the **main wall** to the **front lot line;**

(f) The minimum **rear setback** is 3.0 metres;

(g) The maximum **lot coverage** is 52%;

(h) The minimum number of **long-term bike spaces** is 9;

(i) The minimum number of **short-term bike spaces** is 1;

(j) **Bike spaces** must be provided within a bike shelter or similar weather protected structure; and

(k) A window well may project into the **interior setback** a maximum of 1.2 metres.

(By-Law Number 2022-62: 2025-91)

**E173.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

(i) **Mixed-use building**; and

(ii) **house**, **semi-detached house**, and **townhouse**, developed in accordance with the UR3 Zone provisions.

(b) The following **uses** are prohibited:

(i) auditorium;

(ii) **department store**;

(iii) **service station**;

(iv) **garden centre**; and

(v) **transportation depot**.

(c) The minimum **lot area** provisions do not apply.

(d) The minimum **lot frontage** provisions do not apply.

(e) The maximum **lot coverage** is 30%.

(f) The maximum **building height** for:

(i) a **mixed-use building** is the lesser of 6 storeys or 20 metres; and

(ii) a **non-residential building** is 11 metres or 1 storey.

(g) The maximum **gross floor area** for all **non-residential uses** is 2,000 square metres.

(h) The maximum **gross floor area** for each individual **non-residential use** is 300 square metres

(By-Law Number 2022-62; 2024-383)

**E174.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following provisions apply to the 'Townhouse Parcel' as shown on Figure E174:

(i) The minimum **lot area** is 158.0 square metres;

(ii) The minimum **lot frontage** is 5.5 metres;

(iii) The **front setback** is measured from the **main wall** of a **building**. The second storey "box window" is an architectural feature which is permitted to encroach into the **front setback** in accordance with Clause 4.19.2;

(iv) The eaves are permitted to encroach up to 0.5 metres into the **front setback**, in accordance with Clause 4.19.2, to be measured from the outside edge of the second storey “box window”;

(v) The **interior setback** is 0.9 metres;

(vi) In addition to the definition of an **exterior setback**, the **exterior setback** also applies to a **lot line** that is not adjacent to another **residential lot**;

(vii) The minimum **rear setback** is 6.0 metres;

(viii) The maximum **lot coverage** is 55%;

(ix) The **setback** of exterior stairs from the **interior lot line** is 0.0 metres;

(x) The minimum **interior setback** of a **porch** will comply with Table 4.20.4, except along a common party wall where it may be 0.0 metres;

(xi) A privacy **fence** is not required between abutting **porches** in **front yards**;

(xii) A **balcony** will not encroach into an **exterior yard** or **interior yard** beyond the **main wall** of the **building**;

(xiii) The minimum number of **visitor parking spaces** is 4;

(xiv) The minimum width of a **drive aisle** is 6.0 metres; and

(xv) The minimum width of a **driveway** from a **private street** to a **common element parking lot** is 5.5 metres.

(b) Despite the provisions in paragraph (a) above which apply to the ‘Townhouse Parcel’, the following provisions shall apply to the specified ‘Townhouse Blocks’ as shown on Figure E174:

(i) <u>Block A</u>

i. The minimum **exterior setback** is 1.3 metres;

ii. The minimum **exterior setback** of a **porch** with a **height** greater than 1.2 metres is 1.3 metres; and

iii. A **walkway** to the main exterior entrances of the two interior **dwelling units** of Block A may be shared between the respective **dwelling units** and must have a minimum width of 1.6 metres.

(ii) Block B

i. The minimum **exterior setback** is 0.8 metres;

ii. The minimum **setback** between the eaves and the **exterior lot line** is 0.4 metres; and

iii. The minimum **front setback** of a **porch** with a **height** greater than 1.2 metres is 5.0 metres.

(iii) Block C

i. The minimum **front setback** is 5.9 metres; and

ii. The minimum **front setback** of a **porch** with a **height** greater than 1.2 metres is 4.9 metres.

(iv) Block D

i. The minimum **front setback** is 5.8 metres; and

ii. The minimum **front setback** of a **porch** with a **height** greater than 1.2 metres is 4.8 metres.

(v) Block E

i. The minimum **front setback** is 5.7 metres;

ii. The minimum **exterior setback** is 1.2 metres;

iii. The minimum **exterior setback** of a **porch** with a **height** less than 0.6 metres is 1.2 metres;

iv. The minimum length of a **parking space** in a tandem configuration is 5.5 metres; and

v. The **driveway** and **walkway** may overlap.

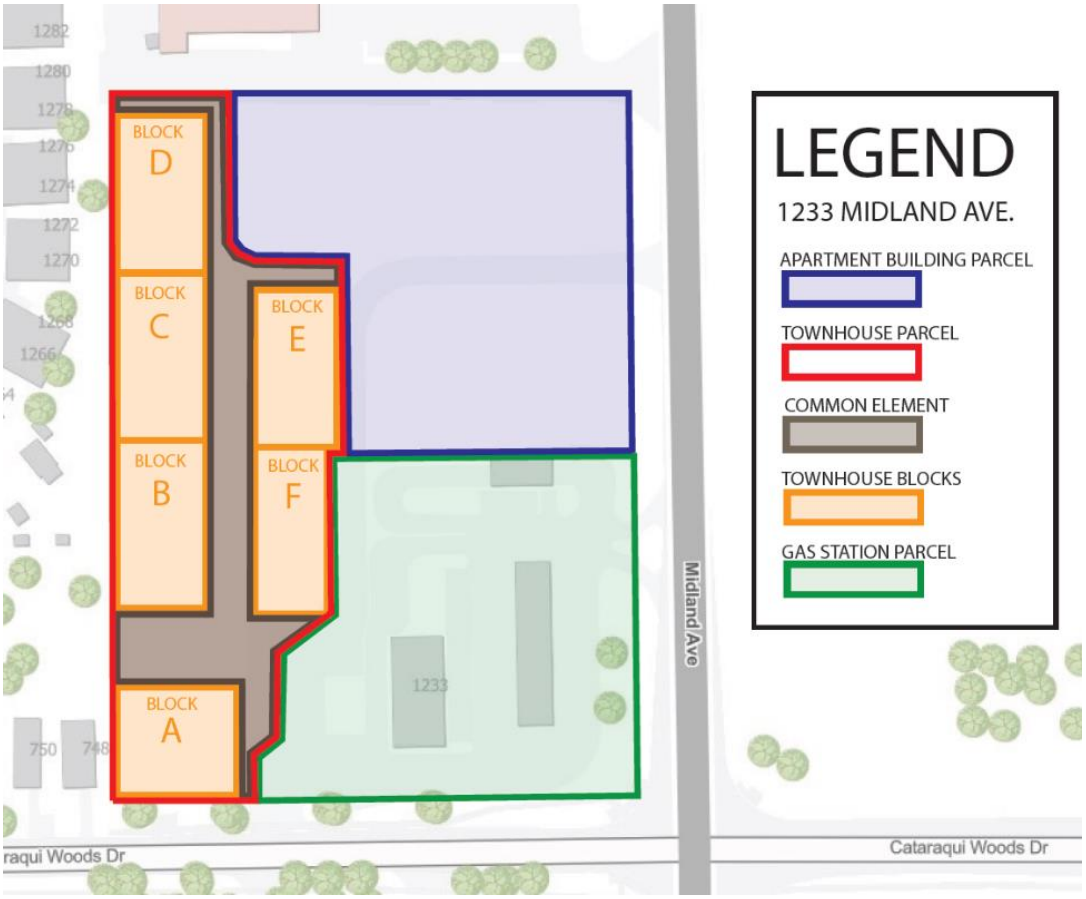
(vi) Block F

i. The minimum **front setback** is 5.7 metres;

ii. The minimum length of a **parking space** in a tandem configuration is 5.5 metres; and

iii. The **driveway** and **walkway** may overlap.

(c) **Figure E174**




(By-Law 2022-62; 2024-396)

**E175.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **building height** is 20.8 metres.

(b) The minimum **front setback** is 3.0 metres.

(c) The minimum width of a **drive aisle** is 6.0 metres.

(d) The maximum width of a **driveway** within a **front setback** is 7.5 metres.

(e) The minimum number of **long-term bike spaces** that must be provided as larger **horizontal bike spaces** is 4."

(By-Law 2022-62; 2024-396)

**E176.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **interior setback** is 2.8 metres.

(b) The minimum **separation distance** from a **drive-through** to a residential **lot** is 9.0 metres.

(c) Instead of a **planting strip** that separates the **drive-through** from the adjacent **townhouses**, a 2.5 metre noise **fence** is required.

(By-Law 2022-62; 2024-396)

**E177.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following neighbourhood commercial **uses** are permitted within the **buildings** which existed as of the date of passing of the amending by-law introducing this Exception:

(i) **creativity centre**;

(ii) **financial institution**;

(iii) **office**;

(iv) **personal service shop**;

(v) **retail store**; and

(vi) **wellness clinic**.

(By-Law 2022-62; 2025-8)

**E178.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **lot area** is 159 square metres per **dwelling unit** for a Townhouse and 99 square metres per **dwelling unit** for a back-to-back **townhouse**.

(b) The minimum **lot frontage** is 6 metres for a **townhouse** and 6.4 metres for a back-to-back **townhouse**;

(c) The maximum **height** for a back-to-back **townhouse** is 11.5 metres;

(d) The minimum **rear setback** is 6 metres for a **townhouse**;

(e) The minimum **exterior setback** is 3.3 metres for a **townhouse** and 3 metres for a back-to-back **townhouse**;

(f) The minimum **interior setback** for a **townhouse** where the lot line is not a common party wall is 1.2 metres;

(g) The minimum **landscaped open space** for a back-to-back **townhouse** is 16%;

(h) The maximum **lot coverage** is 58% for a **townhouse** and 62% for a back-to-back **townhouse**;

(i) The maximum cumulative width of all **driveways** on a **lot** within the required **front setback** is 3.6 metres;

(j) Building components added for the primary purpose of noise mitigation such as a wing-wall are not subject to the **lot coverage** or **setback** provisions of this By-law.

(By-Law 2022-62; 2025-14)

**E179.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **height** is the lesser of 45 metres or 15 **storeys**;

(b) The maximum number of **dwelling units** is 210;

(c) Where the provisions of this By-law permit **building** components to project above the maximum permitted **height** the following provisions take precedence:

(i) Maximum projection for mechanical and service equipment penthouse, elevator or stairway penthouses is 6.5 metres provided a minimum **setback** of 3.5 metres is provided from the edge of the roof;

(ii) Maximum projection for enclosed building components providing tenants with **amenity areas** and access to rooftop **amenity areas** or any mechanical equipment is 3.8 metres provided there is a minimum **setback** of 3.2 metres from the edge of the roof;

(iii) Maximum percent of the roof area permitted to be occupied by such projections is of 40%.

(d) The minimum **rear setback** is 40 metres;

(e) The minimum number of **visitor spaces** is 9;

(f) Minimum **drive aisle width** is 6.5 metres; and

(g) A 22.8 metre vegetated buffer which screens views of the **development** or creates natural spaces for **passive recreation** is required to be provided and maintained along the **rear lot line**.

(By-Law 2022-62; 2025-88)

**E180.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **height** is the lesser of either 36.5 metres or 12 **storeys**;

(b) The maximum number of **dwelling units** is 170;

(c) Where the provisions of this By-law permit **building** components to project above the maximum permitted **height** the following provisions take precedence:

(i) Maximum projection for mechanical and service equipment penthouse, elevator or stairway penthouses is 6.5 metres provided a minimum **setback** of 3.5 metres is provided from the edge of the roof;

(ii) Maximum projection for enclosed building components providing tenants with **amenity areas** and access to rooftop **amenity areas** or any mechanical equipment is 3.8 metres provided there is a minimum **setback** of 3.2 metres from the edge of the roof;

(iii) Maximum percent of the roof area permitted to be occupied by such projections is of 40%.

(d) The minimum **rear setback** is 50 metres;

(e) The minimum number of **visitor parking spaces** is 7;

(f) Minimum **drive aisle width** is 6.5 metres; and,

(g) A 22.8 metre vegetated buffer which screens views of the **development** or creates natural spaces for **passive recreation** is required to be provided and maintained along the **rear lot line**.

(By-Law 2022-62; 2025-88)

**E181.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Maximum **height** is the lesser of either 47.5 metres or 16 **storeys**;

(b) The maximum number of **dwelling units** is 220;

(c) Where the provisions of this By-law permit **building** components to project above the maximum permitted **height** the following provisions take precedence:

(i) Maximum projection for mechanical and service equipment penthouse, elevator or stairway penthouses is 6.5 metres provided a minimum **setback** of 3.5 metres is provided from the edge of the roof;

(ii) Maximum projection for enclosed building components providing tenants with **amenity areas** and access to rooftop **amenity areas** or any mechanical equipment is 3.8 metres provided there is a minimum **setback** of 3.2 metres from the edge of the roof;

(iii) Maximum percent of the roof area permitted to be occupied by such projections is of 40%.

(d) The minimum **rear setback** is 39 metres;

(e) The minimum setback of a **swimming pool** is 0.0 metres from a lot line abutting another **lot** in the URM2 zone, and 25 metres from a **rear lot line**.

(f) Minimum number of **visitor spaces** is 10;

(g) Minimum **drive aisle width** is 6.5 metres;

(h) A 22.8 metre vegetated buffer which screens views of the **development** or creates natural spaces for **passive recreation** is required to be provided and maintained along the **rear lot line**.

(By-Law 2022-62; 2025-88)

**E182.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following additional **uses** are permitted:

(i) **Financial institution;**

(ii) **Office;**

(iii) **Personal service shop;**

(iv) **Retail store;** and

(v) **Wellness clinic.**

(By-Law 2022-62; 2025-88)

**E183.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Maximum **height** is the lesser of 15.0 metres or four **storeys**;

(b) **Dwelling units** in a **mixed-use building** are a permitted use;

(c) The minimum floor to floor **height** of the **first storey** of a **mixed use building** is 4.5 metres, and in all other respects the provisions for an **apartment building** apply to a **mixed use building**;

(d) **Mixed-use buildings** may only contain **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2;

(e) On a **lot** where the south **lot line** abuts a **street** the minimum **gross floor area** of **non-residential uses** is 385 square metres;

(f) **Non-residential uses** are only permitted on the **first storey**;

(g) **Non-residential uses** are only permitted up to a maximum of 1,000 square metres in **gross floor area**;

(h) **Accessible spaces** are not required to be provided for a **non-residential use**;

(i) A **short-term delivery space** is not required;

(j) The **front lot line** is the eastern most **lot line;**

(k) Minimum **front setback** is 3.0 metres;

(l) Minimum **rear setback** is 3.0 metres;

(m) Minimum **interior setback** is 4.0 metres;

(n) Minimum **exterior setback** is 2.1 metres where a **street** is to the north of the **exterior lot line**, and 10.0 metres where a **street** is to the south of the **exterior lot line**; and

(o) The lands located within Exception Number 183 will be treated as one **lot** for the purposes of calculating **lot coverage** and, maximum number of **dwelling units**;

(p) Maximum **lot coverage** is 60%; and

(q) Maximum number of **dwelling units** is 190.

(By-Law 2022-62; 2025-88)

**E184.** Reserved

**E185.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, a **hotel** with an **accessory dwelling unit** is permitted, subject to the following provisions:

(i) A **banquet hall** is permitted as an **occasional use**;

(ii) A maximum of 7 guest rooms is permitted;

(iii) A **restaurant** with a maximum gross floor area of 60 square metres is permitted; and,

(iv) An **outdoor patio** with a maximum area of 55 square metres is permitted.

(v) Minimum **Setbacks**:

(vi) The following minimum **setbacks** apply to the **building** existing on the date of passing of this site specific By-law:

(1) Minimum **rear setback** (North side): 1.4 metres;

(2) Minimum **interior setback** (East side): 0 metres; and,

(3) Despite subparagraph (i) above, any redevelopment of the lands subject to this Exception must comply with the applicable Zone **setback** requirements.

(b) **Dormer** Provisions:

(i) The following **dormer** provisions apply to the **building** existing on the date of passing of this site specific By-law:

(1) The front wall of an existing **dormer** may be setback 0 metres from the **main wall**;

(2) The side wall of an existing **dormer** may be **setback** 0 metres from the edge of the roof on which it is located;

(3) The maximum cumulative length of all existing **dormers** on the same portion of a sloped roof may exceed 50% of the length of the roof on which it is located; and,

(4) Despite subparagraph (i) above, any redevelopment of the lands subject to this Exception must comply with the applicable Zone **dormer** provisions.

(c) Parking is permitted in the **front yard**.

(d) A **planting strip** is not required where an **interior lot line** or **rear lot line** of a **lot** used for a **non-residential use** abuts a **residential use** in the HCD3 Zone.

(e) Fire escapes may be **setback** 0 metres from the **interior lot line**.

(f) A maximum 55 square metre **outdoor patio** associated with the permitted **hotel use** may have a **separation distance** of 0 metres from a **lot** in the HCD3 Zone.

(By-Law 2022-62; 2025-90)

**E186.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted

(i) All **uses** permitted in the UR5 Zone as per the provisions of the UR5 Zone; and

(ii) **Dwelling unit** in a **mixed use building**.

(By-Law Number 2022-62; 2025-118)

**E187.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **height** is 12 **storeys**.

(b) The maximum floorplate size above the sixth **storey** is 1,200 square metres.

(c) The maximum **density** is 200 **dwelling units** per net hectare; and

(d) Residential **uses** that legally existed on the date of passing of the site specific by-law are deemed to be permitted **uses** and must comply with the provisions of the UR5 Zone.

(By-Law Number 2022-62; 2025-118)

**E188.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **density** is 120 **dwelling units** per net hectare.

(By-Law Number 2022-62; 2025-118)

**E189**. Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **height** is 6 **storeys**.

(b) The maximum **density** is 175 **dwelling units** per net hectare.

(c) The fifth and sixth **storeys** are required to **stepback** a minimum of 3.0 metres from the exterior wall of the 4th **storey** along the **front lot line**.

(By-Law Number 2022-62; 2025-118)

**E190.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** is 230.

(By-Law Number 2022-62; 2025-118)

**E191.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **density** is 175 **dwelling units** per net hectare.

(b) The maximum **floor space index** does not apply.

(c) The fifth and sixth **storeys** are required to **stepback** a minimum of 3.0 metres from the exterior wall of the 4th **storey** along the **front lot line**.

(By-Law Number 2022-62; 2025-118)

**E192.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** is 40.

(b) The minimum **rear setback** is 55 metres.

(By-Law Number 2022-62; 2025-118)

**E193.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following uses are permitted:

(i) **Special needs facility**; and

(ii) **Wellness clinic**;

(b) The lands subject to this Exception are deemed to be one **lot** for the purposes of interpreting zoning provisions;

(c) **Uses** existing as of the date of passing of this site specific by-law must comply with the provisions of the URM11 Zone;

(d) Where a **lot** contains more than one **use**, the required number of **parking spaces** is the sum of all **parking spaces** required;

(e) The maximum number of **dwelling units** is 50;

(f) The southernmost **lot line** is deemed to be the **front lot line**;

(g) The minimum **front setback** is 3.0 metres;

(h) The minimum **rear setback** is 4.5 metres;

(i) The minimum **exterior setback** is 3.0 metes;

(j) The maximum **height** is the lesser of 16.5 metres or 4 **storeys**;

(k) **Accessible spaces** are permitted in the **front yard**;

(l) The minimum **drive aisle** width is 5 metres for **accessible spaces** located in the **front yard**;

(m) A **planting strip** is not required;

(n) A **canopy** may project a maximum of 4.5 metres into a required **sight triangle,** provided it has a minimum clearance of 2.8 metres above the elevation of the Division Street centreline; and

(o) **A canopy** may project a maximum distance of 1.7 metres into a required **setback**, provided such **canopy** is **setback** a minimum of 0.5 metres to any lot line.

(By-Law Number 2022-62; 2025-118)

**E194.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **front setback** is 1.5 metres.

(b) The minimum **interior setback** is 0 metres on the north side and 0.6 metres on the south side.

(c) The minimum size of a standard **parking space** is 2.6 metres wide and 5.2 metres long.

(d) The minimum **driveway** width is 2.3 metres.

(e) Unenclosed front **porches** and below-grade steps are permitted to project 1.5 metres out from the main building wall, with no minimum setback from the **front lot line**. Minimum **interior setback** for an unenclosed front **porch** and below-grade steps is 0.5 metres (south) and 0 metres (north).

(f) An **accessory building** may be located not less than 0.9 metres from the rear lot line and not less than 0.3 metres from the north interior lot line.

(g) **Amenity areas** may be aggregated into spaces of not less than 43 square metres.

(By-Law Number 2022-62; 2025-118)

**E196.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Despite the **residential uses** permitted by the applicable Zone, the following uses are the only permitted **residential uses**:

(i) **Semi-detached house; and,**

(ii) **Townhouse.**

(b) In addition to the **uses** permitted by the applicable Zone, the following uses are permitted on the ground floor within a **semi-detached house** or **townhouse**:

(i) **creativity centre**;

(ii) **retail store**;

(iii) **day care centre**;

(iv) **fitness centre**;

(v) **office**;

(vi) **personal service shop**;

(vii) **restaurant**;

(viii) **wellness clinic**; and,

(ix) **grocery store**

(c) The minimum **landscaped open space** for back-to-back **townhouse** dwellings that share both a rear common party wall and a minimum of one side common party wall is 15%.

(d) The maximum **height** for a back-to-back **townhouse** with a sloped roof is 11.0 metres.

(e) Maximum Driveway Width:

(i) For a **semi-detached dwelling**, the maximum **driveway** width is 6 metres or 50% of the lot width, whichever is less.

(ii) For a **townhouse dwelling** on an interior lot, the maximum **driveway** width is 3.5 metres.

(iii) For a **townhouse dwelling** on an end lot, the maximum **driveway** width is 4.0 metres or 50% of the width of the lot, whichever is lesser.

(f) **Sight triangles** must comply with the following provisions:

(i) A **sight triangle** is required by a line drawn from a point on the exterior side lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line, and a point on the front lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line.

**i.** Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.

**ii.** Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

(By-Law Number 2022-62; 2025-138)

**E197.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Despite the **residential uses** permitted by the applicable Zone, the following uses are the only permitted **residential uses**:

(i) **Semi-detached house; and,**

(ii) **Townhouse**

(b) In addition to the **uses** permitted by the applicable Zone, the following uses are permitted on the ground floor within a **semi-detached house**, or **townhouse**:

(i) **creativity centre**;

(ii) **retail store**;

(iii) **day care centre**;

(iv) **fitness centre**;

(v) **office**;

(vi) **personal service shop**;

(vii) **restaurant**;

(viii) **wellness clinic**; and,

(ix) **grocery store.**

(c) Maximum **Height** of a Residential **Building:** 1-**storey,** prohibiting mezzanine level floor area

(d) The minimum **landscaped open space** for back-to-back **townhouse** dwellings that share both a rear common party wall and a minimum of one side common party wall is 15%.

(e) Maximum Driveway Width:

(i) For a **semi-detached dwelling**, the maximum **driveway** width is 6 metres or 50% of the lot width, whichever is less.

(ii) For a **townhouse dwelling** on an interior lot, the maximum **driveway** width is 3.5 metres.

(iii) For a **townhouse dwelling** on an end lot, the maximum **driveway** width is 4.0 metres or 50% of the width of the lot, whichever is lesser.

(f) **Sight triangles** must comply with the following provisions:

(i) A **sight triangle** is required by a line drawn from a point on the exterior side lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line, and a point on the front lot line 3.5 metres from the intersection of the exterior side lot line and the front lot line.

(i) Where the exterior side lot line and the front lot line do not intersect at a point, the hypothetical point of intersection of the two lot lines are deemed to be the intersection of the two lot lines.

(ii) Where a lot is divided into more than one zone, the zone boundary is not treated as a lot line and each portion of the lot must be used in accordance with the provisions of the applicable zone. In the case of a conflict, the more restrictive provision(s) applies.

(By-Law Number 2022-62; 2025-138)

**E198.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Despite the **residential uses** permitted by the applicable Zone, the following uses are the only permitted **residential uses**:

(i) **apartment building**; and

(ii) **dwelling unit** in a **mixed use building**.

(b) **Mixed use buildings** may only contain **non-residential uses** that are permitted in the CN Zone as per Table 15.1.2., and the **non-residential uses** are only permitted on the first storey.

(c) Additional permitted **non-residential use**:

(i) **Special needs facility;**

(d) The northernmost **lot line** is deemed to be the **front lot line**, southernmost **lot line** is deemed to be the **rear lot line**, the easternmost **lot line** is deemed to be the **exterior lot line**, and all other **lot lines** are deemed to be **interior lot lines**.

(e) The minimum **density** is 100 **dwelling units** per net hectare.

(f) The maximum **height** is 136 metres above sea level.

(g) Height exceptions and projections permitted above the maximum **height** do not apply to the lands subject to this Exception.

(h) The minimum ground floor **height** is 4.0 metres.

(i) The minimum **setback** from any **lot line** is 3.0 metres, unless one of the following conditions applies:

(i) Where a **lot line** abuts any Urban Residential Zone, regardless of height, the minimum **setback** is 15.0 metres; or

(ii) Where a lot line abuts any other Zone and the **building** or structure is greater than 13.5 metres in **height** above the grade of the lot line, the minimum **setback** is 10.0 metres.

(j) The minimum **parking space** dimensions are 2.6 metres wide and 5.2 metres long.

(k) The minimum **drive aisle** width is 6.1 metres.

(l) **Parking spaces** must comply with the following provisions:

(i) **Parking spaces** are permitted in any yard.

(ii) Where a **parking space** is adjacent to a **street**, a minimum 1.0- metre high berm must be provided, which includes a minimum 3.0- metre wide **planting strip**.

(m) The maximum total **gross leasable area** for **non-residential uses** in E198 and E199 is:

(i) Total **Gross Leasable Area**: 10,700 square metres.

(ii) **Grocery Store Gross Leasable Area**: 4,200 square metres.

(n) A continuous pathway must be provided in the form of a north-south pedestrian connection to link Taylor Kidd Boulevard and the residential neighbourhood to the south. The continuous pathway must be a minimum of 3 metres wide, provide a stable surface treatment. No buildings are permitted to be included in the pathway. This pathway can be shared between this zone and the adjacent E199 zone. If a continuous pathway is provided entirely in the E199 zone, one is not required in the E198 zone.

(By-Law Number 2022-62; 2025-138)

**E199.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following uses are permitted:

(i) **apartment building**; and

(ii) **dwelling unit** in a **mixed use building**.

(b) Despite anything to the contrary in the By-law, **service stations** are a prohibited use on the lands subject to this Exception.

(c) The maximum **height** is 136 metres above sea level.

(d) Height exceptions and projections permitted above the maximum **height** do not apply to the lands subject to this Exception.

(e) The minimum ground floor **height** is 4.0 metres.

(f) The minimum **setback** from any **lot line** is 3.0 metres, unless one of the following conditions applies:

(i) Where a **lot line** abuts any Urban Residential Zone, regardless of height, the minimum **setback** is 15.0 metres; or

(ii) Where a lot line abuts any other Zone and the **building** or structure is greater than 13.5 metres in **height** above the grade of the lot line, the minimum **setback** is 10.0 metres.

(g) The minimum **parking space** dimensions are 2.6 metres wide and 5.2 metres long.

(h) **Parking spaces** must comply with the following provisions:

(i) **Parking spaces** are permitted in any yard.

(ii) Where a **parking space** is adjacent to a **street**, a minimum 1.0- metre high berm must be provided, which includes a minimum 3.0- metre wide **planting strip**.

(i) The minimum **drive aisle** width is 6.1 metres

(j) The minimum **gross leasable area** for non-residential uses is 2,000 square metres.

(k) The maximum **gross leasable area** for **non-residential uses** in E198 and E199 is:

(i) Total **Gross Leasable Area**: 10,700 square metres.

(ii) **Grocery Store Gross Leasable Area**: 4,200 square metres.

(l) A continuous pathway must be provided in the form of a north-south pedestrian connection to link Taylor Kidd Boulevard and the residential neighbourhood to the south. The continuous pathway must be a minimum of 3 metres wide, provide a stable surface treatment. No buildings are permitted to be included in the pathway. This pathway can be shared between this zone and the adjacent E198 zone. If a continuous pathway is provided entirely in the E199 zone, one is not required in the E198 zone.

(By-Law Number 2022-62; 2025-138)

**E200.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) Only the following **uses** are permitted:

(i) **Transportation Depot**;

(ii) **Firewood Processing Yard;**

(iii) **Soil Processing Facility;**

(iv) **Contractor's Yard**;

(v) **Building Supply Store**;

(vi) **Asphalt Plant**; and

(vii) An **office** associated with a permitted **use**;

(b) The storage of hazardous materials, including explosives, radioactive materials, flammable or hazardous chemicals, or goods that produce noxious odours, is prohibited;

(c) The following definitions apply for the purposes of this Exception:

(i) "**Firewood Processing Yard**" means the storage and processing of timber into firewood;

(ii) "**Soil Processing Facility**" means a **use** involving the storing, processing and recycling of non-hazardous rock, soils, general fill and sands, together with related equipment **used** for recycling, screening and processing base materials into engineered graded material; and

(iii) "**Asphalt Plant**" means the **use** of any **lot** or **building** for the production of asphalt and asphalt paving materials, the mixing of mineral aggregates, and oil or recycled asphalt or mineral aggregate resources, including the stockpiling and storage of associated bulk materials used in these processes, and the associated facilities used in transportation, beneficiation, processing, or recycling of mineral aggregate materials or their derived products;

(d) The minimum **lot area** is 13.7 hectares;

(e) A berm(s) must be constructed between the area of the proposed development and the adjacent **residential uses** and Highway 401, except where existing drainage needs to be incorporated into the design of the berm(s) and subject to the following provisions:

(i) The minimum berm **height** is 4 metres above the average finished grade;

(ii) The design of the berm(s) must account for the existing drainage from the abutting property to the north to ensure that excessive ponding does not occur as a result of the berm construction; and

(iii) The berm(s) must be **used** only for the planting of evergreen and deciduous trees and must be vegetated with a mix of deciduous and coniferous native species;

(f) **Outdoor storage** of goods and materials is permitted in accordance with the following provisions:

(i) every **outdoor storage** area must be **accessory** to a **principal use** and may include licensed vehicles, equipment, tractors and commercial vehicles;

(ii) every **outdoor storage** area must comply with the applicable yard **setback** provisions of the underlying zone as if such open storage were a **building**, and for clarity, the **setback** in Clause (i) of this Exception does not apply to **outdoor storage**;

(iii) an **outdoor storage** area is limited to an area approved through the site plan control process; and

(iv) every **outdoor storage** area must be visually screened from the adjacent **residential uses** and Highway 401;

(g) Despite Subsection 4.23. of this By-law, access aisles and stormwater management facilities may be located within the required **separation distance** from a **wetland**, provided a minimum **separation distance** of 10 metres is maintained;

(h) A minimum 10 metre wide vegetated buffer must be provided and maintained adjacent to a **wetland**; and

(i) The minimum **setback** for **buildings** from the west **lot line** is 200 metres.

(By-Law Number 2022-62; 2025-151; 2026-94)

**E201** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) A maximum of 4 **visitor spaces** may be located within the **front yard** provided that no **visitor space** be located less than 6.5 metres from the **front lot line**;

(b) Where the **lot** is **used** for a seniors living establishment in an **apartment building** or **mixed use** building, a minimum of 0.19 **long-term bike spaces** are required per **dwelling unit**. In all

other cases, the minimum number of **long-term bike spaces** required per **dwelling unit** shall be governed by section 7.3.1;

(c) The minimum **landscaped open space** is 35%; and

(d) The minimum **height** for an **apartment building** or **mixed use building** is four storeys; and,

(e) The lands subject to this Exception are deemed to be one **lot** for the purposes of interpreting zoning provisions.

By-Law 2022-62; 2025-178)

**E202** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following **accessory uses** are permitted, up to a maximum of 15% of the total **gross floor area,** in the aggregate:

(a) **Retail store**;

(b) **Restaurant**;

(c) **Banquet hall**; and

(d) **Wellness clinic;**

(b) The minimum **rear setback** is 2.0 metres; and

(c) Despite the minimum **setback** requirements, architectural features such as ramps, stairs, canopies and wind screens may project horizontally into the required **setback** up to the **lot line** on the east side.

(By-Law Number 2022-62; 2025-163)

**E203.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) **Dwelling units** are prohibited; and

(b) The minimum **lot area** for **non-residential uses** is 18 hectares.

(By-Law Number 2022-62; 2025-162)

**E204. Reserved**

**E205.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) A **contractor's yard** with accessory **outdoor storage** shall be permitted, in addition to all other uses;

(b) The minimum **interior setback** from the 327 square metre building associated with a **contractor's yard** is 8.6 metres; and

(c) no more than 10 persons, other than a resident of a **house** on the lands subject to this Exception, are permitted to physically work in the **contractor's yard** at any given time.

(By-Law Number 2022-62; 2025-297)

**E206.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

a) In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

i. **Stacked townhouse**

b) **Stacked townhouses** must comply with the following provisions:

i. The minimum **lot area** is 1,920 square metres;

ii. The minimum **lot frontage** is 18 metres;

iii. The minimum **front setback** is 4.1 metres;

iv. The minimum **rear setback** is 6 metres;

v. The minimum **interior setback** is 4 metres;

vi. The maximum **height** is 4 **storeys**;

vii. The minimum **landscaped open space** is 30%;

viii. A minimum of 16 square metres of **amenity area** is required per **unit**;

ix. The minimum width of a **drive aisle** is 6 metres;

x. The minimum parking ratio is 0.7 **parking spaces** per **dwelling unit**;

xi. A maximum of 8 **long-term bike spaces** are permitted within the interior of the **stacked townhouse units** and are permitted in the ground floor **units** only;

xii. 100% of the horizontal length of the face of the eastern wall of each **storey** may be occupied by **balconies**; and

xiii. A maximum of 50% of the horizontal length of the face of the western wall of each **storey** may be occupied by **balconies**.

c) **Townhouses** must comply with the applicable Zone provisions, except:

i. The minimum **lot area** is 165 square metres;

ii. The minimum **lot frontage** is 6 metres;

iii. The minimum **front setback** is 6.2 metres;

iv. The minimum **rear setback** is 6 metres;

v. The minimum **exterior setback** is 4 metres; and

vi. The maximum width of a **driveway** is the lesser of:

1. 6.0 metres; or
2. 65% of the length of the applicable **street line** frontage.

d) The minimum size of a **horizontal bike space** is 0.3 metres wide and 1.8 metres long with 1.9 metres of vertical clearance; and

e) The maximum **density** is 70 **dwelling units** per net hectare. For the purpose of calculating **density**, all lands subject to Exception E206 shall be treated as one lot.

(By-Law 2022-62; 2025-312)

**E207.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** is 50;

(b) The maximum permitted **height** is 13 metres;

(c) The minimum **setbacks** and **stepbacks** for the front and rear façade of an **apartment building** are specified on Figure E207,

with a maximum 5% variance on noted setback dimensions permitted;

(d) The following additional **building** component is permitted to exceed the maximum permitted **height** in accordance with Clause 4.18.2:

(i) Enclosed **building** components providing tenants with interior **amenity area**;

(e) **Terraces** with a minimum depth of 1.8 metres providing exterior **amenity area** are exempt from Clause 4.3.3;

(f) The minimum **separation distance** from the **high water mark** of the **waterbody** to the south to any **use** or **building** is 15 metres;

(g) The minimum **setback** from the **floodplain** of the artificially constructed swale to the east, which may be subject to flooding hazards as defined by the Cataraqui Region Conservation Authority, to any **building** is 6.0 metres;

(h) The minimum number of **parking spaces** for an **apartment building** is 0.87 **parking spaces** per **dwelling unit**;

(i) The maximum width of a **driveway** within the required **front setback** is 7.2 metres;

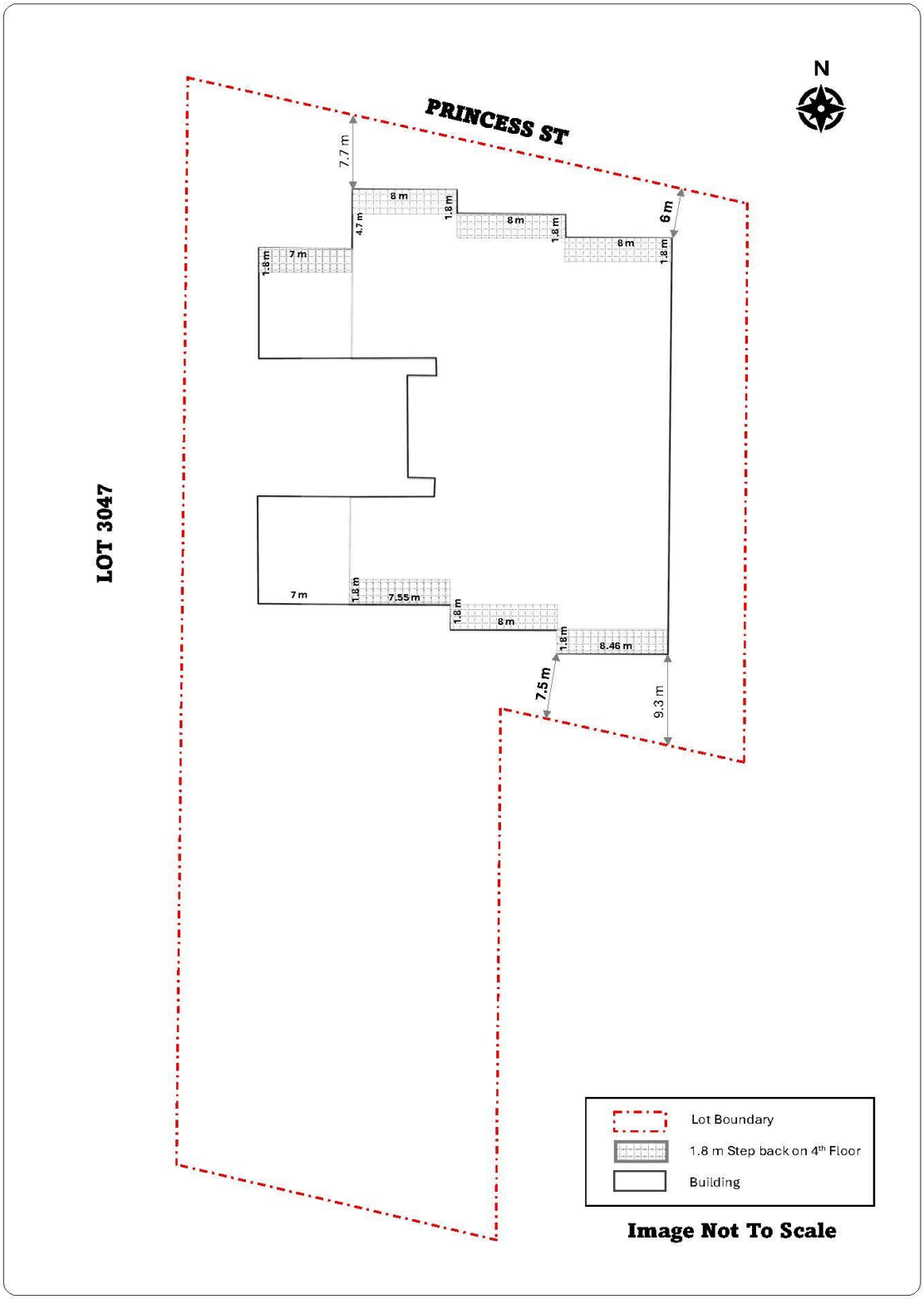
(j) A **parking space** may be set back a minimum of 5.1 metres from a **street line** where a 2 metre wide **planting strip** is provided to screen the **parking space** from the **street line**;

(k) A maximum of 13% of **parking spaces** provided on a **lot** may be **parking spaces** for small cars;

(l) A privacy fence with a minimum height of 1.8 metres must be provided adjacent to a **parking lot**.

(By-Law 2022-62; 2026-1)

(m) **Figure E207**




**(By-Law 2022-62; 2026-1)**

**E208.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The following uses are not permitted:

(i) **agricultural sales establishment;**

(ii) **automobile sales establishment;**

(iii) **day care centre;**

(iv) **hotel;**

(v) **place of worship**

(vi) **recreational vehicle sales establishment;**

(vii) **repair shop; and**

(viii) **service station.**

(b) No **dwelling units** are permitted on the lands.

(c) The minimum **setback** for **buildings** and **parking lots** from the Highway 15 **street line** is 5 metres.

(d) The minimum **interior setback** from a **lot line** abutting the property municipally known as 1403 Highway 15 and the south **lot line** is 12 metres.

(e) A minimum 6.0 metre wide **planting strip** must be provided along the 6.0 metre servicing easement abutting the property municipally known as 1403 Highway 15. The minimum **setback** from the **planting strip** to the front **lot line** is 5 metres.

(f) **Outdoor storage** is permitted as an **accessory use** to a **building supply store**, subject to the following:

(i) the **outdoor storage** must comply with the **setback** requirements for the **principal building**;

(ii) **outdoor storage** must not be located in a **front yard**;

(iii) **outdoor storage** must be provided with a **visual screen** with a minimum height of 1.8 metres and in such a manner that the **outdoor storage** is not visible from a **street** or a **lot** that is located in any Zone other than an Employment or Commercial Zone;

(iv) **outdoor storage** must not have an area greater than 30% of the **lot area**; and

(v) when **outdoor storage** is established under the provisions of this By-law, the subsequent construction of a new **residential use** on an adjacent **lot** does not render such **outdoor storage** non-complying.

(By-Law Number 2022-62; 2026-42)

**E209.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **landscaped open space** is 20%. Any hard landscaping must be of a permeable material to be included in the calculation for minimum **landscaped open space**.

(b) Notwithstanding uses on adjacent lots, **outdoor storage** is permitted, in accordance with the provisions of Subsection 16.2.2.

(By-Law Number 2022-62; 2026-42)

**E210.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **building height** is 13.5 metres;

(b) For the purposes of this Exception, any **lot line** opposite to and running parallel with the **front lot line** shall be deemed to be a **rear lot line**;

(c) The minimum **interior setback** (north) is 18.0 metres;

(d) The minimum **interior setback** (south) is 2.0 metres;

(e) **Balconies** on the north and east facing **main walls** of a **building** are only permitted above the third **storey**, to a maximum projection of 1.5 metres from the **main wall**;

(f) A **balcony** on the fourth floor may occupy 100% of horizontal length of each face of the **main wall**, provided no balcony be located within 18 metres of a **rear lot line**;

(g) The minimum **drive aisle width** is 5.75 metres;

(h) The minimum off-street **parking space** ratio for residential **uses** is 0.4 **parking spaces** per **dwelling unit**;

(i) The minimum dimensions of a **parking space** are 2.5 metres by 5.2 metres;

(j) A minimum of 2 **accessible spaces** must be provided;

(k) A minimum of 1 **visitor space** must be provided;

(l) A maximum of 1 **parking space** and 1 **visitor space** may be located within the **front yard** subject to a minimum **setback** of 2.3 metres from a **street line**;

(m) A **car-share** space is not required; and

(n) A **loading space** is not required.

(By-Law Number 2026-92)

**E211.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** is 458;

(b) The calculation of an **angular plane** and **build-to-plane** is not required;

(c) The minimum number of **parking spaces** per **dwelling unit** is 0.25 **parking spaces**;

(d) The minimum number of **car-share spaces** is 5 spaces;

(e) The minimum number of **parking spaces** for commercial **uses** is 100 **parking spaces**;

(f) The minimum number of short-term delivery **parking spaces** is 2 spaces;

(g) The minimum width of a **drive aisle** is 6.0 metres;

(h) The maximum width of a **driveway** is 9.0 metres;

(i) Clause 4.3.3 does not apply with respect to communal **amenity areas** located on the fifth and sixth floors of the **building**;

(j) The minimum **height** of the **first storey** is 4.5 metres;

(k) The minimum **gross leasable area** of a **non-residential use** on the **first storey** is 3,400 square metres;

(l) Commercial **uses** on the **first storey** will be recessed a minimum of 0.8 metres from the outer wall of the podium;

(m) On the second, third and fourth floors of the **building**, 100% of the length of any wall facing a **street** will be comprised of **dwelling units**, **amenity areas** or **building** components that support **residential uses**;

(n) A minimum of 60% of the surface area of the **first storey** façade facing a **street** must be comprised of transparent glazing;

(o) The maximum floor plate of all **storeys** above the fifth **storey** is 750 square metres;

(p) The minimum dimensions of the required **sight triangle**s at Barrie Street and Brock Street are 8.7 metres by 8.7 metres. The **building** may extend into the **sight triangle** above the **first storey**, as shown in Figure E211;

(q) The **building setbacks** are specified on Figure E211. The **building setbacks** may be varied by the greater of:

- 5%; and
- the percentage of the **setback** distance prescribed by the ***Planning Act***;

(r) Despite the minimum **setback** requirements, architectural features such as ramps, stairs, canopies, and wind screens may project horizontally into the required **setback** up to the **lot line**;

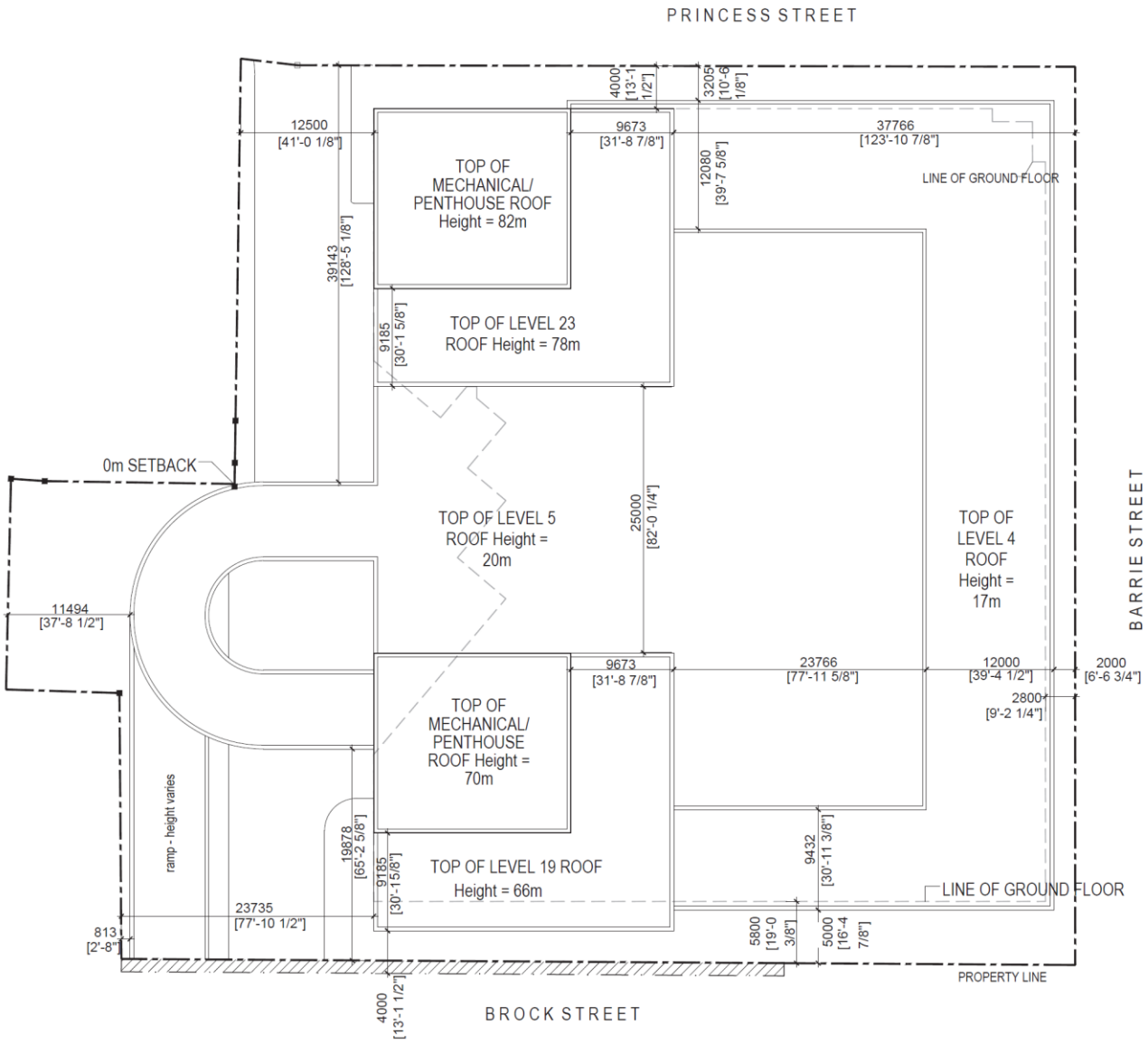
(s) The maximum **building heights** are specified on Figure E211. The maximum **building heights** may be increased by the greater of:

- 0.5 metres; and
- the percentage of the maximum **building height** prescribed by the ***Planning Act***;

(t) The **building** components described in Clause 4.18.2, and indoor **amenity areas**, are permitted to cover a maximum area of 45% of the roof area on which they are located, in the aggregate, with maximum **heights** and minimum **setbacks** as shown on Figure E211

(By-Law Number 2022-62; 2026-30)

(u) **Figure E211**




(By-Law Number 2022-62; 2026-30)

**E212.** Despite anything to the contrary in this By-Law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **building heights** are specified on Figure E212. The maximum **building heights** may be increased by the greater of:

a. 0.5 metres; and

b. the percentage of the maximum **building height** prescribed by the ***Planning Act***;

(b) The **building setbacks** are specified on Figure E212. The **building setbacks** may be varied by the greater of:

a. 5%; and

b. the percentage of the **setback** distance prescribed by the ***Planning Act***;

c. The maximum **heights** and minimum **setbacks** and **step backs** shown on Figure E212 apply to **building** components described in Clause 4.18.2;

d. **Balconies** are permitted above the **first storey** and within the **buildings** shown on Figure E212.

e. The minimum **separation distance** from the **high water mark** to any **building** is 6.0 metres;

f. A minimum 3.0 metre wide **planting strip** must be provided between **parking spaces** and the east **interior lot line**;

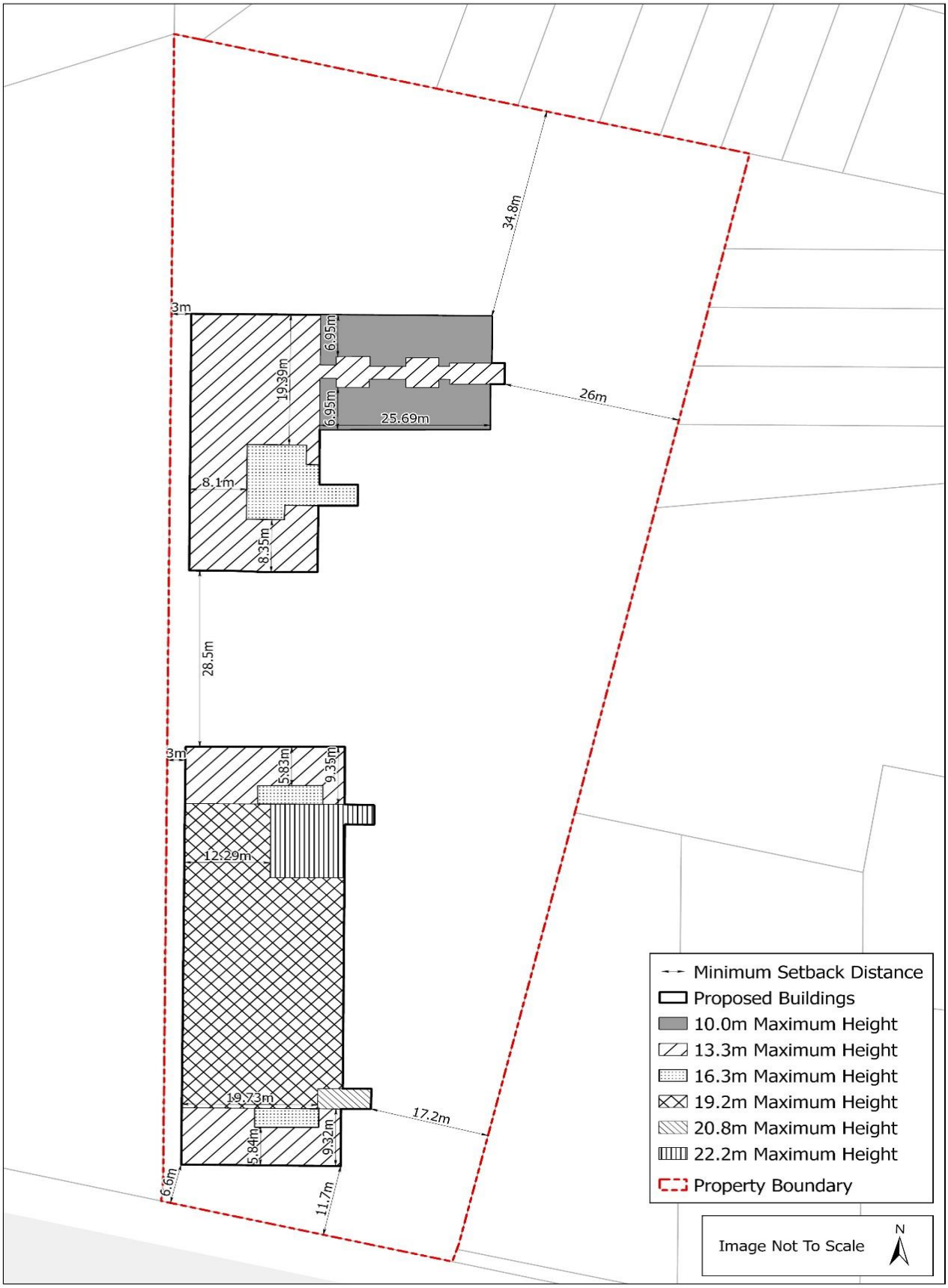
g. The minimum **landscaped open space is** 20%; and

h. A minimum 6.0 metre **drive aisle** is required for the portion of the **drive aisle** used to access a **parking space** perpendicular to the **drive aisle**.

**i. Figure E212:**

(By-Law Number 2022-62; 2026-31)

**Figure E212**


34.8m
3m
6.95m
19.39m
6.95m
25.69m
26m
8.1m
8.35m
28.5m
3m
5.83m
9.35m
12.29m
19.73m
17.2m
5.84m
9.32m
6.6m
11.7m
Minimum Setback Distance
Proposed Buildings
10.0m Maximum Height
13.3m Maximum Height
16.3m Maximum Height
19.2m Maximum Height
20.8m Maximum Height
22.2m Maximum Height
Property Boundary
Image Not To Scale
N

**E213.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **uses** are permitted:

(i) **Service Station** including the on-site generation of renewable fuels as an **accessory use**; and

(ii) Excess Soil Processing.

(b) The minimum **waterbody separation distance** is 15 metres.

(By-Law Number 2022-62; 2026-63)

**E214.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The minimum **lot area** for an existing **house** is 0.5 hectares.

(b) The minimum **lot frontage** for an existing **house** is 69 metres.

(By-Law Number 2022-62; 2026-50)

**E215.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) **residential uses** are prohibited.

(b) The minimum **lot area** for a **non-residential** use is 30 hectares.

(c) The minimum **lot frontage** for a **non-residential** use is 88 metres.

(d) The minimum **interior setback** for a **non-residential use** is 10 metres.

(By-Law Number 2022-62; 2026-50)

**E216** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The only permitted uses are stormwater management, **passive recreation**, and naturalized landscaping.

(By-Law Number 2022-62; 2026-42)

**E217.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum **height** for an **apartment building** is 14.5 metres from **finished grade**;

(b) The minimum **front setback** of a **porch**, including stairs and their associated guards, is 0.3 metres;

(c) The minimum **setback** of a **porch**, including stairs and their associated guards, to the southern **interior lot line** is 1.0 metres;

(d) A minimum **amenity area** of 16.5 square metres per **dwelling unit** must be provided;

(e) The minimum number of **parking spaces** per **dwelling unit** is 0.57;

(f) The minimum number of **car-share spaces** is 1;

(g) The minimum number of **short-term delivery spaces** is 1;

(h) Where a **parking space** is perpendicular to a **drive aisle,** the minimum **drive aisle** width is 6.0 metres;

(i) The minimum number of **long-term bike spaces** is 48; and

(j) The minimum number of **short-term bike spaces** is 8.

(By-Law Number 2022-62; 2026-49)

**E218.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The maximum number of **dwelling units** is 111;

(b) The maximum **height** is the lesser of 21.6 metres or 6 **storeys**;

(c) The following provisions apply only to a **building** existing on the date of passing of this site specific by-law:

(i) The maximum **front setback** is 6.4 metres;

(ii) The minimum **stepback** from a **front lot line** for the 5th and 6th **storey** is 1.5 metres from the exterior wall of the 4th **storey**;

(iii) An elevator shaft and a bike storage room are exempt from a required **stepback**;

(iv) The minimum floor to floor **height** of **first storey** is 3.4 metres;

(v) The **streetwall** of a **building** is not required to be built to the minimum required **front setback**; and

(vi) An elevator penthouse may project a maximum of 5.0 metres above the maximum permitted **height** with a minimum **setback** of 0 metres from the edge of the roof.

(d) The minimum dimensions for **parking spaces**, other than **accessible spaces**, are 2.6 metres by 5.2 metres;

(e) The minimum **drive aisle** width is 6.0 metres; and

(f) A **planting strip** is not required.

(By-Law Number 2022-62; 2026-121)

**E219. Reserved**

**E220. Reserved**

**E221.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) The north **lot line** is deemed to be the **front lot line**;

(b) The minimum **setback** from the north **lot line** is 3.0 metres and the maximum **setback** from the north **lot line** is 5.0 metres;

(c) The minimum **setback** from the east **lot line** is 3.0 metres and the maximum **setback** from the east **lot line** is 5.0 metres;

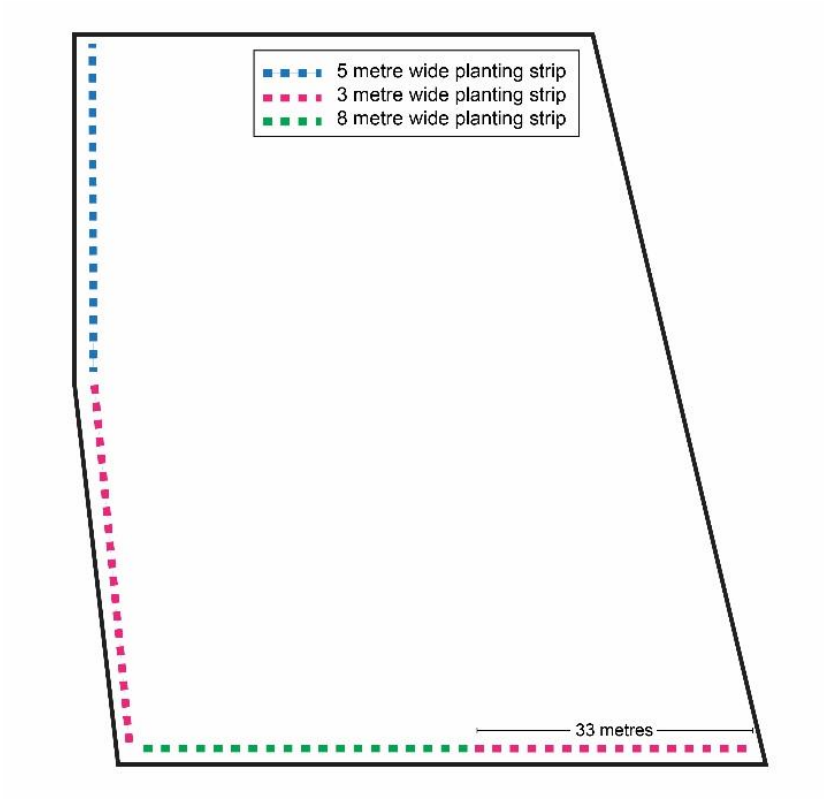
(d) Planting strips must be provided in accordance with Figure E221, including the minimum width specified therein;

(e) The maximum permitted gross floor area of a building containing more than one commercial use is 1,975 square metres;

(f) A privacy fence with a minimum height of 1.8 metres must be provided along the south lot line and west lot line;

(g) One set of exterior stairs, and their associated guards and landings, are permitted within 0.15 metres of the east lot line; and

(h) Figure E221:




(By-Law Number 2022-62; 2026-71)

**E 222**. Reserved

**E223.** Despite anything to the contrary in this By-law, the following provisions apply to the lands subject to this Exception:

(a) In addition to the **uses** permitted by the applicable Zone, the following **use** is permitted:

(i) **Special Needs Facility;**

(b) A minimum of 485 square metres of the ground floor of an **apartment building** or a **mixed use building** must include indoor **amenity area** or permitted **non-residential uses**, or a combination thereof;

(c) The maximum **building height** is 28 metres;

(d) The following additional **building** components are permitted to project a maximum of 5.0 metres above the maximum permitted **height**, with a maximum area of 30% of the roof area on which they are located, in the aggregate, and a minimum **setback** from the edge of the roof equal to the vertical **height** of such **building** component:

(i) Indoor **amenity areas**;

(e) The following **building** components are permitted to project a maximum of 6.5 metres above the maximum permitted **building height**:

(i) Mechanical and service equipment penthouse, elevator or stairway penthouses;

(f) The minimum **front setback** is 6 metres;

(g) The minimum east **interior setback** is 9 metres;

(h) The minimum west **interior setback** is 65 metres;

(i) The minimum **rear setback** is 18 metres;

(j) The minimum **landscaped open space** is 40%;

(k) A minimum 2.0 metre wide **planting strip** is required within the **rear yard**, along the full width of the southern most **lot line**;

(l) A minimum 2.0 metre wide **planting strip** is required within the west **interior yard**, along the full depth of the **lot**;

(m) **Balconies** are permitted on the second **storey** and above;

(n) A maximum of 60% of the horizontal length of each face of the **main wall** of each **storey** may be occupied by **balconies**; and

(o) The minimum **drive aisle** width is 6.5 metres.

(By-Law Number 2022-62; 2026-106)