

VILLAGE OF PORT CREDIT
NOW THE CITY OF MISSISSAUGA
ZONING BY-LAW NO. 1227

NOTICE:

THIS COPY OF THE ZONING BY-LAW SHOULD **NOT** BE USED AS AN AUTHORITY ON WHICH TO BUY REAL ESTATE, FINALIZE DEVELOPMENT PROPOSALS OR SEEK BUILDING PERMITS.

This document is subject to continual amendment and revision and permitted uses under indicated zoning may be affected by the Official Plan.

Please consult the Planning and Building Department, Building Division, regarding inquiries and interpretation of Zoning By-laws.

NOTE:

This is an "OFFICE CONSOLIDATION" of By-law No. 1227, Village of Port Credit Zoning By-law, now the City of Mississauga Zoning By-law, approved by the Ontario Municipal Board, 1961 November 07, and incorporates all amendments made to the said By-law.

For accurate reference the "ORIGINAL" of the individual By-laws should be consulted. Copies of "ORIGINAL" By-laws are available at the Corporate Services Department, Office of the City Clerk. Copies of the "OFFICE CONSOLIDATION" are available from the Planning and Building Department, Administration and Technology Division (10th Floor Tower, City Hall).

The number in brackets and italics, eg. (*1234-91*), at the end of a section, subsection, paragraph, subparagraph, etc., is the number of the By-law amending By-law No. 1227 that implemented or amended that section, subsection, paragraph, or subparagraph, etc.

Included at the end of this office consolidation are By-laws for specific sites that include Site Plans and Development Standards: (shaded areas on Schedule "B")

<u>By-law Number</u>	<u>O.M.B. Approval</u>		
1316	1962 May 30		
1601	1966 Sept. 27		
1614	1966 Nov. 25		
1626	1967 Mar. 28		
1647	1967 Apr. 07		
1652	1967 Oct. 20		
1715	1968 May 14		
1735	1968 May 09		
1736	1968 July 30		
1737	1968 Sept. 04	amended by 1773	1968 Sept. 04
1750	1968 July 03		
1764	1968 Nov. 22	amended by 73/16	1973 June 21
1790	1969 June 18		
1792	1969 June 06		
1793	1969 June 06		
69/14	1969 Apr. 10		
69/16	1969 June 06		
69/17	1969 June 06		
69/18	1969 June 06		
69/20	1969 June 06		
69/69	1970 Jan. 20	amended by 472-76	1996 Sept. 21
129-75	1974 Dec. 23		

Date of updates to the "Office Consolidation" and latest By-law in force:

Port Credit

<u>By-law Number</u>	<u>O.M.B. Approval</u>
1254	1961 Nov. 07
1303	1962 May 10
1325	1962 June 26
1427	1963 Sept. 19
1447	1964 Feb. 27
1478	1964 Oct. 16
1577	1966 June 03
1794	1969 Feb. 14
69/36	1969 July 02
1717	1969 July 15
69/47	1969 July 15
71/18	1972 June 14

<u>Mississauga By-law Number</u>	<u>O.M.B. Approval or In Force</u>
--------------------------------------	--

190-74	1974 July 10
257-74	1974 Dec. 23
129-75	1974 Dec. 23
279-74	1975 Feb. 25
552-75	1976 Aug. 03
174-76	1976 Aug. 03
472-76	1976 Sept. 21
89-77	1977 Apr. 29
608-76	1977 June 08
279-77	1977 Aug. 25
604-77	1978 Feb. 01
91-78	1978 May 08
177-78	1978 June 20
398-78	1978 Sept. 05
479-78	1978 Nov. 02
103-79	1979 Mar. 30
175-79	1979 May 18
837-79	1979 Nov. 05
792-79	1980 Feb. 08
26-80	1980 Feb. 27
215-81	1981 June 23
228-81	1981 Sept. 25
863-81	1981 Dec. 02
307-82	1982 June 28
565-82	1982 Sept. 14
605-82	1982 Oct. 08
159-83	1983 May 16
293-83	1983 June 16
435-83	1983 Aug. 18
472-83	1983 Sept. 01
25-84	1984 Jan. 09
123-84	1984 Feb. 27
549-84	1984 July 18
669-85	1985 July 17
1138-85	1985 Dec. 04
802-86	1986 Aug. 13
858-86	1986 Aug. 13
930-86	1986 Sept. 08
986-86	1986 Sept. 22
1242-86	1986 Dec. 08
1301-86	1986 Dec. 17
66-87	1987 Jan. 26
443-87	1987 June 08
656-87	1987 Aug. 10
683-87	1987 Aug. 19
203-88	1988 Apr. 11
208-88	1988 Apr. 11
72-89	1989 Jan. 30
357-89	1989 May 23
548-89	1989 July 17
902-89	1989 Dec. 11
707-89	1990 Nov. 26
105-91	1991 Mar. 18
9-92	1992 Jan. 13
170-92	1992 Apr. 13
210-92	1992 Apr. 27
227-92	1992 May 11
733-90	1992 Aug. 26
96-93	1993 Feb. 24
457-93	1993 Sept. 15
151-94	1994 Mar. 30
258-94	1994 May 30
266-94	1994 June 08
377-94	1994 Aug. 17
414-94	1994 Sept. 14
248-95	1995 June 28
282-95	1995 July 12
319-95	1995 Aug. 16
48-96	1996 Jan. 17
436-96	1996 Sept. 28
504-96	1996 Nov. 27
343-97	1997 July 16
428-97	1997 Sept. 10
459-97	1997 Sept. 24
524-97	1997 Oct. 29
400-98	1998 Aug. 12
529-98	1998 Oct. 28
47-97	1998 Nov. 24
58-99	1999 Feb. 10
144-99	1999 Mar. 31
429-99	1999 Sept. 15

<u>Mississauga By-law Number</u>	<u>O.M.B. Approval or In Force</u>
--------------------------------------	--

0027-2000	2000 Jan. 19
0054-2000	2000 Feb. 09
0330-2000	2000 June 28
0446-2000	2000 Sept. 13
0513-2000	2000 Oct. 25
0550-2000	2000 Oct. 25
119-93	2000 Nov. 03
0040-2001	2001 Jan. 31
0364-2001	2001 July 11
0416-2001	2001 Aug. 15
0540-2001	2001 Oct. 24
0147-2002	2002 Mar. 27
0199-2002	2002 Apr. 24
0321-2002	2002 July 10
0293-2003	2003 Aug. 13
0158-2003	2003 Nov. 05
0133-2004	2004 Apr. 14
0332-2004	2004 Sept. 16
0495-2004	2004 Nov. 24
0094-2005	2004 Mar. 26 (OMB)
0153-2005	2004 Apr. 23 (OMB)
0271-2004	2005 July 15 (OMB)
0402-2005	2005 Oct. 26
0089-2006	2006 Oct. 03 (OMB)
0271-2007	2004 Dec 02 (OMB)

TABLE OF CONTENTS

<u>Section</u>		<u>Page</u>
	<u>CONSOLIDATION</u>	i
	<u>TABLE OF CONTENTS</u>	iii
1	<u>TITLE</u>	1
2	<u>INTERPRETATION</u>	1
3	<u>SCOPE</u>	1
4	<u>DEFINITIONS</u>	1-12
5	<u>USE DISTRICTS</u>	13
6	<u>GENERAL PROVISIONS</u>	14-24
6	SUBSECTION CONTENTS INDEX	14
6(1)	NON-CONFORMING USES	15
6(2)	PUBLIC SERVICES	15
6(3)	CONVERSION OF CERTAIN HOUSES TO MULTIPLE FAMILY DWELLINGS	15
6(4)	REDUCTION OF LOT AREA	15
6(5)	YARDS SHALL BE OPEN	15
6(5a)	EXTERNAL HEATING AND AIR CONDITIONING EQUIPMENT	15
6(6)	SIDE YARD WHERE GARAGE ATTACHED TO DWELLING	15
6(7)	ACCESSORY BUILDING	16
6(7A)	ATTACHED PRIVATE GARAGE	16
6(7B)	PLAY EQUIPMENT	16
6(7C)	PRIVATE GARAGES IN DETACHED, SEMI-DETACHED, ROW AND STREET ROW DWELLINGS ..	16-17
6(8)	ACCESSORY BUILDINGS FACING THE SIDE STREET ON CORNER LOTS	17
6(9)	ACCESSORY BUILDINGS IN REAR AND SIDE YARDS	17
6(10)	NO OBSTRUCTIONS ON CORNERS	17
6(11)	PROHIBITION OF ANIMALS	17
6(12)	NO HABITABLE ROOMS IN CELLARS	17
6(13)	HABITABLE ROOMS BELOW GRADE LEVEL	17
6(14)	LANDSCAPED OPEN SPACE FOR RESIDENTIAL USES OVER COMMERCIAL USES	17
6(15)	SCREENING OF OPEN STORAGE FOR INDUSTRIAL USES WITHIN 90 m OF A RESIDENTIAL ZONE	17
6(16)	OFF-STREET LOADING	17
6(17)	OFF-STREET PARKING	17-18
6(18)	HOLDING ZONE PROVISIONS	18
6(19)	SITE DEVELOPMENT CONTROL	18
6(20)	METRIC CONVERSION	18
6(21)	PARKING AND LOADING STANDARDS FOR NON-RESIDENTIAL LAND USES	18-20
6(22)	PARKING OF COMMERCIAL MOTOR VEHICLES IN RESIDENTIAL ZONES	20
6(23)	SETBACK OF RESTAURANTS FROM A RESIDENTIAL ZONE	20
6(24)	PROPANE STORAGE TANK REGULATIONS	20-21
6(25)	HOME OCCUPATION REGULATIONS	21
6(26)	SATELLITE RECEIVING DISH	21
6(27)	TRAILER AND BOAT STORAGE	22
6(28)	MODEL HOMES	22
6(29)	ADULT ENTERTAINMENT PARLOURS	22
6(30)	TEMPORARY TENTS	22
6(31)	NON-CONTRAVENTION DUE TO CONVEYANCE OR ACQUISITION OF LAND BY CERTAIN PUBLIC AUTHORITIES	22
6(32)	ENLARGEMENTS OR ALTERATIONS TO NON-CONFORMING BUILDINGS OR STRUCTURES	22
6(33)	SERVICE STATION AND/OR CAR WASH ADJACENT TO A RESIDENTIAL ZONE	22
6(34)	NIGHT CLUB	23
6(34A)	FUNERAL ESTABLISHMENT	23
6(35)	aisle width	24
6(36)	DEFINITIONS OF "GROSS FLOOR AREA - RESIDENTIAL" FOR SECTIONS 614, AND 617	24
6(37)	DEFINITIONS OF "GROSS FLOOR AREA - RESIDENTIAL" FOR SECTIONS 615, 616 AND 619	24
6(38)	DEFINITIONS OF "MAIN FRONT ENTRANCE" FOR SECTIONS 614, 616, 617 AND 619	24
6(39)	ADULT VIDEOTAPE STORE	24
	<u>RESIDENTIAL ZONES</u>	25-32
7	USE DISTRICT "R1" (RESIDENTIAL, FIRST DENSITY)	25
8	USE DISTRICT "R2" (RESIDENTIAL, SECOND DENSITY)	26-27
9	USE DISTRICT "R3" (RESIDENTIAL, THIRD DENSITY)	28-29
10	USE DISTRICT "R4" (RESIDENTIAL, FOURTH DENSITY)	30-31
10A	SIDE YARD REQUIREMENTS FOR ATTACHED GARAGE FOR SINGLE-FAMILY RESIDENCE	31
10B	PARCEL DEEMED TO BE ONE FULL LOT ON A REGISTERED PLAN	31
10C	USE DISTRICT "R5" (RESIDENTIAL, FIFTH DENSITY)	32
	<u>COMMERCIAL ZONES</u>	33-40
11	USE DISTRICT "C1" (COMMERCIAL)	33
12	USE DISTRICT "C2" (COMMERCIAL)	34
13	USE DISTRICT "C3" (COMMERCIAL)	35

14	USE DISTRICT "C4" (COMMERCIAL)	36
15	USE DISTRICT "C5" (COMMERCIAL)	37
16	USE DISTRICT "C6" (COMMERCIAL)	38
16A	USE DISTRICT "AC6" (COMMERCIAL)	39
	<u>INDUSTRIAL ZONES</u>	41-42
17	USE DISTRICT "M" (INDUSTRIAL)	41
18	USE DISTRICT "M1" (INDUSTRIAL, SPECIAL)	42
19	<u>USE DISTRICT "T" (RAILWAY)</u>	43
20	<u>USE DISTRICT "H" (HARBOUR)</u>	44
	<u>OPEN SPACE ZONES</u>	45-46
21	USE DISTRICT "P" (OPEN SPACE)	45
22	USE DISTRICT "P1" (OPEN SPACE, SPECIAL)	46
23	<u>USE DISTRICT "I" (INSTITUTIONAL)</u>	47
24	<u>MINIMUM SIZE OF DWELLING UNITS</u>	48
25	<u>ADMINISTRATION</u>	49-50
25(1)	BUILDING PERMITS	49
25(2)	CONTINUATION OF EXISTING REGULATIONS	49
25(3)	VIOLATIONS AND PENALTIES	49
25(4)	EFFECTIVE DATE	49
25(5)	CERTIFICATE OF OCCUPANCY	49
600 - 639	<u>SPECIAL SECTIONS</u>	51-88
	<u>SCHEDULES TO BY-LAW 1227</u>	
SCHEDULE "A"	A1-A6
	PARKING REQUIREMENTS FOR MULTIPLE RESIDENTIAL USES	A1
	PARKING REQUIREMENTS FOR ROW DWELLINGS	A1
	PARKING REQUIREMENTS FOR SENIOR CITIZEN DWELLINGS	A2
	PARKING AND LOADING STANDARDS FOR NON-RESIDENTIAL LAND USES	A3-A5
	DEVELOPMENT STANDARDS FOR PORT CREDIT ZONING BY-LAW	A6
SCHEDULE "B"	ZONING MAP	A7
SCHEDULE "C"	A9
SCHEDULE "D"	A10
SCHEDULE "E"	A11
	<u>SPECIFIC SITE PLANS AND DEVELOPMENT STANDARDS</u>	A13 - A66

BY-LAW NUMBER 1227

of

THE CORPORATION OF THE VILLAGE OF PORT CREDIT

(NOW THE CITY OF MISSISSAUGA)

A RESTRICTED AREA (ZONING) BY-LAW

TO REGULATE THE USE OF LAND, THE ERECTION, USE, HEIGHT, BULK, LOCATION, SIZE, FLOOR AREA, SPACING, EXTERNAL DESIGN AND CHARACTER OF BUILDINGS IN THE VILLAGE OF PORT CREDIT.

THE MUNICIPAL COUNCIL OF THE CORPORATION OF THE VILLAGE OF PORT CREDIT ENACTS AS FOLLOWS:

TITLE

1. This By-law shall be known as the Zoning By-law of the Village of Port Credit.

INTERPRETATION

2. In interpreting and applying the provisions of this By-law they shall be held to be the minimum requirements for the promotion of the health, safety, convenience and general welfare of the inhabitants of the Village.

SCOPE

3. No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained within the territorial limits of the Village of Port Credit as now or hereafter legally constituted, except in conformity with the provisions of this By-law.

DEFINITIONS

(IN NUMERICAL ORDER, DETAILED DEFINITIONS FOLLOWING IN ALPHABETICAL ORDER)

DEFINITIONS IN
NUMERICAL ORDER
(see alphabetical
listing following)

4. (1) "ACCESSORY BUILDING"
(2) "APARTMENT BUILDING"
(2a) "APARTMENT HOTEL"
(3) "BOARDING HOUSE"
(3a) "NURSING HOME"
(4) "BASEMENT"
(5) "BUILDING"
(6) "CELLAR"
(7) "DEPTH OF BUILDING"
(8) "WIDTH OF BUILDING"
(9) "COMMERCIAL SCHOOL"
(10) "COMMON WALL"
(11) "DWELLING"
(1) "DWELLING, CONVERTED"
(2) "DWELLING, DOUBLE DUPLEX"
(3) "DWELLING, DOUBLE TRIPLEX"
(4) "DWELLING, DUPLEX"
(5) "DWELLING, FIVEPLEX"
(6) "DWELLING, TRIPLEX"
(7) "DWELLING, SINGLE-FAMILY"
(8) "DWELLING, SINGLE-FAMILY DETACHED"
(9) "SEMI-DETACHED DWELLING"
(10) "ROW DWELLING"
(11) "STREET ROW DWELLING"
(12) "HOME FOR THE AGED"
(13) "RETIREMENT HOUSE"
(1) "RETIREMENT DWELLING UNIT"
(14) "ASSISTED SENIORS RESIDENCE"
(12) "DWELLING UNIT" or "HOUSEKEEPING UNIT"
(13) "ERECT"
(14) "EXISTING"
(15) "FAMILY" or "HOUSEHOLD"
(16) "GARAGE, PRIVATE"
(17) "GARAGE, PUBLIC"
(18) "GRADE"
(19) "GROSS FLOOR AREA - NON RESIDENTIAL"
(19a) "GROUP HOME"
(20) "HEIGHT OF BUILDING"
(21) "HOTEL"
(22) "INSTITUTION"
(23) "LANE"
(24) "LOADING SPACE"
(25) "LODGING HOUSE"

- (26) "LOT"
 - (1) "LOT AREA"
 - (2) "LOT, CORNER"
 - (3) "LOT, DEPTH OF"
 - (4) "LOT, FRONTAGE"
 - (5) "LOT, REVERSED CORNER"
- (27) "LOT LINE"
 - (1) "FRONT LOT LINE"
 - (2) "REAR LOT LINE"
 - (3) "SIDE LOT LINE"
- (28) "MARINA"
- (29) "MOTEL"
- (30) "HABITABLE ROOM"
- (30a) "GAS BAR"
- (31) "SERVICE STATION"
- (32) "STORAGE, OPEN"
- (33) "STOREY"
- (34) "STREET"
- (35) "STRUCTURE"
- (36) "USE"
- (37) "YARD"
 - (1) "YARD, FRONT"
 - (2) "YARD, REAR"
 - (3) "YARD, SIDE"
 - (4) "OUTSIDE SIDE YARD"
- (38) "LANDSCAPED OPEN SPACE"
- (39) "DENTIST"
- (40) "PHYSICIAN"
- (41) "DRUGLESS PRACTITIONER"
- (42) "RESTAURANT"
- (43) "CONVENIENCE RESTAURANT"
- (44) "TAKE-OUT RESTAURANT"
- (45) "AISLE"
- (46) "DRIVEWAY"
- (47) "PARKING SPACE"
- (48) "TANDEM PARKING SPACE"
- (49) "ESTABLISHED GRADE"
- (50) "AUTOMOBILE REPAIR GARAGE AND BODY SHOP"
- (51) "DAY NURSERY"
- (52) "HOSPITAL"
- (53) "MEDICAL BUILDING"
- (54) "NURSERY SCHOOL"
- (55) "PUBLIC HALL"
- (56) "TAVERN"
- (57) "PLACE OF RELIGIOUS ASSEMBLY"
- (58) "PARTY WALL"
- (59) "PHYSICAL DISABILITY"
- (60) "SATELLITE RECEIVING DISH"
- (61) "TRAILER"
- (62) "ADULT ENTERTAINMENT PARLOUR"
- (63) "NIGHT CLUB"
- (64) "WORSHIP AREA"
- (65) "MODEL HOME"
- (66) "WASTE"
- (67) "WASTE PROCESSING STATION"
- (68) "WASTE TRANSFER STATION"
- (69) "COMPOSTING FACILITY"
- (70) "TEMPORARY TENT"
- (71) "COMMERCIAL MOTOR VEHICLE"
- (72) "CONVENIENCE STORE"
- (73) "CAR WASH"
- (74) "PUBLIC GARAGE"
- (75) "CONVENIENCE RETAIL AND SERVICE KIOSK"
- (76) "MEDICAL OFFICE"
- (77) "HEALTH PROFESSIONAL"
- (78) "PUBLIC SCHOOL"
- (79) "FRONT GARAGE FACE"
- (80)
- (81) "PARKING ANGLE"
- (82) "PARALLEL PARKING SPACE"
- (83) "PARKING SPACE - DISABLED"
- (84) "ELECTRICAL DISTRIBUTION FACILITY"
- (85) "FLAT ROOF OF A DETACHED PRIVATE GARAGE"
- (86) "HEIGHT OF ACCESSORY BUILDING OR STRUCTURE OTHER THAN AN ATTACHED PRIVATE GARAGE"
- (87) "PLAY EQUIPMENT"
- (88) (1) "ADULT VIDEOTAPE STORE"
 - (2) "ADULT VIDEOTAPE"
 - (3) "SPECIFIED BODY AREAS"
 - (4) "SPECIFIED SEXUAL ACTIVITIES"
 - (5) "VIDEOTAPE"
- (89) "FUNERAL ESTABLISHMENT"
- (90) "PRIVATE SCHOOL"
- (91) "POWER GENERATING FACILITY"
- (92) "COGENERATION"
- (93) "COGENERATION FACILITY"
- (94) "COMBINED CYCLE"
- (95) "RENEWABLE ENERGY"

(FOR CONVENIENCE ARRANGED IN ALPHABETICAL ORDER)

DEFINITIONS IN
ALPHABETICAL
ORDER

4. For the purpose of this By-law the definitions and interpretations given in this section shall govern.

Words used in the present tense include the future; words in the singular number include the plural; words in the plural include the singular number; the word "use" shall include the word "occupy"; the word "shall" is mandatory and not directory:

A

- (1) "ACCESSORY BUILDING"
shall mean a detached, subordinate building, not used for human habitation, located on the same lot with the main building and shall include a private garage or boathouse;
- (62) "ADULT ENTERTAINMENT PARLOUR"
means any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations which include: (9-92)
- (a) services of which a principal feature or characteristic is the nudity or partial nudity of any person;
- (b) services in respect of which any of the words "nude", "naked", "topless", "bottomless", "sexy", "exotic", or any other word, or picture, symbol or representation having like meaning or implication is used in any advertisement;
- (88) (1) "ADULT VIDEOTAPE STORE"
means any premises where the principal use is the carrying on of the business of selling, offering to sell or displaying for sale by retail or renting, offering to rent or displaying for rental adult videotapes, whether or not the cost, fee or other consideration passes at the time of such sale or rental, or is effected through the cost of membership, subscription, admission or any other manner. (119-93)
- (2) For the purposes of this subsection "ADULT VIDEOTAPE" means: (119-93)
- (a) any videotape the content of which is designed or held out as designed, to appeal to erotic or sexual appetites or inclinations, through the pictorial, photographic or other graphic depiction of subject-matter distinguished or characterized by the portrayal of one or more persons involved or engaging in specified sexual activities, or by an emphasis on the display of human specified body areas; and
- (b) in the absence to the contrary, a videotape classified by the Ontario Film Review Board as "restricted" with the added information piece "adult sex film" shall be deemed to be an adult videotape, while a videotape without such classification and the information piece shall be deemed not to be an adult videotape.
- (3) For the purposes of this subsection, "SPECIFIED BODY AREAS" means any one or more of the following: (119-93)
- (a) in the case of a female person, her areolae; and
- (b) in the case of all persons, the genitals and the anus.
- (4) For the purposes of this subsection, "SPECIFIED SEXUAL ACTIVITIES" means one or more of the following: (119-93)
- (a) actual or simulated sexual intercourse, masturbation, urination, defecation, ejaculation, sodomy, including bestiality, anal intercourse, and oral sexual intercourse, direct physical stimulation of unclothed genital organs, flagellation and torture in relation to a sexual activity.
- (5) For the purposes of this subsection: "VIDEOTAPE" means cinematographic film, videotape and any other medium from which may be produced visual images that may be viewed as moving pictures. (119-93)
- (45) "AISLE"
means an internal roadway adjacent to a parking or loading space which provides vehicular ingress and egress to and from the parking or loading space; (228-81), (443-87), (0040-2001)
- (2) "APARTMENT BUILDING"
shall mean a building consisting of more than 6 dwelling units which units have 2 common entrances and the occupants of which have the right to use in common the halls, stairs and yards;
- (2a) "APARTMENT HOTEL"
shall mean a building used mainly for the purposes of catering to the public by supplying food and furnishing sleeping accommodation of not less than 20 dwelling units, suites of rooms, and/or individual bedrooms in which each dwelling unit or separate bedroom or suite shall have access to a common hall, each of which halls shall have 2 distinct and separate entrances from the outside;
- (50) "AUTOMOBILE REPAIR GARAGE AND BODY SHOP"
means a building or place where mechanical repairs to motor vehicles are carried out or where minor alterations are made to motor vehicles or where structural changes or repairs are made to the bodies of motor vehicles; (228-81)

B

- (4) "BASEMENT"
shall mean that portion of a building between 2 floor levels which is partly underground and which has at least one-half of its height from finished floor to underside of first floor joists above grade and in which the height from grade to ceiling is less than 1.8 m;
- (3) "BOARDING HOUSE"
shall mean a dwelling in which meals are regularly provided for compensation to 3 or more persons other than the lessee, tenant or owner thereof or members of his family;

- (5) "BUILDING"
shall mean a structure having a roof, supported by columns or walls and used for the shelter or accommodation of persons, animals, goods or chattels. Where a dwelling or a non-residential building is separated by a division wall without openings, each portion of such dwelling or building shall be deemed a separate building;

C

- (73) "CAR WASH"
means a building or part thereof devoted to the washing of motor vehicles with automatically operated equipment located wholly within an enclosed building, but shall not include time-pay washing facilities, coin-operated washing facilities, wand washing facilities or other manually operated equipment or facilities for the washing of motor vehicles and a building shall not include a tent or other temporary facilities; (436-96), (429-99)
- (6) "CELLAR"
shall mean that portion of a building between 2 floor levels, which is partly underground and which has more than one-half its height from finished floor to underside of first floor joists below grade;
- (92) "COGENERATION"
means the production of heat energy and electrical or mechanical power from one (1) fuel source in the same facility; (0089-2006)
- (93) "COGENERATION FACILITY"
means a building or structure or parts thereof used for the production of electrical power, where the method of production is by means of cogeneration; (0089-2006)
- (94) "COMBINED CYCLE"
means a generation technology in which electricity is produced from an integrated cycle comprised of one (1) or more gas combustion turbines where steam is generated through the recovery of thermal energy in the exhaust flow of the combustion turbine(s) to power the steam turbine; (0089-2006)
- (71) "COMMERCIAL MOTOR VEHICLE"
means a motor vehicle registered as a commercial motor vehicle under Provincial legislation and may or may not include an attached delivery body; (319-95)
- (9) "COMMERCIAL SCHOOL"
See Schools
- (10) "COMMON WALL"
shall mean a wall erected at or upon a line separating 2 parcels of land and extending from footings to the underside of a roof;
- (69) "COMPOSTING FACILITY"
means a facility whose primary purpose is the composting of food waste and organic materials; (377-94)
- (43) "CONVENIENCE RESTAURANT"
See Restaurants
- (75) "CONVENIENCE RETAIL AND SERVICE KIOSK"
means a building or structure or part thereof accessory to a service station, a gas bar or a car wash, with a maximum gross leasable area of 300 m², and where convenience goods may be stored or offered for sale, and may include as accessory thereto a take-out restaurant not exceeding a gross leasable area of 26 m² or 12% of the gross leaseable area, whichever is greater, and a banking machine; (47-97)
- (72) "CONVENIENCE STORE"
means a building or structure, or part thereof, with a maximum gross leasable area of 300 m², where food and convenience goods are stored and offered for sale at retail, and may include accessory thereto the sale of food prepared on the premises, without seating for the consumption of food on the premises; (48-96)

D

- (51) "DAY NURSERY"
means a nursery school or day care centre to which the provisions of the *Day Nurseries Act*, R.S.O. 1970, apply; (228-81)
- (39) "DENTIST"
means a person authorized to practise dentistry under the *Dentistry Act*, 1991, S.O. 1991, c.24, as amended; (175-79), (343-97)
- (7) "DEPTH OF BUILDING"
shall mean the distance between the front of the main wall of the main building on the lot nearest the front lot line and the rear of the main wall of the main building on the lot nearest the rear lot line;
- (46) "DRIVEWAY"
means a roadway used to provide vehicular ingress and egress from a street or private lane to parking or loading spaces; (228-81)

- (41) "DRUGLESS PRACTITIONER"
means a person authorized to practise as a drugless practitioner under the *Drugless Practitioners Act*, R.S.O. 1990, c.D.18, as amended; a person authorized to practise the profession of chiropractic under the *Chiropractic Act, 1991*, S.O. 1991, c.21, as amended; a person authorized to practise massage therapy under the *Massage Therapy Act, 1991*, S.O. 1991, c.27, as amended; and a person authorized to practise physiotherapy under the *Physiotherapy Act, 1991*, S.O. 1991, c.37, as amended; (175-79), (343-97)
- (11) "DWELLING"
shall mean a building or portion thereof designed exclusively for residential occupancy, including boarding and lodging houses, but not including hotels or private hotels;
- (1) "DWELLING, CONVERTED"
shall mean a dwelling altered to make a greater number of dwelling units in accordance with the provisions of section 6(3) of this By-law;
- (2) "DWELLING, DOUBLE DUPLEX"
shall mean a pair of attached duplex dwellings with a common wall;
- (3) "DWELLING, DOUBLE TRIPLEX"
shall mean a pair of attached triplex dwellings with a common wall;
- (4) "DWELLING, DUPLEX"
shall mean a separate building divided horizontally into 2 dwelling units;
- (5) "DWELLING, FIVEPLEX"
shall mean a pair of attached duplex dwellings with not more than one additional unit in the basement;
- (6) "DWELLING, TRIPLEX"
shall mean a building or part thereof consisting of 3 dwelling units, which units have 2 common entrances from the street level and the occupants of which have the right to use in common the halls, stairs, yards or one or more of them;
- (7) "DWELLING, SINGLE-FAMILY"
shall mean a building designed and used exclusively for the occupation by one family and containing only one kitchen or other facility for the preparation of meals;
- (8) "DWELLING, SINGLE-FAMILY DETACHED"
shall mean a single-family dwelling having 2 side yards;
- (9) "SEMI-DETACHED DWELLING"
means one of a pair of attached dwelling units, inclusive of a private garage attached thereto, which are divided vertically above grade by a party wall of at least 5.5 m in length and having a minimum height of at least 2.0 m; (472-83)
- (10) "ROW DWELLING"
means a building or structure not exceeding 3 storeys in height consisting of more than 2 attached dwelling units, inclusive of private garages attached thereto, which are divided vertically above grade by a party wall at least 5.5 m in length and at least 2.0 m in height, and having a yard abutting at least 2 exterior walls of each dwelling unit; (472-83)
- (11) "STREET ROW DWELLING"
means a row dwelling, each dwelling unit of which is built upon a lot which fronts upon a street; (472-83)
- (12) "HOME FOR THE AGED"
means an approved charitable institution under the *Charitable Institutions Act*, R.S.O. 1980, c.64, as amended, or any successor of that Act, which provides residential, sheltered, specialized or group care for the aged or a home established or maintained under the *Homes for the Aged and Rest Homes Act*, R.S.O. 1980, c.203, or any successor of that Act; (707-89)
- (13) "RETIREMENT HOUSE"
means a building or part thereof in which, for hire or gain, lodging is supplied in at least 3 retirement dwelling units and in which meals are supplied for the occupants in a common kitchen and dining facility and which is intended for the lodging of retired or elderly persons, but which is not a nursing home, home for the aged, assisted seniors residence or group home; (707-89)
- (1) "RETIREMENT DWELLING UNIT"
means one or more habitable rooms in a Retirement House, designed or intended for the lodging of not more than 2 persons, whether or not separate kitchens or sanitary facilities are provided therein;
- (14) "ASSISTED SENIORS RESIDENCE"
means any residential building or structure or part thereof which is operated under a program or combination of programs which are wholly or partly funded by Federal, Provincial or Municipal Government or an agency thereof and which is occupied by elderly persons who qualify under any such programs; (707-89)
- (12) "DWELLING UNIT" or "HOUSEKEEPING UNIT"
means one or more habitable rooms designed, occupied or intended to be occupied as living quarters for a single family or single household and shall, as a minimum standard contain sanitary facilities, accommodation for sleeping and not more than one kitchen; (105-91)
- (84) "ELECTRICAL DISTRIBUTION FACILITY"
means a system for distributing or transmitting electricity or telecommunications and includes any buildings, structures, or other equipment used for such purpose, but shall not include the generation of such electricity; (0330-2000)

E

- (13) "ERECT"
shall mean, (with reference to a building or structure) build, construct, alter or reconstruct and shall include:
- (1) the moving of a structure from one location to another;
 - (2) any physical operation, such as excavating, filling or draining, preparatory to building, construction or reconstruction;
- and "ERECTED" shall have a corresponding meaning;

(49) "ESTABLISHED GRADE"
means the average level of proposed or finished ground adjoining a building at all exterior walls; (228-81)

(14) "EXISTING"
shall mean existing as at the date of enactment of this By-law;

F

(15) "FAMILY" or "HOUSEHOLD"
means one or more persons occupying a dwelling unit or a housekeeping unit who have access to all areas of the dwelling unit or housekeeping unit but does not include a group of persons occupying a boarding, rooming or lodging house; (66-87), (105-91)

(85) "FLAT ROOF OF A DETACHED PRIVATE GARAGE"
means a roof or part thereof of a detached private garage having either a parapet or a slope incline less than 15° measured from the horizontal plane; (0550-2000)

(79) "FRONT GARAGE FACE"
means the face which is designed as the primary vehicular access point into the garage; (0027-2000)

(89) "FUNERAL ESTABLISHMENT"
means a building or structure, or part thereof, where funeral supplies and services are offered for sale or provided by a Provincially licensed operator of a funeral establishment or Provincially licensed operator of a transfer service, or an agent or employee thereof, including the preparation of corpses for internment or cremation and may include facilities such as viewing rooms and a chapel, but such establishment shall not include a crematorium; (0364-2001)

G

(16) "GARAGE, PRIVATE"
means a building or structure to be used for parking or storage of motor vehicles having adequate access to a public street; (227-92)

(17) "GARAGE, PUBLIC"
Deleted by By-law 504-96. (479-78), (1138-85)

(30a) "GAS BAR"
means a building or place where the following products are sold: (479-78)

- (a) gasoline and oil, and other similar products used in the operation of the internal combustion engine;
- (b) windshield wipers;
- (c) electrical fuses, and light bulbs;
- (d) tire patching kits;
- (e) road maps;

but where no repairs or other automotive services are performed other than the washing of automobile windows and lights;

(18) "GRADE"
shall mean the elevation of the finished ground level at the mid point of the wall or walls in question;

(19) "GROSS FLOOR AREA - NON RESIDENTIAL"
means the aggregate of the areas of each floor above or below established grade, measured from the exteriors of outside walls, including the area of any floor system or assembly located within a storey which is designed or used for access and passage by persons, and including all parts of the building below established grade used for retail commercial, office or industrial warehousing purposes, but excluding the following: (1794), (190-74), (228-81), (170-92)

- (a) any enclosed area used for climate control, electrical, energy generation and distribution, or mechanical equipment related to the operation or maintenance of the building;
- (b) areas of stairwells, washrooms or elevators;
- (c) any enclosed area devoted to the collection or storage of disposable or recyclable waste generated within the building;
- (d) any part of the building or structure above or below established grade used exclusively for the parking of motor vehicles or the provision of loading spaces as required by this By-law;
- (e) any part of the building below established grade used for storage incidental to other uses in the building, or provided and reserved for the personal needs of the occupants of the building including lunch rooms, lounges or fitness rooms;

- (19a) "GROUP HOME"
means a single-family detached dwelling in which a minimum of 3 persons excluding staff or receiving family and a maximum of 8 persons including staff or receiving family, required specialized or group care reside in the style of a family, and which is licensed, approved or supervised by the Province as: (293-83)
- (a) an Approved Home, approved under the *Mental Hospitals Act*, R.S.O. c.263;
 - (b) a Home for Special Care, licensed under the *Homes for Special Care Act*, R.S.O. 1980, c.202;
 - (c) a Halfway House for the Socially Disadvantaged, approved under the *Charitable Institutions Act*, R.S.O. 1980, c.64;
 - (d) a Satellite Residence for Seniors, approved under the *Homes for Aged and Rest Homes Act*, R.S.O. 1980, c.203;
 - (e) Accommodation Services for the Mentally Retarded, approved under the *Homes for Retarded Persons Act*, R.S.O. 1980, c.201, (ADULTS) and the *Development Services Act*, R.S.O. 1980, c.118 (CHILDREN);
 - (f) a Children's Residence, licensed under the *Children's Residential Services Act*, R.S.O. 1980, c.71, exclusive of Observation Homes, Detention Homes and Children's Aid Foster Homes;
 - (g) Supportive Housing Programs:
Adult Community Mental Health Program, approved under the *Ministry of Health Act*, R.S.O. 1980, c.280; (1242-86)

A home which provides accommodation and care for any other purposes including the observation, detention and rehabilitation of offenders or ex-offenders shall not be deemed to be a group home;

H

- (30) "HABITABLE ROOM"
shall mean a room for human habitation with the floor not more than 1 m below grade, a minimum ceiling height of 2.4 m, including rooms used for sleeping and the preparation of foods but excluding rooms containing only wash basin and/or toilet, a recreation room with private bar, sink or games equipment, but in no way used for sleeping accommodation or the preparation of foods;
- (77) "HEALTH PROFESSIONAL"
means a health professional as set out in Schedule 1 of the *Regulated Health Professions Act, 1991*, S.O. 1991, c.18, as amended, and a person authorized to practise as a drugless practitioner under the *Drugless Practitioners Act*, R.S.O. 1990, c.D.18, as amended; (343-97)
- (86) "HEIGHT OF ACCESSORY BUILDING OR STRUCTURE OTHER THAN AN ATTACHED PRIVATE GARAGE"
means the vertical distance between the established grade and the highest point of a sloped roof or a flat roof, not including chimneys or antennae; (0550-2000)
- (20) "HEIGHT OF BUILDING" (0550-2000)
shall mean the perpendicular distance measured from the average finished grade level of each elevation of a given building to the highest point of the roof joist in the case of flat roofs, or to the point half way up the roof in the case of pitched roofs. Where the height is designated in terms of storeys, it shall mean the designated number of storeys above and including the first storey;
- (52) "HOSPITAL"
means any institution, building or other premises or place established for the treatment of persons afflicted with or suffering from sickness, disease, injury, or the treatment of convalescent or chronically ill persons that is approved under the provision of the *Public Hospitals Act*; (228-81)
- (21) "HOTEL"
means a hotel or public house in one building or in 2 or more connected buildings used mainly for the purpose of catering to the needs of the travelling public by supplying food and/or furnishing sleeping accommodation; (228-81)

I

- (22) "INSTITUTION"
shall mean a building used for a non-commercial purpose by an organized body or society for promoting a particular object;

L

- (38) "LANDSCAPED OPEN SPACE"
shall mean an open unobstructed space on a lot which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping, including the part of a lot unoccupied by any building or structure by reason of the minimum yard requirements of the By-law, and notwithstanding the foregoing includes: (1577)
- (1) any surfaced walk, patio or similar area;
 - (2) any tennis or badminton court or other similar sports or recreational area;
 - (3) any swimming or decorative pool, but does not include any driveway or ramp, whether surfaced or not, any curb, retaining wall, motor vehicle parking area of any open space beneath or within any building or structure;
- (23) "LANE"
shall mean a public thoroughfare which affords only a secondary means of access to abutting lots and which is not intended for general traffic circulation;

- (24) "LOADING SPACE"
means a rectangular area on the same lot with a building, or contiguous to a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading goods. A loading space shall have a minimum width of 3.5 m, a minimum length of 9 m and a minimum overhead clearance of 4.25 m at all points; (228-81)
- (25) "LODGING HOUSE"
shall mean a dwelling where lodging or accommodation is supplied for hire to 3 or more persons other than the lessee, tenant or owner thereof or members of his family;
- (26) "LOT"
shall mean a parcel of land whether or not occupied by a building or structure that fronts or abuts on a street;
- (1) "LOT AREA"
shall mean the total horizontal area within the lot lines of a lot, excluding the horizontal area of such lot covered by water, or marsh, or beyond the rim or a river bank, watercourse or lake, or between the top and toe of a cliff or embankment of 30° or more from horizontal;
- (2) "LOT, CORNER"
shall mean a lot situated at the intersection of and abutting upon 2 or more streets, each of which is at least 20 m wide, provided that the enclosed angle of intersection of such streets is not more than 135°;
- (3) "LOT, DEPTH OF"
shall mean the mean horizontal distance between the front and rear lot lines;
- (4) "LOT, FRONTAGE"
shall mean the horizontal distance between the side lot lines measured at right angles, but where such lot lines are not parallel, the lot frontage shall be the distance between the side lot lines measured on a line 4.5 m back from the front lot line;
- (5) "LOT, REVERSED CORNER"
shall mean a corner lot the side street line of which is substantially a continuation of the front lot line of the lot to its rear;
- (27) "LOT LINE"
shall mean any boundary of a lot;
- (1) "FRONT LOT LINE"
shall mean the lot line that divides a lot from the street provided that, in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that so abuts shall be termed the flankage of the lot;
- (2) "REAR LOT LINE"
shall mean the lot line opposite the front lot line;
- (3) "SIDE LOT LINE"
shall mean a lot line other than a front or rear lot line;

M

- (28) "MARINA"
shall mean an area for the docking and servicing of boats, yachts and small craft and shall include a motel, pavilion, restaurant and facilities for minor repairs to boats, accessory to and incorporated into the aforementioned use;
- (53) "MEDICAL BUILDING"
means a building or structure, other than a hospital, used for one or more medical offices and, as accessory thereto, may include accessory medical uses including, but not limited to, laboratories, facilities for medical, diagnostic and dental purposes, a drug dispensary and an optical dispensary; (228-81), (459-97)
- (76) "MEDICAL OFFICE"
means the office of a health professional; (343-97)
- (65) "MODEL HOME"
means a detached, semi-detached or street row dwelling constructed for the purpose of display and sale of dwelling units to be constructed on lots within a registered plan of subdivision; (151-94)
- (29) "MOTEL"
means a building, part of a building, or group of buildings wherein accommodation without private cooking or housekeeping facilities is provided for transient lodgers, providing each guest or sleeping room may be entered from the exterior of the building; (228-81)

N

- (63) "NIGHT CLUB"
means a building or structure or part thereof whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such pre-recorded or live music is provided for listening or dancing by the patrons, or any combination of the above functions, and whose secondary function is the sale and consumption on the premises of food and alcoholic beverages, but does not include a restaurant, a tavern, or an adult entertainment parlour; (9-92)
- (54) "NURSERY SCHOOL"
See Schools
- (3a) "NURSING HOME"
means a nursing home licensed under the *Nursing Homes Act*, R.S.O. 1980, c.320, as amended, or any successor of that Act; (707-89)

- P**
- (81) "PARKING ANGLE"
means an angle not exceeding 90° formed by the intersection of the side of a parking space and a line parallel to the adjacent aisle or driveway; (0040-2001)
 - (82) "PARALLEL PARKING SPACE"
means an unobstructed rectangular area for the temporary parking or storage of a motor vehicle, having a parking angle not exceeding 15°, and having a minimum width of 2.6 m and a minimum length of 7.25 m, exclusive of any aisle or driveway; (0040-2001)
 - (47) "PARKING SPACE"
means an unobstructed rectangular area for the temporary parking or storage of a motor vehicle, having a minimum width of 2.6 m and a minimum length of 5.2 m, exclusive of any aisle or driveway; (228-81), (443-87), (0040-2001)
 - (83) "PARKING SPACE - DISABLED"
means an unobstructed rectangular area for the temporary parking or storage of a motor vehicle, having a minimum width of 4.6 m and a minimum length of 5.2 m, exclusive of any aisle or driveway, designated in accordance with The Corporation of the City of Mississauga's Disabled Persons Parking By-law 134-83, as amended; (0040-2001)
 - (58) "PARTY WALL"
means a wall jointly owned and jointly used by 2 parties under easement agreement or by right-in-law, and erected at or upon a line separating 2 parcels of land each of which is, or is capable of being, a separate real-estate entity; (472-83)
 - (59) "PHYSICAL DISABILITY"
means any disability which permanently confines or restricts a person to the use of a wheelchair, crutches, braces or other similar remedial appliance or device, or which otherwise seriously restricts a persons mobility; (203-88)
 - (40) "PHYSICIAN"
means a person authorized to practise medicine under the *Medicine Act, 1991*, S.O. 1991, c.30, as amended; (175-79), (343-97)
 - (57) "PLACE OF RELIGIOUS ASSEMBLY"
means any building which is used primarily as a place of public worship and is also used for administrative offices in conjunction with the place of worship as well as a place of conduct of social, recreational and charitable activities; (669-85)
 - (87) "PLAY EQUIPMENT"
means apparatus which is designed and used for play and recreation; (0550-2000)
 - (91) "POWER GENERATING FACILITY"
means a building or structure used for the production of electrical power, where output is 10 megawatts or greater and where the method of production is limited to natural gas-fired, cogeneration and renewable energy; (0089-2006)
 - (90) "PRIVATE SCHOOL"
See Schools
 - (55) "PUBLIC HALL"
means a building with seating capacity for 100 persons or more that is offered for use as a place of public assembly or as a place for the conduct of dances that does not include theatres within the meaning of the *Theatres Act*; (228-81)
 - (74) "PUBLIC GARAGE"
means a parking station or a parking lot or a building or place where motor vehicles are hired or kept or used for hire or where such vehicles or gasoline or propane or oil are stored or kept for sale, and a building or place used as a motor vehicle repair shop, but does not include a gas bar; (436-96)
 - (78) "PUBLIC SCHOOL"
See Schools
- R**
- (95) "RENEWABLE ENERGY"
means the production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy; (0089-2006)

Restaurants

- (42) "RESTAURANT"
means a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure or off the premises, and does not include a drive-through window; (26-80), (529-98)
- (43) "CONVENIENCE RESTAURANT"
means a building or structure or part thereof where food is prepared and offered for sale to the public for consumption within the building or structure or off the premises, and includes a drive-through window; (26-80), (435-83), (529-98)

- (44) "TAKE-OUT RESTAURANT"
means a building or structure or part thereof where food, prepared on or off the premises, is offered for sale to the public, and where the food is ordered for delivery or pick-up with consumption of all food occurring off the premises; (26-80), (529-98)

- S (60) "SATELLITE RECEIVING DISH"
means a device used for or intended to be used for reception of communication signals from a satellite; (902-89)

Schools

- (9) "COMMERCIAL SCHOOL"
means an establishment that provides specialized instruction and may include, but is not limited to, a business school, a trade school, a driving school, a dance school, a music school, or a martial arts school; (58-99)
- (54) "NURSERY SCHOOL"
means when conducted as a home occupation, a school for children of pre-school age other than a day nursery, located within a dwelling and operated by one or more members of the family residing on the premises; (228-81)
- (90) "PRIVATE SCHOOL"
means an institution that provides academic instruction in any of the subjects of the elementary or secondary school courses of study and that is not a public school; (0147-2002)
- (78) "PUBLIC SCHOOL"
means an institution that provides academic instruction in any of the subjects of the elementary or secondary school courses of study under the jurisdiction of the Peel District School Board, the Dufferin-Peel Catholic District School Board, the Conseil Scolaire de District Centre-Sud-Ouest, or the Conseil Scolaire de District Catholique Centre-Sud; (58-99), (0147-2002)
- (31) "SERVICE STATION"
means a building or place where gasoline, propane, oil, grease, anti-freeze, tires, tire accessories, electric light bulbs, spark plugs and batteries for motor vehicles are stored or kept for sale, or where motor vehicles may be oiled, greased, or have their ignition adjusted, tires inflated or batteries charged, or where only minor or running repairs essential to the actual operation of motor vehicles are executed or performed, but does not include a gas bar; (479-78), (1138-85), (436-96)
- (32) "STORAGE, OPEN"
shall mean an area which is not entirely enclosed by roof and walls and which is used for storage purposes other than the temporary parking of automobiles;
- (33) "STOREY"
shall mean the portion of a building, other than a cellar, basement or attic included between any floor level and the floor, ceiling or roof next above it;
- (34) "STREET"
shall mean a public highway having a minimum width of 20 m which affords a principal means of access to abutting lots;
- (35) "STRUCTURE"
shall mean anything constructed or erected, the use of which requires location on the ground, or attached to something having location on the ground;

- T (44) "TAKE-OUT RESTAURANT"
See Restaurants
- (48) "TANDEM PARKING SPACE"
means 2 or more parking spaces abutting each other end to end with only one having access to an aisle; (228-81)
- (56) "TAVERN"
means a building or place having as its primary purpose the sale and consumption of alcoholic beverages on the premises only, and shall include a lounge, beverage room, and a public house licensed under the *Liquor License Act of Ontario*, but excluding a dining room, restaurant, dining lounge or club where full course meals are served; (228-81)
- (70) "TEMPORARY TENT"
means a tent structure placed on lands for a temporary period and to be used for social, charitable or business events; (414-94)
- (61) "TRAILER"
means any vehicle so constructed that it is suitable for being attached to a motor vehicle for the purpose of being drawn by the motor vehicle; (733-90)

- U (36) "USE"
shall mean the purpose for which a building, structure or lot is used, occupied or intended to be used or occupied;

W

- (66) "WASTE"
means a material not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a useable product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process; (377-94)
- (67) "WASTE PROCESSING STATION"
means a facility whose primary purpose is the sorting and processing of waste to create a new product or raw material; (377-94)
- (68) "WASTE TRANSFER STATION"
means a facility whose primary purpose is the collection of waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment, for final disposal or to a waste processing station; (377-94)
- (8) "WIDTH OF BUILDING"
shall mean the distance between the face of the main wall of the main building on one side and the face of the main wall of the main building on the other side;
- (64) "WORSHIP AREA"
means the aggregate of those areas whether above or below established grade measured between the walls of the main sanctuary, hall or meeting room which a religious group, organization or denomination utilizes for the observance of its religious services, including any balcony or area which can be opened on a temporary basis to such a sanctuary, hall or meeting room by the removal or opening of any walls or partitions, and any pulpit, altar area, choir or musicians' area, but excluding any vestibule; (210-92)

Y

- (37) "YARD"
shall mean an open, uncovered, unoccupied space appurtenant to a building;
- (1) "YARD, FRONT"
shall mean a yard extending across the full width of the lot between the front lot line and the nearest main wall of the main building on the lot;
- (2) "YARD, REAR"
shall mean a yard extending across the full width of the lot between the rear lot line and the nearest main wall of the main building on the lot;
- (3) "YARD, SIDE"
shall mean a yard extending from the front yard to the rear yard between the side lot line of the lot and the nearest main wall of the main building, exclusive of any chimney breast;
- (4) "OUTSIDE SIDE YARD"
means the side yard of a corner lot which side yard extends from the front yard to the rear yard between the side street line and the nearest part of any building or structure on the corner lot; (159-83)

USE DISTRICTS

5. (1) No person shall within any Use District delineated on the zoning map, hereto attached and marked Schedule "B" to this By-law, use any land or erect and use any building or structure except in conformity with the provisions of this By-law which govern that Use District.
- (2) The following Use Districts are established and are identified on the attached zoning map as follows:

R1	Residential, first density
R2	Residential, second density
R3	Residential, third density
R4	Residential, fourth density
R5	Residential, fifth density (159-83)
C1	Commercial
C2	Commercial
C3	Commercial
C4	Commercial
C5	Commercial
C6	Commercial
AC6	Commercial (479-78)
M	Industrial
M1	Industrial Special
T	Railway
H	Harbour
P	Open Space
P1	Open Space Special
I	Institutional

GENERAL PROVISIONS

6. The contents of this section are:

Subsection

- (1) NON-CONFORMING USES
- (2) PUBLIC SERVICES
- (3) CONVERSION OF CERTAIN HOUSES TO MULTIPLE FAMILY DWELLINGS
- (4) REDUCTION OF LOT AREA
- (5) YARDS SHALL BE OPEN
- (5a) EXTERNAL HEATING AND AIR CONDITIONING EQUIPMENT
- (6) SIDE YARD WHERE GARAGE ATTACHED TO DWELLING
- (7) ACCESSORY BUILDING
- (7A) ATTACHED PRIVATE GARAGE
- (7C) PRIVATE GARAGES IN DETACHED, SEMI-DETACHED, ROW AND STREET ROW DWELLINGS
- (7B) PLAY EQUIPMENT
- (8) ACCESSORY BUILDINGS FACING THE SIDE STREET ON CORNER LOTS
- (9) ACCESSORY BUILDINGS IN REAR AND SIDE YARDS
- (10) NO OBSTRUCTIONS ON CORNERS
- (11) PROHIBITION OF ANIMALS
- (12) NO HABITABLE ROOMS IN CELLARS
- (13) HABITABLE ROOMS BELOW GRADE LEVEL
- (14) LANDSCAPED OPEN SPACE FOR RESIDENTIAL USES OVER COMMERCIAL USES
- (15) SCREENING OF OPEN STORAGE FOR INDUSTRIAL USES WITHIN 90 m OF A RESIDENTIAL ZONE
- (16) OFF-STREET LOADING
- (17) OFF-STREET PARKING
- (18) HOLDING ZONE PROVISIONS
- (19) SITE DEVELOPMENT CONTROL
- (20) METRIC CONVERSION
- (21) PARKING AND LOADING STANDARDS FOR NON-RESIDENTIAL LAND USES
- (22) PARKING OF COMMERCIAL MOTOR VEHICLES IN RESIDENTIAL ZONES
- (23) SETBACK OF RESTAURANTS FROM A RESIDENTIAL ZONE
- (24) PROPANE STORAGE TANK REGULATIONS
- (25) HOME OCCUPATION REGULATIONS
- (26) SATELLITE RECEIVING DISH
- (27) TRAILER AND BOAT STORAGE
- (28) MODEL HOMES
- (29) ADULT ENTERTAINMENT PARLOURS
- (30) TEMPORARY TENTS
- (31) NON-CONTRAVENTION DUE TO CONVEYANCE OR ACQUISITION OF LAND BY CERTAIN PUBLIC AUTHORITIES
- (32) ENLARGEMENTS OR ALTERATIONS TO NON-CONFORMING BUILDINGS OR STRUCTURES
- (33) SERVICE STATION AND/OR CAR WASH ADJACENT TO A RESIDENTIAL ZONE
- (34) NIGHT CLUB
- (34A) FUNERAL ESTABLISHMENT
- (35) AISLE WIDTH
- (36) DEFINITIONS OF "GROSS FLOOR AREA - RESIDENTIAL" FOR SECTIONS 614, AND 617
- (37) DEFINITIONS OF "GROSS FLOOR AREA - RESIDENTIAL" FOR SECTIONS 615, 616 AND 619
- (38) DEFINITIONS OF "MAIN FRONT ENTRANCE" FOR SECTIONS 614, 616, 617 AND 619
- (39) ADULT VIDEOTAPE STORE

GENERAL PROVISIONS

6. (1) NON-CONFORMING USES

Deleted by By-law 1254.

(2) PUBLIC SERVICES (123-84)

Notwithstanding any provision to the contrary in any general or specific zoning on the land, land may be used or buildings or structures may be erected or used for:

- (1) A construction camp, scaffold or other building or structure incidental to construction on the premises while the building or structure is necessary for work that has neither been finished nor abandoned;
- (2) An authorized traffic sign or signal;
- (3) Any undertaking incidental to the provision of a public service by the City of Mississauga, provided that no goods, material or equipment shall be stored in the open except as permitted by the zone in which the land is situated;
- (4) Any undertaking incidental to the provision of a public service by the Regional Municipality of Peel, any local board of the City of Mississauga, any public utility, the Consumers' Gas Company, Bell Canada, any Ministry or Department of the Government of Ontario or Canada, or any Crown Corporation, provided that:
 - (a) any building or structure to be used or erected shall comply with the minimum front, side and rear yard setbacks, lot coverage, landscaped open space and parking requirements of the zone in which the land is situated;
 - (b) no goods, material or equipment shall be stored in the open except as permitted by the zone in which the land is situated;
- (5) Any undertaking incidental to an electrical distribution facility, provided that: (0330-2000)
 - (a) any building or structure to be used or erected shall comply with the minimum front, side and rear yard setbacks, lot coverage, landscaped open space and parking requirements of the zone in which the land is situated;
 - (b) no goods, material or equipment shall be stored in the open except as permitted by the zone in which the land is situated;
 - (c) buildings or structures existing on the day this By-law comes into force (2000 June 28) are not subject to the minimum front, side and rear yard setbacks, lot coverage, landscaped open space and parking requirements of the zone in which the land is situated.

(3) CONVERSION OF CERTAIN HOUSES TO MULTIPLE FAMILY DWELLINGS

Notwithstanding anything contained in this By-law, within an "R" District any dwelling house which has been erected for a period of not less than 20 years measured at the time of the passing of this By-law, may be converted and used for the purpose of a multiple dwelling, provided that the following conditions are complied with:

- (a) The conversion must comply with the use permitted in the district;
- (b) There shall not be more than 2 dwelling units in the building after conversion;
- (c) The building to be converted is at least 2 storeys in height, with not less than 140 m² of total gross floor space, exclusive of cellar;
- (d) Each of the dwelling units in the building after conversion shall have a minimum net floor area of 70 m², exclusive of public or common halls and stairways;
- (e) Additional floor space may be added outside the original enclosing walls but the overall total area of the building shall not exceed 35% of the lot area;
- (f) There shall be provided on the lot one parking space per dwelling unit in the converted building.

(4) REDUCTION OF LOT AREA

- (a) No lot shall be so reduced in area, whether by conveyance or alienation of any portion thereof or otherwise, in such manner that any of the provisions and regulations of this By-law are not complied with.
- (b) Where any such lot is so reduced in area that any of the provisions and regulations of this By-law are not complied with, no building or structure on any such lot shall be occupied or used unless and until the provisions and regulations of this By-law applicable thereto are complied with.

(5) YARDS SHALL BE OPEN

Every part of a required yard shall be open from its lowest point to the sky unobstructed except for ordinary projections of 0.61 m or less of sides, masonry courses, chimneys, ornaments, cornices and any permitted accessory buildings. Open or lattice-enclosed iron fire escapes or other unenclosed stairways may project into side and rear yards a distance of not more than 1.2 m but in no case shall any such intrusion interfere with the use of a driveway required for access to a garage or parking area.

(5a) EXTERNAL HEATING AND AIR CONDITIONING EQUIPMENT (357-89)

Notwithstanding any other provisions of this By-law, external heating or air conditioning equipment may be installed in the required rear or side yard, no closer to any lot line than 0.61 m.

(6) SIDE YARD WHERE GARAGE ATTACHED TO DWELLING

Where a private garage is attached to a dwelling the dimension of the side yard on that side of the dwelling to which the garage is attached shall be not less than 1.2 m.

(7) ACCESSORY BUILDING (227-92)

- (a) An accessory building or structure other than a detached or private garage shall not exceed a floor area of 10.0 m² and a height of 3.0 m.
- (b) A detached private garage shall have a maximum height of 4.6 m and shall be in compliance with subsection 6(7C) of this By-law. (0199-2002)
- (c) An accessory building or structure erected on a corner lot shall be located no closer to the street than the minimum requirements for the principal dwelling on the lot.
- (d) Only one accessory building shall be permitted on each lot.
- (e) No person shall erect a deck or patio on top of any accessory building or structure.
- (f) An accessory building or structure shall not include a habitable room provided that in a boathouse where the storage of boats is contained on a lower level, one storey may be added to the structure, the ground floor of which shall not be more than 1.0 m above grade level and the space may be used for storage or a recreation room. (0550-2000)
- (g) Notwithstanding clauses 6(7)(b), (c) and (d) of this section, the following requirements apply to accessory buildings on a lot used for a detached dwelling, a semi-detached dwelling or a street row dwelling: (0550-2000)
 - (1) A maximum of one (1) detached private garage or one (1) attached private garage shall be permitted.
 - (2) A maximum of one (1) accessory building or structure, other than a detached or attached private garage, shall be permitted.
 - (3) A detached private garage with a sloped roof shall have:
 - (i) a maximum height of 4.6 m;
 - (ii) a maximum eave height of 3.0 m;
 - (4) A detached private garage with a flat roof shall have a maximum height of 3.0 m.
 - (5) The maximum coverage of a detached private garage shall be 10% of the lot area.
 - (6) Notwithstanding subclause (5) of this clause, the maximum floor area of a detached private garage on a lot having an area greater than 750 m², shall be 75 m².
 - (7) An accessory building or structure, other than an attached private garage, shall be located no closer to the street than any front wall of the dwelling on the same lot.
 - (8) The minimum setback to any accessory building or structure, other than an attached private garage, located within a rear or interior side yard shall be 0.61 m from any lot line.
 - (9) Notwithstanding subclause (8) of this clause, the minimum setback to any accessory building or structure, other than an attached private garage, located within a rear yard on a lot with an area of greater than 750 m², shall be 1.2 m from any lot line.
 - (10) Notwithstanding subclauses (8) and (9) of this clause, the minimum exterior side yard setback of an accessory building or structure located in the rear yard of a corner lot shall be the greater of the following:
 - (i) the minimum exterior side yard requirement for the dwelling on the same lot; or
 - (ii) the minimum exterior side yard requirement of an adjacent lot having a rear lot line abutting the rear lot line of the subject corner lot; or
 - (iii) the minimum front yard requirement of an adjacent lot having a side lot line abutting the rear lot line of the subject corner lot.

(7A) ATTACHED PRIVATE GARAGE (0550-2000)

The maximum floor area of an attached private garage shall be 75 m².

(7B) PLAY EQUIPMENT (0550-2000)

Where play equipment complies with all of the following, it shall be deemed not to be an accessory building or structure:

- (a) the maximum area occupied by the play equipment shall be 5.5 m²;
- (b) the maximum height of the play equipment, measured from established grade to the highest point of the structure, shall be 3.0 m;
- (c) no more than 50% of the perimeter of the play equipment is enclosed by walls, doors or windows;
- (d) the play equipment is located in a rear yard and has a minimum setback of 0.61 m from any lot line.

(7C) PRIVATE GARAGES IN DETACHED, SEMI-DETACHED, ROW AND STREET ROW DWELLINGS (0199-2002)

- (a) Where a private garage is required or provided, the private garage shall have a rectangular area with a minimum width of 2.75 m and a minimum length of 6.0 m.
- (b) The parking space within the private garage shall have an unobstructed space with a minimum width of 2.75 m, a minimum length of 5.2 m, and a minimum height of 2.0 m.
- (c) For building permits issued on or before 2002 December 24, the provisions of clauses (a) and (b) of this subsection or the following provisions shall apply:
 - (1) for detached and semi-detached dwellings, the private garage shall have a minimum area of 16.5 m²;

(2) for row and street row dwellings, the private garage shall have a minimum area of 13.5 m².

(8) ACCESSORY BUILDINGS FACING THE SIDE STREET ON CORNER LOTS (1254)

Deleted by By-law 227-92.

(9) ACCESSORY BUILDINGS IN REAR AND SIDE YARDS

Deleted by By-law 0550-2000.

(10) NO OBSTRUCTIONS ON CORNERS

Deleted by By-law 398-78.

(11) PROHIBITION OF ANIMALS

Deleted by By-law 279-77.

(12) NO HABITABLE ROOMS IN CELLARS

No habitable room as defined in this By-law shall be located in a cellar.

(13) HABITABLE ROOMS BELOW GRADE LEVEL

No habitable room shall be located with a floor more than 1 m below grade.

(13a) Every room used for human habitation other than rooms containing only a wash basin and/or toilet, a recreation room with private bar, sink or games equipment, or the preparation of foods in a hotel, motel or restaurant, but in no way used for sleeping accommodation, shall comply with the requirements of a habitable room under this By-law. (69/36)

(14) LANDSCAPED OPEN SPACE FOR RESIDENTIAL USES OVER COMMERCIAL USES

Where in Schedule "A" landscaped open space of not less than 13.5 m² per dwelling unit is required for dwelling units over commercial uses this amount of landscaped open space need not be at grade level and may be provided on roofs of buildings.

(15) SCREENING OF OPEN STORAGE FOR INDUSTRIAL USES WITHIN 90 m OF A RESIDENTIAL ZONE

Where open storage for industrial uses is located within 90 m of a Residential zone the open storage shall be screened from view from any location in the Residential zone.

(16) OFF-STREET LOADING

Deleted by By-law 228-81.

(17) OFF-STREET PARKING (1478), (472-76), (608-76)

(a) *Deleted by By-law 228-81.*

(b) *Deleted by By-law 228-81.*

(c) *Deleted by By-law 228-81.*

(d) Where an apartment building or apartment hotel is situated on the inside lot, no parking spaces shall be located in front of the building and, where situated on a corner lot, no parking spaces shall be located in front of the building or beyond the side wall of the building facing the side street.

(e) All visitor parking spaces shall be:

(1) clearly indicated by a sign at the entrance to the parking area;

(2) clearly identified and marked by permanent lines and markings painted on the paved surface; and,

(3) kept exclusively for the purpose of visitor parking.

(f) *Deleted by By-law 707-89. (103-79)*

(g) (1) Parking space for recreational equipment, as referred to in Schedule "A" of this By-law, may be provided as a separate compound. (103-79), (307-82)

(2) For the purposes of this section, recreational equipment shall include boats, trailers, mobile homes, snowmobiles and motorcycles, and any other similar vehicles primarily used for recreational purposes.

(3) Nothing in this section shall prevent the owners of any lands or buildings to which this section applies from prohibiting altogether the storage of recreational equipment and in such case, the area, if any, required to be provided for such equipment shall be used for additional visitor parking.

(h) The maximum permitted driveway or hard surface parking area width per dwelling at any given point shall be 5.2 m for all street row dwellings and semi-detached dwellings and 6.0 m for all detached dwellings with lot frontages of less than 12.0 m. (549-84), (227-92)

(i) The maximum permitted driveway or hard surface parking area width per dwelling at any given point on lot frontages of 12.0 m or greater shall be limited to the maximum of the distance equal to 50% of the lot frontage or 8.5 m, whichever is the lesser for all detached dwellings. (227-92)

(j) No motor vehicle may be parked or stored in any front or rear yard except on a properly constructed, drained and hard surface driveway in accordance with clauses (h) and (i) of this subsection. (227-92)

(k) For the purpose of clause (j) of this subsection, all driveways and driveway widenings shall have a minimum overall depth of 15 cm comprised of crushed stone, granular material, or aggregate, with an asphaltic or cement binder, or any other permanent type of surfacing which prevents the raising of dust or loose particles. (227-92)

- (l) All driveways which legally existed on or before the day this section comes into force (1992 May 11) are deemed to comply with this By-law. (227-92)
- (m) The nearest part of a driveway or any other parking area for a detached dwelling, semi-detached dwelling and end unit of a street row dwelling shall be a minimum distance of 0.6 m from any side lot line other than the common side lot line separating an attached semi-detached dwelling or an attached street row dwelling. (0027-2000)
- (n) For the purposes of this section, "DRIVEWAY" or "PARKING AREA" includes any hard surface or other surface used for vehicular ingress and egress or for the parking or storage of one or more motor vehicles, trailers, boats or other recreational equipment, or any combination thereof. (0027-2000)

(18) HOLDING ZONE PROVISIONS (279-74)

- (a) Where any of the zone symbols described in subsection (2) of section 5 are shown on Schedule "B" of this By-law preceded by the symbol "H" the use of land and the erection of buildings or structures in conformity with the respective zone designations shall await the rezoning from the "H" symbol.
- (b) Where the "H" symbol precedes a Residential Zoning category, lands may be used for a single-family detached dwelling, or any residential use in existence at the time the "H" symbol is applied, in accordance with the respective Residential zone provisions.
- (c) In addition to any other uses permitted in this "H-R4" zone, the existing single-family detached dwelling located on the lands municipally known as 24 Ann Street, may be used for the purposes of a day nursery, licensed under the *Day Nurseries Act*. (177-78)

(19) SITE DEVELOPMENT CONTROL (174-76), (91-78), (175-79)

Deleted by By-law 307-82.

(20) METRIC CONVERSION (837-79)

Notwithstanding anything in this By-law, any land which was used, or any building or structure which was erected or for which building permits were issued, in conformity with the imperial measurements contained in this By-law prior to 1979 Nov. 05, shall be deemed to be in conformity with the respective metric measurements contained herein.

(21) PARKING AND LOADING STANDARDS FOR NON-RESIDENTIAL LAND USES (228-81), (266-94)

(1) In this section:

- (a) "GROSS FLOOR AREA" (GFA) means the aggregate of the areas of each storey above or below established grade, measured from the exteriors of outside walls, but shall exclude any parts of the building used for mechanical equipment related to the operation or maintenance of the building, stairwells, washrooms, elevators, or any parts of the building below established grade other than that used for retail commercial or office purposes;
- (b) "GROSS FLOOR AREA - RESTAURANT" means the aggregate of the areas of each storey above or below established grade, measured from the exterior of the outside walls but excluding storage areas below established grade;
- (c) "GROSS LEASABLE AREA" (GLA) means the aggregate of the areas of each storey above or below established grade, measured from the centre line of joint interior partitions and from the exteriors of outside walls, designed for tenant occupancy and exclusive use only, and used for sales areas, display areas, storage areas, but excluding storage areas below established grade and common areas;
- (d) "CONVENIENCE CENTRE" means one or more retail and service establishments on a site of not more than 1 ha located in a predominantly residential area designed to serve the daily needs of the residents of a neighbourhood;
- (e) "NEIGHBOURHOOD CENTRE" means a grouping of retail and service establishments with ancillary office uses and a food supermarket, all occupying a total site of not more than 4 ha for the purpose of serving the needs of the residents in an area;
- (f) "DISTRICT CENTRE" means a grouping of retail, office and service establishments including a junior department store, or discount department store and a supermarket as the prime tenants all occupying a total site of not more than 12 ha designed to provide the residents in the surrounding district with a variety of goods and services;
- (g) "REGIONAL CENTRE" means a group of stores occupying a site of more than 12 ha providing a variety of goods and services and recreational facilities containing 2 department stores, each of which is not less than 9 300 m² Gross Leasable Area;
- (h) "GENERAL RETAIL ESTABLISHMENT/PERSONAL SERVICE SHOP" means a building or place where goods or material are sold or kept for sale to the general public or where services are provided and administered to individual and personal needs and without limiting the generality of the foregoing, shall include barber shops, hairdressing shops and shoe repair shops.

(2) Where land is used for a purpose set forth in Column 1 or Column 2 in Schedule "A" to By-law 1227, Parking and Loading Standards for Non-Residential Land Uses, parking spaces and loading spaces shall be provided and maintained on the same lot in accordance with the minimum requirement prescribed in Column 3 for each such use. (0040-2001)

- (3) Parking spaces - disabled shall be provided and maintained on the same lot in proximity to the main entrances to a building or structure in accordance with the minimum requirement prescribed in the following table, which spaces shall be included in the total number of required parking spaces: (0040-2001)

Total Number of Required Parking Spaces	Minimum Requirement Parking Spaces - Disabled
0 -9	Nil
10 -100	1 space
101 - 2 500	1% of the total number of required parking spaces
2 501 and greater	25 spaces

- (4) When the computation of the number of parking spaces required by subsection (2) of this section results in a requirement of a fractional parking space, any fraction less than one-half of a parking space may be disregarded, whereas a fraction of one-half or more of a parking space shall be counted as one parking space.
- (5) This By-law will not apply to parking and loading spaces lawfully provided on the effective date of this By-law (1981 Sept. 25).
- (6) Deleted by By-law 0040-2001.
- (7) Ingress and egress to and from the parking and loading facilities shall be provided by sufficient aisles and driveways.
- (8) All lighting provided for parking and loading shall be arranged so that the light from them is deflected away from any adjacent residential area.
- (9) (a) In addition to the provisions of subsection (2) of this section, where the use is a mixed use development, the parking may be calculated by using the following schedule:

PERCENT OF PEAK PERIOD (Weekday)				
Land Use	Morning	Noon	Afternoon	Evening
Office	100	90	95	10
Retail District	65	90	80	100
Neighbourhood	70	80	100	75
General	80	65	100	100
Restaurant	20	100	30	100
Residential	80	55	80	100
TOTAL				

PERCENT OF PEAK PERIOD (Saturday)				
Land Use	Morning	Noon	Afternoon	Evening
Office	10	10	10	10
Retail District	80	85	100	40
Neighbourhood	80	100	100	30
General	80	100	100	30
Restaurant	20	100	50	100
Residential	100	100	100	100
TOTAL				

The initial step in determining the parking for a mixed use development is to calculate the parking requirement for each use contained within the development (i.e., office) as if these uses were free-standing buildings. The parking requirement for each use is then multiplied by the percent of the peak period for each time period (i.e., noon) contained in the above Schedule. Each column is totalled for week-days and Saturdays. The maximum figure obtained from all time periods shall become the parking requirement for that specific mixed use development and shall be applied to reduce the requirements made under subsection (2) of this section.

- (b) In this subsection "MIXED USE DEVELOPMENT" means:
- (1) non-office space (retail, restaurant, recreational, residential) in an office building (a building that has as its predominant function the provision of office space) which does not exceed 30% of the Gross Floor Area devoted to office uses;
 - (2) office space in a retail building;
 - (3) office/retail/residential combination.
- (10) Parking Requirements for a Place of Religious Assembly (210-92)
- (a) Parking shall be provided in accordance with subsection 6(21) and Schedule "A" to By-law 1227, Parking and Loading Standards for Non-Residential Land Uses, of this By-law. (266-94)
 - (b) Where the permanent fixed seating described in Schedule "A" to By-law 1227, Parking and Loading Standards for Non-Residential Land Uses, of this By-law, is open-style bench or pew, then each 0.5 m of bench or pew space is equal to one seat for the purpose of calculating required parking. (266-94)

- (c) Where the worship area of a Place of Religious Assembly includes permanent fixed seating or non-fixed moveable seating for clergy, leaders, choirs, or musicians, such seating or area shall be included in the calculation of seating for the purpose of calculating required parking subject to Schedule "A" to By-law 1227, Parking and Loading Standards for Non-Residential Land Uses, of this By-law. (266-94)
- (d) Notwithstanding any provision of this By-law to the contrary any Place of Religious Assembly in existence, or any Place of Religious Assembly for which a building permit has been issued, or any Place of Religious Assembly for which a site development plan has been approved on or before the day this clause comes into force (1992 April 27) are considered to be in compliance with the parking requirements of this By-law.
- (e) Where a public hall, banquet hall or community/multi-use hall and a Place of Religious Assembly are permitted uses on the same lot, and where the area of the public hall, banquet hall or community/multi-use hall is the same size or larger than the worship area of the Place of Religious Assembly, parking will be required for the public hall, banquet hall or community/multi-use hall in accordance with the banquet hall requirement in Schedule "A" to By-law 1227, Parking and Loading Standards for Non-Residential Land Uses, in addition to the parking required for the Place of Religious Assembly. (0321-2002)

(22) PARKING OF COMMERCIAL MOTOR VEHICLES IN RESIDENTIAL ZONES
(605-82), (319-95)

- (1) No person shall use any lot in any Residential zone for the parking or storage of more than one commercial motor vehicle.
- (2) Notwithstanding clause (1) of this subsection, no person shall in any Residential zone use any lot for the parking or storage of any commercial motor vehicle in excess of 3 000 kg registered gross weight, or 2 300 kg vehicle weight, or 5.5 m length, or 2.0 m height.
- (3) A minimum of one parking space, either in a driveway or private garage and which may be a tandem parking space, shall be provided for a personal use vehicle.
- (4) Commercial motor vehicles which attend a premise in a Residential zone for the purposes of delivery and service shall be deemed not to contravene this By-law.
- (5) Notwithstanding clauses (1) and (2) of this subsection, bus parking will be permitted on lands used for places of religious assembly or schools provided such parking shall not be permitted within the required setbacks.
- (6) Notwithstanding clause (2) of this subsection, any commercial motor vehicle shall be permitted to park entirely within an enclosed private garage provided that the vehicle can access the site in accordance with the City's and the Region's Traffic By-law and any applicable Provincial statutes and regulations.

(23) SETBACK OF RESTAURANTS FROM A RESIDENTIAL ZONE (435-83)

No restaurant, convenience restaurant or take-out restaurant shall be located closer than 60 m, measured in a straight line, from the nearest part of the restaurant building to the lot line of a residential zone.

(24) PROPANE STORAGE TANK REGULATIONS (1138-85)

- (1) No person shall erect, install or use a propane storage tank except in accordance with the minimum distance requirements contained in Schedule "I" of this section and subject to the following:
 - (a) all propane storage tank installations with an aggregate capacity in excess of 15 142 L shall be provided with at least one of the following devices, to be designed and installed to the satisfaction of the City of Mississauga Fire Department;
 - (i) an insulating cover;
 - (ii) an automatic operating fixed water spray system;
 - (iii) an automatic operating monitor system;
 - (b) no propane storage tank with a capacity in excess of 7 571 L shall be permitted within 120 m, measured in a straight line from the nearest part of the propane storage tank to the lot line of a residential zone, institutional zone, school, hospital, theatre or other place of public assembly;
 - (c) no propane storage tank shall be located in a required yard which abuts a street;
 - (d) no propane storage tank shall be located on a lot which abuts a property zoned residential;
 - (e) *deleted by By-law 428-97.*
- (2) For the purposes of this section "SOURCES OF IGNITION" means devices or equipment which, because of their modes of use or operation, are capable of providing sufficient thermal energy to ignite flammable propane vapour-air mixtures when introduced into such a mixture or when such a mixture comes into contact with them, and which will permit propagation of flame away from them.

SCHEDULE "I" TO SUBSECTION 6(24)					
PROPANE TANK LOCATION STANDARDS					
Capacity	Minimum Distance Between a Tank and:				
	Property Lines, Buildings and Sources of Ignition		Adjacent Propane Tanks	Underground Gasoline or Other Fuel Tanks	Railway Tracks
Type of Tank	Aboveground	Underground	All Types	All Types	All Types
Less than 473.2 L	0	3 m	0	4.5 m	6 m
473.2 L to 946.4 L	3 m	3 m	1 m	4.5 m	6 m
951 L to 1 893 L	3 m	3 m	1 m	4.5 m	6 m
1 897 L to 7 571 L	7.5 m	7.5 m	1 m	4.5 m	6 m
7 575 L to 37 854 L	15 m	15 m	3 m	4.5 m	22.5 m
37 858 L to 340 686 L	30 m	30 m	1/4 of sum of diameters of adjacent tanks (not less than 3 m)	4.5 m	30 m
over 340 686 L	37.5 m	37.5 m	1/4 of sum of diameters of adjacent tanks (not less than 3 m)	4.5 m	30 m

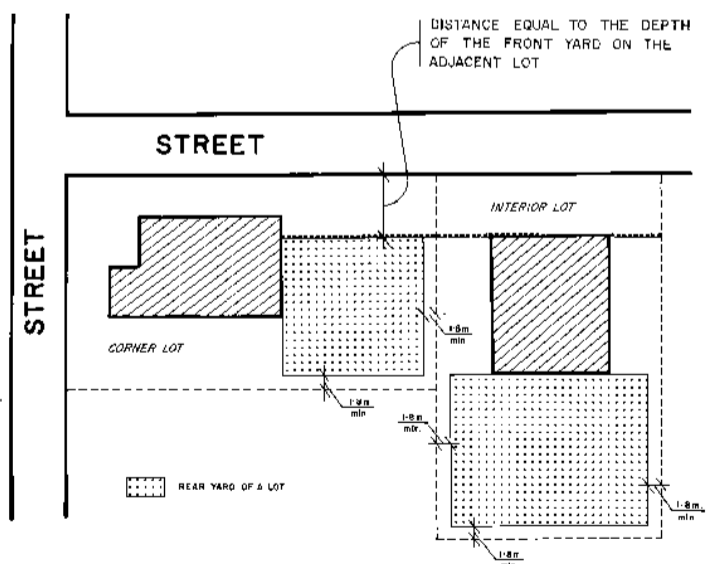
(25) HOME OCCUPATION REGULATIONS (203-88)

- (1) Any person with a physical disability may establish an occupation or business as an accessory use in any dwelling unit subject to the provisions of this By-law and the following:
 - (a) no persons who are not residents of the dwelling unit shall be employed on the premises in carrying out the occupation;
 - (b) the dwelling unit is the principal private residence of the person with a physical disability who may not be a casual or occasional resident thereof;
 - (c) no exterior alterations shall be made which change the residential character of the dwelling;
 - (d) the use shall be conducted entirely within the dwelling unit with no outdoor storage of goods, material or equipment other than a commercial motor vehicle as permitted in subsection 6(22) of this By-law;
 - (e) no goods, wares or merchandise shall be visible from outside any building;
 - (f) no goods or merchandise shall be offered for sale which are not produced on the premises;
 - (g) no manufacturing, assembly or repair process shall be carried out except for the manufacture or handmade articles of clothing, arts, toys or crafts;
 - (h) no commercial food preparation or service shall be permitted;
 - (i) no lodging or boarding unless otherwise permitted by this By-law;
 - (j) the provisions of subsection 6(21) of this By-law shall not apply.

(26) SATELLITE RECEIVING DISH (902-89)

No satellite receiving dish shall be installed, erected or placed anywhere within a residential use district, other than in the rear yard of a lot, and provided that such satellite receiving dish shall not exceed 4.0 m in height to the top of the dish above existing grade and shall be no closer than 1.8 m from any property line, and provided that, where a satellite receiving dish is installed or erected in the rear yard of a corner lot, it shall not be located closer to any lot line, the extension of which forms the front lot line of an adjacent lot, than a distance which is equal to the depth of the front yard on the adjacent lot, in accordance with Schedule "I" of this subsection.

Schedule "I" to subsection 6(26)



THIS IS SCHEDULE I TO SUBSECTION 6(26)
 AS ANNEXED TO BY-LAW 902-89
 PASSED BY COUNCIL ON 1989, DECEMBER 11
 ' H. McCALLION '
 MAYOR
 ' L. M. MCGILLIVARY '
 CLERK (DEPUTY)

CITY OF MISSISSAUGA

(27) TRAILER AND BOAT STORAGE (733-90)

- (a) No person shall use any lot in any Residential Zone for the outdoor parking, storage, or display of any trailer or boat, except in accordance with the provisions of clauses (b), (c), and (d) of this subsection.
- (b) Notwithstanding clause (a) of this subsection, any person may park, store, or display on any lot in any Residential Zone not more than one trailer that does not exceed 7 m in length exclusive of hitch or tongue and one boat that does not exceed 7 m in length subject to the following restrictions:
 - (i) Any trailer or boat shall be parked, stored or displayed either:
 - (1) in a side yard to the rear of the front wall of the main building but not less than 1.2 m from the nearest side lot line; or,
 - (2) in the rear yard;
 - (ii) No boat or trailer shall be parked, stored or displayed within 7.5 m of a side or rear lot line which abuts a street or 0.3 m reserve.
- (c) Notwithstanding clauses (a) and (b) of this subsection, trailers and boats may be parked, stored or displayed on a lot which is used for multiple residential dwellings provided that such vehicles are parked, stored or displayed within the space required to be provided in accordance with the regulations of Schedule "A" to By-law 1227 of this By-law.
- (d) Notwithstanding clauses (a) and (b) of this subsection, any person may on a temporary basis park, store or display on any lot in any Residential Zone used for a purpose other than multiple residential dwellings not more than one trailer that does not exceed 7 m in length exclusive of hitch or tongue and one boat that does not exceed 7 m in length in the front or side yard of such lot for a total period of not more than 72 hours in any one calendar month, but at no time shall there be more than one boat and more than one trailer outdoors on the lot.

(28) MODEL HOMES (151-94)

Notwithstanding any provisions to the contrary, model homes shall be permitted subject to the following:

- (a) the lands on which the model homes are to be constructed have received draft plan approval under the *Planning Act*;
- (b) the lands are zoned to permit detached, semi-detached and/or street row dwellings;
- (c) the location of the model homes shall comply with the provisions of this By-law upon registration of the plan of subdivision;
- (d) the number of model homes for any draft approved plan of subdivision shall not exceed the lesser of six (6) dwelling units or ten percent (10%) of the total number of lots.

(29) ADULT ENTERTAINMENT PARLOURS (119-93)

Notwithstanding anything in this By-law, adult entertainment parlours shall only be permitted in an industrial zone and shall not be located in a building which is closer than 800 m, measured in a straight line, from the nearest part of the adult entertainment parlour building to the lot line of a residential zone or a school site.

(30) TEMPORARY TENTS (414-94)

Notwithstanding any provisions to the contrary, temporary tents may be erected on lands for a period not to exceed fourteen (14) consecutive days provided that no lands shall be used for the erection of temporary tents for more than a total of twenty-eight (28) days in any calendar year.

(31) NON-CONTRAVENTION DUE TO CONVEYANCE OR ACQUISITION OF LAND BY CERTAIN PUBLIC AUTHORITIES (248-95)

No person shall be deemed to have contravened any provisions of this By-law if the contravention is a result of the transfer to or acquisition by The Corporation of the City of Mississauga, The Regional Municipality of Peel, Her Majesty in Right of Ontario or Her Majesty in Right of Canada of a part or parts of any lot.

(32) ENLARGEMENTS OR ALTERATIONS TO NON-CONFORMING BUILDINGS OR STRUCTURES (248-95)

Where a building or structure, the use of which is permitted by this By-law and which has been lawfully erected is deficient in respect of any regulation required by this By-law, said building or structure may be enlarged or altered provided that the enlargement or alteration itself complies with all applicable provisions of this By-law and does not cause a contravention or further contravention to any provision contained herein.

(33) SERVICE STATION AND/OR CAR WASH ADJACENT TO A RESIDENTIAL ZONE (47-97)

A service station, a car wash or combination thereof, where permitted adjacent to a residential zone, shall not exceed a gross floor area - non residential of 300 m², not including the convenience retail and service kiosk.

(34) NIGHT CLUB (144-99)

No person shall use land or erect or use a building or structure for the purpose of the operation of a night club except in compliance with the provisions of this By-law subject to the following:

- (a) the gross floor area of a night club shall not exceed 1 115 m²;
- (b) a night club shall not be located closer than 800 m, measured in a straight line, from the nearest part of the night club building to the nearest part of the lot line of a residential zone or the nearest part of another night club building; (0446-2000)
- (c) every lot shall have frontage on a highway, or part thereof, designated on Schedule "I" of this subsection. (0446-2000)

Schedule "I" to subsection 6(34)

File Contains Data for
PostScript Printers Only

(34A) FUNERAL ESTABLISHMENT (0364-2001)

No person shall use land or erect or use buildings or structures or parts thereof for the purpose of the operation of a funeral establishment except where permitted by this By-law and in compliance with the following:

- (a) every lot shall have frontage on a highway, or part thereof, as designated on Schedule "I" to subsection 6(34) of this By-law.

(35) AISLE WIDTH (0040-2001)

- (1) The minimum aisle width shall be 7.0 m.
- (2) Notwithstanding clause (1) of this subsection, where a one-way aisle is provided for ingress and egress to and from parking spaces with a parking angle not exceeding 60°, the minimum aisle width may be 5.5 m.

(36) DEFINITIONS OF "GROSS FLOOR AREA - RESIDENTIAL" FOR SECTIONS 614, AND 617 (0513-2000)

- (1) "GROSS FLOOR AREA - RESIDENTIAL" means the aggregate of the floor areas of each storey above and below established grade, measured at floor level between the exterior faces of exterior walls of each storey of the building or structure, but shall not include the following areas in the calculation:
 - (a) any enclosed area used for climate control, electrical, and energy distribution equipment, or other mechanical equipment devoted to the operation or maintenance of the building;
 - (b) any enclosed area devoted to elevators;
 - (c) any enclosed area devoted to the collection or storage of disposable or recyclable waste generated within the building;
 - (d) any part of a building or structure above or below established grade used exclusively for the parking of motor vehicles or the provision of parking or loading spaces required by this By-law;
 - (e) any part of the building above or below established grade that is not contained within an individual unit and which is devoted exclusively to one or more common storage areas, common laundry facilities or other common facilities, such as play areas or other recreational uses.

(37) DEFINITIONS OF "GROSS FLOOR AREA - RESIDENTIAL" FOR SECTIONS 615, 616 AND 619 (0513-2000)

- (1) "GROSS FLOOR AREA - RESIDENTIAL" means the aggregate of the areas of each storey above established grade measured from the exteriors of outside walls but shall exclude any part of the building or structure used for the parking of motor vehicles.

(38) DEFINITIONS OF "MAIN FRONT ENTRANCE" FOR SECTIONS 614, 616, 617 AND 619 (0513-2000)

- (1) "MAIN FRONT ENTRANCE" means the door which is designed as the primary access point into a building.

(39) ADULT VIDEOTAPE STORE (119-93)

Notwithstanding anything in this By-law, an adult videotape store shall only be permitted in an industrial zone.

RESIDENTIAL ZONES

USE DISTRICT "R1" (RESIDENTIAL, FIRST DENSITY)

7. (1) Permitted uses:
 - (1) Single-family detached dwelling;
 - (2) Municipal park or playground;
 - (3) Building or structure accessory to a permitted use;
 - (4) A group home in a single-family detached dwelling provided that the group home is not located closer than 800 m from an existing group home measured in a straight line from the nearest lot line of the existing group home to the lot line of the proposed group home, and that the group home is registered with the City of Mississauga; (293-83)
 - (5) Any person with a physical disability may establish an occupation or business in a single-family detached dwelling in compliance with the provisions contained in subsection 6(25) of this By-law. (203-88)
- (2) Buildings that are to be erected in Use District "R1" shall conform with the requirements listed in Schedule "A" which is part of this By-law.
- (3) *Deleted by By-law 0271-2004.*
- (4) Every dwelling shall have appurtenant thereto not less than one full lot on a registered plan.
- (5) No building shall exceed 9.2 m in height.

USE DISTRICT "R2" (RESIDENTIAL, SECOND DENSITY)

8. (1) Permitted uses:
- (1) Single-family detached dwelling;
 - (1A) Semi-Detached dwelling subject to, and notwithstanding subsection (2) of this section, the following requirements: *(159-83)*
 - (a) every corner lot shall have an area of at least 600 m²;
 - (b) every lot other than a corner lot shall have an area of at least 460 m²;
 - (c) every corner lot shall have a frontage of at least 19.5 m;
 - (d) every lot other than a corner lot shall have a frontage of at least 15 m;
 - (e) every lot shall have a front yard of at least 4.5 m in depth;
 - (f) every corner lot shall have an outside side yard of at least 4.5 m in width;
 - (g) notwithstanding paragraphs (e) and (f) above no garage shall be located closer than 6 m from a street line;
 - (h) every corner lot shall have an interior side yard of at least 1.2 m in width;
 - (i) every lot other than a corner lot, shall have a side yard of 1.2 m on one side and 0.61 m on the other side provided that there is a minimum distance on one side of any lot between the building on the lot and the building on the adjacent lot of 2.4 m of which at least 1.2 m must be the distance from the building to the lot line of each lot;
 - (j) notwithstanding paragraph (i) above, where the side lot line is also the side lot line of a street row dwelling, the minimum side yard shall be 1.2 m;
 - (k) a chimney, chimney breast, porch, uncovered platform, central air conditioning unit or heat pump is not permitted to encroach within the minimum 1.2 m side yard required by paragraph (i) above;
 - (l) every lot shall have a rear yard of at least 7.5 m in depth;
 - (m) every dwelling unit shall have a private garage; *(0199-2002)*
 - (2) Duplex dwelling;
 - (3) Triplex dwelling;
 - (4) Converted dwelling;
 - (5) The professional practice of a physician, dentist or drugless practitioner in a single-family detached dwelling subject to the following: *(175-79), (215-81), (96-93)*
 - (1) the dwelling must be the principal private residence of the physician, dentist or drugless practitioner and the physician, dentist or drugless practitioner must not be a special, occasional or casual resident thereof and the dwelling must not be closer than 800 m from an existing medical office in a Residential zone, measured along the street centre line and following the shortest street route;
 - (2) the lot shall have a minimum frontage of 15 m;
 - (3) the number of physicians, dentists or drugless practitioners permitted to practice is restricted to one and the staff of such person shall not exceed one;
 - (4) overnight accommodation for patients shall not be provided;
 - (5) no building and/or occupancy permit shall be issued prior to the approval of a site development plan by the City;
 - (6) a maximum of 100 m² may be used for the purposes of carrying on the practice;
 - (7) 5 parking spaces shall be provided for the office and residence, 4 of which may be tandem parking spaces which for the purposes of this section, "TANDEM PARKING SPACE" means 2 parking spaces abutting each other end to end with only one having access to an aisle;
 - (6) Day nursery, nursery school;
 - (7) Municipal park or playground;
 - (8) Building or structure accessory to a permitted use;
 - (9) A group home in a single-family detached dwelling provided that the group home is not located closer than 800 m from an existing group home measured in a straight line from the nearest lot line of the existing group home to the lot line of the proposed group home, and that the group home is registered with the City of Mississauga; *(293-83)*
 - (10) Any person with a physical disability may establish an occupation or business in any dwelling permitted by this subsection in compliance with the provisions contained in subsection 6(25) of this By-law. *(203-88)*
- (2) Buildings that are to be erected in Use District "R2" shall conform with the requirements listed in Schedule "A" which is part of this By-law.
 - (3) Every dwelling shall have appurtenant thereto not less than one full lot on a registered plan.
 - (4) No building shall exceed 9.2 m in height provided that in a multiple family dwelling with a peak roof, 10.7 m in height shall be permitted.

USE DISTRICT "R3" (RESIDENTIAL, THIRD DENSITY)

9. (1) Permitted uses:
- (1) Single-family detached dwelling;
 - (2) Duplex dwelling;
 - (3) Triplex dwelling;
 - (4) Double duplex dwelling;
 - (5) Double triplex dwelling;
 - (6) Fiveplex dwelling;
 - (7) Converted dwelling;
 - (8) Boarding or lodging house;
 - (9) The professional practice of a physician, dentist or drugless practitioner in a single-family detached dwelling subject to the following: *(175-79), (215-81), (96-93)*
 - (1) the dwelling must be the principal private residence of the physician, dentist or drugless practitioner and the physician, dentist or drugless practitioner must not be a special, occasional or casual resident thereof and the dwelling must not be closer than 800 m from an existing medical office in a Residential zone, measured along the street centre line and following the shortest street route;
 - (2) the lot shall have a minimum frontage of 15 m;
 - (3) the number of physicians, dentists or drugless practitioners permitted to practice is restricted to one and the staff of such person shall not exceed one;
 - (4) overnight accommodation for patients shall not be provided;
 - (5) no building and/or occupancy permit shall be issued prior to the approval of a site development plan by the City;
 - (6) a maximum of 100 m² may be used for the purposes of carrying on the practice;
 - (7) 5 parking spaces shall be provided for the office and residence, 4 of which may be tandem parking spaces which for the purposes of this section, "TANDEM PARKING SPACE" means 2 parking spaces abutting each other end to end with only one having access to an aisle;
 - (10) Day nursery, nursery school;
 - (11) Private club;
 - (12) Municipal park or playground;
 - (13) Building or structure accessory to a permitted use;
 - (14) A group home in a single-family detached dwelling provided that the group home is not located closer than 800 m from an existing group home measured in a straight line from the nearest lot line of the existing group home to the lot line of the proposed group home, and that the group home is registered with the City of Mississauga; *(293-83)*
 - (15) Any person with a physical disability may establish an occupation or business in any dwelling permitted by this subsection in compliance with the provisions contained in subsection 6(25) of this By-law. *(203-88)*
- (2) Buildings that are to be erected in Use District "R3" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.
- (3) Every dwelling shall have appurtenant thereto not less than one full lot on a registered plan.
- (4) No building shall exceed 9.2 m in height provided that in a multiple family dwelling with a peak roof, 10.7 m in height shall be permitted.
- (5) For the purposes of this section each of the parcels described in Schedule "D" to this By-law and shown on a sketch of survey made by W.B. Starr, O.L.S., hereto attached and marked Schedule "E" to this By-law, shall be considered or construed to be one full lot on a registered plan and no further registration of a plan shall be required to qualify each such parcel for the uses permitted under this section. Provided, however, that no further alteration or variation of the boundary lines of any of the said parcels shall be permitted without the registration of a plan. *(1254)*

USE DISTRICT "R4" (RESIDENTIAL, FOURTH DENSITY)

10. (1) Permitted uses:
- (1) Single-family detached dwelling;
 - (2) Duplex dwelling;
 - (3) Triplex dwelling;
 - (4) Double duplex dwelling;
 - (5) Double triplex dwelling;
 - (6) Fiveplex dwelling;
 - (7) Apartment building;
 - (8) Drug store, barber shop, beauty parlour, florist shop, delicatessen, or restaurant where accessory to an apartment building may be established and operated in an apartment building; (435-83)
 - (9) Converted dwelling;
 - (10) Boarding house, or lodging house; (707-89)
 - (11) The professional practice of a physician, dentist or drugless practitioner in a single-family detached dwelling subject to the following: (175-79), (215-81), (96-93)
 - (1) the dwelling must be the principal private residence of the physician, dentist or drugless practitioner and the physician, dentist or drugless practitioner must not be a special, occasional or casual resident thereof and the dwelling must not be closer than 800 m from an existing medical office in a Residential zone, measured along the street centre line and following the shortest street route;
 - (2) the lot shall have a minimum frontage of 15 m;
 - (3) the number of physicians, dentists or drugless practitioners permitted to practice is restricted to one and the staff of such person shall not exceed one;
 - (4) overnight accommodation for patients shall not be provided;
 - (5) no building and/or occupancy permit shall be issued prior to the approval of a site development plan by the City;
 - (6) a maximum of 100 m² may be used for the purposes of carrying on the practice;
 - (7) 5 parking spaces shall be provided for the office and residence, 4 of which may be tandem parking spaces which for the purposes of this section, "TANDEM PARKING SPACE" means 2 parking spaces abutting each other end to end with only one having access to an aisle;
 - (12) Day nursery, nursery school;
 - (13) Private club;
 - (14) Municipal park or playground;
 - (15) Building or structure accessory to a permitted use;
 - (1) no satellite receiving dish shall be installed or erected on any land, building, or structure used for an apartment building, where the apartment building is 3 storeys or less in height, except in accordance with subsection 6(26); (902-89)
 - (16) A group home in a single-family detached dwelling provided that the group home is not located closer than 800 m from an existing group home measured in a straight line from the nearest lot line of the existing group home to the lot line of the proposed group home, and that the group home is registered with the City of Mississauga; (293-83)
 - (17) Any person with a physical disability may establish an occupation or business in any dwelling permitted by this subsection in compliance with the provisions contained in subsection 6(25) of this By-law; (203-88)
 - (18) Nursing home, home for the aged, retirement house, or assisted seniors residence. (707-89)
 - (2) Buildings that are to be erected in Use District "R4" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.
 - (3) Every dwelling shall have appurtenant thereto not less than one full lot on a registered plan.
 - (4) Nothing in this By-law shall prevent the erection of a duplex on each of the parcels set out as numbers 1, 2, 3, 4, 5 and 6 on a sketch of survey of Part of Lot 12, Range 1, C.I.R., made by W.B. Starr, O.L.S., hereto attached and marked Schedule "C" to this By-law, provided each such duplex shall have access to Broadview Avenue over a right-of-way to the rear and shall have minimum side yards of 0.3 m on one side, and 0.75 m on one side, and shall in all other respects conform with the requirements for a duplex in Use District "R4". (1254)
 - (5) Nothing in this By-law shall prevent the erection and maintenance of a business or professional office on the Westerly 10.21 m of Lot 330, Plan H-21, provided that such building shall comply with the requirements listed in Schedule "A" to this By-law for a building in Use District "C1".

10A. Notwithstanding the provisions of sections 7, 8, 9 and 10 of this By-law, where a single-family residence is located in an "R1", "R2", "R3" or "R4" zone and has attached thereto a garage not exceeding one storey in height, the minimum side yard requirements shall be not less than 0.61 m on the side on which the garage is located and 1.2 m on the side opposite to the side on which the garage is located. Where living accommodation or other useable space is provided above the garage or between the garage area and the front lot line or the rear lot line the provisions of this section shall not apply. (1303), (1577)

10B. Where a parcel of land does not consist of at least one full lot on a registered plan but does consist of the entire parcel of land described in a deed registered prior to the passing of this By-law or of the full remainder of a parcel of land described in a registered deed, part of the original parcel having been alienated by a document registered prior to the passing of this By-law, for the purposes of sections 7, 8, 9 and 10 of By-law 1227, such parcel of land shall be deemed to be one full lot on a registered plan. (1325)

USE DISTRICT "R5" (RESIDENTIAL, FIFTH DENSITY) (159-83)

10C. (1) Permitted Uses:

- (1) Row Dwellings, subject to the following requirements:
 - (a) every lot shall have a minimum frontage of 12 m;
 - (b) a minimum of 230 m² of lot area shall be provided for each dwelling unit;
 - (c) the total of dwelling units constructed shall not exceed the rate of 34.6 units per ha;
 - (d) no part of any building or structure shall be within 7.5 m of any lot line;
 - (e) the maximum gross floor area shall be 75% of the lot area;
 - (f) the minimum landscaped open space shall be 50% of the lot area;
 - (g) parking spaces shall be provided in accordance with the requirements of Schedule "A";
 - (h) notwithstanding subclause (d) above, the front garage face for a row dwelling shall not be located closer than 6.0 m to any internal roadway or sidewalk. (0027-2000)
- (2) Street Row Dwellings, subject to the following requirements:
 - (a) every corner lot shall have minimum frontage on a street of 10.5 m;
 - (b) every corner lot shall have a lot area of at least 325 m²;
 - (c) every lot other than a corner lot shall have a minimum frontage on a street of 6.85 m;
 - (d) every lot other than a corner lot shall have a lot area of at least 205 m²;
 - (e) a front yard for every lot shall have a depth of at least 4.5 m;
 - (f) every lot shall have a rear yard of at least 7.5 m in depth;
 - (g) notwithstanding paragraphs (e) and (f) above, no garage shall be located closer than 6 m to any street line;
 - (h) the minimum distance between a side lot line and the nearest part of an exterior wall of any end dwelling unit shall be 1.5 m except where such side lot line is also the side lot line of a lot for a detached or semi-detached dwelling; in which case the minimum distance shall be 1.8 m;
 - (i) notwithstanding paragraph (h) above, every outside side yard shall have a minimum width of 4.5 m;
 - (j) the maximum gross floor area of all buildings or structures shall not exceed 0.75 times the lot area;
 - (k) for each dwelling unit a minimum of 2 vehicle parking spaces shall be provided and maintained on the lot;
 - (l) *deleted by By-law 0027-2000;*
 - (m) *deleted by By-law 0027-2000;*
 - (n) a parking space on a private driveway serving as an access to a second parking space that is within a private garage forming part of a dwelling unit shall be considered to be included as part of the number of parking spaces required by paragraph (k) above, provided such parking spaces shall not be used for computing the minimum parking requirements of any other dwelling unit. (443-87), (0027-2000), (0199-2002)
- (3) Any person with a physical disability may establish an occupation or business in any dwelling permitted by this subsection in compliance with the provisions contained in subsection 6(25) of this By-law. (203-88)

COMMERCIAL ZONES

USE DISTRICT "C1" (COMMERCIAL)

11. (1) Permitted uses:
 - (1) Store for the retail sale, or wholesale sale if not subsidiary to a manufacturing or warehouse use, of the following: books; clothing; drugs; electrical appliances; flowers; food; furniture; hardware; jewellery; magazines and papers; shoes; stationery; tobacco and toys;
 - (2) The following personal service shops: barber shop; beauty salons; dressmaking and tailoring; dry cleaning establishments; laundry reception and delivery depot or laundromat; tanning salon; (428-97)
 - (3) Small repair shop for the repair of: clocks and watches; domestic appliances; electrical appliances; furniture; jewellery and shoes;
 - (4) Business, professional or administrative office; (428-97)
 - (5) Bank, financial institution or money lending agency; (428-97)
 - (6) Printing plant;
 - (7) Restaurant or take-out restaurant; (529-98)
 - (8) Hotel, dining lounge, or apartment hotel;
 - (8a) Apartment building on Lots 6, 7, 8 and 9 on the north side of Port Street, Plan 300-E; (1577)
 - (9) Funeral establishment; (0364-2001)
 - (9a) Taxi office;
 - (10) Building or structure accessory to a permitted use;
 - (11) Convenience store; (428-97)
 - (12) Video store. (428-97)
- (2) Buildings that are to be erected in Use District "C1" shall conform with the requirements listed in Schedule "A" which is part of this By-law.

USE DISTRICT "C2" (COMMERCIAL)

12. (1) Permitted uses:
- (1) Business, professional or administrative office; (428-97)
 - (2) *Deleted by By-law 71/18;*
 - (3) Drug store, barber shop, beauty parlour, florist shop, delicatessen, restaurant or take-out restaurant may be established and operated in an office building; (71/18), (435-83), (529-98)
 - (4) Canadian Legion hall;
 - (4a) Taxi office;
 - (5) Building or structure accessory to a permitted use.
- (2) Buildings that are to be erected in Use District "C2" shall conform with the requirements listed in Schedule "A" which is part of this By-law.

USE DISTRICT "C3" (COMMERCIAL)

13. (1) Permitted uses:
- (1) *Deleted by By-law 71/18;*
 - (2) Business, professional or administrative office; *(608-76), (428-97)*
 - (3) Any of the following uses provided that the use is on the ground floor only of a building permitted by (2) of this section: *(71/18)*
 - (a) store for the retail sale, or wholesale if not subsidiary to a manufacturing or warehouse use, of the following: books; clothing; drugs; electrical appliances; flowers; food; furniture; hardware; jewellery; magazines and papers; shoes; stationery; tobacco; and toys;
 - (b) personal service shops: barber shop; beauty salons; dressmaking and tailoring; dry cleaning establishment or laundry reception and delivery depot or laundromat; tanning salon; *(428-97)*
 - (c) small repair shop for the repair of: clocks and watches; domestic appliances; electrical appliances; furniture; jewellery and shoes;
 - (d) bank, financial institution or money lending agency; *(428-97)*
 - (e) medical or dental clinic;
 - (f) restaurant or take-out restaurant; *(435-83), (529-98)*
 - (g) convenience store; *(428-97)*
 - (h) video store; *(428-97)*
 - (4) Funeral establishment; *(0364-2001)*
 - (4a) Taxi office;
 - (5) Municipal parking lot;
 - (6) Commercial school;
 - (7) Library, museum;
 - (8) Building or structure accessory to a permitted use;
 - (9) Within the area bounded on the west by the east limit of Elmwood Avenue, on the east by the west limit of Wenonah Drive, on the north by the south limit of Lakeshore Road East and on the south by the southerly limit of lots fronting on the south side of Lakeshore Road East, apartment buildings, business, professional and government offices may be erected of not less than 2 storeys in height. *(1427)*
- (2) Buildings that are to be erected in Use District "C3" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "C4" (COMMERCIAL)

14. (1) Permitted uses:
- (1) Store for the retail sale, or wholesale sale if not subsidiary to a manufacturing or warehouse use, of the following: books; clothing; drugs; electrical appliances; flowers; food; furniture; hardware; jewellery; magazines and papers; shoes; stationery; tobacco and toys;
 - (2) Personal service shops: barber shop; beauty salons; dressmaking and tailoring; dry cleaning establishment; laundry reception and delivery depot or laundromat; tanning salon; (428-97)
 - (3) Small repair shop for the repair of: clocks and watches; domestic appliances; electrical appliances; furniture; jewellery and shoes;
 - (4) Business, professional or administrative office; (428-97)
 - (5) Bank, financial institution or money lending agency; (428-97)
 - (6) Printing plant;
 - (7) Restaurant or take-out restaurant; (435-83), (529-98)
 - (8) Hotel, dining lounge, or apartment hotel;
 - (9) (1) Car salesroom, car wash, public garage; (1254), (802-86)
(2) Service station, which may include a convenience retail and service kiosk; (47-97)
 - (9a) Taxi office;
 - (10) Commercial school;
 - (11) Deleted by By-law 71/18;
 - (12) Building or structure accessory to a permitted use;
 - (13) Convenience store; (428-97)
 - (14) Video store. (428-97)
- (2) Buildings that are to be erected in Use District "C4" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "C5" (COMMERCIAL)

15. (1) Permitted uses:
 - (1) Business, professional or administrative office; (428-97)
 - (2) Bank, financial institution or money lending agency; (428-97)
 - (3) Club;
 - (4) Restaurant or take-out restaurant; (529-98)
 - (5) Hotel, motel, dining lounge, or apartment hotel;
 - (6) Apartment building;
 - (7) *Deleted by By-law 71/18;*
 - (8) Building or structure accessory to a permitted use.
- (2) Buildings that are to be erected in Use District "C5" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "C6" (COMMERCIAL)

16. (1) Permitted uses:
- (1) Car salesroom;
 - (2) Car wash;
 - (3) Public garage;
 - (3a) Service station, which may include a convenience retail and service kiosk; *(1254), (802-86), (47-97)*
 - (4) Building or structure accessory to a permitted use.
- (2) Buildings that are to be erected in Use District "C6" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "AC6" (COMMERCIAL) (479-78)

16A. (1) Permitted uses:

In an "AC6" zone, no person shall use land or erect or use a building or structure except for one or more of the following purposes:

- (a) Gas bar, which may include a convenience retail and service kiosk; (802-86), (47-97)
- (b) Service station, which may include a convenience retail and service kiosk; (802-86), (47-97)
- (c) A restaurant connected with and forming an integral part of an automobile service station. (435-83)

(2) No person shall use land or erect or use a building or structure in Use District "AC6" except in compliance with the following regulations:

- (a) Where the lot is an inside lot on a street with or without sidewalks:
 - (1) the lot shall have a width of at least 36.5 m; and,
 - (2) the lot shall have a depth of at least 45.5 m;
- (b) Where the lot is a corner lot:
 - (1) the lot shall have a width of at least 48.5 m; and,
 - (2) the lot shall have a depth of at least 48.5 m; and,
 - (3) no fuel pump on the lot shall be closer than 3 m to a straight line between a point in the front lot line and a point in the street side lot line, each point being distant 15 m from the intersection of such lines;
- (c) Notwithstanding clause (d) of this subsection, one or more fuel pumps may be erected in the front yard, but no fuel pump on the lot shall be closer than 6 m to the front lot line;
- (d) A front yard shall be provided which shall have a depth of at least 18 m;
- (e) Side yards shall be provided each of which shall have a width of at least 4.5 m, unless a side lot line adjoins a lot in a Residential zone, in which case the side yard abutting such side lot line shall have a width of at least 7.5 m;
- (f) A rear yard shall be provided which shall have a depth of at least 10.5 m;
- (g) The area of the lot shall be at least 3 times the total area of the parts thereof that are covered by buildings or structures;
- (h) Each ramp shall have a width of 7.5 m;
- (i) The distance between means of access or ramps on any front lot line shall be at least 12 m;
- (j) The distance between an intersection of side limits of highways and the nearest ramp shall be at least 15 m;
- (k) The distance between the point of intersection of the front lot line and either side lot line and the nearest ramp shall be at least 3 m;
- (l) Every open area of land between ramps or between a ramp and a front or side lot line shall be planted and maintained with grass, ornamental shrubs, flowering shrubs, flower beds or a combination thereof, to produce an ornamental surface treatment which shall not become an obstruction or exceed 0.5 m in height;
- (m) The interior angle formed between the front lot line and the centre line of a ramp shall be such that the interior angle thereof shall be between 70° and 90°.

INDUSTRIAL ZONES

USE DISTRICT "M" (INDUSTRIAL)

17. (1) Permitted uses:
- (1) Any manufacturing, processing, repairing or warehousing use, including wholesale or retail sales where subsidiary to a main Industrial Use, except that no power generating facility, salvage, junk or scrap metal yard, waste processing station, waste transfer station, or composting facility nor any use which is obnoxious because of smell, noise, dust, smoke, fumes, vibration, refuse matter, water carried waste, or industrial waste, shall be permitted; *(377-94), (0089-2006)*
 - (2) Railway tracks and spur lines incidental to Industrial Uses;
 - (3) Restaurant; *(435-83)*
 - (4) Public garage;
 - (5) Residential quarters for caretaker;
 - (6) Building or structure accessory to a permitted use;
 - (7) An adult entertainment parlour provided however that no adult entertainment parlour shall be in a building which is located closer than 800 m, measured in a straight line, from the nearest part of the adult entertainment parlour building to the lot line of a residential zone or a school site; *(119-93)*
 - (8) Night club in compliance with the provisions of subsection 6(34) of this By-law; *(0446-2000)*
 - (9) An adult videotape store. *(119-93)*
- (2) Buildings that are to be erected in Use District "M" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "M1" (INDUSTRIAL, SPECIAL)

18. (1) Permitted uses:
- (1) Any manufacturing, processing, repairing or warehousing use, including wholesale or retail sales where subsidiary to a main Industrial Use, except that no power generating facility, salvage, junk or scrap metal yard, waste processing station, waste transfer station, or composting facility nor any use which is obnoxious because of smell, noise, dust, smoke, fumes, vibration, refuse matter, water carried waste, or industrial waste, shall be permitted; *(377-94), (0089-2006)*
 - (2) No tanks or other structures for the commercial storage of oil, fuel oil, gasoline, petroleum products or other combustible materials other than those required and consumed in the operation of any Industrial Use permitted within the area shall be erected or used within the area, provided, however, that horizontal loading tanks of a capacity not exceeding 91 000 L per tank in which may be stored oil, fuel oil, gasoline and other petroleum products for the purpose of loading into carriers may be erected and used;
 - (3) Railway tracks and spur lines incidental to Industrial Uses;
 - (4) Building or structure accessory to a permitted use;
 - (5) An adult entertainment parlour provided however that no adult entertainment parlour shall be in a building which is located closer than 800 m, measured in a straight line, from the nearest part of the adult entertainment parlour building to the lot line of a residential zone or a school site; *(119-93)*
 - (6) Night club in compliance with the provisions of subsection 6(34) of this By-law; *(0446-2000)*
 - (7) An adult videotape store. *(119-93)*
- (2) Buildings that are to be erected in Use District "M1" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "T" (RAILWAY)

- 19.** (1) Permitted uses:
- (1) Railway tracks and right-of-way;
 - (2) Warehouses, freight terminals and storage yards;
 - (3) Parking lot.
- (2) Buildings that are to be erected in Use District "T" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "H" (HARBOUR)

20. (1) Permitted uses:
- (1) Railroads: including right-of-way; freight terminals; yards or appurtenances; or facilities or services used or required in railroad operations, but not including passenger stations;
 - (2) Trucking terminals or motor freight stations;
 - (3) Waterfront shipping, not including the handling of coal, sand, gravel or other obnoxious cargoes or materials;
 - (4) Warehousing;
 - (5) Marina or yacht club and storage of pleasure craft; *(1577)*
 - (6) Park, playground, playing field, community centre, bowling green, tennis court, swimming pool, skating rink, curling rink; *(1577)*
 - (7) Parking space accessory to a permitted use. *(1577)*
- (2) Buildings that are to be erected in Use District "H" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

OPEN SPACE ZONES

USE DISTRICT "P" (OPEN SPACE)

21. (1) Permitted uses:
- (1) Park, playground, playing field, community centre, bowling green, tennis court, swimming pool, skating rink, curling rink;
 - (2) Marina;
 - (3) Parking space accessory to a permitted use;
 - (4) Any use accessory to a permitted use;
 - (5) Aquatic club or service club.
- (2) Buildings that are to be erected in Use District "P" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

USE DISTRICT "P1" (OPEN SPACE, SPECIAL)

22. (1) Permitted uses:

- (1) The erection and maintenance of pipelines for the conveyance of materials and/or substances accessory to the Industrial Use permitted in Use District "M1", provided that no such pipeline or any structure used in connection with or forming part of such pipeline shall extend more than 1 m above grade level and that all such pipelines shall be suitably screened or hidden by landscaping from the view of the residents in the residential area immediately adjoining this use district to the north-east;
- (2) No building or structure of any kind other than those herein permitted shall be erected, maintained or altered within the district.

USE DISTRICT "I" (INSTITUTIONAL)

23. (1) Permitted uses:
- (1) Public, separate, private or religious school;
 - (2) Municipal or public utility office;
 - (3) Public utility plant;
 - (4) Skating rink;
 - (5) Place of religious assembly; (669-85)
 - (6) Building or structure accessory to a permitted use.
- (2) Buildings that are to be erected in Use District "I" shall conform with the requirements listed in Schedule "A" which is a part of this By-law.

MINIMUM SIZE OF DWELLING UNITS

24. (1) In every multiple family dwelling house, apartment house, motel or hotel, each dwelling unit therein shall contain the following minimum liveable and usable floor spaces:
- (1) Separate bedroom, 14.5 m²;
 - (2) Bachelor apartment, 32.5 m²;
 - (3) One bedroom apartment, 48 m²;
 - (4) Two bedroom apartment, 65 m²;
 - (5) In apartments containing more than two bedrooms, there shall be provided an additional 18.5 m² for each additional bedroom.

ADMINISTRATION

25. (1) BUILDING PERMITS

- (1) No excavation for any building shall be started until a building permit has been issued by the Building Inspector.
- (2) Every person proposing to erect or structurally alter any building or structure shall, when applying for a building permit, file with the Building Inspector a signed statement as to the use or purpose for which such building or structural alteration is intended, together with duplicate copies of the plans of such building and lot drawn to a ratio of not less than 1:100, showing the actual dimensions, including radii and angles of the lot to be built upon, all buildings existing upon the said lot with the heights and dimensions of same, the heights and dimensions of the proposed building, the disposition of the buildings upon contiguous lots, and other such information as may be necessary to provide for the enforcement of this By-law, and if such building is designed in a manner or intended for a use not permitted within the zone concerned, no building permit shall be issued.

(2) CONTINUATION OF EXISTING REGULATIONS

All By-laws in force in the Village of Port Credit regulating the use of lands, and the use, bulk, height and location of buildings shall be and are hereby amended insofar as it is necessary to give effect to the provisions of this By-law, provided however, where this By-law does not control, the existing Village By-laws shall remain in full force and effect. By-laws numbered 446, 448, 724, 744, 745, 746, 782, 783, 797, 833, 849, 919, 956, 973, 1026 and 1119 are hereby repealed.

(3) VIOLATIONS AND PENALTIES (89-77), (604-77), (25-84)

- (a) Every person who contravenes this By-law is guilty of an offence and on conviction is liable:
 - (i) on a first conviction to a fine of not more than \$20,000; and,
 - (ii) on a subsequent conviction to a fine of not more than \$10,000 for each day or part thereof upon which the contravention has continued after the day on which he was first convicted.
- (b) Where a corporation is convicted under clause (a), the maximum penalty that may be imposed is:
 - (i) on a first conviction a fine of not more than \$50,000; and,
 - (ii) on a subsequent conviction a fine of not more than \$25,000 for each day or part thereof upon which the contravention has continued after the day on which the corporation was first convicted;and not as provided in clause (a).
- (c) Where a conviction is entered under clause (a), in addition to any other remedy or any penalty provided by law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted.
- (d) Every fine made under this subsection is recoverable under the *Provincial Offences Act*.

(4) EFFECTIVE DATE

This By-law shall come into effect upon the date of passing thereof.

(5) CERTIFICATE OF OCCUPANCY (792-79)

- (1) No person shall change the type of use of any land which is used for industrial, commercial, public or institutional purposes and is in the Planning Area, or change the type of use of any building or structure on the said land without having first applied for and obtained a Certificate of Occupancy from the Zoning Administrator. (208-88)
- (2) When the proposed use is not prohibited by this By-law, the Zoning Administrator shall issue a Certificate of Occupancy to the applicant.

ENACTED AND PASSED IN OPEN COUNCIL, 1960 NOVEMBER 07.

"J. SADDINGTON"
Reeve

"L. MAGNESS"
Clerk

APPROVED BY THE ONTARIO MUNICIPAL BOARD, 1961 NOVEMBER 07.

