HALIFAX

LAND USE BY-LAW

SACKVILLE DRIVE

THIS COPY IS A

REPRINT OF THE

SACKVILLE DRIVE

LAND USE BY-LAW

WITH AMENDMENTS TO

DECEMBER 17, 2016

LAND USE BY-LAW
FOR

SACKVILLE DRIVE

THIS IS TO CERTIFY that this is a true copy of the Land Use By-law for Sackville Drive which was passed by a majority vote of the Halifax Regional Municipality on the 7th day of May, 2002, and approved by the Minister of Municipal Affairs on the 24th day of June, 2002, which includes all amendments thereto which have been adopted by the Halifax Regional Municipality and are in effect as of the 17th day of December, 2016.

GIVEN UNDER THE HAND of the Municipal Clerk and under the seal of Halifax Regional Municipality this ____ day of _____, 201__.

_____
Kevin Arjoon
Municipal Clerk

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Part 1: TITLE

The Title

1. This Bylaw shall be known and may be cited as the "Land Use Bylaw" for Sackville Drive.

Part 2: DEFINITIONS

1. In this by-law:

Accessory Building or Structure means a building or structure which is used exclusively for an accessory use and which is not attached in any way to the main building and which conforms with all applicable requirements of this Bylaw.

Accessory Use means a use which is subordinate, normally incidental, and exclusively devoted to a main use or building permitted under the provisions of this Bylaw.

Adult Entertainment Use means any premises or part thereof in which is provided services appealing to or designed to appeal to erotic or sexual appetites or inclinations, and includes escort services and massage parlors. When used in relation to adult entertainment use, the following shall apply:

"To Provide" when used in relation to services includes to furnish, perform, solicit, or give such services and "providing" and "provision" have corresponding meanings;

"Services" include activities, facilities, performances, exhibitions, viewing and encounters;

"Services designed to appeal to erotic or sexual appetites or inclination" includes,

- Services of which a principal feature or characteristic is the nudity or partial nudity of any person. For the purposes of this clause "partial nudity" shall mean less than completely and opaquely covered:
  • human genitals or human pubic region;
  • human buttocks; or
  • female breast below a point immediately above the top of the areola.
- Services in respect of which the word "nude", "naked", "topless", "bottomless", "sexy", or any other word or any picture, symbol or representation having like meaning or implication is used in any advertisement.

All Age/Teen Club means an establishment with programs directed towards teens but includes all ages and is primary a dance or social club licensed and regulated by the Province of Nova Scotia pursuant to the Theatre and Amusement Act and regulations made thereto and does not include the licensed sale of alcoholic beverages. (NWCC-May 26/05;E-May 28/05)

Amenity Area means an area(s) of a lot set aside for the purposes of visual improvement or relaxation which is not used for buildings, structures, parking areas or driveways and which includes grass, flower beds, shrubbery, trees and other forms of landscaping or a combination

thereof and in the case of multiple unit dwellings may also include balconies and sundecks.

Attached Building means a building otherwise complete in itself, which depends for structural support, or complete enclosure upon a division wall or walls shared in common with an adjacent building or buildings.

Autobody Shop means a building or part of a building or a clearly defined space on a lot used for painting and repair of automobile body parts but shall not include the retailing of gasoline or other fuels.

Automotive Rental Facility (Car Rental Facility) means a use of land , building or structure where motor vehicles are kept for lease and where such vehicles may be dropped off or picked up, but shall not include the rental of equipment or vehicles defined as a equipment rental facility.

Automotive Repair Outlet means a building or part of a building or a clearly defined space on a lot used for minor or major repair of motor vehicles and may include paint and body repair, muffler, brake, tire and glass replacement, transmission repair and replacement, wheel alignment, and other customizing activities directly related to the repair or alteration of motor vehicles but shall not include autobody shops, the manufacturing or fabrication of motor vehicle parts for the purpose of sale nor the retailing of gasoline or other fuels.

Automotive Service Station means a building or part of a building or a clearly defined space on a lot used for the retail sale of lubricating oils and gasolines and may include the sale of automobile accessories and the servicing and general repairing of motorized vehicles and may include washing establishments.

Bed and Breakfast means a home occupation within a single unit dwelling where not more than four sleeping rooms are rented to the traveling and vacationing public, and where breakfast is served only to those who rent the sleeping rooms.

Bicycle Parking, Class A means a facility which secures the entire bicycle and protects it from inclement weather, and includes any key secured areas such as lockers, bicycle rooms, and bicycle cages. (RC-Jun 25/14;E-Oct 18/14)

Bicycle Parking, Class B means bicycle racks (including wall mounted varieties) which permit the locking of a bicycle by the frame and the front wheel and support the bicycle in a stable position with two points of contact. (RC-Jun 25/14;E-Oct 18/14)

Bicycle Parking, Enhanced means any of the following: bicycle parking in excess of the required minimums in terms of quantity or class; the provision of sheltered bicycle parking; the provision of showers (at the rate of one for every six bicycle spaces); and clothes lockers (at the rate of one for every bicycle space). (RC-Jun 25/14;E-Oct 18/14)

Big Box (Large Box Retail) means large-format retail, food, warehouse clubs, restaurants, entertainment, hardware, electronics and furniture stores that typically range in size from 20,000 to over 150,000 square feet. For the supermarket/grocery sector, a big-box superstore normally must be in the 50,000 to 100,000 square foot range. For warehouse operations, such as membership warehouse clubs, big boxes normally contain 120,000 square feet. For book retailers, 25,000 to

50,000 square feet would qualify as a big-box operation and for other specialty retail categories, for example, eye glasses, a 5,000 square-foot store would qualify as a "big box". A Big Box outlet may includes several small retail business (multiple tenants) with internal or exterior entryways. An example of this the SuperStore on Sackville Drive.

Building includes any structure placed on, over, or under the land and every part of the same and any external chimney, staircase, porch, or other structure used in connection with such buildings.

Building Line means any line regulating the position of a building in relation to the street and the side and rear lot lines.

Building Supply Outlet means a building or structure in which building or construction and home improvement materials are offered or kept for sale at retail and may include the fabrication of certain materials related to home improvement.

Canadian Geodetic Vertical Datum (CGVD28) means the vertical datum for Canada officially adopted by an Order in Council in 1935. CGVD28 is a tidal datum defined by the mean water level at five tide gauges: Yarmouth and Halifax on the Atlantic Ocean, Pointe-au-Père on the St-Lawrence River, and Vancouver and Prince-Rupert on the Pacific Ocean. In addition, the definition includes an elevation at a benchmark in Rouses Point, NY (next to Lake Champlain) accepted as fixed by the US and Canada in 1925. The datum is propagated in land using geodetic levelling measurements. The vertical datum is accessible through benchmarks anchored to the ground and stable structures. The heights in terms of CGVD28 are in normal-orthometric system. (RC-Jun 25/14;E-Oct 18/14)

Car Wash means a building or part of a building or a clearly defined space on a lot where mechanical equipment is used for washing passenger vehicles.

Changeable Copy Signage means any portion of a sign which provides for periodic changes in the material composing the sign or the message and includes both electronically and manually changeable signs. (NWCC-May 22/08;E-Jun 7/08)

Commercial Vehicle means any vehicle which is licenced as a commercial carrier as determined by the Registry of Motor Vehicles and with a registered vehicle weight of three (3) tons.

Commercial Entertainment means such uses as cinemas, theaters, and auditoria, billiard/snooker clubs, amusement centres, lounges and beverage rooms but excludes such uses as cabarets, casinos, or adult entertainment uses.

Commercial Recreation Use means a building or lot or part of a building or lot used solely for commercial recreation or sport purposes and without limiting the generality to the forgoing, may include amusement centres, dance halls, bowling alleys, bingo halls, skating rinks and golf associated uses (i.e. training facility or miniature golf) but shall exclude animal and vehicle racing tracks, rifle ranges, or commercial camping grounds.

Community/Recreation Centre means any tract of land or a building or any part of buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the Municipality, a local board, a non-profit group, or agent thereof. Activities such

as bingo halls and youth centres are permitted as a secondary or accessory uses to the primary function.

Consulting Room means the office and ancillary facilities commonly used by an individual, qualified medical practitioner for out-patient treatment. (NWCC-May 26/05;E-May 28/05)

DAY CARE FACILITY means a building, part of a building or other place, whether known as a day nursery, nursery school, kindergarten, play school or by any other name, with or without stated educational purpose, the operator of which for compensation or otherwise, receives for temporary care or custody, on a daily or hourly basis, during all or part of the day, apart from parents, more than three (3) children not of common parentage and up to and including twelve (12) years of age; but does not include a nursery school or kindergarten conducted as part of a school, college, academy or other educational institution where instruction is given in Grades Primary to VII. (RC-Mar 3/09;E-Mar 21/09)

Demolition means the act or process of tearing down or pulling apart (i.e. deconstruction) a building or a structure.

Development Officer means the officer appointed under authority of the Municipal Government Act.

Dwelling means any building or portion thereof which is designed or used for residential purposes.

Dwelling Unit means a room or suite of rooms occupied or capable of being occupied as an independent and separate housekeeping establishment.

SINGLE UNIT DWELLING - means a detached dwelling containing one family unit.

DUPLEX DWELLING - means the whole of a dwelling that is divided horizontally into two separate dwelling units, each of which has an independent entrance.

SEMI-DETACHED DWELLING - means one of a pair of single unit dwellings which are attached vertically and each of which has its own independent entrances.

MULTIPLE UNIT DWELLING - means a single building comprised of three or more dwelling units but shall not include townhouses.

TOWNHOUSE DWELLING - means three or more individual dwellings which are attached vertically and each having its own independent accesses.

Erect means to build, construct, reconstruct, alter or relocate, and without limiting the generality of the foregoing, shall be taken to include any preliminary physical operation such as excavating, grading, piling, cribbing, filling or draining and structurally altering any existing building or structure by an addition, deletion, enlargement or extension.

Equipment Rental means a building or part of a building where residential, industrial and commercial equipment is kept for rental to the general public and includes such things as but not limited to lawn and garden tools, flooring cleaning equipment, masonry tools, painting and

decorating equipment, moving tools, plumbing tools and power tools.

Established Grade means with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of such building, and when used with reference to a structure, shall mean the average elevation of the finished grade of the ground immediately surrounding such structures, exclusive in both cases of any artificial embankment or entrenchment and when used with reference to a street, road or highway means the elevation of the street, road or highway established by the Municipality or other designated authority.

Existing means a building, structure or use in existence as of May 7, 2002. Existing buildings, structures or uses shall not expanded or encroach beyond the existing lot configuration unless otherwise identified in this bylaw.

Flea Market means an occasional or periodic sales activity held within a building, structure or open area where groups of individual sellers offer goods, new and used, for sale to the public.

Floor Area (Gross) means the sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor area not devoted to habitable or leasable space, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

Garden Market means a structure erected on a lot on a seasonal basis for the purpose of selling garden plants, produce, and other related horticultural items and shall exclude tractor trailers, construction trailers, travel trailers, and converted mobile homes.

Guest House means a home occupation within a single unit dwelling where more than four sleeping rooms are rented to the traveling and vacationing public with or without meals and licensed under Provincial regulations.

Health and Wellness Centre means a building or part of a building designed to promote health awareness and maintenance through a variety of programs and services tailored to a range of individual needs, including but not limited to, physical fitness, weight management, nutrition education and paramedical clinics including but not limited to physiotherapists, psychologist, speech therapists, chiropractors, osteopaths, naturopaths and registered massage therapists. (NWCC-May 26/05;E-May 28/05)

Height as applied to any building means the vertical distance of the highest point of the roof above the mean grade of the curbs of all streets adjoining the building or the mean grade of the natural ground so adjoining, if such grade of the ground is not below the grade of the curb.

Home Business means the use of a dwelling for gainful employment involving the provision or sale of goods or services or both goods and services and without limiting the generality of the foregoing does not include restaurants, take-outs, convenience stores, the keeping of animals, taxi stands, any use pertaining to vehicles, or any use deemed to be obnoxious.

Hotel/Motel means a building or part thereof on the same site in which more than four rooms are used to accommodations with or without meals and licensed under Provincial regulations.

Ice Cream Stand means a restaurant whose business is limited to the sale of ice cream, frozen desserts, dessert items, candies and confections, and beverages in a ready to-eat state but shall not include the preparation or sale of hot dogs, hamburgers, salads, pizza, hot or cold sandwiches, or similar entree items or the provision of drive-thru service. (NWCC-May 24/07;E-Jun 9/07)

Institutional Use - means any educational or denominational use, museum and cultural centre, public library, fire and police station, public works, hospital, residential care facility, community centre and hall, recreational or open space use.

Kennel means a building or structure used for the enclosure of more than two (2) dogs which are kept for the purposes of commercial breeding or showing or for commercial boarding with or without veterinary care.

Landscape means covered by vegetation comprising any combination of trees, hedges, shrubs, flowers, grass or other horticultural elements, or by a combination of vegetation and decorative elements such as but not limited to stonework, brick, unit pavers or wood.

Laundromat means an establishment providing washing, drying or dry cleaning machines on the premises for rental use by the general public or for dry cleaning purposes.

Light Manufacturing Use means an establishment or facility engaged in the mechanical or chemical transformation of materials or substances into new products including the assembly of component parts, the manufacturing of products and the blending of materials, but shall not include any use which is obnoxious.

Loading Space means an area not upon a street or highway having not less than 300 square feet (27.9 square metres) of space accessible to a lot and designed for off-loading and on-loading from vehicles.

Lot means a parcel of land whether or not occupied by a building.

> CORNER LOT means a lot situated at the intersection of, and abutting on, two or more streets.
>
> THROUGH LOT means a lot bounded on two opposite sides by streets or highways provided, however, that if any lot qualifies as being both a corner lot and a through lot as herein before defined, such lot shall be deemed to be a corner lot for the purpose of this by-law.

Lot Area means the total horizontal area within the lots lines of a lot.

Lot Coverage means the percentage of lot area covered by all buildings above ground level, and shall not include that portion of such lot area which is occupied by a building or portion therefor which is completely below ground level, and for the purpose of this definition the maximum lot coverage in each zone shall be deemed to apply only to the portion of such lot which is located within said zone.

Lot Depth means the horizontal distance between the front and rear lot lines. Where these lot lines are not parallel, the lot depth shall be the length of a line joining the mid-points of the front and rear lot lines.

Lot Frontage means the horizontal distance between the side lot lines as measured along the front lot line. In the case of a corner lot with a day-lighting triangle the front and flankage lot lines shall be deemed to extend to their hypothetical point of intersection for the purpose of calculating the frontage.

Lot Line means the division line between two or more lots.

FRONT LOT LINE - meaning the line dividing the lot from the street.

FLANKING YARD - meaning the side lot line which abuts a street on a corner lot.

REAR LOT LINE - meaning the lot line furthest from or opposite to the front lot line.

SIDE LOT LINE - meaning a lot line other then a front or rear lot line.

Main Building means the building in which is carried on the principal purpose or purposes for which the building lot is used.

Main Wall means the exterior front, side, or rear wall of a building and all structural members essential to the support of a full or partially enclosed space or roof.

Massage Parlor includes any premises or a part thereof, by whatever name designated where a massage, body rub, alcohol rub, bath or similar activity is performed, offered, advertised, or solicited by members of the opposite sex in pursuance of a trade, calling, business, or occupation or which is equipped or arranged so as to provide such activity, but does not include any premises or part thereof where treatment is routinely offered or performed for the purpose of medical or therapy and is performed or offered by or under the supervision or direction of a physician, chiropractor, osteopath, physiotherapist, under the laws of the Province of Nova Scotia.

Medical Clinic means a building or part of a building where two or more practitioners provide human health services without overnight accommodations for patients.

Minimum Width means the minimum width or length required by this Bylaw of any main wall.

Municipality means the Halifax Regional Municipality.

Non-Conforming Use means a building or use of land lawfully existing at the date of the public hearing (May 7, 2002) which does not conform to the regulations of the zone in which it is now situated.

Obnoxious Use means a use which, from its nature or operation, creates a nuisance or is offensive by the creation of noise, vibration, glare, electrical interference, fire explosion hazard or by reasons of the emission of gas, fumes, dust, oil, or objectionable odor.

Office means a room or rooms where business may be transacted, a service performed or consultation given but shall not include the manufacturing of any product or the retail selling of goods and may include medical, dental and health services.

Outdoor Display Court means an area of land where goods are displayed which are, or which are similar to other goods which are, available for sale to the general public from a retail outlet located on the same lot or on another lot. Without limiting the generality of the foregoing, outdoor display includes the display of new or used cars, trucks, vans, motor homes, trailers, boats, snowmobiles, motorcycles, and decorative fountains. An outdoor display court may also include an auction facility for new/used cars **but shall not include the repair of vehicles unless such activity is contained within a building. (NWCC-May 26/05;E-May 28/05)**

Outdoor Storage means the storage of merchandise, goods, inventory, materials or equipment or other items which are not intended for immediate sale, by locating them on a lot exterior to a building.

Owner means a part owner, joint owner, tenant in common, or joint tenant of the whole or any part of any land or building, and also includes any lessee, trustee, executor, guardian, agent or other person having the care or control of any land or building.

Parking Lot means a building or structure or part of a building or structure or an open area containing parking spaces, other than a street, for two or more motor vehicles, available for public use or as an accommodation for clients, customers or residents and which has adjacent access to permit ingress or egress of motor vehicles to a street or highway by means of driveways, aisles or manoeuvring areas where no parking or storage of motor vehicles is permitted.

Parking Space means an area of not less than one hundred sixty-two (162) square feet (15.1 m^2), measuring nine (9) feet (2.7 m) by eight-teen (18) feet (5.5 m), for the temporary parking or storage of motor vehicles, and which has adequate access to permit ingress and egress of a motor vehicle to and from a street or highway by means of driveways, aisles or manoeuvring areas.

Pawn Shop means any establishment where all or a portion of any business where secondhand and used goods are pawned, sold or traded by the public, and shall also include the resale of such items, but shall not include used clothing stores, antique shops, or used bookstores.

Personal Service means a building or part of a building in which professional or personal services are provided for gain and where the sale of retail of goods, wares, merchandise, articles, or things is only accessory to the provisions of such service, including but without limiting, the generality of the forgoing; barber shops, beauty shops, tailor shops, laundry and dry-cleaning depots, shoe repair, health and wellness centres, tanning salons, and doctors' or dentists' offices. (NWCC-May 26/05;E-May 28/05)

Pervious means a surface such as grass that can be easily penetrated by water. For clarification, "impervious" means a surface such as pavement, asphalt or concrete that cannot be easily penetrated by water.

Recreation Use means the use of land, buildings and structures for parks, playgrounds, tennis courts, lawn bowling greens, indoor and outdoor skating rinks, athletic fields, golf courses, boat

and yacht clubs, picnic areas and swimming pools, and similar uses to the foregoing, together with necessary and accessory buildings and structures, but does not include commercial camping grounds nor a track for the racing of any form of motorized vehicles or any animals.

Recycling Depot means a building which is used for the deposit, collection and handling of waste paper, rags, tires, bottles or other materials which are to be delivered wholesale to other operations for reclamation, processing or salvage, but shall not include any such salvage or processing on the same lot or within any building used as a re-cycling depot.

Registered Deed means a deed recorded at the Registry of Deeds at Halifax, Nova Scotia.

Registered Plan means a deed recorded at the Registry of Deeds at Halifax, Nova Scotia.

Residential Care Facility means a building or place or part of a building in which accommodation and nursing, supervisory or personal care is provided, or is made available for more than three (3) persons with social health, legal, emotional, mental or physical handicaps or problems, and includes such facilities as are licensed by the Homes for Special Care Act, the Children's Services Act, or by any other provincial legislation, but does not include any public or private hospital or sanatorium, or a jail, prison or reformatory, or a hostel.

Restaurant

DRIVE THRU: means a building or part of a building wherein food is prepared and offered for sale to the public for consumption within or outside the building. A drive-in restaurant is characterized by the provision of take-out services at a counter or from a drive through car pick up window. It does not provide the service of delivering to or waiting on tables nor is it licensed to sell alcoholic beverages.

TAKE OUT: means a building or part of a building wherein food is prepared and offered for sale to the public primarily for off-premises consumption and may include a seating area which does not exceed twenty five (25) percent of the gross floor area of the take-out restaurant. A take-out restaurant does not provide the service of delivery to or waiting on tables nor is it licensed to sell alcoholic beverages. Take-out restaurants, however, may provide a home delivery service.

FULL SERVICE: means a building or part of a building wherein food is prepared and offered for sale to the public primarily for consumption within the building and may include a take-out area which does not exceed ten (10) percent of the gross floor area of the full service restaurant. A full service restaurant is characterized by the provision of table service, including buffet service and may also be licensed to serve alcoholic beverages.

Retail Store means a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered for sale directly to the public at retail value, but shall not include pawn shops as defined.

Salvage Yard includes a scrap yard and a junk yard and means a lot or premises where scrap materials or scrap items of any kind are kept, stored or handled for any purpose, or are cut, crushed, compressed, melted or subjected to any mechanical, chemical other industrial process of any kind;

without restricting the generality of the words scrap materials or scrap items, these include waste paper, rags, bottles, used bicycles, vehicles, tires, metal or any other scrap material or salvage.

Self Storage Facility means a building or part of a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

Service means a building or part of a building used for the sale and repair of household articles and shall include radio, television and appliance repair shops but shall not include industrial or manufacturing or motor vehicle repair shops.

Seniors Residential Complex means a residential building designed for people seeking assisted home care by the content and layout of the dwelling units (varying in size, number of bedrooms, shared kitchens), provisions for common dining facilities, recreation areas, lounges, libraries, respite units and the accessibility of all units and facilities to the physically challenged. Provisions of services such as day-care for seniors, housekeeping, security personnel, personal care, meal programs, physiotherapy, activity programs, landscaped outdoor recreational areas and open space areas may be also be provided. A care component of any facility is subject to provincial regulation. Such a development will not be intended for, nor easily convertible to, a residential care facility for any other type of use.

Shipping Container means a container originally designed for use as a means of storing and transporting cargo via ship, rail or truck. (NWCC-May 26/05;E-May 28/05)

Shopping Centre means a building complex (one or more buildings) of 4,645 m² (50,000 sq. ft) or more on a lot designed, developer and managed as a unit by a single owner, or a group of owners or tenants, containing a group of commercial uses such as retail and office and is distinguished from a business area comprising unrelated individual uses and is characterized by the sharing of common parking areas and driveways. Shopping Centre is not considered to be a Big Box (Large Scale Retail) as defined in this Bylaw.

Sign means any structure, device, light or natural object including the ground itself, or any part thereof, or any device attached thereto, or painted or represented thereon, which shall be used to identify, advertise, or attract attention to any object, product, place, person, activity, institution, organization, firm, group, commodity, profession, enterprise, industry, or business, or which shall display or include any letter, word, model, number, flag, insignia, device or representation used as an announcement, direction or advertisement, and which is intended to be seen from off the premises or from a parking lot, except any "sign" regulated under HRM By-law S-800.

> **GROUND SIGN: means a sign supported by one or more uprights, poles or braces, placed in or upon the ground.**
>
> **PROJECTING SIGN: means a sign which projects from and is supported by or which extends beyond a wall or the roof of a building.**
>
> **FACIAL SIGN: means a sign which is attached directly to or painted upon a building wall, and which does not extend therefrom nor extend above the roof line. (RC-Sep**

26/06;E-Nov 18/06)

Sign Area means the area or portion of an advertising structure, including holes or vacant spaces, upon which the advertising message is displayed, including those portions used for decoration, outlines or borders.

Sign Face means the area or portion of an advertising structure upon which the advertising message is displayed, excluding structure, decoration and site identification. (NWCC-May 22/08;E-Jun 7/08)

Site Identification Signage means any portion of a sign which lists the civic number and street name of the building and may include the common name for the building, provided it does not directly reference a business name. (NWCC-May 22/08;E-Jun 7/08)

Storey means that portion of a building between any floor and floor or ceiling or roof above, provided that any portion of a building partly below grade shall not be deemed to be a story unless its ceiling is at least six feet above grade. Provided also that any portion of a storey exceeding fourteen feet in height shall be deemed to be an additional storey.

Street means a public street or highway.

Street Line means the division line between any street and the abutting lot.

Strip Mall/Shopping Plaza means a commercial development containing at least three individual business establishments which have been designed, development and managed as a unit by a single owner or tenants but each individual business establishment has separate external entrance. The business establishments likely share common parking areas, open space, driveways, and loading zones. Land Uses permitted within a Strip Mall/Shopping Plaza are those uses permitted within the applied zone. Strip Mal/Shopping Plaza is not considered to be Big Box (Large Box Retail) or Shopping Centre as defined in this Bylaw.

Structure means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil or by any other structure, and includes buildings, walls signs, and fences exceeding six (6) feet (1.8 m) in height. For clarification, does not include parking lots or landscape elements.

Veterinary Clinic means a building or portion thereof, where animals, birds or other livestock kept as domestic pets are examined, treated, groomed, or operated on. There are to be no outdoor runs for any animals.

Warehouse means a building where wares and goods are stored but does not include a retail store.

Water Control Structure means any device or infrastructure designed by a qualified professional to control or manage the flow, volume, direction, or quality of stormwater to mitigate downstream impacts. It may include, and is not limited to, stormwater ponds, rain gardens, engineered wetlands, quality control devices, flow splitters, dispersion beds, energy dissipation, baffles, pipes, inlet/outlet structures, weirs and/or check dams. (RC-Jun 25/14;E-Oct 18/14)

Watercourse means a lake, river, stream, ocean or other natural body of water. (RC-Jun 25/14;E-Oct 18/14)

Yard means an open, uncovered space on a lot appurtenant to a building, except a court bounded on two or more sides by buildings. In determining yard measurements, the minimum horizontal distance from the respective lot lines shall be used.

FRONT YARD: means a yard extending across the full width of a lot and between the front lot line and the nearest wall of any main building or structure on the lot; and "required front yard" or "minimum front yard" means the minimum depth required by this By-law of a front yard on a lot between the front lot line and the nearest main wall of any building or structure on the lot.

REAR YARD: means a yard extending across the full width of a lot and between the rear lot line and the nearest wall of any main building or structure on the lot; and "required rear yard" or "minimum rear yard" means the minimum depth required by this By-law of a rear yard on a lot between a rear lot line and the nearest main wall of any building or structure on the lot.

SIDE YARD: means a yard extending between the front yard and the rear yard and between a side lot line and the nearest main wall of any building on the lot; and "required side yard" or "minimum side yard" means the minimum breadth required by this By-law of a side yard on a lot between a side yard line and the nearest main wall of any building or structure on the lot.

Part 3: ADMINISTRATION

General

1. This Bylaw shall be administered by the Development Officer.

2. No person shall erect, alter, repair or maintain any building or locate or carry on any industry, business, trade or calling or use any land or building within any zone without complying with the provisions of this Bylaw.

3. Nothing in this Bylaw shall operate to relieve any person of the obligation to obtain any license, permission, permit, authority, approval or meet the requirements of this or any other Bylaw of the Municipality.

Development Permit

4. No development shall be permitted unless a development permit has been issued and no development permit shall be issued unless the provisions of this Bylaw are satisfied.

5. Any development permit shall be in force for a period of one (1) year from the date of issue and any permit may be re-issued upon request and subject to review by the Development Officer.

6. Where any development permit is issued, such permit may include permission of any single development, or of more than one development, or of any or all elements related to any development, provided that such are specified by the permit and provided also that no development permit shall pertain to more than one (1) lot.

6A. Where a property is subject to a rezoning approved between December 1, 2005 and April 29, 2006, the Development Officer may reduce the requirements adopted to implement the Regional Municipal Planning Strategy, to the greatest extent possible to allow the proposed development that was the subject of the rezoning. (RC-Jun 25/14;E-Oct 18/14)

Development Permit Requirements

7. An application for a development permit shall be accompanied by a site plan properly drawn to scale showing the following:

   (1) accurate dimensions of the site and the location of all proposed buildings;
   (2) identification, location and gradients of all parking areas including driveways, entrances and exits to parking areas, maneuvering areas for vehicles, service areas, visitors parking and loading areas;
   (3) the location and details of proposed landscaping;
   (4) the existing and proposed elevations of the lot and the elevations of floor levels related to the site elevations;
   (5) method of surface drainage proposed for the site;
   (6) identification and location of any significant natural features of the site;

(7) detailed plans for retaining walls and the control of slopes. Plans and construction of retaining walls greater than 1.0 metres (3.28 ft) in height shall be prepared and certified by a qualified Professional Engineer;

(8) any additional information related to the site, buildings, or adjoining properties as may be required by the Development Officer to determine if the proposal conforms to the provisions of this by-law.

Licences, Permits, and Compliance With Other Bylaws

8. Nothing in this by-law shall exempt any person from complying with the requirements of the National Building Code or any other by-law in force within the Municipality, or to obtain any licence, permission, permit, authority or approval required by any other by-law of the Municipality or statute and regulation of the Province of Nova Scotia.

9. Where the provisions in this by-law conflict with those of any other municipal or provincial regulations, by-laws or codes, the higher or more stringent requirements shall prevail.

Part 4: ZONES & ZONING MAP

Zones

1. For the purposes of this Bylaw the following zones the boundaries of which are shown on Schedule B. Such Zones may be referred to by the appropriate symbols:

- Large Scale Commercial Zone: LS
- Downsview Complex-1 Zone: DC-1
- Downsview Complex-2 Zone: DC-2
- Downsview Complex-3 Zone: DC-3
- Pedestrian Retail Zone: PR
- Acadia Village Centre Zone: VC
- Pinehill/Cobequid Zone: PC
- ~~Outdoor Display Court Zone: ODC~~ **(RC-Sep 5/06;E-Oct 7/06)**
- Community Parkland and Facility Zone: CP
- Floodplain Zone: P-3

Zoning Maps

2. Schedule B attached hereto, may be cited as the "Sackville Drive Zoning Map".

3. The extent and boundaries of all zones are shown on Schedule B and for all such zones the provisions of this by-law shall respectively apply.

4. The symbols used on Schedule B refer to the appropriate zones established by Part 4: Section 1.

Interpretation of Zoning Boundaries

5. Boundaries between zones shall be determined as follows:

(1) Where a zone boundary is indicated as following a street or highway, the boundary shall be the centre line of such street or highway.

(2) Where a zone boundary is indicated as approximately following lot lines, the boundary shall follow such lot lines.

(3) Where a street, highway, railroad or railway right-of-way, electrical transmission line right-of-way or watercourse is included on the zoning maps, it shall, unless otherwise indicated, be included in the zone of the adjoining property on either side thereof.

(4) Where a railroad or railway right-of-way, electrical transmission line right-of-way or watercourse is included on the zoning maps and serves as a boundary between two or more different zones, a line midway on such right-of-way or watercourse and extending in the general direction of the long division thereof shall be considered the boundary between zones unless specifically indicated otherwise.

(5) Where none of the above provisions apply, and where appropriate, the zone boundary shall be scaled from the attached Schedules.

Zones Not On Maps

6. The zoning maps of this by-law may be amended to utilize any zone in this Bylaw, regardless of whether or not such zone has previously appeared on any zoning map. Such amendments shall be carried out in accordance with the Municipal Government Act and shall be in conformity with the policies of the Secondary Planning Strategy for Sackville Drive.

Uses Permitted

7. Uses permitted within any zone shall be determined as follows:

   (1) If a use is not listed as a use permitted within any zone, it shall be prohibited in that zone.
   (2) If any use is listed subject to any special conditions or requirements, it shall be permitted subject to the fulfilling of such conditions or requirements.
   (3) Except where limited by or specifically prohibited in this by-law, any use permitted within any zone may be located in conjunction with any other use permitted within that zone whether contained within the same building or located on the same lot as.

Part 5: USES PERMITTED BY DEVELOPMENT AGREEMENT

1. Notwithstanding Part 4, the following buildings or uses may be permitted by development agreement, in accordance with the development agreement provisions of the Municipal Government Act and as provided for by Policy I-4 of the Secondary Planning Strategy for Sackville Drive:

Within the Downsview/Beaver Bank Designation

(1) new commercial developments with building footprints of less than 10,000 square feet (929 m^2) or any proposed expansion to existing commercial developments which would maintain a total building footprint of less than 10,000 square feet, (10,000) square feet (929 m^2) within the Large Scale Commercial (LS) zone in accordance with Policy DC-3.

(2) an alternative location for the Acadia village centre development in accordance with Policy AVC-5.

(2a) a mixed use multiple unit development at 8 Walker Road and 732 Old Sackville Road within the Large Scale Commercial (LS) zone in accordance with Policy DB-2 (a). (RC-Jul 21/15;E-Sep 12/15)

Within the Pedestrian Retail Designation

(3) a new commercial buildings or structures with a footprint greater than 5,000 square feet (464.5 m²), or any expansion to a building or structure which currently exceed a footprint of 5,000 square feet (464.5 m²), or any proposed expansion to an existing commercial building or structure which would result in a total building footprint greater than 5,000 square feet (464.5 m²) within the Pedestrian Retail (PR) zone in accordance with Policy PR-3.

(4) Deleted (RC-Sep 5/06;E-Oct 7/06)

(5) an alternative location for the Acadia village centre development in accordance with Policy AVC-5.

Within the Acadia Village Centre Designation

(6) except for Acadia School, Acadia Hall, and existing single unit dwellings on Acadia Lane, all new commercial, residential, community or institutional developments, or any expansions to existing commercial buildings or structures or any redevelopment of a commercial site within the area zoned Acadia Village Centre (VC) zone in accordance with Policy AVC-3.

Within the Pinehill/Cobequid Designation

(7) a new commercial buildings or structures with a footprint greater than 15,000 square feet (1,393.5 m²), or any expansion to a building or structure which currently exceed a footprint of 15,000 square feet (1,393.5 m²), or any proposed expansion to an existing commercial building or structure which would result in a total building footprint greater than 15,000 square feet (1,393.5 m²) within the Pinehill/Cobequid (PR) zone in accordance with Policy LDT-6.

(8) an alternative location for the Acadia village centre location in accordance with Policy AVC-5.

Within any Designation

(9) amendments to existing development agreement where enabling policy no longer exists in accordance with Policy I-14.

(10) buildings over 50ft (15.24m) in height in accordance with Policy SS-4(a) (RC-Sep 5/06;E-Oct 7/06)

Part 6: GENERAL PROVISIONS FOR ALL ZONES

GENERAL PROVISIONS: ENVIRONMENTAL PROTECTION

Sewage Disposal and Water Systems

1. Where municipal central sewer and water services are available, no development permit shall be issued unless the development will be provided with such services.

Sediment and Soil Erosion Control

2. Any development of a vacant lot or change in grade of an lot shall require an Erosion and Sedimentation Control Plan , except where the total disturbed area is less than 0.4 ha (1.0 acre), and shall be in conformity with all applicable municipal and provincial regulations and guidelines, prior to the issuance of a Permit. The Erosion and Sedimentation Control Plan shall be prepared by a qualified professional engineer. The plan shall include, but not be limited to, the following:

   (1) delineation of all applicable flood plains;
   (2) short term erosion and sedimentation control measures to be used during construction of the development, until all disturbed soil is stabilized, with an emphasis on minimizing the amount of soil disturbance and the duration of exposed;
   (3) long term erosion and sedimentation control measures after completion of the development;
   (4) soil optimization of use of existing topography and vegetation;
   (5) minimization of cuts and fills and exposure area and time;
   (6) prevention or minimization of water flow across or from the site;
   (7) filter bags or other acceptable equivalent in catch basins;
   (8) a silt fence or other acceptable equivalent erosion control measures placed around all disturbed areas;
   (9) settling pond(s) for area greater than 2 hectares (5 acres);
   (10) stockpiles located away from watercourses, environmentally sensitive areas, drainage courses, ravines, and adjacent developments. Stockpiles should be stabilized against erosion immediately following stripping operations. Stabilization may include, but is not limited to, establishment of a cover crop or a hydro-seed matrix consisting of seed, fiber bond, and tackifier;
   (11) all construction traffic access road(s) shall be graveled or paved to minimize mud from being tracked from the site; and
   (12) monitoring and maintenance program for the erosion and sediment controls, including mandatory inspection and recording.

3. Notwithstanding Part 6 Section 2. , where any development on a vacant lot less than 0.4 ha (1.0 acre) or change in grade on an lot less than 0.4 ha (1.0 acre) is proposed the following measures shall be in place prior to the issuance of the permit:

   (1) filter bag(s) or acceptable equivalent in catch basins within the public street;
   (2) where an onsite storm sewer system exists or is proposed it shall be protected by

measures including, but is not limited to, sealing the openings, setting up sumps or weirs inside the structures, or by providing appropriate inlet protection (i.e., filter fence, sediment traps);

(3) a silt fence or acceptable equivalent erosion control measure placed around all disturbed areas;

(4) stockpiles located away from watercourses, environmentally sensitive areas, drainage courses, ravines, and existing adjacent developments. Stockpiles shall be stabilized against erosion immediately following stripping operations. Stabilization may include, but is not limited to, establishment of a cover crop or a hydro-seed matrix consisting of seed, fiber bond, and tackifier; and

(5) all construction traffic access road(s) shall be graveled or paved to minimize mud from being tracked from the site.

4. On all lots, the following shall apply:

(1) prior to issuance of a Permit the Developer shall provide security to HRM in the amount of $2500 per acre of the total disturbed area or a minimum of $1000 (one thousand), whichever is greater. The security shall be in the form of an irrevocable letter of credit. Where an Erosion & Sediment Control Plan has been prepared, security shall be released upon receiving certification from a Professional Engineer that the disturbed area has been permanently stabilized. Where no Erosion & Sediment Control Plan has been prepared, security shall be released upon permanent stabilization of the disturbed area;

(2) driveway grades over 5% shall be stabilized with asphalt, concrete, or acceptable equivalent;

(3) driveways shall be covered with gravel or hard-surfaced within fourteen (14) days of the start of the construction or excavation of the driveway;

(4) excavated soil material stockpiled on site, shall be removed from the lot, or graded and shall be either sodded, seeded or covered with alternate forms of ground cover suitable to prevent erosion, as appropriate and within eighteen (18) weeks of the start of excavation; and

(5) All accumulated sediment and debris shall be removed from the site once construction is completed. All related materials and temporary structures shall be removed and property disposed of as well.

Stormwater

5. Any development of a vacant lot or change in grade of an lot shall require a Stormwater Drainage Report, where a new or revisions to the existing onsite storm sewer system or increased stormwater runoff, are proposed. The report shall be submitted prior to the issuance of a Permit. The Stormwater Drainage Report shall be prepared by a qualified professional engineer and shall include the following information:

(1) site engineering analysis and calculations based on the criteria outlined in the Province of Nova Scotia and Municipality of the County of Halifax Design Criteria Manual;

(2) written text or illustrations of the size of development, location and the drainage system;

(3) written text or illustrations of the detailed safety measures and implications of the proposed system;
(4) analysis of the potential for erosion where there is a downstream receiving stream;
(5) written text or illustrations of the measures to limit the peak storm water flow from the site to a value which would be 40% of the uncontrolled fully developed flow and allow surface water flows to be directed to permeable surfaces; and
(6) written text or illustrations of the location of buildings, structures and parking areas on a lot and the measures as to minimize the alteration of natural grades and to minimize the area of impervious surfaces.

Setbacks from Watercourses

6. <u>Watercourse Setbacks and Buffers</u> (RC-Jun 25/14;E-Oct 18/14)

(1) (a) No development permit shall be issued for any development within 20m of the ordinary highwater mark of any watercourse.

(b) Where the average positive slopes within the 20m buffer are greater than 20%, the buffer shall be increased by 1 metre for each additional 2% of slope, to a maximum of 60m.

(c) Within the required buffer pursuant to clauses (a) and (b), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(d) Within the required buffer pursuant to clauses (a) and (b), activity shall be limited to the placement of one accessory structure or one attached deck not exceeding a footprint of 20 m^2 or a combination of an accessory structure and attached deck not exceeding 20 m^2, fences, boardwalks, walkways and trails not exceeding 3 metres in width, wharfs, boat ramps, marine dependent uses, fisheries uses, conservation uses, parks on public lands, historic sites and monuments, and public road crossings, driveway crossings and wastewater, storm and water infrastructure, and water control structures.

(e) Notwithstanding clause (a), the required buffer shall be 30.5m of the rim of the Sackville or Little Sackville rivers except for activities specified under clause (f).

(f) Notwithstanding clause (d), activity within the 30.5m buffer of the Sackville or Little Sackville rivers shall be limited to the placement of board walks, esplanades, arcades, walkways and trails, conservation uses, parks on public lands, public roads and wastewater, storm and water infrastructure, and water control structures.

(g) Notwithstanding clause (a), the required buffer for construction and demolition operations shall be as specified under the applicable CD Zone.

(h) Notwithstanding the required buffer under clauses (e), (f) and (g), no excavation, infilling, tree, stump and other vegetation removal or any alteration of any kind shall be permitted in relation to a development.

(2) Notwithstanding subsection (1), where an existing residential main building is located within the required buffer, accessory structure, subject to meeting other requirements of this by-law, shall be permitted provided they are

located no closer to the watercourse than the existing main building.

(2A) Notwithstanding subsection (3) the required buffer may be reduced to that indicated in subsection (1)(a) and (b) for any lot that existed on or before June 24, 2002, providing that any of the following conditions are met:

- **(i) existing right-of-ways or easements located on the property further affect the placement of buildings or structures;**
- **(ii) where the configuration or shape of a lot is such that the lot line intersecting the watercourse are not perpendicular to the watercourse;**
- **(iii) where the portion of a lot covered by the watercourse setback is greater than or equal to twenty percent of the area of the lot; or**
- **(iv) where there is existing legal disturbance or development which was established on or before June 24, 2002 on the portion of property identified as within the watercourse setback.**

(3) Where the configuration of any existing lot, including lots approved as a result of completed tentative and final subdivisions applications on file prior to August 26, 2006, is such that no main building could be located on the lot, the buffer distance shall be reduced in a manner which would provide the greatest possible separation from a watercourse having regard to other yard requirements.

(4) Notwithstanding subsection (1), nothing in this by-law shall prohibit the removal of windblown, diseased or dead trees, deemed to be hazardous or unsafe.

(5) Notwithstanding subsection (1), the selective removal of vegetation to maintain the overall health of the buffer may be authorized by the Development Officer where a management plan is submitted by a qualified arborist, landscape architect, forester or forestry technician.

(6) Every application for a development permit for a building or structure to be erected pursuant to this section, shall be accompanied by plans drawn to an appropriate scale showing the required setbacks, existing vegetation limits and contours and other information including professional opinions, as the Development Officer may require, to determine that the proposed building or structure will meet the requirements of this section.

7. Notwithstanding, the provisions of Part 6 Section 6, any existing building within the 100 ft (30.48m) wide buffer may be permitted to be enlarged, renovated or repaired subject to the provisions of this Bylaw.

Flood proofing

8. Except as provided for under Part 6 Section 6, notwithstanding any other requirements of this Bylaw, no development permit shall be issued in any zone where the property is located within the 1:100 year flood plain of the Sackville or Little Sackville Rivers unless the following flood proofing requirements are met:

(1) the minimum opening elevation, which is to mean the lowest point in a building through which floodwaters may flow into a building, shall be above the established flood elevation;

(2) the fill is restricted to that area over which the main building is located as well as ten

(10) feet from the perimeter of the foundation of the said building and when placed, shall have a minimum perimeter slope not steeper than three horizontal to one vertical (3:1) unless otherwise approved by the Engineer;

(3) the fill shall be placed to a height within six (6) inches of the minimum opening elevation; and

(4) the fill and slope shall be stabilized through the use of landscaping or other means to prevent erosion.

9. Within six (6) months of the issuance of a development permit the applicant shall provide the Development Officer with proof of compliance with Part 6 Section 8 from a qualified person. Where circumstances warrant, this period may be extended for one additional six (6) month period at the discretion of the Development Officer.

10. Notwithstanding Part 6 Section 12 and 13, no flood proofing shall be required for properties where a study by a qualified person shows the property is no longer within the 1:100 year flood plain.

10A <u>Schedule D - Areas of Elevated Archaeological Potential</u> (RC-Jun 25/14;E-Oct 18/14)

Where excavation is required for a development on any area identified on Schedule D attached to this by-law, a development permit may be issued and the application may be referred to the Nova Scotia Department of Communities, Culture and Heritage, Heritage Division for any action it deems necessary with respect to the preservation of archaeological resources in accordance with provincial requirements.

GENERAL PROVISIONS: USES

Multiple Uses and Zones

11. Where any land or building is used for more than one purpose, all provisions of this Bylaw relating to each use shall be satisfied. Where there is conflict such as in the case of lot size or frontage, the higher or more restrictive standard shall prevail.

12. More than one zone may be applied to any given area and when land is zoned in this manner, the regulations under the zone appropriate to the proposed use shall be applied.

Existing Buildings

13. Where a building other than a building containing a non-conforming use was lawfully in existence on or before May 7, 2002 on a lot having less than the minimum frontage or area, or having less than the minimum setback or side yard or rear yard required by this Bylaw, the building may be enlarged, reconstructed, repaired or renovated on the existing lot provided that:

(1) the enlargement, reconstruction, repair or renovation does not further reduce the front yard or side yard or rear yard that does not conform to this Bylaw; and

(2) all other applicable provisions of this Bylaw are satisfied.

New Use in Non Conforming Building

14. Notwithstanding anything else in this Bylaw, the use of a building existing on a lot on May 7, 2002 may be changed to a use permitted on the lot where the lot area or frontage or both is less than that required by this Bylaw provided that all other applicable provisions of this Bylaw area satisfied. For clarification, all parking, landscaping and driveway requirements as defined in Part 7 of this Bylaw shall be applied where possible.

Temporary Construction Uses Permitted (RC-Jan 20/09;E-Feb 7/09)

15 (a) Nothing in this By-law shall prevent the use of land or the use or erection of a temporary building or structure which is necessary and accessory to construction in progress, such as a work camp or construction camp, mobile home, sales or rental office, tool or maintenance shed or scaffold, including a shipping container which serves as one of the foregoing, except as a mobile home, sales or rental offices, provided that a development permit has been issued.

(b) A rock crusher may be used at the site of a demolition of a structure or building, the site of construction of primary or secondary services pursuant to the Regional Subdivision By-law, or at the site of development permitted pursuant to this By-law, provided a development permit has been issued for such use.

(c) A development permit may only be issued for the temporary use of a rock crusher.

(d) A development permit issued for the use of a temporary rock crusher accessory to demolition of a structure or building pursuant to this By-law or a development pursuant to this By-law shall be valid for any period specified not exceeding sixty (60) days. A development permit issued under this clause may be renewed for a period not to exceed thirty (30) days at a time, if a development officer determines that an extension of the period is necessary. No rock crusher shall be located or used within three (3) metres of any property boundary.

(e) A development permit issued for the use of a temporary rock crusher accessory to the construction of primary or secondary services pursuant to the Regional Subdivision By-law shall be valid for any period which does not exceed the construction time schedule specified in the subdivision agreement. No rock crusher for which a permit has been issued under this clause shall be located or used within sixty (60) metres of any building used for residential or institutional purposes; with the exception of fire stations, police stations, public works facilities, cemeteries, historic sites and monuments, and recreational trails where no rock crusher shall be located or used within three (3) metres of any property boundary.

(f) Notwithstanding any other provision of this By-law, a temporary rock crusher accessory to construction in progress shall not be used to process material for export to another site nor to process material imported to the site.

(g) A temporary rock crusher may be used as an accessory to demolition in progress to process demolished material for export to another site subject to disposal in accordance with the requirements of this By-law and the C&D

Materials Recycling and Disposal License By-law.

Temporary Commercial Uses Permitted (NWCC-May 24/07;E-Jun 9/07)

16. Nothing in this Bylaw shall prevent the use of land or the erection of a temporary building or structure for such purpose as midways, circuses, fairs, festivals, the display of artwork and crafts, or artistic performances provided that such remain in place no longer than five (5) days. Christmas Tree sales are permitted in all zones. Temporary Ice Cream stands shall be permitted for a period of six months only in the Pedestrian Retail (PR) Zone and shall not exceed 18.5 m^2 (200 ft^2) in area.

Any development permit issued for a special use under this section shall be in force for a maximum period of one (1) year (with the exception of Christmas Tree sales) from the date of issue and any permit may be reissued upon request, subject to review by the Development Officer. Flea Markets shall be considered as an accessory uses within the Downsview Complex Zones (DC-1, DC-2, DC-3) and shall be excluded from this provision. Any building or structure used for a temporary use shall be removed within 30 days of the discontinuance of the use or at the expiration of the temporary period.

Temporary ice cream stands shall provide landscaping in the form of a landscaped planter as identified in Part 7, Section 47 (3).

No Livestock

17. Horses, cattle, sheep, swine, and domestic fowl shall not be kept on any lot or within any building.

GENERAL PROVISIONS: LOTS, YARDS AND OTHER STANDARDS

Street Frontage

18. Unless otherwise permitted in the Bylaw, every lot shall front on a street and a building shall be deemed to front on the street opposite to its principal entrance, or if such entrance is not opposite to a street, then upon the street from which it gains its principal access.

One Main Building on a Lot

19. No person shall erect more than one (1) main building on a lot within any zone except for the buildings within the Downsview Complex zones (DC-1, DC-2 and DC-3), the Acadia Village Centre zone (VC), or townhouses with the Pinehill/Cobequid zone (PC) **and, Self Storage Facility in all applicable zones. (NWCC-May 26/05;E-May 28/05)**

Existing Undersized Lots

20. Where a building has been erected on or before May 7, 2002 on a lot having less than the minimum required frontage or area, or both required by this By-law, or having less than the minimum front yard or side yard or rear yard or separation distance required by this

By-law, the building may be enlarged, reconstructed, repaired or renovated provided that:

(1) the enlargement, reconstruction, repair or renovation does not further front yard, side yard, rear yard, or separation distance that does not conform with this By-law; and
(2) all other applicable provisions of this By-law are satisfied.

21. Notwithstanding anything else in this Bylaw, a vacant lot existing on or before May 7, 2002, having less than the minimum required frontage or area or both required by this Bylaw, may be used for a purpose permitted in the zone in which the lot is located, and a building may be erected on the lot, provided that all other applicable provisions of this Bylaw are satisfied.

22. An existing undersized lot may be increased in area or frontage or both, and still remain an existing undersized lot if after the increase, the lot still remains undersized.

Special Requirements: Corner Lots

23. On a corner lot, a fence, sign, hedge, shrub, bush or tree, or any other structure or vegetation which obstructs vision shall not be erected or permitted to grow to a height greater than 2 ft (0.61m) above grade of the streets that abut the lot within the triangular area included within the street lines for a distance of 20 ft (6.1 m) from their point of intersection.

Natural Hazards And Yard Requirements

24. Where in this Bylaw a front yard, side yard or rear yard is required and part of the area of the lot is usually covered by water or marsh, or is beyond the rim of a river bank or watercourse, or between the top and toe of a cliff or embankment having a slope of 20% or more from the horizontal, then the required yard shall be measured from the nearest main wall from the main building or structure on the lot to the edge of the said area covered by water or marsh, or to the rim of the said river bank or watercourse, or to the top of the said cliff or embankment if the said area is closer than the lot line.

Permitted Encroachments

25. Every part of any yard required by this Bylaw shall be open and unobstructed by any structure except to permit limited structural elements subject to the following provisions:

(1) Uncovered patios, walkways, wheelchair ramps, lifting devices or steps may be located in any yard;
(2) There may be erected or maintained in any yard, projections of structural elements such as sills, cornices, eaves, gutters, chimneys, pilasters, canopies or other architectural features, provided that no such structure or feature shall project more than 2 ft (0.6 m) into any required yard; and
(3) Window bays and solar collectors may be permitted to project not more than 3 ft (0.9 m) from the main wall into a required front, rear or flankage yard.

Abutting Zone Requirements

26. Where a commercial zone or use abuts an existing residential uses or zones, or park uses or zones, in order to provide a visual and noise barrier between these uses, the following shall apply to the abutting yards:

(1) the minimum distance between the main buildings shall be 40 ft (12.19m);
(2) no open storage nor outdoor display shall be permitted in the required abutting yard; and
(3) where parking spaces are provided in an abutting yard such parking spaces shall be screened by a buffer, fence, or combination thereof.

Height Regulations

27. The height regulations of this Bylaw shall not apply to church spires, water tanks, elevator enclosures, silos, flagpoles, television or radio antennae, solar panels, ventilators, skylights, chimneys or clock towers and other architectural elements.

27 (a) The height of a building in all zones shall be not more than 50ft (15.24m) in height measured from the established grade at front property line.

On corner lots where there is a difference in established grade on each lot frontage at the street line, the height requirement shall be measured from the street frontage with the lower grade.

On lots where there is a difference in established grade, the height requirement shall be measured from the lower grade.

Notwithstanding the aforementioned, chimneys, antennae, flag poles, belltowers, spires, steeples, vents or other roof or building appurtenances extending from the surface of a roof shall not be measured in calculating building height; however, such appurtenances shall not:

1) be habitable living space,
2) extend more than ten (10) feet above the building height.

Further, any such building appurtenance shall be integrated with the architectural treatments of the buildings and roof structure. (RC-Sep 5/06;E-Oct 7/06)

Illumination

28. All areas of any lot which are accessible to the public, including walkways, alleys, parking lots and driveways and landscaped areas shall be adequately illuminated for personal safety purposes. Such lighting may be in the form of wall mounted fixtures, ground based fixtures with underground wiring, or pole mounted lighting not exceeding 30 feet (9.1 metres) in height.

29. All illumination shall be directed away from adjoining properties and any adjacent streets.

Vehicle Bodies

30. No truck, bus, coach or streetcar body shall be used for human habitation or used as a commercial building.

Restoration to a Safe Condition

31. Nothing in the Bylaw shall prevent the strengthening or restoring to a safe condition of any building or structure, provided that in the case of a non-conforming use, the provisions of the Municipal Government Act shall prevail.

GENERAL PROVISIONS: ACCESSORY BUILDINGS OR STRUCTURES

Accessory Uses and Buildings

32. Provisions made under this Bylaw to permit uses, buildings, and structures shall, unless otherwise stated by this Bylaw, also be deemed to include any accessory uses buildings or structures provided that:

(1) the accessory use, building, or structure is located within the same zone as the principal building or use it is intended to service or is located within an abutting zone in which the principal use or building is permitted.
(2) the accessory use, building, or structure is located on a lot which directly abuts or is directly across a public street or highway, private road or private right-of-way from the lot containing the principal building or use it is intended to serve; and
(3) all other applicable conditions and requirements of this Bylaw are satisfied.

Accessory Buildings

33. Accessory buildings and structures shall be permitted in any zone but shall not:

(1) be used for human habitation;
(2) be located within the required front yard of a lot;
(3) be located closer than four (4) feet to any lot line;
(4) exceed the height of the building it is accessory to with a maximum height of 35 ft (10.7m); **(RC-Sep 5/06;E-Oct 7/06)**
(5) be located within six (6) feet of the main building;
(6) be attached to the main building located completely underground.
(7) exceed the height of the main building. (NWCC-May 26/05;E-May 28/05)

34. Part 6 Section 36 and 37 does not apply to drop awnings, clothes poles, flag poles, garden trellises, fences, uncovered decks no higher than 2 ft (0.61m) and retaining walls shall be exempted from any requirements for accessory uses.

Shipping Containers as Accessory Buildings

34A. (1) Shipping containers shall not be permitted as accessory buildings to a residential use. Shipping containers may be permitted as accessory buildings only in a business park zone, or in conjunction with a recreation use, pursuant to applicable requirements for accessory buildings and pursuant to applicable zone standards including those relating to setbacks, screening and landscaping. Notwithstanding the foregoing, shipping containers intended for non-recreation use shall not be permitted on any property which abuts a residential, park or institutional zone or use.

(2) Shipping containers shall not be placed in the front or flankage yard of any lot, or between the main building and any street.

(3) No shipping container shall be permitted in any zone as a dwelling or other form of accommodation, including offices. (NWCC-May 26/05;E-May 28/05)

Outdoor Storage, Outdoor Display and Refuse Containers

35. All commercial dumpsters, refuse containers and recycling bins shall be fully enclosed and screened from public view, through the use of decorative brick or concrete block walls, or solid board fences, or landscape elements.

36. Commercial dumpsters, refuse containers and recycling bins shall be located no closer than 2 ft (0.6 metres) from any rear or side lot line.

37. Notwithstanding Part 6 Sections 33 and 34 outdoor storage associated with garden markets is permitted within all zones providing it is screened with opaque screening, excluding chain-link or any other type of open fencing.

38. Any area devoted to outdoor storage shall not exceed twenty (20) per cent of the lot area.

39. No outdoor storage shall be permitted within any required front or side yard.

40. No outdoor storage or outdoor display shall be permitted within any yard in any zone where such yard abuts any residential or community use or zone, except where a fence or other visual and physical barrier is provided with the abutting yard, excluding chain-link or any other type of open fencing.

<u>Public Transit Facilities</u> (RC-Jun 25/14;E-Oct 18/14)

41. Public transit facilities shall be permitted in all zones with frontage on minor and major collector roads, arterial roads and expressways and shall not be required to conform to any zone requirements.

<u>Public Transit Facilities Within The Flood Plain (P-3) Zone</u>
(RC-Jun 25/14;E-Oct 18/14)

42. Notwithstanding Section 42, within the Flood Plain (P-3) Zone, public transit facilities shall be limited to transit shelters and stops, and for greater certainty shall

exclude transit terminals. (RC-Jun 25/14; M- Sep 16; E-Oct 18/14)

Part 7: GENERAL STREETSCAPE DESIGN

SIGNAGE

General

1. Where this part is inconsistent with the regulations respecting advertising signs on or near public highways, made or administered by the Department of Transportation and Communications, the more restrictive regulations shall apply.

2. No person shall erect a sign except where a development permit has been issued, and no permit to erect a sign shall be issued unless all the sign provisions of this by-law are satisfied.

2A TEMPORARY SIGNAGE (RC-Sep 26/06;E-Nov 18/06)

(a) This By-law shall not apply to any sign regulated under HRM By-law S-800 (A By-law Respecting Requirements for the Licensing of Temporary Signs); and
(b) Any sign provision within this By-law referring to temporary signage, as regulated under HRM By-law S-800, is superceded.

2B All signs shall be located on the lot containing the business being advertised. (NWCC-May 26/05;E-May 28/05)

Number of Signs

3. For the purposes of this Section, where a multiple tenancy building is occupied by more than one business, each business shall be considered to be a separate premise.

4. For the purposes of determining the number of signs permitted by this Section, a sign shall be considered to be a single display surface or display device containing elements organized, related and composed to form a unit. Double-faced and three-faced signs shall be counted as single signs.

5. No more than two (2) signs shall be located on any premises, except on a corner lot where one (1) additional sign may be erected. For purposes of this Section, signs enumerated shall not be counted. **Canopies and Awnings are exempt from this provision. (NWCC-May 26/05;E-May 28/05)**

Signs Permitted in all Zones

6. The following signs shall be permitted in all zones and in addition to any signs permitted according with this section:

(1) Any sign which has an area of no more than two (2) square feet (0.2 m^2) and which identifies the name and address of a resident;
(2) Any sign which has an area of no more than two (2) square feet (0.2 m^2) and which regulates the use of property, as do "no trespassing" signs;

(3) Any real estate sign which has an area of no more than eight (8) square feet (0.7 m^2) in any Residential Zone or twenty-four (24) square feet (2.2 m^2) in any other zone;
(4) Any sign which has an area of no more than five (5) square feet (0.5 m^2) and which regulates or denotes the direction or function of various parts of a building or premises, including parking and traffic areas;
(5) Any sign which has an area of no more than fifty (50) square feet (4.6 m^2) and which is incidental to construction;
(6) Any sign erected by, or under the direction of, a government body as are signs identifying public buildings, giving public information or regulating traffic or safety;
(7) Any flag, insignia, notice or advertising of any charitable, religious or fraternal organization; or
(8) Any memorial sign, plaque or tablet.
(9) Any third party sign erected as secondary signage on a sign for a non-profit or community group or organization. (NWCC-May 26/05;E-May 28/05)

Signs Prohibited in all Zones

7. The following signs shall not be permitted in any zone:

(1) Any sign which obstructs the vision of drivers leaving a roadway or driveway, or detracts from the visibility or effectiveness of any traffic sign or control device on public streets;
(1a) Any sign proximate to a road, driveway or parking area which creates an unsafe visual barrier or obstructs the function of such use. (NWCC-May 26/05;E-May 28/05)
(2) Any sign which obstructs free ingress to or egress from a fire escape door, window or other required exit;
(3) Any sign located at or near a sharp road curve or below the crest of a hill, except a sign erected by a government body;
(4) Any sign which incorporates any flashing or moving illumination and any sign which has any visible moving part or mechanical movement whether achieved by natural or artificial means;
(5) Any searchlight, string light, spinner or streamer except for string lights and pennant flags used in conjunction with permitted outdoor display courts and, except for occasions such as grand openings, county fairs and public festivals, or used as temporary holiday decorations;
(6) Any sign painted on a tree, stone, cliff or other natural object; or
(7) Any sign which is not related to any business or use located on the lot or premises.
(8) Any sign which creates a hazard to the public;
(9) Any sign which resembles traffic control signs of any public authority, whether by shape, colour, message or location which would interfere with or confuse traffic along a public road;
(10) Any sign which advertises a product which is no longer sold or a business which is no longer in operation;
(11) Any sign which is not located on the same lot as the commercial establishment, which states the name of the said establishment and the type of business or products of said establishments. (NWCC-May 26/05;E-May 28/05)

Projection Signs

8. No projecting sign shall:

(1) exceed twenty (20) square feet (2 m^2) in area for that portion of the sign which projects beyond any wall or roof;
(2) project horizontally more than six (6) feet (1.8 m) from any wall to which it is attached;
(3) project over a public right-of-way or day lighting triangle;
(4) be erect below a height of ten (10) feet (3 m) or exceed a height of thirty-five (35) feet (10.7 m); or
(5) be permitted to swing freely on its supports;
(6) project above the eaves, parapet or roof line of the buildings; or
(7) canopies and awnings incorporating signage are not subject to subsections 1), 2), 3), 4) and 6). (NWCC-May 26/05;E-May 28/05)

Ground Signs

9. No ground sign shall:

(1) exceed a height of
(a) twenty-five (25) feet (7.6 m) in the Downsview Complex Zones (DC-1, DC-2, and DC-3) and the Large Scale Commercial Zone (LS);
(b) fifteen (15) feet (4.5 m) for single tenant buildings and twenty (20) feet (6.1 m) for multi-tenant buildings in the Pedestrian Retail Zone (PR) and Pinehill/Cobequid Zone (PC); and
(c) twenty (20) feet (6.1 m) for single tenant buildings and twenty-five (25) feet (7.6 m) for multi-tenant buildings in the Pedestrian Retail Zone (PR) and Pinehill/Cobequid Zone (PC) provided the sign includes changeable copy signage. (NWCC-May 22/08;E-Jun 7/08)
(2) extend beyond a property line or project over a public right-of-way, day lighting triangle, driveway or parking space; or
(3) be less than ten (10) feet (3 m) from any street;
(4) be permitted in the Community Parkland and Facilities Zone (CP) and Floodplain Zone (P-3);
(5) Where a multiple tenancy building is occupied by more than one (1) separate business, each business shall be considered to be a separate premise for the purpose of determining the number of signs permitted. Notwithstanding, only one ground sign shall be permitted per multiple tenancy building or one ground sign per 400 feet (121.9 m) of street frontage;
(6) Landscaping shall be provided at the base of a ground sign. Landscaping shall consist of either planter boxes, shrubs and/or flower beds or a combination thereof. If landscape planters are utilized, the planters shall be constructed of a natural material and shall be a minimum of 2 feet (0.6m) wide and 3 feet (0.9m) high; or
(7) A ground sign and the required landscaping as described above may be placed within the required landscaping setback as specified in Part 7 Section 41 to 45. This provision does not apply to the HRM right-of-way portion of a landscape

setback; (NWCC-Sep 12/06;E-Sep 29/06)

(8) The maximum number of sign faces shall be two, which shall be affixed back to back;

(9) The maximum area per sign face shall be 2.97 square metres (32 square feet) for a sign with a maximum height of twenty-five (25) feet (7.6 m) in the Downsview Complex Zones (DC-1, DC-2, and DC-3) and the Large Scale Commercial Zone (LS) with the exception of the following:

- **a maximum of 9.29 square metres (100 square feet) on any lot smaller than 4000 square metres (43057 square feet),**
- **a maximum of 11.62 square metres (150 square feet) on lots between 4000 square metres and 12000 square metres (2.96 acres), and**
- **a maximum of 18.58 square metres (200 square feet) on any lot larger than 12000 square metres (2.96 acres)**.

(10) exceed a sign face width of eight (8) feet (2.4 m) for single tenant buildings and twelve and a half (12.5) feet (3.8 m) for multi-tenant buildings in the Pedestrian Retail Zone (PR) and Pinehill/Cobequid Zone (PC). All portions of the sign cannot exceed a total width of fifteen (15) feet (4.5 m) for single tenant buildings and twenty (20) feet (6.1 m) for multi-tenant buildings in the Pedestrian Retail Zone (PR) and Pinehill/Cobequid Zone (PC). (NWCC-May 22/08;E-Jun 7/08)

(11) be permitted in the Pedestrian Retail Zone (PR) and Pinehill/Cobequid Zone (PC) without clearly legible site identification signage listing the civic number and street name of the building. Site identification signage must be located at the top, the bottom or side of sign structure adjacent to the street. (NWCC-May 22/08;E-Jun 7/08)

(12) include changeable copy signage exceeding forty (40) square feet (3.7 sq.m) for single tenant buildings and fifty (50) square feet (4.6 sq.m) for multi-tenant buildings in the Pedestrian Retail Zone (PR) and Pinehill/Cobequid Zone (PC). (NWCC-May 22/08;E-Jun 7/08)

Facial Signs

10. No facial sign shall:

(1) extend above the top of the wall on which it is attached; or

(2) project **or extend (NWCC-May26/05;E-May28/05)** beyond the extremities of the wall on which it is attached.

(3) include more than one message for each business premise in the building on which it is affixed where the building contains multiple occupancies; or

(4) have an area which exceeds ten (10) percent of the area of the wall on which it is attached.

10(a) Canopies/Awnings

(1) Canopies and awnings attached to walls shall not project more than 4 feet (1.2 m) over a public sidewalk. Canopies and awnings shall be self supporting and shall be placed a minimum height of 9 feet (2.7m) above a sidewalk. Signage may be included as an integral part of an awning or canopy.

(2) If signage is included as an integral part of an awning or canopy, the awing or canopy shall be considered or counted as part of the maximum number of signs permitted in accordance Part 7 Section 5.

10(b) Window Signs

(1) Window signs shall not: a) exceed 25% of the window area; b) exceed 25% of the glass area of a door area. For the purposes of this section, area shall be calculated on the basis of the smallest geometric shape which will contain the entire message.

10(c) Roof Signs

(1) Roof signs shall be prohibited.

10(d) Billboards

(1) Billboards shall be prohibited.

10(e) Pennants and Banners

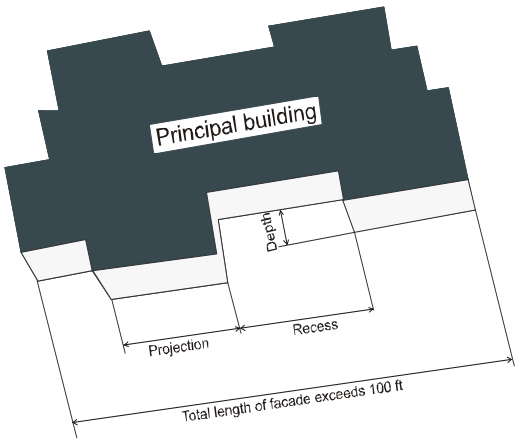
(1) Pennants and Banners shall be prohibited except in accordance with Part 7 Section 7: Signs Prohibited in all Zones Subsection 12. (NWCC-May 26/05;E-May 28/05)

ARCHITECTURE

Within all Zones

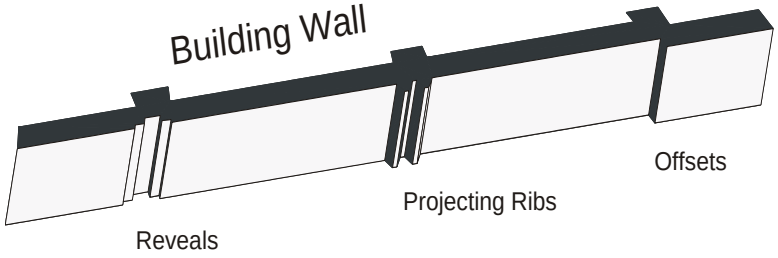
11. In all zones, architectural elements shall be incorporated into all building facades and walls which face Sackville Drive, **Downsview Thoroughfare (NWCC-May 26/05;E-May28/05)** or a side street(s) **off Sackville Drive (i.e. corner lot) (NWCC-May 26/05;E-May28/05).** Within all zones, the following architectural elements shall be incorporated, unless otherwise specified in this Bylaw:

(1) within all zones, a combination of arcades, display windows, entry areas, awnings, or other such features shall be incorporated into all commercial, institutional and residential facades along no less than 60% of their horizontal length facing Sackville Drive as generally shown and described in Schedule '**D**'**(NWCC-May 26/05;E-May 28/05)** of the Secondary Planning Strategy;



(2) within all zones, no uninterrupted length of any facade shall exceed 30.5 horizontal metres (100 feet). Wall plane projections or recesses shall be incorporated into all facades greater than 30.5 metres (100 feet) in length, measured horizontally, having a depth of a least 3% of the length of the facade and extending at least 20% of the length of the facade;





(3) within all zones except the Downsview Complex Zones (DC-1, DC-2, DC-3), one clearly defined, visible entrance way shall be provided on the facade oriented to the Sackville Drive shall be provided for all uses as generally shown and described in Schedule '**D**' **(NWCC-May 26/05;E-May 28/05)** of the Secondary Planning Strategy. The entrance way and front facade shall include no less than three of the following elements:

(a) canopies or porticos
(b) overhangs
(c) recesses/projections
(d) arcades
(e) raised corniced parapets over the door
(f) peaked roof forms
(g) outdoor patios
(h) display windows
(i) architectural details such as tile work, and moldings which are integrated into the building
(j) integral planters or wing walls that incorporate landscaped areas and sitting

places; and

(k) or any other similar architectural treatment deemed to be an acceptable equivalent;

(4) within the Downsview Complex Zones (DC-1, DC-2, DC-3), all buildings shall provide a clearly defined, visible entrance way on the facade which is oriented to face the internal circulation network of the Downsview Complex (DC) zone area. All buildings within 30.5 metres (100 ft) of Sackville Drive or other public right-of-way shall provide an additional entrance way on the facade oriented towards Sackville Drive. These entrance way(s) and facades shall include no less than three of the following:

(a) canopies or porticos
(b) overhangs
(c) recesses/projections
(d) arcades
(e) raised corniced parapets over the door
(f) peaked roof forms
(g) outdoor patios
(h) display windows
(i) architectural details such as tile work, and moldings which are integrated into the building;
(j) integral planters or wing walls that incorporate landscaped areas and sitting places; and
(k) or any other similar architectural treatment deemed to be an acceptable equivalent;

(5) within all zones, building lines shall be generally parallel and perpendicular to the street line;

(6) within all zones, Strip Malls, Shopping Plaza's, and Shopping Centres shall have at least one defined entrance way for each leasable space, business or occupancy with an external access. The defined customer entrance way shall conform to the above requirements of Part 7 Section 11(3);

(7) within all zones, all windows, except for commercial storefronts at grade, shall be treated as individual openings in the wall surface; continuous bands of horizontal glazing shall not be permitted except for storefronts at grade. Total window area per building face shall not exceed 50%. Windows shall be accentuated by design details (i.e. arches, hoods, moldings, decorative lintels, pediments, sills);

(8) within all zones all roofs shall be articulated with a minimum of one of the following features repeated at a rate of one per 6.1 meters (20 feet), horizontally:

(a) dormers
(b) parapet
(c) bay windows
(d) sheds
(e) roof windows
(f) roof terraces
(g) cornices (NWCC-Sep 12/06;E-Sep 29/06)
(h) or any other similar architectural treatment deemed to be an acceptable;

Where a flat roof or horizontal roof form is proposed the above elements or any similar architectural treatment shall be incorporated into the roof design to reduce the visual appears of the flat roof or

horizontal roof form from the street (any street) or abutting residential property. (NWCC-Sep 12/06;E-Sep 29/06)

(9) within the Downsview Complex Zones (DC-1, DC-2, DC-3) flat roofs shall be permitted **if (NWCC-May 26/05;E-May 28/05)** a parapet wall or similar structure is provided and is facing the internal circulation network of the Downsview Complex zones or Sackville Drive (whichever is relevant) at intervals of 9.1 metres (30 ft), horizontally, in order to create the illusion of roof pitch; and

(10) within all zones, rooftop equipment, including, but not limited to, satellite and other telecommunication equipment, air handling units, elevator equipment, cooling towers and exhaust fans shall to be screened (visually). The screening shall include but not limited to parapets and enclosures as defined in Part 7 Section 11 (8). Building screens shall be part of the architectural design with similar detailing and materials and not appear as add-ons.

12. Within all zones, architectural elements defined in Part 7 Section 11 (2), (5), (8), (9) and (10) shall be incorporated along or into all facades which **are (NWCC-May 26/05;E-May 28/05)** visible from the Beaver Bank Connector and Highway #1.

13. Notwithstanding Part 7 Section 11 (1) through to Section 11 (10), a change in use or occupancy within an existing building or structure (no proposed addition) shall only comply with Part 7 Section 11 (3) and (4).

Additional Requirements: Multiple Unit Buildings, Seniors Residential Complex & Residential Care Facility

14. Exterior cladding of all new multiple unit buildings, senior residential complexes, and resident care facilities shall consist of brick, stone, wood shingle, wood siding, wood clapboard, or vinyl siding or a combination thereof. Where vinyl or other synthetic siding is used, it shall have a narrow course width resembling traditional wooden clapboards and windows, doors, and corners shall be trimmed in the traditional manner. Contrasting architectural detailing shall be provided to enhance the appearance of the building. Windows, doors, and corners shall be accentuated by trim or other design details (moldings, decorative lintels, pediments, sills, etc.). In the case of a brick or block building, a contrasting color should be used and other decorative elements shall be encouraged as generally shown and described in Schedule 'B' of the Secondary Planning Strategy.

Additional Requirements: Townhouses

15. Garages shall be encouraged. Where an attached or detached garage is proposed, the garage shall not extend beyond the primary front facade of the dwelling and shall be set back a minimum of 3.1 metres (10 ft) from the primary front facade of the building.

PARKING LOTS, DRIVEWAYS AND LOADING AREA

Parking Space Requirements

16. For every building or structure to be erected or enlarged, off-street parking located within

the same zone and same lot (except in accordance with Part 7 Section 23 (12) and (13), as the use and having unobstructed access to a public street shall be provided and maintained in conformity with the following schedule:

16(a) Notwithstanding, the requirements for parking spaces in this By-law, the Development Officer may grant a variance from the parking space requirements detailed below provided there is no intentional disregard for this By-law or for the intent of the By-law and the difficulty is not general to the area. (RC-Sep 5/06;E-Oct 7/06)

SPACES		
Proposed Use	**Space(s) Required**	**Measurement Type (all square footage based on gross floor area unless specified otherwise)**
Any dwelling except as specified below:	1	Per each dwelling unit
• Multiple Unit Dwelling	1.5	Per each dwelling unit
• Seniors or Active Living Multiple Unit Dwelling	1	Per each dwelling unit
Retail Stores, **Office, Financial Institutions,** Service and Personal Service Shops: **(NWCC-Sep12/06;E-Sep29/06)**		
• exceeding 5,000 sq ft (464.5m²) of gross floor area	**4 (NWCC-Sep12/06;E-Sep29/06)**	Per 1,000 sq ft (92.9m²) of gross leasable floor area
• not exceeding 5,000 sq ft (464.5m²) of gross floor area	**3 (NWCC-Sep12/06;E-Sep29/06)**	Per 1,000 sq ft (92.9m²) of gross leasable floor area
Motels and Hotels	1	Per sleeping unit plus requirements for associated uses such as restaurants or other facilities contained therein
Grocery Store		
• up to 10,000 sq ft	1	Per 200 sq ft (18.6m²) of gross leasable floor area
• from 10,000 sq ft to 30,000 sq ft	1	Per 300 sq ft (27.9m²) of gross leasable floor area
• greater than 30,000 sq ft	1	Per 400 sq ft (37.2m²) of gross leasable floor area
Restaurants		
• Full Service	**10 (NWCC-Sep12/06;E-Sep29/06)**	Per 1,000 sq ft (92.9m²) of gross leasable floor area **devoted to public use (NWCC-May26/05;E-May28/05)**

• Drive **Thru** **(NWCC-May26/05;E-May28/05)**	**8** **(NWCC-Sep12/06;E-Sep29/06)**	Per 1,000 sq ft (92.9m²) of gross leasable floor area **devoted to public use** **(NWCC-May26/05;E-May28/05)**
• Take Out - exceeding 300 sq ft (28m²) of gross floor area	**10** **(NWCC-Sep12/06;E-Sep29/06)**	Per 1,000 sq ft (92.9m²) of gross leasable floor area devoted to public use
• Take Out - not exceeding 300 sq ft (28m²) of gross floor area	5	
Lounges, Taverns and Beverage Rooms	**10** **(NWCC-Sep12/06;E-Sep29/06)**	Per 1,000 sq ft (92.9m²) of gross leasable floor
Warehouses	2	Per 1,000 sq ft (92.9m²) or 1 space per every 4 employees - whichever is greater
Self-Storage Units		**1 space for each employee if full service office is located on the lot and 1 space for every 100 storage units. Driveway aisles shall be a minimum of 20 feet where access to storage units is only on one side of the aisle, and 24 feet where access to storage units is on both sides of the aisle. (NWCC-May26/05;E-May28/05)**
Automotive Repair	1	Per 400 sq ft (37.2m²) of office/reception area and 1 space per service bay
Proposed Use	**Space(s) Required**	**Measurement Type (all square footage based on gross floor area unless specified otherwise)**
Automotive Sales and Outdoor Display Courts	1	Per 3,000 sq ft (37.2m²) of outdoor sales area, and Per 400 sq ft (37.2m²) of indoor sales and office area
Theaters	1	Per 5 seats
Institutional Uses except as specified below:		the greater of 1 space per 4 seats, where there are fixed seats and 1 space per 100 square feet (9.3m²) of gross floor area where there are no fixed seats, or 1 space per 4 persons which can be accommodated at any one time
• Government Offices	4.5	Per 1,000 sq ft (92.9m²) of gross leasable floor
• Schools		
- Elementary School		**6 spaces for use of visitors in addition to the greater of 1.5 spaces per classroom or 1 parking space per 32.3 sq ft (3m²) of floor area in the gym or auditorium (NWCC-Sep12/06;E-Sep29/06)**

- Junior High School		**8 spaces for use of visitors in addition to the greater of 4 spaces per classroom or 1 parking space per 32.3 sq ft (3m²) of floor area in the gym or auditorium (NWCC-Sep12/06;E-Sep29/06)**
- High School		**8 spaces for use of visitors in addition to the greater of 4 spaces per classroom or 1 parking space per 32.3 sq ft (3m²) of floor area in the gym or auditorium (NWCC-Sep12/06;E-Sep29/06)**
- Other	3	Per classroom
Hospital, Multiple Service Centre	2	Per bed
Medical, Dental, or any Health Practitioner (including Veterinary Clinic)	**2 (NWCC-Sep12/06;E-Sep29/06)**	Per consulting room
Day Care Facilities	1.5	Per 400 sq ft (37.2m²) of gross leasable floor area
Funeral Homes	15	
Library, Museum or similar use	1	Per 400 sq ft (37.2m²) of gross leasable floor area
Any uses not specified above	**3 (NWCC-Sep12/06;E-Sep29/06)**	Per 1,000 sq ft (92.9m²) of gross leasable floor area

17. The parking requirements for multiple occupancy buildings which contain a mix of different uses shall be determined by calculating the sum of the parking requirements for each use and then reducing the number by twenty percent (20%) to allow for the shared usage of spaces by building occupants.

Standards for Mobility Disabled Parking Spaces:

18. Notwithstanding Part 7 Section 16, reserved parking spaces for the mobility disabled shall be provided in addition to the required spaces in conformity with the following schedule:

MOBILITY DISABLED SPACES		
Proposed Use	**Space(s) Required**	**Measurement Type (all square footage based on gross floor area unless specified otherwise)**
Medical Clinics of any health practitioner	1	Reserved parking spaces for the mobility disabled per 5-15 parking spaces required 1 additional parking space for each additional 15 required space or part thereof to a maximum of 10 spaces
Homes for the Aged/Nursing Homes	1	Reserved parking spaces for the mobility disabled per 20 beds to a maximum of 10 spaces
Multiple Unit Dwellings	1	Reserved parking spaces for the mobility disabled per 30 units to a maximum of 10 spaces
Restaurants and Theater	1	Reserved parking spaces for the mobility disabled per 50 seats to a maximum of 10 spaces
All other uses excluding fire stations, boarding houses, and any industrial use which does not have a retail function	1	Reserved parking space for the mobility disabled per 15-100 parking spaces required 1 additional space for each additional 100 required space or part thereof to a maximum of 10.

19. Each reserved parking space shall contain an area of not less than 22.3 m^2 (240 ft^2) measuring 3.6 m (12 ft) by 6.1 m (20 ft).

20. Where the limits of the parking lot are defined by a curb, the parking lot shall be provided with a ramped curb as close as possible to the location which it is intended to serve and in no case shall it be further than 91.4 metres (300 feet) from the location which it is intended to serve.

21. Each Mobility Disabled parking space shall be located as close as possible to the location it is intended to serve.

22. Each Mobility Disabled parking space shall be clearly identified by a ground sign not exceeding 0.9 metres (3 feet).

Standards For Parking Areas

23. Where parking facilities for more than three (3) vehicles:

    (1) All parking areas including individual parking spaces, visitors and service spaces shall be clearly marked;
    (2) Individual parking spaces shall be 2.7 metres x 5.5 metres (9' x 18') except in the case of Mobility Disabled parking. Curb parking shall be 2.4 metres x 6.4 metres

(8' x 21'). All parking areas including driveways and maneuvering areas shall be maintained with a permanent hard surface and shall be defined by a concrete curb, ornamental brick, planting or other landscaped feature(s);

(3) All parking areas, except within the Downsview Complex (DC) zone, shall be located to the side or rear of buildings. Notwithstanding, a maximum of 20% of the total required parking spaces may be provided in the front of the building facing Sackville Drive;

(4) Notwithstanding Part 7 Section 23 (3), the requirement of parking areas being located to the side and rear yard of a building shall not apply under the following three conditions:
• change in use or occupancy within an existing building or structure; or
• the existing building/structure or parking lot is situated on a lot where it cannot reasonably satisfy Part 7 Section 23 (3); and
• topographic constraints where it cannot reasonably satisfy the requirements of Part 7 Section 23 (3);

(5) The parking area shall be maintained with a stable surface that is treated to prevent the raising of dust and loose particles;

(6) All parking areas shall provide for ingress and egress of motor vehicles to a street or highway by means of driveways, aisles or maneuvering areas where no parking or storage of motor vehicles is permitted. These areas shall be defined by concrete curb, ornamental brick, planting or other appropriate landscaping feature(s);

(7) In all parking lots that have greater than ten (10) parking stalls, curbs or other appropriate methods of delineating a pedestrian right of way and travel ways shall be provided to ensure safety between pedestrian and vehicular movements;

(8) No parking area shall be immediately adjacent to doors or passage ways from buildings. Where windows and doors exist on the ground floor of a residential building, no parking shall be located within 6.1 metres (20 feet) of such windows and doors;

(9) All parking areas shall provide maneuvering areas to permit vehicles to leave the property in a forward motion. **The width of a driveway leading to a parking lot or loading space, or of a driveway or aisle in a parking lot, shall be a minimum width of 3 metres (10 ft) for one-way traffic and a minimum of 6.1 metres (20 ft) for two-way traffic (NWCC-May 26/05;E-May 28/05)**;

(10) All parking layouts shall make provision for the stock-piling of snow in a manner which will not reduce the amount of required parking space available; or reduce visibility within corner vision triangles of adjacent street intersections and corner vision triangles at the intersection of the driveway(s) with the street;

(11) Where a parking area for a multiple-unit residential building or a commercial building abuts an existing or designated residential uses, such parking areas shall be screened by a minimum 1.2 metres (4 ft) high opaque fence or a minimum 1.2 metres (4 ft) high buffer or combination thereof which provides a visual barrier and separation. For the purpose of this section, a buffer shall mean a separation distance which contains existing trees/shrubs or newly planted trees/shrubs;

(12) If off street parking is available on a permanent basis within 91 metres (300 feet) of the building and clearly signed to indicate the use it is intended to serve, the parking requirements shall be deemed to be satisfied;

(13) Shared parking shall be encouraged were parking lots can be located in the side yards of two abutting and adjoining lots. A defined travel way shall be provided

for shared parking lots and shall be defined by concrete curb, ornamental brick, planting or other landscaping feature(s); and

(14) Notwithstanding Section 23 (3) and (4), a maximum of eight (8) parking spaces may be permitted within the front yard of PID 40003766 (541 Sackville Drive) provided the parking spaces are divided by a pedestrian pathway connecting Sackville Drive and the front facade of the building.

Standards For Driveways

24. One (1) driveway shall be permitted for any lot along Sackville Drive.

25. Notwithstanding Part 7 Section 24, two (2) driveways may be permitted to serve any lot along Sackville Drive of more than 30.48 metres (100 feet) but less than 180 metres (600 feet) of frontage on a Sackville Drive.

26. Notwithstanding Part 7 Section 24 and 25, any lot with more than 180 metres (600 feet) of frontage along Sackville Drive shall be permitted an additional driveway for each additional 150 metres (500 feet) of lot frontage on the street.

27. Driveways and parking areas may cross abutting property lines where an easement is provided.

28. Driveways shall be constructed pursuant to the HRM Bylaw Respecting Streets, as amended from time to time.

Parking for Bicycles

29. Deleted (RC-Jun 27/06;E-Aug 26/06)

30. Deleted (RC-Jun 27/06;E-Aug 26/06)

31. Deleted (RC-Jun 27/06;E-Aug 26/06)

32. Deleted (RC-Jun 27/06;E-Aug 26/06)

Parking Area Landscaping Requirements

33. All parking lots with <u>twenty (20) or more parking spaces</u>, such parking lots shall have ten (10) percent of their area landscaped with vegetation such that the parking lots do not have groups of parking stalls greater than twenty (20) in an uninterrupted area. Landscape planting areas which are used for the separation between banks of parking stalls shall be a minimum of 1.2 metres (4 feet) in width and may be calculated as impervious surface where applicable. For clarification, any new building or existing buildings (including additions and expansions) shall comply.

Tree Species from Appendix B: Sackville Drive Recommended Tree Species shall be utilized at a rate of 1 tree per ten (10) parking spaces.

34. Where a change in use results in a requirement for additional parking of 20 or more spaces the parking area landscaping requirements of Part 7 Section 33 shall apply. Notwithstanding, where the existing building location or topographic constraints of the lot prevents the developer from satisfying requirement, a lesser degree of landscaping shall be required. A lesser degree of landscaping within the parking lot shall refer to but not limited to, the one of the following:

(1) a minimum of one street tree per 6.1 metres (20 ft) of building frontage or frontage of leasable space; or
(2) landscape area a minimum of 4.6 m² (50 ft²) consisting of no dimension less than 0.6 m (2 ft); or
(3) a planter(s) constructed of natural material such as but not limited to wood, brick, stone or concrete and a minimum of 2.3m² (25 ft²) .

35. Further to Part 7 Section 34, the items listed above may be located in any or all of the following locations:

(1) along or in close proximity to the front property line;
(2) along or in close proximity to the side property line; or
(3) along the front facade of the building.

36. Where a change in use or occupancy would not result in a requirement for additional parking spaces pursuant to Part 7 Section 16 and 18, the parking area landscape requirements of Part 7 Section 33 shall not apply.

Loading Spaces

37. In any zone, no person shall erect or use any building or structure for manufacturing, storage, warehouse, department store, retail store, wholesale store, market, freight or passenger terminal, hotel, hospital, or other uses involving the frequent shipping, loading or unloading of animals or goods, unless there is maintained on the same premises with every such building, structure or use:

Gross Floor Area	*No. of Spaces*
Less than 464.4 m² (4999 ft²)	0
464.5 -1393.4 m² (5000-14,999 ft²)	1
393.4 -3251.4 m² (15,000-34,999 ft²)	2
More than 3251.5 m² (35,000 ft²)	3

38. Each loading space shall be at least 3.6 metres (12 ft) by 12.1 metres (40 feet) with a minimum of 4.3 metres (14 feet) height clearance. No such loading spaces shall be located within any required front yard or be located within any required yard which abuts any residential or park zone or use.

39. Each loading space shall not be obstructed by any other parking space or accessory structure.

40. The requirements in Part 7 Section 37 through to 39 may be waived if it is indicated that the uses which are to occupy a building do not require loading space(s).

40A <u>Bicycle Parking Facilities</u> (RC-Jun 25/14;E-Oct 18/14)

(1) For the whole of every building or structure to be erected or for the portion of a building or structure which is to be enlarged, on-site bicycle parking shall be provided in accordance with the following table:

Use	Bicycle Parking Requirement
Multiple Unit Dwelling	**0.5 spaces per dwelling unit 80% Class A, 20% Class B**
Hotels/ Motels/Inns	**1 space for every 20 rooms 80% Class A, 20% Class B Minimum 2 Class B spaces**
General Retail, Trade and Service, Food Store, Shopping Centre, Restaurants	**1 space per 300m² GFA 20% Class A/ 80% Class B Minimum 2 Class B spaces**
General Office, Banks, Medical Clinics, Institutional Uses, Government Buildings	**1 space per 500m² GFA 50% Class A/ 50% Class B Minimum 2 Class B spaces**
Auditoriums, Theatres, Stadiums, Halls	**1 space for every 20 seats 20% Class A/ 80% Class B Minimum of 2 Class B spaces Maximum of 50 spaces**
Schools, Colleges, Universities	**1 space for every 250m² GFA 20% Class A/ 80% Class B**
Recreation Facilities, Community Centres, Libraries.	**1 space per 200m² GFA 20% Class A/ 80% Class B Minimum of 2 Class B spaces**
General Industrial Uses	**1 space per 1000 m² GFA 80% Class A/ 20% Class B Minimum of 2 Class B spaces Maximum of 20 spaces**
Commercial Parking Structures/Lots (>20 Motor Vehicle Spaces)	**5% of motor vehicle parking provided Minimum of 2 Class B spaces Maximum of 50 spaces**
Any Uses Not Specified Above	**1 space per 500 m² GFA 50% Class A/ 50% Class B**

(2) Bicycle parking requirements shall not be required for the following land uses: single, two and three unit dwellings, townhouses, self storage facilities, car washes, cemeteries and funeral homes.

(3) Each Class B bicycle parking space shall:

- **(a) be a minimum of 0.6m wide and 1.8m long;**
- **(b) have a minimum overhead clearance of 2.0m;**
- **(c) be located a minimum of 0.6m from any wall or other obstruction.**

(4) Access to and exit from Class B bicycle parking spaces shall be provided with an aisle of not less than 1.2m in width, to be provided and maintained beside

or between each row of bicycle parking.

(5) Class A bicycle parking spaces shall have a minimum door opening of 0.6m, be no less than 1.8m long and 1.2m in height, with an aisle width of not less than 1.5m. Bicycle rooms and cages for the storage of multiple bicycles shall contain Class B racks so that individual bicycles are supported.

40B Location of Bicycle Parking

(1) Class B bicycle parking shall be located no more than 15m from an entrance. Where there are shelters such as building awnings or overhangs or special purpose-designed shelters that protect bicycles from the elements, bicycle parking may be located up to 30m from an entrance.

(2) Class A bicycle parking may be located up to 200m from an entrance.

(3) All bicycle parking spaces shall be located on hard surfaces in areas that are visible and well illuminated.

(4) Class B spaces shall be located at ground level and visible to passers-by or building security personnel. Where not immediately visible to passers-by, directional signage shall be provided.

40C Special Bicycle Parking Facility Requirements

(1) Where six (6) bicycle spaces are provided, a reduction of one (1) regular required motor vehicle parking space may be permitted up to a maximum of two (2) spaces.

(2) In any case where enhanced bicycle parking facilities are provided, for every two enhanced parking spaces, one regular required motor vehicle space may be eliminated up to a maximum reduction of 10% of the required motor vehicle parking.

(3) In cases of 100% lot coverage, Class B bicycle parking may be installed within the street right-of-way, in accordance with the provisions of the Streets By-law (S-300), provided it is within 91.4m from the location they are to serve.

LANDSCAPING

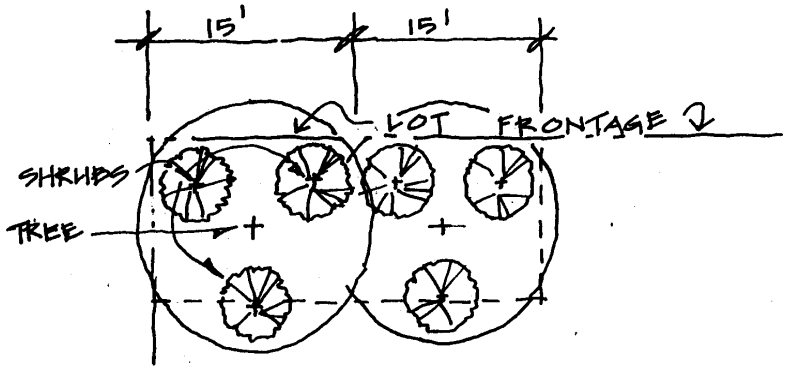
41. In all zones, except the Downsview Complex Zones (DC-1, DC-2, DC-3) and Large Scale Commercial (LS) Zone, a landscaped area a minimum of **4.6metres (15ft**) in depth running the length of and directly abutting the front lot line (measured from the **outside edge of sidewalk nearest to property line**), excluding driveway openings, shall be provided. **Where a sidewalk does not exist the landscape setback shall run the length of the front property line and measured from the front property line. (RC-Sep 5/06;E-Oct 7/06)**

42. Within the Large Scale Commercial (LS) Zone, a landscaped area of a minimum of 15.2 metres (50 feet) in depth running the length of and directly abutting the front lot line (measured from the front property line), excluding driveway openings, shall be provided. Notwithstanding, a landscaped area of a minimum of **4.6metres (15ft**) **(RC-Sep 5/06;E-Oct 7/06) in depth running the length of and directly abutting the lot line (measured from the outside edge of sidewalk nearest to property line (RC-Sep**

5/06;E-Oct 7/06)) shall be provided on any property with frontage on Douglas Avenue. (NWCC-May 26/05;E-May 28/05) Where a sidewalk does not exist the landscape setback shall run the length of the front property line and measured from the front property line. (RC-Sep 5/06;E-Oct 7/06)

43. Within the Downsview Complex Zones (DC-1, DC-2, DC-3), a landscaped area of a minimum of 15.2 metres (50 feet) in depth running the length of and directly abutting the front lot line (measured from the **outside edge of sidewalk nearest to property line**) parallel to Sackville Drive, excluding driveway openings, shall be provided. **Where a sidewalk does not exist the landscape setback shall run the length of the front property line and measured from the front property line. (RC-Sep 5/06;E-Oct 7/06)**

44. In all zones, the landscaped area shall be grassed, or alternatively, natural ground covers such as water features, stone (washed or flat), mulch, perennials, annuals, may be utilized. Within the landscaped area, trees, walls made of natural materials, planters, and shrubs shall be utilized and shall be planted at a rate of one (1) tree (minium of 45mm caliber) and three (3) shrubs per 4.6 metres (15 feet) of lot frontage. Tree Species from Appendix B: Sackville Drive R recommended Tree Species shall be utilized. Planting of one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet of lot frontage shall reflect a natural setting thereby grouping of trees and shrubs is encouraged.



45. Notwithstanding Part 7 Section 44, existing trees and shrubs shall be incorporated into the landscaped **setback**, and where possible may be calculated as part of the one (1) tree and three (3) shrubs per 4.6 metres (15 feet) feet requirement. **(RC-Sep 5/06;E-Oct 7/06)**

46. Within all zones, the twenty percent (20%) pervious surface requirement pursuant to this Bylaw may be included as a component of the landscape requirement identified in Part 7 Section 41through to 45 **and Part 6 Section 6 (NWCC-Sep 12/06;E-Sep 29/06)**. The 20% pervious surface requirement shall not include heavy soil, gravel or other similar materials.

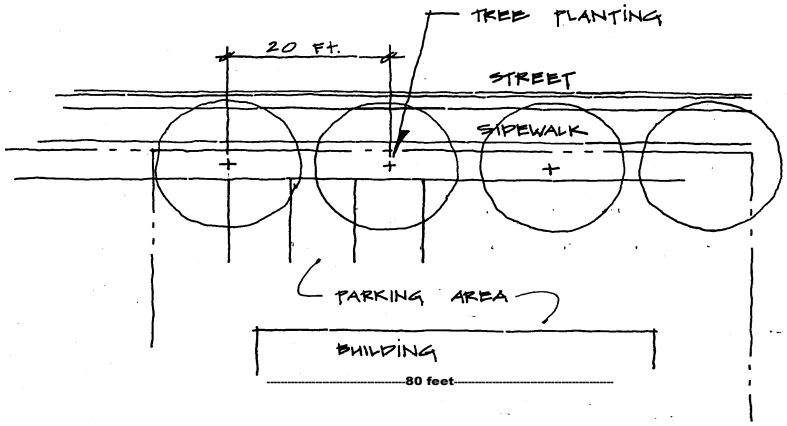
47. Where the existing building location or topographic constraints of the lot prevents the developer from satisfying requirements of Part 7 Section 41 through to 45, a lesser degree of landscaping shall be required. A lesser degree of landscaping within the parking lot shall refer to but not limited to, the one of the following:

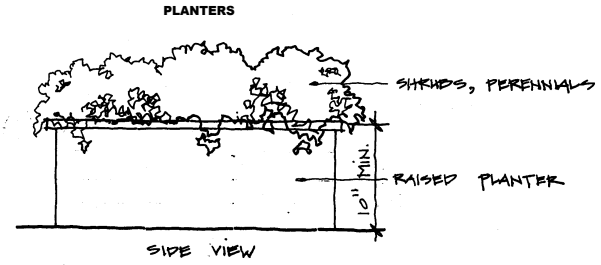
    (1) a minimum of one street tree per 6.1 metres (20 ft) of building frontage or frontage

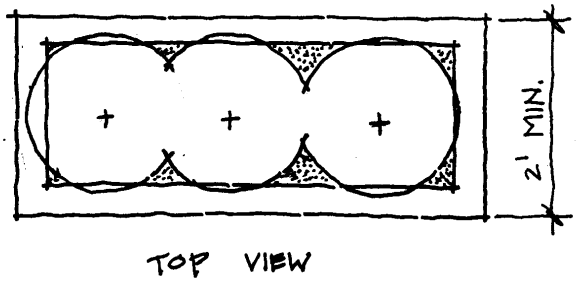
of leasable space; or

(2) landscape area a minimum of 4.6 m² (50 ft²) consisting of no dimension less than 0.6 m (2 ft); or

(3) a landscape planter constructed of natural material such as but not limited to wood, brick, stone or concrete and a minimum of 2.3m² (25 ft²) .







48. Pursuant to Part 7 Section 47, the items listed above may be located in any or all of the following locations:

(1) along or in close proximity to the front property line;
(2) along or in close proximity to the side property line; or
(3) along the front facade of the building.

49. Ground signs, sandwich boards and temporary mobile signs shall be permitted in the required landscape areas as defined in this section.

50. Notwithstanding Section 41, the required 6.1 meters (20 ft.) landscaped area may be reduced to a minimum of 4.6 meters (15 ft) on PID 40003766 (541 Sackville Drive).

Part 8: LARGE SCALE COMMERCIAL (LS) ZONE

Permitted Uses

1. No development permit shall be issued in any LS (Large Scale Commercial) Zone except for the following:

Commercial Uses
• Big Box (Large Box Retail)
• Retail Stores
• Food Stores
• Building Supply Outlets
• Offices
• Banks and Financial Institutions
• Restaurants (full service, drive-thru and take-out)
• Commercial Entertainment Uses
• Commercial Recreation Uses
• Garden Market and Nurseries associated with Retail Stores
• Automotive Rental Facilities/Car Rental Agency
• Automotive Service Stations
• Taxi and Bus Depots
• Commercial Parking Lot
• Automotive Repair Outlets
• Self Storage Facilities
• Motel/Hotel
• Funeral Home
• Motor Home Sales and Service
• Shopping Centre
• Strip Mall/Shopping Plaza
• Equipment Rental
• Bakeries (including wholesale)
• Service and Personal Service Shops contained with a Big Box (Large Box Retail**), Strip Mall/Shopping Plaza or Existing Multiple Unit Dwelling. (NWCC-May 10/07;E-May 26/07)**
• Existing Outdoor Display Courts
• Existing welding, plumbing and heating, electrical, automotive and other trade contracting services & shops • Existing Autobody Shop

Institutional and Community Uses
• Educational Institutions (including commercial schools)
• Denominational Institutions excluding cemeteries
• Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited
• **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
• Civic Buildings including by not limited to public office, post office, fire station, police station, library, museum, gallery
• **Public Transit Terminal (NWCC-May 26/05;E-May 28/05)**
• Community/Recreational Centre

• Community Parkland and Facility uses

Residential Uses
• Existing Single Unit Dwellings
• Existing Two Unit (detached and semi-detached) Dwellings
• Existing Townhouses
• Existing Multiple Unit Dwellings

Uses Permitted by Development Agreement

2. Notwithstanding the provisions of Part 8 Section 1, in any LS Zone, no development permit shall be issued for new commercial developments with building footprints of less than 10,000 square feet (929 m^2) or any proposed expansion to existing commercial developments which would maintain a total building footprint of less than 10,000 square feet, (10,000) square feet (929 m^2) **in any LS zone except (NWCC-May 26/05;E-May 28/05)** by development agreement in accordance with the Municipal Government Act.

A service station of any gross floor area shall be exempted from this development agreement provision. **In accordance with Policy DB-2 (a) of the Sackville Drive SPS a mixed use multiple unit development is permitted at 8 Walker Avenue and 732 Old Sackville Road by development agreement. (RC-Jul 21/15;E-Sep 12/15)**

Lot Provisions

3.

Minimum Lot Area	2,787 m² (30,000 ft²)
Minimum Lot Frontage	30.50 m (100 ft)
Minimum Front/Flankage Yard Setback	15.25 m (50 ft)
Minimum Rear Yard Setback	6.09 m (20 ft), except 18.28 m (60 ft) where abutting any residential zone
Minimum Sideyard Setback	6.09 m (20 ft), 18.28 m (60 ft) where abutting any residential zone or use
Maximum Lot Coverage	50 %
Minimum Pervious Surface Area	20 %
Number of Driveways	One per lot with frontage less than 30.5 m (100 ft)

4. No Development Permit shall be issued until all provisions of Part 8, the provisions of Part 6 (general provisions) and Part 7 (streetscape provisions) have been satisfied.

Part 9: DOWNSVIEW COMPLEX-1 (DC-1) ZONE

Permitted Uses

1. No development permit shall be issued in any DC-1 (Downsview Complex-1) Zone except for the following:

Uses

• Shopping Centres containing any of the following uses:
- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- **Health and Wellness Centres (NWCC-May 26/05;E-May 28/05)**
- Banks and Financial Institutions
- Restaurants (full service and take-out)
- Commercial Entertainment Uses
- **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
- Commercial Recreation Uses
- Garden Market associated with Retail Stores
- Bakeries
- Automotive Repair Outlets in conjunction with retail store
- Educational Institutions (including commercial schools)
- Denominational Institutions excluding cemeteries
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited
- Civic Buildings including but not limited to public office, post office, fire station, police station, library, museum, and gallery
- **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
- Community/Recreational Centre

• **Commercial Uses:**
- **Motel/Hotel/Guest Home**
- **Restaurants (full service, drive-thru and takeout) (NWCC-Aug 8/16;E-Aug 27/16)**

• Big Box (Large Box Retail) containing any of the following uses:
- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- **Health and Wellness Centres (RC-Apr 12/05;E-May 7/05)**
- Banks and Financial Institutions
- Restaurants (full service and take-out)
- Commercial Entertainment Uses
- **All Age/Teen Club (RC-Apr 12/05;E-May 7/05)**
- Commercial Recreation Uses
- Garden Market associated with Retail Stores

- Educational Institutions (including commercial schools)
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited

• Community Parkland and Facility uses

Uses Permitted by Site Plan Approval

2. • Shopping Centres
• Big Box (Large Box Retail)
• **Commercial Uses ((NWCC-Aug 8/16;E-Aug 27/16)**

Lot Provisions

3.

Minimum Lot Area	2,787 m² (30,000 ft²)
Minimum Lot Frontage	18.3 m (100 ft)
Minimum Front/Flankage Yard Setback	0 m (0 ft) unless otherwise specified in this Bylaw
Minimum Rear Yard Setback	0 m (0 ft) unless otherwise specified in this Bylaw
Minimum Sideyard Setback	0 m (0 ft) and 18.28 m (60 ft) where abutting any residential zone or use, unless otherwise specified in this Bylaw
Maximum Lot Coverage	80 %
Number of Driveways	One per lot with frontage less than 30.5 m (100 ft)

SITE PLAN APPROVAL

4. No development permit shall be issued for a shopping centre, **commercial use ((NWCC-Aug 8/16;E-Aug 27/16)** or a big box (large box retail) in the DC-1 (Downsview Complex-1) Zone prior to the Development Officer granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix A. All applications shall be accompanied by a plan or sketch of sufficient detail to address all of the matters identified in this Section. Notwithstanding, site plan approval shall not be required for a change in use or occupancy within an existing building**, internal renovations with no external renovation or modifications to an existing building, (RC-Apr 12/05;E-May 7/05)** or any signage associated with a change in use or occupancy.

5. Where provisions of the Site Plan Approval conflict with Part 6 and Part 7, the Site Plan Approval provisions shall prevail.

<u>General Requirements for Site Plan Approval</u>: Shopping Centres, Commercial Uses ((NWCC-Aug 8/16;E-Aug 27/16) and Big Box (Large Box Retail)

6. All shopping centres (including expansions) within the Downsview Complex-1 (DC-1) zone shall be subject to the approval of a Site Plan.

7. The Development Officer shall approve a site plan where the following matters have been addressed:

   (1) a left-hand turn lane stall to allow easy left turns from the mall as generally shown on Schedule C;
   (2) safe pedestrian linkages connecting the Mall to the parking lots, public transit system, the Plaza and Sackville Drive. The pedestrian linkages may be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;
   (3) at intersections, crosswalks and main building entries, a change in sidewalk color, texture, raised or material shall been utilized. Paint striping to accentuate these areas shall be prohibited;
   (4) sidewalks along the entire front facade of the building (i.e. Downsview Mall);
   (5) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of the building (i.e. Downsview Mall) and a means of (a) providing a pleasant pedestrian atmosphere, (b) a natural buffer between the parking lot and the sidewalk and (c) minimize scale of the building;
   (6) landscape elements including but not limited to light poles, furniture clusters, seating, trees, shrubs and planter boxes, are provided in clusters/groupings along Sackville Drive in the area identified on Schedule C. Each cluster/group contains a minimum of one (1) benches, one (1) light, one (1) street tree with a combination of small shrubs, planters and other landscape elements;
   (7) street trees identified in Appendix B are provided along both sides of Walker Connector thoroughfare at a rate of one (1) tree for every 50 feet as a means of minimizing visual impact of the large parking lot;
   (8) a ground sign at the intersection of Walker Connector and Sackville Drive is provided. The ground sign shall incorporate a pedestrian shelter, community bulletin and seating area. The ground sign shall comply with all applicable signage regulations with the except of sign area and may be excluded from the permitted total number of signs requirement; and
   (9) all of the items required by this policy shall be adequately maintained.

Part 10: DOWNSVIEW COMPLEX-2 (DC-2) ZONE

Permitted Uses

1. No development permit shall be issued in any DC-2 (Downsview Complex-2) Zone except for the following:

Uses

• Shopping Centres containing any of the following uses:
- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- **Health and Wellness Centres (NWCC-May 26/05;E-May 28/05)**
- Banks and Financial Institutions
- Restaurants (full service, take-out and drive-thru)
- Commercial Entertainment Uses
- **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
- Commercial Recreation Uses
- Garden Market associated with Retail Stores
- Bakeries
- Automotive Repair Outlets in conjunction with retail store
- Educational Institutions (including commercial schools)
- Denominational Institutions excluding cemeteries
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited
- Civic Buildings including but not limited to public office, post office, fire station, police station, library, museum, and gallery
- **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
- Community/Recreational Centre

• Big Box (Large Box Retail) containing any of the following uses:
- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- **Health and Wellness Centres (RC-Apr 12/05;E-May 7/05)**
- Banks and Financial Institutions
- Restaurants (full service and take-out)
- Commercial Entertainment Uses
- **All Age/Teen Club (RC-Apr 12/05;E-May 7/05)**
- Commercial Recreation Uses
- Garden Market associated with Retail Stores
- Educational Institutions (including commercial schools)
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited

• Community Parkland and Facility uses

Uses Permitted by Site Plan Approval

2. • Shopping Centres
• Big Box (Large Box Retail)

Lot Provisions

3.

Minimum Lot Area	2,787 m² (30,000 ft²)
Minimum Lot Frontage	18.3 m (60 ft)
Minimum front/Flankage Yard Setback	0 m (0 ft) unless otherwise specified in this Bylaw
Minimum Rear Yard Setback	0 m (0 ft) unless otherwise specified in this Bylaw
Minimum Sideyard Setback	0 m (0 ft) and 18.28 m (60 ft) where abutting any residential zone or use, unless otherwise specified in this Bylaw
Maximum Lot Coverage	80 %
Number of Driveways	One per lot with frontage less than 30.5 m (100 ft)

SITE PLAN APPROVAL

4. No development permit shall be issued for a shopping centre or a big box (large box retail) in the DC-2 (Downsview Complex-2) Zone prior to the Development Officer granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix A. All applications shall be accompanied by a plan or sketch of sufficient detail to address all of the matters identified in this Section. Notwithstanding, site plan approval shall not be required for a change in use or occupancy within an existing building, **internal renovations with no external renovation or modifications to an existing building, (RC-Apr 12/05;E-May 7/05)** or any signage associated with a change in use or occupancy.

5. Where provisions of the Site Plan Approval conflict with Part 6 and Part 7, the Site Plan Approval provisions shall prevail.

General Requirements for Site Plan Approval:

Shopping Centres and Big Box (Large Box Retail)

6. All shopping centres (including expansions) within the Downsview Complex-2 (DC-2) shall be subject to the approval of a Site Plan.

7. The Development Officer shall approve a site plan where the following matters have been addressed:

(1) pedestrian linkages connecting the Mall to the parking lots, public transit system, the Plaza and Sackville Drive. The pedestrian linkages can be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;

(2) at intersections, crosswalks and main building entries, a change in sidewalk color, texture, raised or material has been utilized. Paint striping to accentuate these areas shall be prohibited;

(3) additional parking spaces for the purpose of facilitating the "park n ride" facility;

(4) sidewalks along the entire front facade of the building (i.e. Downsview Plaza);

(5) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of the building (i.e. Downsview Plaza) and a means of (a) providing a pleasant pedestrian atmosphere, (b) a natural buffer between the parking lot and the sidewalk and (c) minimize scale of the building;

(6) landscape elements including but not limited to light poles, furniture clusters, seating, trees, shrubs and planter boxes, are provided in clusters/groupings along Sackville Drive in the area identified on Schedule C. Each cluster/group contains a minimum of one (1) benches, one (1) light, one (1) street tree with a combination of small shrubs, planters and other landscape elements;

(7) street trees identified in Appendix B are provided along both sides of Downsview Complex Thoroughfare as shown on Schedule C at a rate of one (1) tree for every 50 feet as a means of minimizing visual impact of the large parking lot; and

(8) all of the items required by this policy shall be adequately maintained.

Part 11: DOWNSVIEW COMPLEX-3 (DC-3) ZONE

Permitted Uses

1. No development permit shall be issued in any DC-3 (Downsview Complex-3) Zone except for the following:

Commercial Uses
- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- Banks and Financial Institutions
- Restaurants (full service, drive-thru and take-out)
- Commercial Entertainment Uses
- **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
- Commercial Recreation Uses
- Transit (Taxi and Bus) Terminals
- "Park n Ride" Facilities
- Garden Market associated with Retail Stores
- Automotive Repair Outlets in conjunction with retail store
- Self Storage Facilities
- Automotive Service Stations
- Motel/Hotel/Guest Home
- Commercial Parking Lots

Institutional and Community Uses
- Educational Institutions (including commercial schools)
- Denominational Institutions excluding Cemeteries
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited
- Civic Buildings including by not limited to public office, post office, fire station, police station, library, museum, and gallery
- Community/Recreational Centre
- Community Parkland and Facility uses

Residential Uses
- Seniors Residential Complex
- Residential Care Facility
- Multiple Unit Dwellings

Uses Permitted by Site Plan Approval

2. - all Commercial Uses
   - all Institutional and Community Uses
   - all Residential Uses

Lot Provisions

3.	Minimum Lot Area	557.4 m² (6,000 ft²)
	Minimum Lot Frontage	18.3 m (60 ft)
	Minimum Front/Flankage Yard Setback	0 m (0 ft) unless otherwise specified in this Bylaw
	Minimum Rear Yard Setback	0 m (0 ft) unless otherwise specified in this Bylaw
	Minimum Sideyard Setback	0 m (0 ft) and 18.28 m (60 ft) where abutting any residential zone or use, unless otherwise specified in this Bylaw
	Maximum Lot Coverage	80 %
	Number of Driveways	One per lot with frontage less than 30.5 m (100 ft)

SITE PLAN APPROVAL

4. No development permit shall be issued in the DC-3 (Downsview Complex-3) Zone prior to the Development Officer granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix A. All applications shall be accompanied by a plan or sketch of sufficient detail to address all of the matters identified in this Section.

5. Where provisions of the Site Plan Approval conflict with Part 6 and Part 7, the Site Plan Approval provisions shall prevail.

General Requirements for Site Plan Approval:

Commercial, and Institutional and Community Uses

6. All commercial, institutional and community uses, within this zone shall be subject to the approval of a Site Plan.

7. The Development Officer shall approve a site plan where the following matters have been addressed:

   (1) the building is located and orientated within the building envelope as to ensure the primary facade of the building fronts the internal circulation network (inward focus) of the Downsview Complex area. Notwithstanding, all buildings located within 30.5 m (100 ft) of Sackville Drive shall be located and orientated within the building envelope as to ensure primary facades of the building front both the internal circulation network of the Downsview Complex area and Sackville Drive;
   (2) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of the building and a means of (a) providing a pleasant pedestrian atmosphere, (b) a natural buffer between the parking lot and the sidewalk and (c) minimize scale of the building;
   (3) sidewalks are be provided along the entire front facade of any stand alone building.

(4) safe pedestrian linkages connecting the proposed building to the parking lots, public transit system, the Plaza, the Mall and Sackville Drive. The pedestrian linkages can be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;
(5) at intersections, crosswalks and main building entries, a change in sidewalk color, texture, raised or material has been utilized. Paint striping to accentuate these areas shall be prohibited;
(6) the building is accessed by the internal circulation network only and that there is no direct access to Sackville Drive; and
(7) all of the items required by this policy shall be adequately maintained.

General Requirements for Site Plan Approval:

Residential Uses

8. All residential uses, within this zone shall be subject to the approval of a Site Plan.

9. The Development Officer shall approve a site plan where the following matters have been addressed:

(1) the building is located and orientated within the building envelope as to ensure the primary facade of the building fronts the internal circulation network (inward focus) of the Downsview Complex area. Notwithstanding, all buildings located within 30.5 m (100 ft) of Sackville Drive shall be located and orientated within the building envelope as to ensure primary facades of the building front both the internal circulation network of the Downsview Complex area and Sackville Drive;
(2) safe pedestrian linkages connecting the Multiple Unit Dwellings, Seniors Residential Complex, or Residential Care Facility to the parking lots, public transit system, the Plaza, the Mall and Sackville Drive. The pedestrian linkages can be a combination of crosswalks, sidewalks and trails. Paint striping to accentuate these areas shall be prohibited;
(3) landscape elements such as but not limited to small shrubs, trees, benches, lighting, and planters are provided along the entire front facade of the building (i.e. Downsview Plaza) and a means of (a) providing a pleasant pedestrian atmosphere, (b) a natural buffer between the parking lot and the sidewalk and (c) minimize scale of the building;
(4) the building is accessed by the internal circulation network only and that there is no direct access to Sackville Drive;
(5) a minimum of 20% of the total land area is grassed or otherwise landscaped; and
(6) all of the items required by this policy shall be adequately maintained.

Additional Requirements:

Multiple Unit Dwelling, Seniors Residential Complex and Residential Care Facilities

10. Where any multiple unit dwelling, seniors residential complex or residential care facility is **permitted (NWCC-Sep 12/06;E-Sep 29/06)**, the following shall apply:

(1) Deleted (RC-Sep 5/06;E-Oct 7/06)

(2) Amenity space shall be set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The amenity space shall be provided based on the type of residential unit as follows:

(a)	**One Bedroom/Bachelor:**	**18.6 sq m (200 sq ft)**
(b)	**Two Bedroom:**	**53.4 sq m (575 sq ft)**
(c)	**Three Bedroom:**	**88.2 sq m (950 sq ft)**
(d)	**Four or more Bedroom:**	**123.1 sq m (1,325 sq ft)**

For the purposes of determining amenity space, one bedroom plus den/office units shall be considered to be a two-bedroom unit, two bedroom plus den/office units shall be considered to be a three-bedroom unit and so on; (NWCC-Sep 12/06;E-Sep 29/06)

(3) Deleted (NWCC-Sep 12/06;E-Sep 29/06)

Part 12: PEDESTRIAN RETAIL (PR) ZONE

Permitted Uses

1. No development permit shall be issued in any PR (Pedestrian Retail) Zone except for the following:

Commercial Uses
- Retail Stores
- Food Stores
- Offices
- Service and Personal Service Shops
- **Health and Wellness Centres (NWCC-May 26/05;E-May 28/05)**
- Banks and Financial Institutions
- Restaurants (full service and take-out)
- Commercial Entertainment Uses a maximum of **232.3** m^2 (**2,500** ft^2) **(NWCC-Sep 25/08;E-Oct 11/08)** devoted to public use
- **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
- Funeral Parlours and undertaker establishments
- Bakeries/Café's
- Bed and Breakfast
- Guest Home
- Strip Mall/Shopping Plaza
- **Motels, Hotels (NWCC-May 26/05;E-May 28/05)**
- **Automotive Repair Outlets within the area identified on Schedule E (RC-Sep 5/06;E-Oct 7/06)**
- **Outdoor Display Courts within the area identified on Schedule E (RC-Sep 5/06;E-Oct 7/06)**
- **Automotive Repair Outlet at 651 Sackville Drive (PID #40003527) (RC-Apr 12/05;E-May 7/05)**
- Existing Commercial Recreation
- Existing Equipment Rental
- Existing Recycling Depots
- Existing Automotive Service Stations
- Existing Automotive Repair Outlets
- Existing Outdoor Display Courts
- Existing Car Wash
- Existing Restaurants (drive-thru)
- Existing welding, plumbing and heating, electrical, automotive, other special trade contracting services & shops

Institutional and Community Uses
- Educational Institutions (including commercial schools)
- Denominational Institutions excluding Cemeteries
- **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
- Civic Buildings including but not limited to public office, post office, visitor information centre, fire station, police station, library, museum, and gallery
- Medical, Veterinary and Health Service Clinics; outdoor kennels associated with

veterinary clinics are prohibited
• Community/Recreational Centre
• Community Parkland and Facility uses

Residential Uses
• Existing Single Unit Dwellings
• Existing Two Unit (detached and semi-detached) Dwellings
• **One and Two Dwelling Units in Conjunction With a Commercial Use (RC-Apr 12/05;E-May 7/05)**
• Multiple Unit Dwellings
• Seniors Residential Care
• Residential Care Facility

Uses Permitted by Development Agreement

2. Notwithstanding the provisions of Section 12 (1), in any PR Zone, no development permit shall be issued for a new commercial buildings or structures with a footprint greater than 5,000 square feet (464.5 m²), or any expansion to a building or structure which currently exceed a footprint of 5,000 square feet (464.5 m²), or any proposed expansion to an existing commercial building or structure which would result in a total building footprint greater than 5,000 square feet (464.5 m²) on any PR zoned lot and shall only be considered by development agreement in accordance with the provisions of the Municipal Government Act.

Lot Provisions

3.

Minimum Lot Area……	371.6 m² (4,000 ft²)
Minimum Lot Frontage……..	12.2 m (40 ft)
Minimum Front/Flankage Yard Setback……	**4.6m (15 ft) (RC-Sep 5/06;E-Oct 7/06)**
Minimum Rear Yard Setback ……	4.6 m (15 ft), **except where building abutting any residential zone or use the setback shall be 4.6m (15ft) or ½ height building which ever is greater. (RC-Sep 5/06;E-Oct 7/06)**
Minimum Sideyard Setback ……..	0 m (0 ft), except 6.1m 20 ft) corner vision triangle required for corner lot. **Where building abutting any residential zone or use the setback shall be 4.6m (15ft) or ½ height building which ever is greater. (RC-Sep 5/06;E-Oct 7/06)**
**Maximum Height…….. **	**Deleted (RC-Sep 5/06;E-Oct 7/06)**
Maximum Lot Coverage……	50 %
Minimum Pervious Surface Area……	20 %
Number of Driveways……	One per lot with frontage less than 30.5 m (100 ft)

4. No Development Permit shall be issued until all provisions of this section and the provisions and guidelines of Part 6 (general provisions) and Part 7 (streetscape provisions)

have been satisfied.

SPECIAL REQUIREMENTS: Multiple Unit Dwellings

5. Notwithstanding the provisions of Part 12, where any multiple unit dwelling is **permitted (NWCC-Sep 12/06;E-Sep 29/06)**, the following shall apply:

(1) where a lot has frontage on Sackville Drive, commercial shall be provided and located at street level facing Sackville Drive;

(2) Amenity space shall be set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The amenity space shall be provided based on the type of residential unit as follows:

(a)	**One Bedroom/Bachelor:**	**18.6 sq m (200 sq ft)**
(b)	**Two Bedroom:**	**53.4 sq m (575 sq ft)**
(c)	**Three Bedroom:**	**88.2 sq m (950 sq ft)**
(d)	**Four or more Bedroom:**	**123.1 sq m (1,325 sq ft)**

For the purposes of determining amenity space, one bedroom plus den/office units shall be considered to be a two-bedroom unit, two bedroom plus den/office units shall be considered to be a three-bedroom unit and so on. (NWCC-Sep 12/06;E-Sep 29/06)

SITE PLAN APPROVAL: Outdoor Display Court and Automotive Repair Outlets

6. No development permit shall be issued within the area illustrated on Schedule E for an outdoor display court or an automotive repair outlet prior to the Development Office granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix A. All applications shall be accompanied by a plan or sketch of sufficient detail to address all of the matters identified in this Section.

7. In addition to any other applicable requirements found elsewhere in this By-law, the following requirements shall apply to all uses subject to site plan approval:

(1) Location of Building and Structures: Main buildings shall be positioned on the site as the primary feature and outdoor display areas and parking lots shall be secondary with the exception of the limited front yard display described below.

(2) Location of Outdoor Display Area: The outdoor display area shall be positioned on the site in such a way to minimize public view of the entire product on display. Front yard display shall be permitted to showcase select vehicles provided it is achieved in a creative and attractive manner.

(3) Location of Walkways and Pedestrian Access: Walkways shall be provided along the front facade of the buildings and to the entrance of the buildings.

(4) Location of Outdoor Lighting: Lighting shall be directed to driveways, loading area, building entrances and walkways and shall be arranged so as to

divert the light away from streets, adjacent lots and buildings. Lighting shall be permitted for the outdoor display area for the purpose of safety and security and shall not be permitted for night time display of product or merchandise.

(5) Location of Service Bays: Service bays shall be located in such a way to ensure they are not visible from Sackville Drive for all new buildings and major renovations/additions. Features such as but not limited to architectural treatments, landscaping, and fencing may be utilized to achieve this provision. (RC-Sep 5/06;E-Oct 7/06)

Part 13: ACADIA VILLAGE CENTRE (VC) ZONE

Permitted Uses

1. No development permit shall be issued in any Acadia Village Centre (VC) zone except for the following:

Commercial Uses
- Retail Stores
- Food Stores a maximum of 74.3 m² (800 ft²) devoted to public use
- Offices
- Service and Personal Service Shops
- **Health and Wellness Centres (NWCC-May 26/05;E-May 28/05)**
- Banks and Financial Institutions
- Restaurants (full service and take out)
- Commercial Entertainment Uses a maximum of 74.3 m² (800 ft²) devoted to public use
- **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
- Bakeries/Café's
- Bed and Breakfast
- Guest Home
- Existing Strip Malls/Shopping Plaza's

Institutional and Community Uses
- Educational Institutions (including commercial schools)
- Denominational Institutions excluding Cemeteries
- **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
- Civic Buildings including but not limited to public office, post office, visitor information centre, fire station, police station, library, museum, and gallery
- Community/Recreational Centre
- Community Parkland and Facility uses

Residential Uses
- Existing Single Unit Dwellings
- Multiple Unit Dwellings
- Seniors Residential Care
- Residential Care Facility

2. No development permit shall be issued in any VC (Acadia Village Centre) Zone unless the proposed development is in conformance with a development agreement which has been approved by Council.

   (1) Notwithstanding Part 13 Section 2, a permit for a change in use or occupancy within an existing commercial building or structure with no proposed expansions or additions may be issued by the Development Officer without being subject to the development agreement requirement. All relevant requirements of this Bylaw shall apply and permitted uses shall be those listed in the PR (Pedestrian Retail) zone.

(2) Notwithstanding Part 13 Section 2 (1), a permit for additions and expansions to the existing single unit dwellings, or accessory buildings or uses may be issued by the Development Officer without being subject to the development agreement requirement.

(3) Notwithstanding Part 13 Section 2 (1), a permit may be issued for an expansion or addition to the existing building(s) known as Acadia Hall located on PID #40003287 or Acadia School located on PID #40003295, by the Development Officer without being subject to the development agreement requirement but shall comply to all relevant provisions of this By-Law and the permitted uses shall be those identified in Part 13 Section 1.

(4) Notwithstanding Part 13 Section 2 (1), a permit may be issued for an accessory building or an expansion or addition of 300 sq ft (27.87 m²) or less to an existing building by the Development Officer without being subject to the development agreement requirement provided the accessory building expansion or addition is not visible from Sackville and complies with all applicable provisions of this By-Law. (RC-Apr 12/05;E-May 7/05)

(5) Notwithstanding Part 13 Section 2(1), a permit may be issued for signage relating to an existing building by the Development Officer without being subject to the development agreement requirement provided the signage complies with the provisions for all signage in the Pedestrian Retail (PR) zone. (NWCC-Sep 12/06;E-Sep 29/06)

4. Notwithstanding Part 13 Section 2 (1), a permit may be issued for a change in use to Institutional or Community uses to the existing building(s) known as Acadia Hall located on PID #40003287 or Acadia School located on PID #40003295 by the Development Officer without being subject to the development agreement requirement but shall comply to all relevant provisions of this By-Law and the permitted uses shall be those identified in Part 13 Section 1.

5. In the event Council approves a development agreement proposal, approval shall only be granted subject to the condition that the registered owner of the land upon which the development is to occur enter into an agreement with Council containing such terms and conditions as Council may direct. Council may discharge the agreement upon the completion of particular phases of the development pursuant to the Sackville Drive Municipal Planning Strategy and apply an appropriate zone.

Part 14: PINEHILL/COBEQUID (PC) ZONE

Permitted Uses

1. No development permit shall be issued in any PC (Pinehill/Cobequid) Zone except for the following:

Commercial Uses
• Retail stores
• Food stores
• Building Supply Outlets
• Personal service shops
• **Health and Wellness Centres (NWCC-May 26/05;E-May 28/05)**
• Offices
• Commercial schools
• Banks and financial institutions
• Restaurants (full service, take-out, drive-thru)
• Shopping Plaza/Strip Mall
• Commercial Entertainment
• **All Age/Teen Club (NWCC-May 26/05;E-May 28/05)**
• Motels, Hotels
• Guest Homes
• Bed and Breakfasts
• Commercial Recreation
• Automotive Service Stations
• Greenhouses and nurseries
• Garden Market in conjunction with a retail store
• Welding, plumbing and heating, electrical, automotive and other special trade contracting services and shops
• Re-cycling depots
• Automotive Repair Outlets
• Funeral Parlours and undertaker establishments
• Bakeries (including wholesale)
• Printing and publishing establishments
• Car Wash
• Service Shop
• **Outdoor Display Courts (RC-Sep 5/06;E-Oct 7/06)**
• Existing auto body shops

Institutional and Community Uses
• Educational Institutions (including commercial schools)
• Denominational Institutions excluding Cemeteries
• **Day Care Facilities (RC-Mar 3/09;E-Mar 21/09)**
• Civic Buildings including but not limited to public office, post office, fire station, police station, library, museum, and gallery
• Medical, Veterinary and Health Service Clinics; outdoor kennels associated with veterinary clinics are prohibited.
• Community/Recreational Centre

• Community Parkland and Facility uses
• **Residential Care Facilities (NWCC-May 24/07;E-Jun 9/07)**

Residential Uses
• Existing Single Unit Dwellings
• Existing Two (detached and semi-detached) Dwellings
• Townhouses
• Multiple Unit Dwellings

Uses Permitted by Development Agreement

2. Notwithstanding the provisions of Part 14 Section 1, in any PC Zone, no development permit shall be issued for a new commercial buildings or structures with a footprint greater than 15,000 square feet (1,393.5 m²), or any expansion to a building or structure which currently exceed a footprint of 15,000 square feet (1,393.5 m²), or any proposed expansion to an existing commercial building or structure which would result in a total building footprint greater than 15,000 square feet (1,393.5 m²) on any PC zoned lot and shall only be considered by development agreement in accordance with the provisions of the Municipal Government Act.

Lot Provisions

3.

Minimum Lot Area…….	929 m² (10,000 ft²)
Minimum Lot Frontage……	18.3 m (60 ft)
Minimum Front/Flankage Yard Setback……	**4.6metres (15ft) (RC-Sep5/06;E-Oct7/06)**
Minimum Rear Yard Setback……	4.6 m (15 ft) **except where building abutting any residential zone or use the setback shall be 4.6m (15ft) or ½ height building whichever is greater. (RC-Sep 5/06;E-Oct 7/06)**
Minimum Sideyard Setback……..	4.6 m (15 ft), except 6.1m (20 ft) corner vision triangle required for corner lot **and ½ height of the buildings where abutting any residential zone or use. Where building abutting any residential zone or use the setback shall be 4.6m (15ft) or ½ height building whichever is greater. (RC-Sep 5/06;E-Oct 7/06)**
Maximum Lot Coverage…….	50 %
Minimum Pervious Surface Area……	20 %
Number of Driveways……	One per lot with frontage less than 30.5 m (100 ft)

Lot Provisions for Townhouses

4.

Minimum Lot Area…….	185.8 m² (2,000 ft²) per dwelling where each dwelling unit of a townhouse dwelling is located on a separate lot

Minimum Lot Frontage……..	6.1 metres (20 feet) per dwelling where each dwelling unit of a townhouse dwelling is located on a separate lot or 18.2 metres (60 feet) per lot with two (2) or more units
Minimum Front or Flankage Yard Setback….	6.1 metres (20 feet)
Minimum Rear Yard Setback…….	2.4 metres (8 feet)
Minimum Sideyard Setback……	3 metres (10 feet) or 0 meters (0 ft) from the side being common with another dwelling unit except 6.1m (20 ft) corner vision triangle required for corner lot
Maximum Lot Coverage……..35 %	
Minimum Width of Main Building…….	6.1 m (20 ft)
Minimum Pervious Surface Area……	20 %

5. No Development Permit shall be issued until all provisions of this section and the provisions and guidelines of Part 6 (general provisions) and Part 7 (streetscape provisions) have been satisfied.

SPECIAL REQUIREMENTS: 30 Old Sackville Road

6. Notwithstanding Part 14 Section 3, the property identified as 30 Old Sackville Road (PID# 40010241) shall be subject a minimum lot area of 558 m² (6,000 sq ft), if subdivided, rather than required 929m² (10,000 sq ft). In addition, PID# 40010241 shall not be subject to the minimum landscape setback requirement of **4.6 m (15ft)** but shall be subject all other applicable provisions of this Bylaw. **(RC-Sep 5/06;E-Oct 7/06)**

SPECIAL REQUIREMENTS: Multiple Unit Dwellings

7. Notwithstanding the provisions of Part 14, where any multiple unit dwelling is **permitted (NWCC-Sep 12/06;E-Sep 29/06)**, the following shall apply:

(1) Amenity space shall be set aside for recreational purposes such as common recreational areas, play areas, recreational rooms, roof decks, swimming pools, courtyards, gardens, patios and tennis courts and clearly identified on plans submitted for a Development Permit. The amenity space shall be provided based on the type of residential unit as follows:

(a)	**One Bedroom/Bachelor:**	**18.6 sq m (200 sq ft)**
(b)	**Two Bedroom:**	**53.4 sq m (575 sq ft)**
(c)	**Three Bedroom:**	**88.2 sq m (950 sq ft)**
(d)	**Four or more Bedroom:**	**123.1 sq m (1,325 sq ft)**

For the purposes of determining amenity space, one bedroom plus den/office units shall be considered to be a two-bedroom unit, two bedroom plus den/office units shall be considered to be a three-bedroom unit and so on. (NWCC-Sep 12/06;E-Sep 29/06)

SITE PLAN APPROVAL: Outdoor Display Court

8. No development permit shall be issued within the Pinehill/Cobequid Zone (PC) for an outdoor display court prior to the Development Office granting Site Plan Approval. Applications for site plan approval shall be in the form specified in Appendix A. All applications shall be accompanied by a plan or sketch of sufficient detail to address all of the matters identified in this Section. (RC-Sep 5/06;E-Oct 7/06)

9. In addition to any other applicable requirements found elsewhere in this By-law, the following requirements shall apply to all uses subject to site plan approval:

1. Location of Building and Structures: Main buildings shall be positioned on the site as the primary feature and outdoor display areas and parking lots shall be secondary with the exception of the limited front yard display described below.
2. Location of Outdoor Display Area: The outdoor display area shall be positioned on the site in such a way to minimize public view of the entire product on display. Front yard display shall be permitted to showcase select vehicles provided it is achieved in a creative and attractive manner.
3. Location of Walkways and Pedestrian Access: Walkways shall be provided along the front facade of the buildings and to the entrance of the buildings.
4. Location of Outdoor Lighting: Lighting shall be directed to driveways, loading area, building entrances and walkways and shall be arranged so as to divert the light away from streets, adjacent lots and buildings. Lighting shall be permitted for the outdoor display area for the purpose of safety and security and shall not be permitted for night time display of product or merchandise.
5. Location of Service Bays: Service bays shall be located in such a way to ensure they are not visible from Sackville Drive for all new buildings and major renovations/additions. Features such as but not limited to architectural treatments, landscaping, and fencing may be utilized to achieve this provision. (RC-Sep 5/06;E-Oct 7/06)

Part 15: OUTDOOR DISPLAY COURT (ODC) ZONE

Deleted (RC-Sep 5/06;E-Oct 7/06)

Part 16: COMMUNITY PARKLAND AND FACILITY (CP) ZONE

Permitted Uses

1. No development permit shall be issued in any Community Parkland and Facility (CP) Zone except for the following:

• Conservation related uses;
• Public parks for passive recreational activities;
• Natural trails and educational trails;
• Picnic parks;
• Cemetery;
• Museums and community centres in association with public parks;
• Any naturally or normally incidental or subordinate uses to the uses listed above that are exclusively devoted to the above uses and which would not destroy the natural processes of the area.
• Uses of a similar nature to the foregoing; and
•Uses accessory to the forgoing uses, including washrooms, refreshment booth, or pavilion/interpretative centre.

2. Lot Provisions

In any CP Zone, no development permit for cemeteries, museums and community centres in association with public parks shall be issued except in conformity with the following;

Minimum Lot Area:	**6,000 square feet**
Minimum Frontage:	**60 feet (18.3 m)**
Minimum Front or Flankage Yard	**30 feet (9.1 m)**
Minimum Rear or Side Yard	**½ the height of the main building**
Maximum Lot Coverage	**50 %**

(NWCC-May 26/05;E-May 28/05)

Part 17: P-3 (FLOOD PLAIN) ZONE

Permitted Uses

1. No development permit shall be issued in any P-3 (Floodplain) Zone except for the following:

Open Space Uses
- Parking areas involving no grade alternations, provided the capacity of the floodway is not reduced
- Public and private parks and playgrounds
- Conservation related uses
- Arcades, boardwalks, esplanades, hiking and walking trails

Environmental Protection Measures
- Stormwater Management Ponds
- **Water Control Structures (RC-Jun 25/14;E-Oct 18/14)**
- **Wastewater, stormwater and water infrastructure. Treatment facilities for wastewater, stormwater and water infrastructure shall be limited to those facilities that existed on or before, June 25, 2014. (RC-Jun 25/14;E-Oct 18/14)**

Prohibited Uses and Structures

2. Notwithstanding the provisions of Part 17 (1), no structure shall be used or constructed to be used for human habitation, whether permanent or temporary, in any P-3 Zone.

3. Permitted structures within any P-3 Zone shall be constructed or placed on a lot so as to minimize obstruction to the flow of flood waters and shall be firmly anchored to prevent flotation.

Restrictions: Grade Alternations

4. Within any P-3 Zone, no grade alterations shall be permitted for the purpose of erecting any permanent structure or building.

5. Within any P-3 Zone, no grade alteration which affects the capacity of the 1:20 floodway or increases flood levels shall be permitted.

6. Any land disturbance associated with a permitted use shall be stabilized through the use of landscaping or other appropriate means, as determined by the Municipal Engineer, to prevent erosion.

APPENDIX A:
SITE PLAN APPROVAL SUBMISSION REQUIREMENTS

1. To assist in the evaluation of site plan approval process, the following information shall be provided:

   (1) a plan to a scale of not greater than 1":100' showing such items as:
      (a) an overall concept plan showing the location of all proposed land uses;
      (b) each residential area indicating the number of dwelling units of each type and an indication of the number of bedrooms;
      (c) description, area, and location of all proposed commercial, cultural, mixed-use projects proposed;
      (d) location, area, shape, landscaping and surface treatment of all public and private open spaces or park areas;
      (e) plan(s) showing all proposed streets, walkways, sidewalks, bus bays and bike routes;
      (f) a description of any protected viewplanes; and,
      (g) an indication of how the phasing and scheduling is to proceed.

   (2) For individual phases of a development more detailed concept plans are to be provided indicating such items as maximum building heights, location and configuration of parking lots, landscaping plans, and any additional information required to be able to assess the proposal in terms of the provisions of the Municipal Planning Strategy.

   (3) Plans to the scale of not greater than 1":100' showing schematics of the proposed sanitary and storm sewer systems and, water distribution system.

APPENDIX B:
SACKVILLE DRIVE RECOMMENDED TREE SPECIES

General Species

Marshalls Green Ash (Fraxinus pennsylvanica "Marshalls seedless")
Glenleven Linden (Tilia cordata "Glenleven")
Amur Cork
Ginkgo Biloba
Bradford Pear
Japanese Tree Lilac (Syringa amurensis japanica)
Columnar Oak (Quercus robur "Fastigiata")
Columnar Norway Maple (Acer platanoides "Columnare")

More Specific.....

Directly behind Sidewalks

Sugar Maple (Acer saccharum)
Red Maple (Acer rubrum)
Red Oak (Quercus rubra)
Amur Cork Trees (Phellodendron amurense)
MaidenhairTree (Ginkgo biloba)
Bradford Pear (Pyrus calleryana 'Bradford')
Ironwood (Ostrya virginiana)

Under Power Lines
Amur Cork Tree (Phellodendron amurense)
Maidenhair Tree (Ginkgo biloba)
Bradford Pear (Pyrus calleryana 'Bradford')
Ironwood (Ostrya virginiana)

Boulevard
Sentry Maidenhair Tree (Ginkgo biloba 'sentry')
Ironwood (Carpinus carolina)

APPENDIX C
EXISTING USES

Pinehill/Cobequid (PR) Zone		
Land Use	**PID**	**Civic Number**
Existing Single Unit Dwellings	40009870	90 Cobequid Road
	40875601	103 Sackville Drive
	40010043	137 Sackville Drive
	40010050	143 Sackville Drive
	361774	195 Sackville Drive
	364646	199 Sackville Drive
	364812	213 Sackville Drive
	364679	220 Sackville Drive
	364349	239 Sackville Drive
	364331	249 Sackville Drive
	364307	257 Sackville Drive
	364265	275 Sackville Drive
	364026	18 Skyridge Avenue
	364828	310 Sackville Drive
	40872111	323 Sackville Drive
	364216	5 Oakdale Avenue
	350256	6 Oakdale Avenue
Existing Two Unit Dwellings	363994	281 Sackville Drive

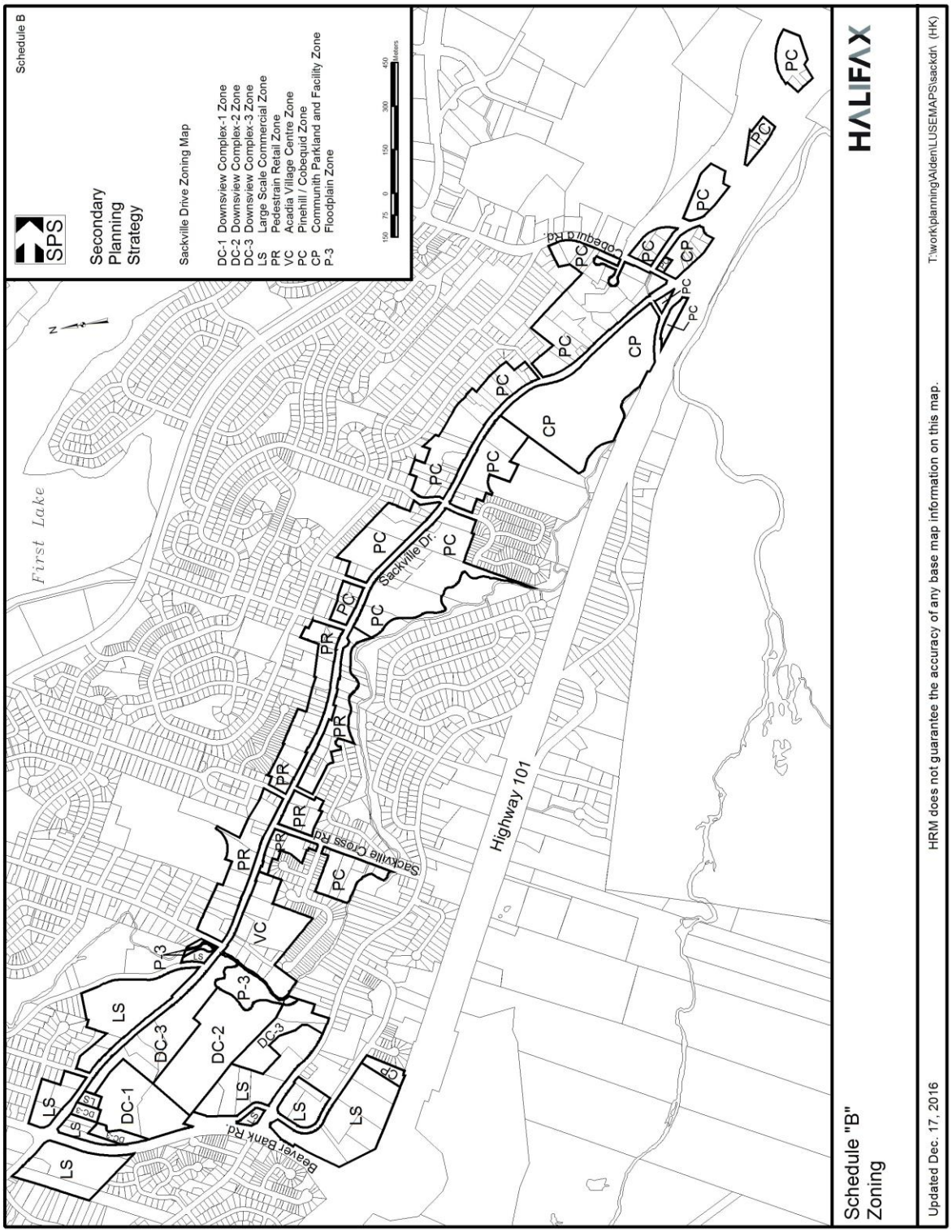
Pedestrian Retail (PR) Zone		
Land Use	**PID**	**Civic Number**
Existing Motels/Hotels	40003527	651 Sackville Drive
Existing Recycling Depot	350827	442 Sackville Drive
	350819	**446 Sackville Drive (NWCC-May 26/05;E-May 28/05)**
	345306	15 Sackville Cross Road
Existing Automotive Service Stations	40003535	655 Sackville Drive
	40003360	580 Sackville Drive
Existing Automotive Repair Outlets	350850	412 Sackville Drive
	40441370	421 Sackville Drive
	350702	425 Sackville Drive
	350710	445 Sackville Drive
	350819	446 Sackville Drive
	40003493	460 Sackville Drive
	40003485	466 Sackville Drive
	40003576	627 Sackville Drive
	40003089	6 Florence Street
Existing Outdoor Display Court	350702	425 Sackville Drive
	350710	445 Sackville Drive
	40003477	476 Sackville Drive
Existing Car Wash	350835	434 Sackville Drive
Existing Equipment Rental	40003311	614 Sackville Drive
Existing Drive Thru Restaurant	40311698	517 Sackville Drive
	40003550	641 Sackville Drive
	40003568	629 Sackville Drive
Existing Single Unit Dwelling	350728	447 Sackville Drive
	40003717	489 Sackville Drive
	40003709	493 Sackville Drive
	40003501	452 Sackville Drive

Pedestrian Retail (PR) Zone		
Land Use	**PID**	**Civic Number**
Existing Two Unit Dwelling	345330	41 Sackville Cross Road
	527382	39 Sackville Cross Road
	345322	31 Sackville Cross Road
	40270902	33 Sackville Cross Road
	350728	447 Sackville Drive

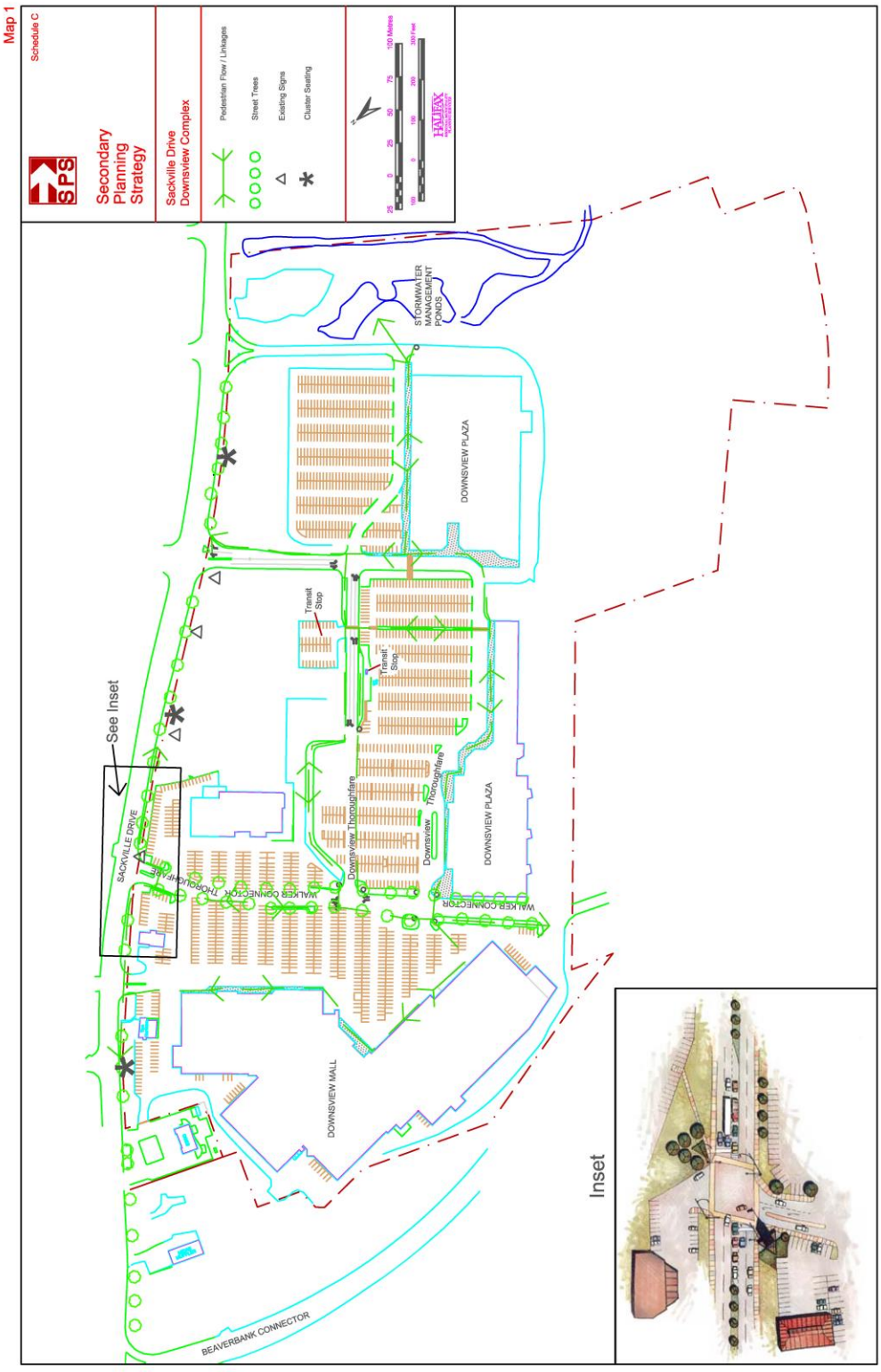
Large Scale Commercial (LS) Zone		
Land Use	**PID**	**Civic Number**
Existing Multiple Unit Dwellings	40093379	25 Walker Connector Road
	40102436	15 Walker Connector Road
	40102428	9 Walker Connector Road
	40607160	685 Old Sackville Road
	40102113	716 Old Sackville Road
Existing Welding, Plumbing and Heating, Electrical, Automotive and other trade contracting services and shops	40102410	731 Old Sackville Road
Existing Outdoor Display Courts	40184269	8 Walker Avenue

SCHEDULE B

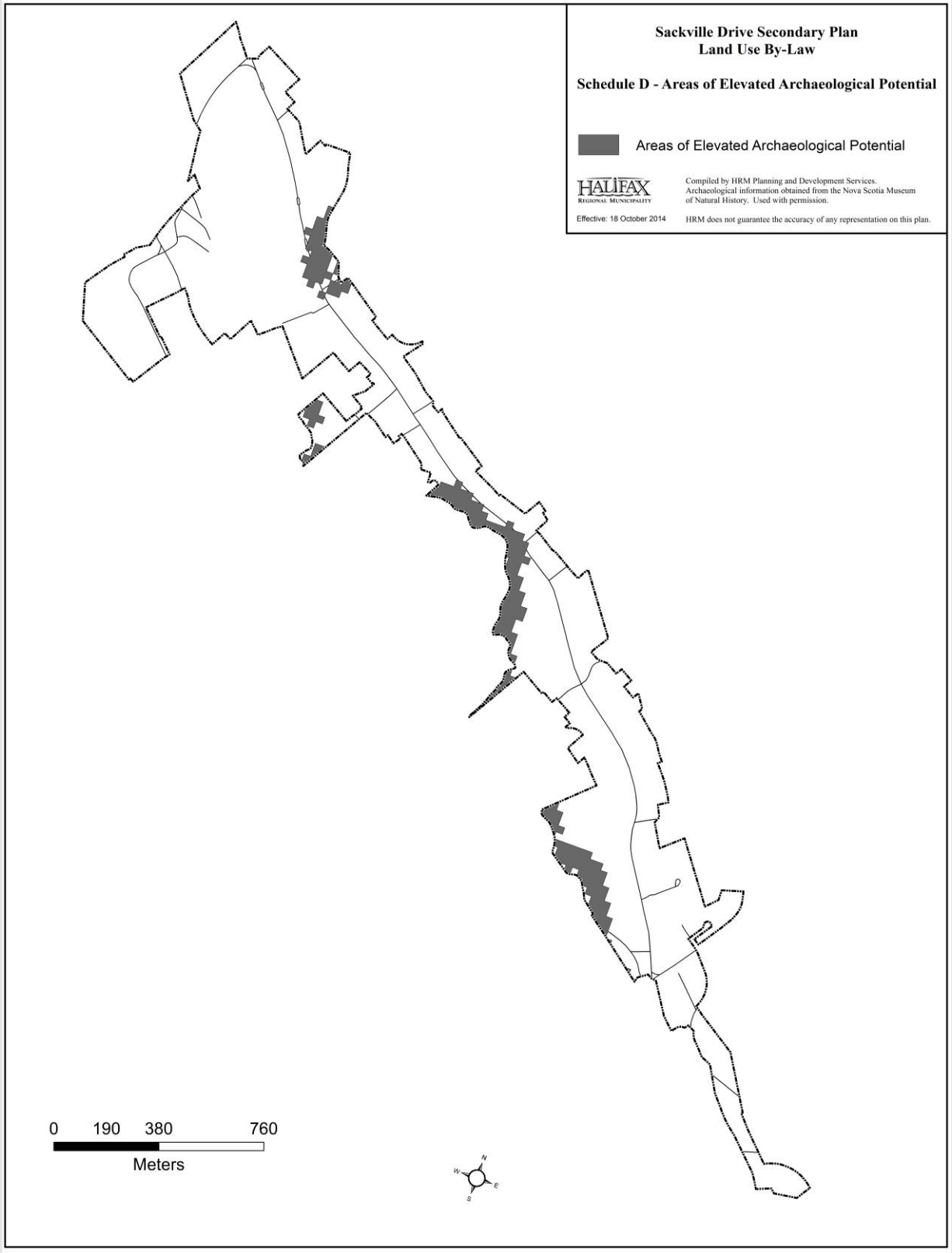
Sackville Drive Land Use By-law (RC-Nov 8/16;E-Dec 17/16)



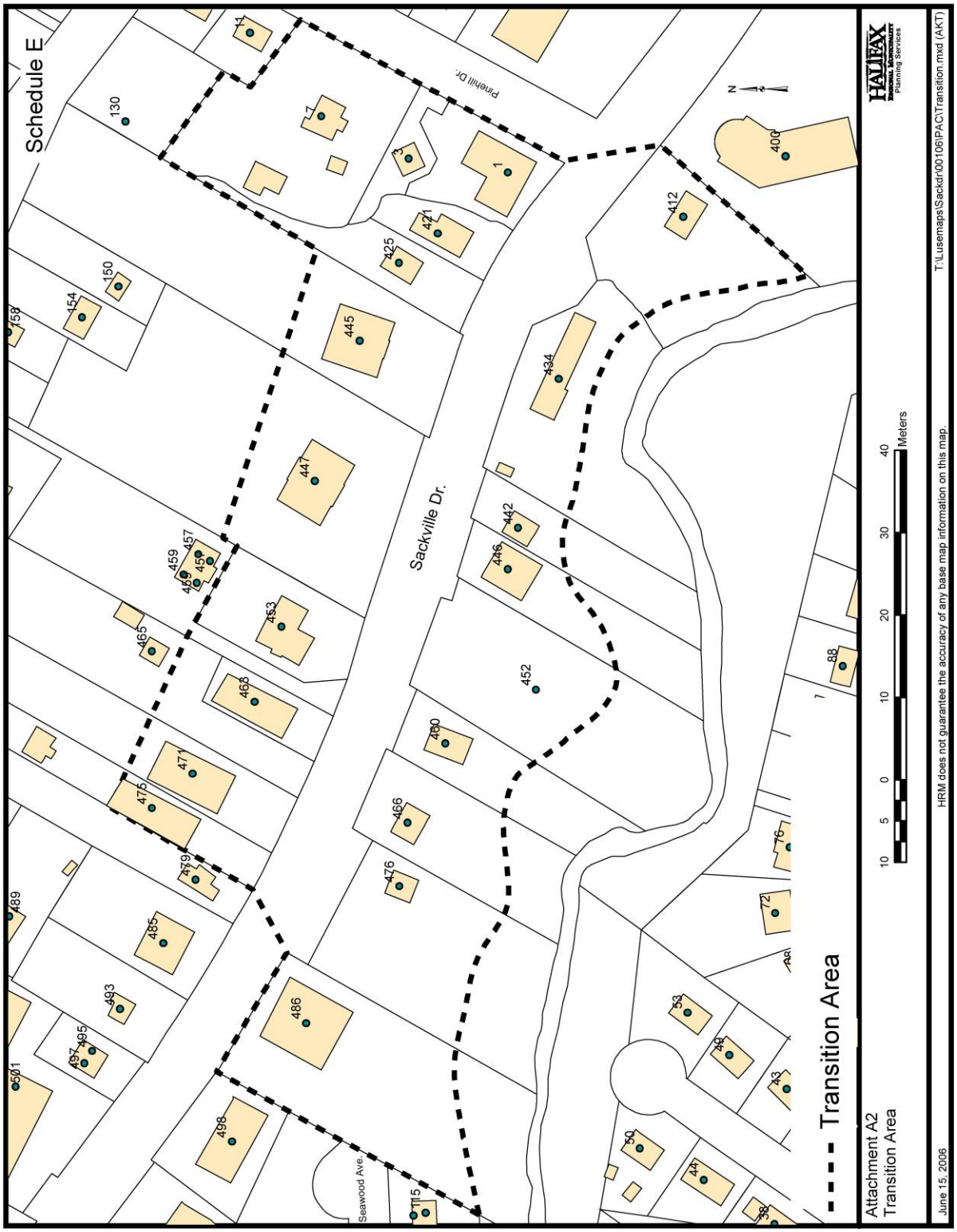
SCHEDULE C
Downsview Complex



SCHEDULE D
Areas of Elevated Archaeological Potential (RC-Jun 25/14;E-Oct 18/14)



SCHEDULE E
Transition Area



LAND USE BY-LAW
AMENDMENTS - SACKVILLE DRIVE

Amendment Number	Policies/Maps	Subject	Council Adoption	Effective Date
1	Zoning Map amended rezone a portion of PID# 00376848 (located opposite 405 Sackville Drive) from PC (Pinehill/Cobequid) Zone to ODC (Outdoor Display Court) Zone to permit an outdoor display court.	Case No. 00760	C - May 26, 2005	E - May 28, 2005
2	Amended to address several issues, requests, inconsistencies, omissions and housekeeping matters discovered over the past two years of implementing the document	Case No. 00603	C - April 12, 2005	E - May 7, 2005
3	Amendments to the Downsview Complex (DC-1, DC-2 and DC-3) Zones; Amendments to the Large Scale Commercial (LS) Zones; Amendments to the Pedestrian Retail (PR) Zones; Amendments to the Community Parkland and Facility (CP) Zone; Amendments to All Zones to: enable "All Age/Teen Club" and "Health and Wellness Centres" as a permitted use in all zones; Amendments to Part 2-Definitions; Amendments to Part 6 - General Provisions Amendments to Part 6 - General Provisions; Amendments to Part 7 - General Streetscape Design.	Case No. 00603	C - May 26, 2005	E - May 28, 2005
4	Replace Schedule B; Add Schedules D & E; Add 3 new definitions re: bicycle parking; Replace definition for Watercourse; Replace Section 6 with 6.1(a) to (h), 6.2, 6.3, 6.4, 6.5 and 6.6; Delete Sections 29, 30, 31 and 32; Add Section 40A(1) to (5), 40B(1) to (4) and 40C(1) to (3); Add Section 14A: Schedule D; Add Section 6A to Part 3.	Regional Plan	C - June 27, 2006	E - August 26, 2006
5	Amendments to Part 7, Section 9(7); Part 7, Section 11 (8); Part 7 Section 16 - Parking table; Part 7 Section 46; Part 11 Section 10(2) and delete 10(3); Part 12 Section 5, delete (2) to (5) and replace with (2); Replace Part 14 Section 7; and add to Part 13 Section 2(5).	Case No. 00808	NWCC - September 12, 2006	E - September 29, 2006

6	Delete Part 4 Section 1: Outdoor Display Court Zone (ODC); Delete Part 5 Section 1(4); Add Part 5 Section 9 (10); Replace Part 6 Section 31(a); Replace Part 6 Section 37(4); Add Part 7 Section 16(a); Replace Part 7 Section 41, 42, 43 and 45; Replace Part 11 Section 10; Amend Part 12 Section 1, 3, 5 and add Section 7 and 8; Amend Part 14 Section 1, 3, 6 and add Section 8 and 9; Delete Part 15: Outdoor Display Court (ODC) Zone; Replace Schedule B; and Add Schedule E.	Case No. 00808	C - September 5, 2006	E - October 7, 2006
7	Add Part 7 Section SA - Temporary Signage; Replace the definition of Sign.	Project No. 00327	C - September 26, 2006	E - November 18, 2006
8	Amend Part 8, Section 1to include**, Strip Mall/Shopping Plaza or Existing Multiple Unit Dwelling** in the LS Zone**.**	Case No. 00963	NWCC - May 10, 2007	E - May 26, 2007
9	Amend Par 14, Section 1 to include **Residential Care Facilities**.	Case No. 00994	NWCC - May 24, 2007	E - June 9, 2007
10	Add **"Ice Cream Stand"** definition to Part 2; Replace Part 6, Section 20: **"Temporary Commercial Uses Permitted"**.	Case No. 01000	NWCC - May 24, 2007	E - June 9, 2007
11	Amend Part 2 (Definitions) to include: **Changeable Copy Signage, Sign Face,** and **Site Identification Signage**; amend Part 7, Section 9, Subsections 1 and 10; and add Part 7, Section 9, Subsections 11 and 12.	Case No. 01102	NWCC - May 22, 2008	E - June 7, 2008
12	Add Part 6, Clause 6(2A): reduction of watercourse setback.	Case No. 01118	NWCC - July 10, 2008	E - July 26, 2008
13	Amend Part 12, Section 1 - Commercial Entertainment Uses	Case No. 01153	NWCC - September 25, 2008	E - October 11, 2008
14	Amend Part 15 re: Temporary Construction Uses Permitted	Case No. 01058	RC - January 20, 2009	E - February 7, 2009
15	Amend Parts 2, 8, 9, 10, 12, 13 and 14 re: Day Care Facilities	Case No. 01074	RC - March 3, 2009	E - March 21, 2009
16	Amend the Zoning Map to remove properties from the Sackville Drive LUB	Case No. 01323	RC - May 4, 2010	E - May 29, 2010
17	**Repeal/Readopt** Definitions – Bicycle Parking Class A, B, C; Watercourse; Part 3, Section 6A; Part 3, Section 6, 10; Part 7, Section 40A; Schedule D; **Add** Definitions – Canadian Geodetic Vertical Datum, Water Control Structure; Part 6, Section 41, 42; **Amend** Part 6, Section 6; Part 17, Section 1; Schedule D.	RP+5	RC-June 25, 2014	E-October 18, 2014
18	**Add** Part 5, Section (2a) within the Downsview/Beaver Bank Designation; a sentence under Part 8 under Uses Permitted by Development Agreement.	Case 19060	RC-July 21, 2015	E-September 12, 2015

19	**Amend Part 9, section 1 – Commercial Uses**	Case 20154	NWCC-August 8, 2016	E-August 27, 2016
20	**Amend** Zoning Map to add 900 & 902 Sackville Drive and rezone to LS Zone	Case 20224	RC-November 8, 2016	E-December 17, 2016