City of Barrie

Community Planning Permit System:

Allandale Major Transit Station Area (MTSA)

Community Planning Permit By-law

June 17, 2026

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1 Application and Administration

1.1 By-law Title

This By-law may be cited as the “Allandale Community Planning Permit By-law” of the City of Barrie.

1.2 Scope

The standards of this By-law apply to all lands in the Community Planning Permit Area, shown on Schedule A of this By-law.

1.3 Effective Date

This By-law shall come into force and effect on the date that it is passed.

1.4 Repeal of Superseded By-laws

1.4.1 On the day that this By-law comes into force and effect, Zoning By-law 2009-141 and Site Plan Control By-law 99-312 will be deemed to no longer apply to lands within the Community Planning Permit Area as delineated and identified on Schedule A to this By-law.

1.4.2 Notwithstanding the above, those site-specific zoning by-law amendments (“special provisions”) described in Section 1.29.4 b. of this By-law will remain in force and effect.

1.5 Administration

Council delegates the administration of this By-law to the Executive Director of Development Services.

1.6 Compliance with this By-law

1.6.1 All development or changes to the use of land within the Community Planning Permit Area to which this By-law applies, shall require a community planning permit.

1.6.2 No building or structure shall be erected or altered, and no change of use of any building, structure, land, premises, or any part thereof shall be made, except in compliance with the standards of this By-law.

1.6.3 No municipal permit, certificate, or license may be issued if the permit, certificate, or license is required for a use of land or erection, alteration, enlargement or use of any building or structure that is not in conformity and compliance with this By-law.

1.6.4 No person, other than a public authority, may reduce any lot by conveyance or otherwise so that it does not meet the requirements of this By-law, or if it did not meet the requirements initially, so that it is further from meeting them.

1.7 Inspection of Premises

The Chief Building Official, By-law Enforcement Officer, By-law Administrator, or any officer or employee appointed by the City, upon producing proper identification, may enter at all reasonable times to inspect and examine any building or premises for the purpose of carrying out their duties under this By-law. However, no officer or person acting under their instruction shall enter any room or place used as a **dwelling unit** without the consent of the owner or without a warrant issued pursuant to the Provincial Offences Act.

1.8 Violations, Penalties, and Remedies

1.8.1 Every person, or if the person is a corporation, every director or officer of the corporation, who contravenes any of the provisions of this By-law is guilty of an offence and, on conviction thereof, shall be subject to penalties in accordance with Section 67 and 67.1 of the Planning Act.

1.8.2 Where any building or structure is, or is proposed to be, erected, altered, reconstructed, extended, or enlarged or used in contravention of any requirement of this By-law, such contravention may be removed or altered by action of the City pursuant to the relevant provisions of the Planning Act or the Municipal Act, as amended.

1.8.3 Where a person guilty of an offence under this By-law has been directed to remedy any violation and is in default of doing any matter or thing required, the City may make such remedy at the expense of such person.

1.8.4 Where a person has refused or neglected to reimburse the City for the cost of such work, thing, or matter done, the same may be recovered by the City by an

action or otherwise and such amount shall be added to the collectors roll and form a lien in a like manner as municipal taxes.

1.8.5 Where any by-law of the municipality passed under the authority of the Planning Act, is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the Court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person or persons convicted.

1.8.6 If a use has been investigated by the appropriate authority and considered by such authority to be unlawful under any Federal or Provincial legislation, it is deemed not to be permitted.

1.9 Exemptions

1.9.1 Community Planning Permit Exemptions

Notwithstanding any standard in this By-law to the contrary, the following types of **development** shall not require a community planning permit:

a. An activity involving only site alteration subject to the Site Alteration By-law, as amended.
b. Any **development** consistent with site plan control approval issued pursuant to the Site Plan Control By-law 99-312 prior to the effective date of this By-law, as amended.
c. Any **development** consistent with a minor variance approval granted prior to the effective date of this By-law.
d. Infrastructure projects initiated by a **public authority**.
e. Projects by publicly assisted universities for the objects of the institution, including colleges and universities federated or affiliated with a publicly assisted university, in accordance with the Planning Act.
f. Repairing or rebuilding a building or structure which constitutes a legal non-conforming use if:
    i. The **development** is solely limited to the repairing or rebuilding of a building or structure which constitutes a legal non-conforming use;
    ii. The building or structure is situated in the same location; and
    iii. The works do not increase the height, size, volume, or change the use of the building or structure.

1.9.2 Exemptions under the Planning Act

Where **development** is exempt from the provisions of the Planning Act, **development** is only exempt to the extent that the Planning Act provides for.

1.9.3 Additional Exemptions

For further clarity, the following activities are required to comply with all applicable standards of this By-law, but do not require a community planning permit:

a. Interior alteration to an existing building, if there is not change in use, or intensification.
b. Repairs and maintenance of any lawfully existing and established buildings or structures such as the replacement of windows, doors, stairs, and **decks**, that will not result in changes to the footprint, location, height, **gross floor area**, or **heritage attributes** of the building or structure.
c. Repairs and replacement of lawfully existing established buildings and foundations provided that the works do not involve the placement of fill, alteration of existing grades, or changes to the footprint, location, **height**, or **gross floor area** of the building or structure.
d. Minor works that meet the provisions of this By-law where it is deemed appropriate by the Executive Director of Development Services, or their designate.
e. A new **detached building**, or **semi-detached building**, an addition to a **detached building**, or **semi-detached building**, and/or any associated accessory building or structure, including **additional residential unit(s)**, that meet all requirements of this By-law.
f. A new **rowhouse**, an addition to a **rowhouse** and/or any associated accessory structure, including **additional residential unit(s)**, that meets all requirements of the By-law.
g. Residential accessory structures in compliance with all the requirements of this By-law.

h. Awnings, fences, gazebos, porches, swimming pools, and hot tubs that meet all the requirements and standards of this By-law.
i. Storage sheds no greater than 15 square metres in **gross floor area**.
j. Landscaping on **lots** containing a **detached building**, **semi-detached building**, or **rowhouse**, provided that the landscaping does not involve the removal of **significant trees** or alteration of the grade of the land.

1.10 Permit Classifications, Approval Authority, Public Notice, and Conditions

1.10.1 This By-law establishes three permit classifications of community planning permit as set out in Table 1: Community Planning Permit Classifications and Approval Authority.

Table 1: Community Planning Permit Classifications and Approval Authority

Permit Class	Description	Approval Authority
1	Application meets one or more of the following criteria: • Application addresses all criteria for community planning permit approval as established in Section 1.18 – Approval Criteria to the satisfaction of the **Approval Authority** and no variation is required; and/or • The application seeks the removal of a **significant tree**, in accordance with Section 7.	Executive Director of Development Services, or their designate
2	Application addresses the criteria for community planning permit approval as established in 1.18 – Approval Criteria to the satisfaction of the **Approval Authority**, and/or: • Requires variation(s) from the **development** standards of this By-law, within the variation limits established by Section 1.11 – Discretionary Uses, and those described within the **District** specific **development** standards tables:	Executive Director of Development Services, or their designate

	○ Table 10: Allandale Neighbourhood One (A-N1) Development Standards. ○ Table 11: Allandale Neighbourhood Two (A-N2) Development Standards. ○ Table 12: Allandale Mixed Use One (A-MU1) Development Standards. ○ Table 13: Allandale Mixed Use Two (A-MU2) Development Standards. ○ Table 14: Allandale Community Hub (A-CH) Development Standards. • Requires variation(s) from the General Standards and Provisions established in Section 3; • Requires variation(s) from the Parking and Loading standards established in Section 4; • Requires the approval of a discretionary use; • **Development** on, or alteration to, property designated under Part IV of the Ontario Heritage Act; • **Development** on lands **adjacent** to a property designated under Part IV of the Ontario Heritage Act; • Demolition of a building identified as a **Contributing Building** within the Allandale Neighbourhood One (A-N1) **District** to facilitate development or redevelopment; and/or • **Development** requiring variation up to 20% less, or greater than, the Heritage Character (HC) standards established in Section 6 in accordance with Section 1.12 – Variations to the Standards of this By-law.	

3	Application addresses the criteria for community planning permit approval as established in Section 1.18 – Approval Criteria to the satisfaction of the **Approval Authority**, and/or: • Requires variation(s) from the **development** standards of this by-law, beyond the variation limits established by Section 1.12 – Variations to the Standards of this By-law and those described within the **District** specific **development** standards tables; or • **Development** requiring variation beyond 20% less, or greater than, the Heritage Character (HC) standards established in Section 6 in accordance with Section 1.12 – Variations to the Standards of this By-law.	City Council

1.10.2 Public notification requirements for each classification of community planning permit include:

a. No notice required for Class 1 permits that do not include the removal of a significant tree;
b. Notice posted on the subject property for Class 1 permits involving significant tree removal;
c. Notice posted on the City of Barrie website for public access, and on-site signage which includes an explanation of the application and City of Barrie contact information to obtain more information for Class 2; and
d. Notice posted on the City of Barrie website for public access, and on-site signage which includes an explanation of the application and City of Barrie contact information to obtain more information, or provide comments, for Class 3 permits.

1.10.3 Each of the three classifications of community planning permit may be approved with conditions, consistent with Section 1.25 – Conditions.

1.11 Discretionary Uses

1.11.1 Approval of a discretionary use may only be granted if the criteria set out in this By-law and any requirements associated with the discretionary use as identified in this By-law have been addressed to the satisfaction of the **Approval Authority** and shall be subject to a Class 2 permit review. Approval of discretionary uses will be informed through consideration of the following:

a. The service, shopping, and other daily needs of residents and transit users in the immediate area;
b. Retention of existing **heritage character** and adaptive reuse of existing buildings;
c. Impacts on servicing, including transportation, water and wastewater;
d. Potential noise or nuisance impacts;
e. The retention and/or addition of dwelling units; and
f. **Street**-level access and activation.

1.12 Variations to the Standards of this By-law

1.12.1 Variations to the standards of this By-law may be permitted, subject to the criteria and process for approval of Class 2 and Class 3 community planning permits, and the application of the criteria in Section 1.18 – Approval Criteria and 1.19 – Review Criteria.

1.12.2 Variations to the standards of Section 3 – General Standards and Provisions, and Section 4 – Parking and Loading, may be permitted subject to a Class 2 permit.

1.12.3 Variations to the standards in Section 5 – Allandale Major Transit Station Area Districts above and beyond those identified as Class 2 variations, may be permitted subject to a Class 3 permit.

1.12.4 Variations to the Heritage Character (HC) Provisions in subsections 6.2, 6.3.3, 6.3.5, 6.4, and 6.5.1, may be permitted up to 20% less, or greater than, the applicable standard(s), subject to a Class 2 permit. Variations beyond 20% less, or greater than, the applicable standard(s) as described above, may be permitted subject to a Class 3 permit.

1.13 Adding a Permitted Use

1.13.1 A use shall not be added as a permitted **primary use**, **accessory use**, or discretionary use, unless an amendment is made to this By-law.

1.13.2 Notwithstanding the above, the Executive Director of Development Services, or their delegate, has authority to approve through a Class 2 community planning permit:

a. Similar uses, where the use of land, buildings or structures, permitted in the By-law are defined in general terms, may permit the use of any land, building or structure, for any purpose that, in the opinion of the Executive Director of Development Services conforms with the uses permitted in the By-law.

1.14 Amendments to this By-law

1.14.1 When an Amendment is Required

An amendment to this By-law shall be required:

a. When there is a proposed use that is not permitted, or discretionary.
b. When there is a proposal to amend the boundaries of the Community Planning Permit Area, as shown on Schedule A, and/or any amendments to the **District** boundaries.

1.14.2 Amendment Process

a. An amendment to this By-law may be initiated by the **Approval Authority**, or by an applicant for a community planning permit.
b. Applications to amend this By-law shall not be made before the fifth anniversary of the effective date of this By-law, unless in compliance with Ontario Regulation 173/16, s.17(5). In accordance with the Planning Act, amendments to this By-law are permitted through a Council resolution before the fifth anniversary of the effective date of this By-law.

1.14.3 Additional Requirements and Supporting Documents

a. Any amendment to this By-law shall:

i. Include comprehensive planning rationale and complete Official Plan Amendment application, as required, within the **context** of the planned vision for all the lands within the area, subject to this By-law; and

ii. Provide an engagement plan including details for providing public notification, open houses, and statutory public meetings in accordance with the Planning Act.

b. Any amendment to this By-law shall include a planning rationale that evaluates the application in the **context** of the goals, objectives, guiding principles, and intent of this By-law, and conformity with the Barrie Official Plan 2051 (May 2024), as amended, and all applicable provincial plans, including the Provincial Planning Statement.

1.15 Delegation of Approval Authority

The Council for the Corporation of the City of Barrie hereby delegates **development** powers and duties to the **Approval Authority**, as set out in Table 1: Community Planning Permit Classifications and Approval Authority. Council may withdraw or amend this delegation at any time in accordance with Section 2.6 – Technical Revisions to the By-law.

1.16 Notice

Public notice shall be provided of a community planning permit application in accordance with Section 1.10 – Permit Classifications, Approval Authority, Public Notice, and Conditions. Updates to the application of public notice shall be permitted, without amendment to this By-law.

1.17 Referrals to Council

1.17.1 The Executive Director of Development Services, or their designate, may refer a Class 1, or Class 2, community planning permit to Council to be processed as a Class 3 permit at anytime prior to the decision on an application, whereby the public notice requirements for a Class 3 permit have been fulfilled, as per Section 1.10 – Permit Classifications, Approval Authority, Public Notice, and Conditions.

1.17.2 An applicant may, through pre-application consultation, request that a Class 1 or

Class 2 permit be referred to Council to be processed as a Class 3 permit. This request must be reviewed, and approved by the Executive Director of Development Services, or their designate, before it may be processed as a Class 3 permit, as outlined in this By-law.

1.18 Approval Criteria

1.18.1 Approval Criteria for all Community Planning Permits

The following shall be met to the satisfaction of the **Approval Authority**, prior to the issuance of any community planning permit:

a. The proposal is appropriate for the lands, having regard to its location, size, and surrounding uses.
b. The proposal considers the unique **characteristics** of the property, including its natural features, topography, and any physical constraints.
c. The proposal is compatible with, and sensitive to, the planned **context** and area **character**.
d. Any possible off-site impacts are identified and mitigated to the extent reasonably possible.
e. The proposal is consistent with the intent and purpose of this By-law.
f. The proposal is consistent with all relevant municipal standards, by-laws, and policies.

1.18.2 Additional Approval Criteria, Class 1 Community Planning Permits

In addition to Section 1.18.1, review of a Class 1 community planning permit shall require demonstration of conformity with all applicable standards of this By-law.

1.18.3 Additional Approval Criteria, Class 2 Community Planning Permits

In addition to Section 1.18.1, review of a Class 2 community planning permit shall require:

a. Demonstration of conformity with all applicable standards of this By-law, except for those standards where variation is requested. The proposed variations must include a detailed explanation of the request, including justification to support the variation.

b. For **development** on lands subject to Section 6 – Heritage Character (HC) provisions, the proposal conserves the **heritage character** of the neighbourhood and is consistent with the standards of that Section.
c. Demonstration of conformity with the Barrie Official Plan 2051 (May 2024).
d. Consistency with the Provincial Planning Statement, and all applicable provincial plans, policies, and legislation.

1.18.4 Additional Approval Criteria, Class 3 Community Planning Permits

In addition to Section 1.18.1, review of a Class 3 community planning permit shall require:

a. Demonstration of conformity with all applicable standards of this By-law, except for those standards where variation is requested. The proposed variations must include a detailed explanation of the request, including justification to support the variation.
b. Demonstration of conformity with the Barrie Official Plan 2051 (May 2024).
c. Consistency with the Provincial Planning Statement, and all applicable provincial plans, policies, and legislation.

1.19 Review Criteria

The following criteria will be used to assess all Class 2, and Class 3, community planning permits, and are to be used in conjunction with Section 1.26 – Facilities, Services, and Matters:

- The provision of Affordable housing;
- Improvements to the streetscape;
- Greater, enhanced, amenity space than required;
- Enhanced **street** interface, including improvements to pedestrian connectivity;
- Tree preservation;
- Heritage conservation of **contributing buildings**, not being on a listed or designated property; and
- The inclusion of sustainability features within a development proposal.

1.20 Pre-application Consultation

1.20.1 Prior to the submission of a community planning permit application, the applicant is required to meet with the City through a formal pre-application consultation. The pre-application consultation requirement may be waived, at the discretion of the Executive Director of Development Services, or their designate.

1.20.2 The pre-application consultation is required to obtain an assessment of the class of development proposed, the associated application fee, and the requirements for a complete application. A pre-application consultation may also determine if a proposal is exempt from the requirement for a permit.

1.20.3 Any documents generated through a pre-application consultation, including the required reports and studies list, will expire one year from the date of issuance of the pre-application comments.

1.21 Application Review

1.21.1 Upon receipt of an application for a community planning permit, the City shall notify the applicant that the requirements of a complete application have been, or have not been, provided, upon which time the 45-day decision period would commence.

1.21.2 Any external agency comments and/or approvals may be required to be provided to the City for an application to be deemed complete.

1.21.3 Upon an internal review of the application and the circulation of the application and receipt of comments from external agencies, the City will provide comments to the applicant outlining any outstanding items, concerns, or deficiencies in the materials provided. Resubmission of materials may be undertaken by the applicant based on these comments.

1.21.4 The applicant may appeal to the Ontario Land Tribunal against a failure to decide 45 days after the date on which the application has been deemed complete.

1.22 Public Notice

1.22.1 Upon deeming the application complete, public notice of the application will be provided as established in Section 1.10 – Permit Classifications, Approval Authority, Public Notice, and Conditions, within 15 days, including the following

components as prescribed:

a. The City shall post a notification on the City's website for public access; and
b. The applicant shall prepare and post on-site signage, as per City standards, which includes an explanation of the application and a contact name and phone number to obtain more information and/or to submit comments.

1.23 Application Decision

1.23.1 On considering the application, the **Approval Authority**, as established in this By-law, may:

a. Refuse the application;
b. Approve the application and issue a community planning permit with no conditions attached;
c. Approve the application and require that conditions be met before issuing a community planning permit;
d. Approve the application and issue a community planning permit with conditions attached; or
e. Approve the application, require that conditions be met before issuing a community planning permit, and, when the conditions have been met, issue a community planning permit with conditions attached.

1.23.2 Within 15 days of the date of a decision on a community planning permit application, the City shall provide written notice of the decision, including reasons and any conditions imposed, to the applicant and to each person or public body that filed a written request with the City Clerk to be informed of the decision.

1.23.3 The applicant may appeal any decision on a community planning permit application to the Ontario Land Tribunal no later than 20 days after the day notice of the decision is given.

1.24 Agreements

1.24.1 The owner of the land subject to a community planning permit may be required, at the discretion of Council or its delegates, to enter into one or more agreements with the City respecting the conditions of approval.

1.24.2 An agreement referred to in this section may be registered on the title of the land to which it applies at the owner's expense. The City is entitled to enforce it against the owner and against all subsequent owners of the land.

1.24.3 Notwithstanding any other provision in this By-law, the applicant is responsible to obtain all required approvals and permits beyond those provided as part of a community planning permit.

1.24.4 Council gives authority to the Executive Director of Development Services to prepare, approve, execute, and amend any community planning permit Agreement required by this By-law.

1.24.5 Pre-existing development agreements continue to be valid and binding and may be amended under this By-law.

1.25 Conditions

1.25.1 Where a community planning permit is required in accordance with the provisions of this By-law, the City may impose conditions as part of the issuance and/or approval of a community planning permit.

1.25.2 As part of a community planning permit approval, conditions may be required in the form of an agreement between the applicant and the City, to be registered on title.

1.25.3 A condition that is imposed shall:

a. Be clear, precise, and quantifiable;
b. Include a clear statement of whether it must be complied with before construction, renovation, or change of use of a building; and
c. Not deal with the following aspects of buildings and structures:
    i. Interior design;
    ii. The layout of interior areas, other than interior walkways, stairs, elevators, and escalators to which members of the public have access from **streets**, open spaces, and interior walkways in **adjacent** buildings; and
    iii. The manner of construction and construction standards.

1.25.4 The applicant may, at any time, make a motion for directions to have the Ontario Land Tribunal determine whether a specified condition has been fulfilled.

1.25.5 As a condition to the issuance or approval of a community planning permit, a municipality may require the owner of the land to:

a. Submit plans, architectural drawings, surveys, technical studies or a peer review of a technical study, or revisions thereof, in support of a community planning permit;
b. Submit letters of consent or agreements from **adjacent** property owners related to matters reviewed through the community planning permit process, including encroachments, tree removals, and mutual/shared access;
c. Provide confirmation of approvals or permits from other agencies, including Provincial ministries and the conservation authority, among others, as appropriate;
d. Undertake **development** in accordance with a community planning permit, including approved plans, reports, and drawings;
e. Provide financial securities to facilitate compliance with municipal approvals and indemnify the City;
f. Transfer land for road widenings, including daylight triangles, and transit right(s)-of-way to the extent established in the Official Plan;
g. Ensure that **development** does not occur until appropriate municipal services are available to the site;
h. Provide adequate on-site and off-site service or road infrastructure and works as necessary to service the proposed **development**;
i. Convey part of the land to the municipality to the satisfaction of, and at no expense to, the municipality for parkland, or providing cash-in-lieu of same;
j. Enter into any agreement(s) securing off-site parking, or cash-in-lieu of parking, if applicable;
k. Develop and follow a construction access plan to articulate how building materials shall be placed on the site and how construction access shall be provided to the subject property during construction;
l. Obtain permits for tree removal, in accordance with City by-laws;

m. Provide and maintain vegetation and landscaping;
n. Undertake site alteration and grading in accordance with the standards of the City;
o. Monitor the impact of the **development** on the environment and adapt property management activities to mitigate any identified impacts;
p. Meet any condition that may be imposed pursuant to Sections 34, 40, 41, and 42 of the Planning Act;
q. Provide to the satisfaction of and at no expense to the City any or all of the following:
    i. Off-street vehicular loading and parking facilities, either covered or uncovered, access **driveways**, including **driveways** for emergency vehicles, and the surfacing of such areas and **driveways**;
    ii. Walkways and walkway ramps, including the surfacing thereof, and all other means of pedestrian access;
    iii. Facilities designed to have regard for accessibility for persons with disabilities;
    iv. Facilities for the lighting of the land or of any buildings or structures thereon;
    v. Walls, fences, hedges, trees, shrubs, or other groundcover or facilities for the landscaping of the lands or the protection of adjoining lands;
    vi. Vaults, central storage, collection areas, and other facilities and enclosures for the storage of garbage and other waste material;
    vii. Easements conveyed to the municipality for the construction, maintenance, or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities, and other public utilities of the municipality on the land; and/or
    viii. Grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface, and wastewater from the land and from any buildings or structures thereon;
r. Maintain to the satisfaction of the City and at the sole risk and expense of the owner any or all the facilities or works mentioned in (q.), including the removal

of snow from access ramps and **driveways**, parking and loading areas, and walkways.

s. Prepare and implement a tree preservation plan to the satisfaction of the City, demonstrating measures to protect mature trees during and after construction;
t. Undertake **development** in accordance with a **heritage impact assessment**, where required by this By-law; and
u. Record and document **heritage attributes** of any designated or contributing property prior to alteration or demolition, to the satisfaction of the City.

1.25.6 Technical studies and reports, as listed in Schedule C, may be required as a condition of community planning permit approval to assist in the application review process and:

a. Shall be prepared in accordance with the most up-to-date terms of reference provided by the City to the applicant;
b. Terms of reference may be scoped or otherwise refined by the City to reflect site-specific **context**, character, or other notable considerations; and
c. If any recommendation within a submitted technical report exceeds the minimum requirements of any section of this By-law, then the stricter requirement shall be imposed as a condition of approval.

1.26 Facilities, Services, and Matters

1.26.1 For Class 2 community planning permits, the **Approval Authority** will consider facilities, services, and matters, presented as part of a permit application, by the applicant, and at the applicant's expense in exchange for an increase in height and density of the proposed **development** on the lands within the **District** boundaries:

a. Notwithstanding the above, beginning on the third anniversary of the adoption of this By-law, the **Approval Authority** will require facilities, services, and matters to be provided by the applicant, at the applicant's expense, in exchange for an increase in height and density of the proposed **development** on the lands within the **District** boundaries.

1.26.2 For Class 3 permits, the **Approval Authority** will require facilities, services, and matters to be provided by the applicant, at the applicant's expense, in exchange for an increase in height and density of the proposed **development** on the lands within the **District** boundaries.

1.26.3 The securement of facilities, services, and matters, shall only be required for residential or mixed-use developments that are 10 or more **dwelling units** and are greater than 17 metres (five storeys) in height.

1.26.4 Facilities, services, and matters that may be secured, as authorized by Council, shall be limited to the following, separately or in combination:

a. Affordable housing including public or non-profit housing;
b. Conserving and/or improving lands and/or buildings of historic significance;
c. Improvements to the streetscape including the provision of public art, including public rights-of-way, and/or bordering segments of private properties;
d. Infrastructure improvements including providing new, or improving existing, pedestrian and/or cycling connections to existing or planned transit facilities or services;
e. Public services and facilities;
f. Public parks, including new lands, facility improvements, and/or new or improved public access to existing parks;
g. Tree replacement and/or new plantings on public and/or private property; and/or
h. Any other direct or in-kind contributions, mutually agreed upon by the applicant and Council.

1.26.5 Any cash in-lieu contribution shall be placed in a reserve fund to provide the community benefit at a later date.

1.27 Conditional Approval

1.27.1 As stipulated in this By-law, the City may issue a conditional approval of a community planning permit, which approves the application but requires that conditions be met before the issuance of a community planning permit.

1.27.2 The conditions established by conditional approval shall be fulfilled to the satisfaction of the City in advance of community planning permit issuance.

1.27.3 Conditional approval shall be valid for a period of two years after the date of approval. If the applicant has not, within a period of two years from the date of the approval, fulfilled any conditions established by the conditional approval, the conditional approval shall lapse.

1.27.4 Notwithstanding Section 1.27.3., prior to the expiry of the validity period, an applicant may request an extension of conditional approval, through a formal request to the City accompanied by:

a. A rationale for the requested extension;
b. Any other supporting information or material requested by the Executive Director of Development Services; and
c. Any fee payable pursuant to the City's Fees and Charges By-law, as amended or replaced.

1.27.5 The Executive Director of Development Services, at his/her sole and absolute discretion, may grant an extension of a maximum of one year per formal request to the validity period of conditional approval.

1.27.6 Any decision made by the Executive Director of Development Services with respect to a request for an extension pursuant to Section 1.27.5. is final.

1.28 Modifications to Conditional Approval

1.28.1 Prior to the issuance of a community planning permit where a conditional approval has been made, at the request of the applicant and where considered to be appropriate by the City, modification to a conditional approval may be made, subject to the provisions of this By-law and the Official Plan, as amended.

1.28.2 Proposed modifications may be subject to additional submission requirements to support the application, to the satisfaction of the **Approval Authority**.

1.28.3 Where an applicant applies to modify a community planning permit with conditional approval, the fee should be equal to that which would be charged if the application was new. Based on the scale of the proposed modifications, the fees may be waived or reduced at the discretion of the Executive Director of

Development Services, whose decision on this matter will be final.

1.28.4 Notwithstanding Section 1.10 – Permit Classifications, Approval Authority, Public Notice, and Conditions, in the case of a Class 3 community planning permit, the **Approval Authority** for the modification of conditional approval shall be determined at the discretion of the Executive Director of Development Services based on the scale of changes to the development concept from that approved by Council.

1.28.5 In the case of Class 1 and 2 community planning permits, Approval Authority for the modification of conditional approval shall remain as delegated in Section 1.10 – Permit Classifications, Approval Authority, Public Notice, and Conditions.

1.29 Transition

1.29.1 Building Permits

a. Nothing in this By-law shall prevent the erection or use of a building or structure for which a complete application for a building permit was filed on or prior to the date of passage of this By-law, if the application complies, or the building permit application is amended to comply, with the provisions of Zoning By-law 2009-141 and Site Plan Control By-law 99-312 as they read on the date of passage of this By-law. For the purposes of this section, an application for a building permit means an application that satisfies the requirements set out in the Building Code Act, as amended.

b. Nothing in this By-law shall prevent the erection or use of a building or structure for which an application for a building permit was filed after the date of passage of this By-law, where planning approvals were obtained in accordance with Section 1.23 – Application Decision of this By-law or where applications were in process in accordance with the same. For the purposes of this section, an application for a building permit means an application that satisfies the requirements set out in the Building Code Act, as amended.

1.29.2 Minor Variances

a. Where the Committee of Adjustment of the City or the Ontario Land Tribunal has authorized a minor variance to Zoning By-law 2009-141 with respect to

any land, building or structure, and the decision of the Committee of Adjustment of the City or the Ontario Land Tribunal authorizing such minor variance has become final and binding prior to the enactment of this By-law, the provisions of this By-law, as they apply to such land, building or structure, shall be deemed to be modified to the extent necessary to give effect to such minor variance.

b. Any complete application for a minor variance to Zoning By-law 2009-141 filed on or before the date of passage of this By-law shall be disposed of under the provisions of the former By-law, despite any repeal of such former By-law.

1.29.3 Site Plan Agreements

a. Where a site plan agreement has been entered into prior to the effective date of this By-law, and the timeframes specified in the Agreement have not yet lapsed, the provisions of this By-law, as they apply to such land, building, or structure, shall be deemed to be modified to the extent necessary to give effect to such site plan agreement.
b. Any complete application for site plan approval filed on or before the date of passage of this By-law shall be disposed of under the provisions of the former By-law, despite any repeal of such former By-law.

1.29.4 Zoning By-law Amendments

a. Any complete application for a site-specific zoning by-law amendment filed on or before the date of passage of this By-law shall be disposed of under the provisions of the former By-law, despite any repeal of such former By-law.
b. Notwithstanding the above, the following site-specific zoning by-law amendments (“special provisions”) will remain in force and effect:
    i. 2013-119 (SP-486) (SP-487) (H-123) – 140 - 152 Cumberland Street;
    ii. 2020-073 (SP-595) (H-149) – 272 Innisfil Street;
    iii. 2020-086 (SP-597) – 79 Gowan Street;
    iv. 2023-035 (SP-630) – 181 Bradford Street;
    v. 2023-063 (SP-635) – 17 Jacobs Terrace; and

vi. 2024-072 (SP-662) (H-166) – 1 - 43 Essa Road & 259 - 273 Innisfil Street.

1.29.5 Holding Provisions

a. Where lands were deemed to be subject to a holding provision by way of a by-law passed pursuant to Section 36 of the Planning Act on the effective date of this By-law, the conditions associated with the applicable holding provision shall be deemed to continue to apply.
b. Where there is a conflict between the provisions of this By-law and the specific provisions of any by-law imposing a holding provision, the specific by-law imposing a holding provision shall prevail.
c. Where a community planning permit application involves lands which are subject to conditions applied in accordance with this By-law, such conditions shall be applied in the same manner as if they were imposed.
d. An amendment to this By-law is not required when the holding conditions have been met.

1.30 Existing Uses, Lots, Buildings, and Structures

1.30.1 Legal Non-Conforming Uses

Nothing in this By-law shall apply to prevent the use of any land, building, or structure, for any purpose prohibited by the By-law if such land, building, or structure was lawfully used for such purpose prior to the effective date of this By-law, so long as it continues to be used for that purpose.

1.30.2 Restoration to a Safe Condition

Nothing in this By-law shall prevent the strengthening to a safe condition or the restructuring of any building, or structure, or part of any building, or structure, that is used for a legal non-conforming use, provided such an alteration or repair does not increase the height, size, or volume, or change the use of the building or structure.

1.30.3 Existing Non-Complying Buildings and Lots

a. A **lot** in existence prior to the effective date of this By-law that does not meet the minimum **lot frontage** requirements of the applicable **District** is permitted to be used, and buildings, and structures thereon erected, enlarged, rebuilt, repaired or renovated, provided the use conforms with this By-law and the buildings and structures comply with all other provisions of this By-law.
b. A non-complying building or structure which existed legally prior to the effective date of this By-law may be enlarged, repaired, renovated or reconstructed through a Class 2 application process, provided that the enlargement, repair, renovation or reconstruction, does not further encroach into a required yard.

1.31 Lots Reduced by Acquisition for Road Widenings or Park Dedications

1.31.1 Nothing in this By-law applies to prevent the continued use of a **lot** reduced by public acquisition where road widening or park dedications result in reduced **lot area**, **lot frontage**, or a legally existing building or structure to have increased **lot coverage**, reduced area of landscaped open space, **front yard**, **side yard**, or **rear yard** that does not conform to the standards for the **District** in which such **lot** is located provided that:

a. No further reduction is made in the dimensions, area or any other characteristics of the **lot** as reduced, after the date of such acquisition, that would increase the extent of said non-compliance; and
b. No building or structure or addition thereto is erected on the **lot** as reduced, after the date of such acquisition, except in accordance with all provisions for the **District** in which such **lot** is located.

2 Interpretation

2.1 Interpretation of the By-law Text

2.1.1 Words used in the present tense shall include the future tense, and words used in the singular number shall include the plural and the plural shall include the singular, unless the context clearly indicates the contrary.

2.1.2 The words "shall" or “must” are mandatory and not discretionary.

2.1.3 The word “may” is discretionary.

2.1.4 The words “and/or” is an inclusive term meaning one or the other or both.

2.1.5 A "building" or "structure" includes any part thereof.

2.1.6 The provisions of this By-law are minimum requirements except where a maximum requirement is specifically identified.

2.2 Definitions

Terms that are bolded, other than the document headings, are defined in Section 8 – Definitions of this By-law.

2.3 Measurements

2.3.1 All measurements of length, width, height, depth, or area used in this By-law shall be subject to the normal rules of rounding numbers, within the degree of precision specified by the number of digits following the decimal point (if any), so that:

a. For a whole number, measurements of less than 0.5 shall be rounded downward to the next whole unit;
b. For a whole number, measurements of 0.5 and greater shall be rounded upward to the next whole unit;
c. For a number having one decimal place, measurements of less than 0.05 shall be rounded downward to the next one-tenth unit;
d. For a number with one decimal place, measurements of 0.05 and greater shall be rounded upward to the next one-tenth unit;
e. Ratios and percentage figures shall not be subject to rounding; and
f. All measurement figures used in the By-law shall be metric measurement.

2.4 Severability

Should any court of competent authority hold any section, clause, or provision of this By-law to be invalid, the validity of the remainder of the By-law shall not be altered.

2.5 Compliance with Other Laws and Regulations

Nothing in this By-law shall be construed to exempt any person from complying with the requirements of the statutes and regulations enacted by the Government of Canada, Government of Ontario, or any other by-law of the City of Barrie.

2.6 Technical Revisions to the By-law

2.6.1 Provided that the purpose and intent of this By-law is unaffected, the following technical revisions to this By-law shall be permitted without an amendment to this By-law:

a. Corrections to grammatical, mathematical, boundary, or other such errors, including minor technical revisions to the mapping consistent with the intent of this By-law and the City's Official Plan;
b. Changes to the numbering of sections, the numbering contained in the cross-referencing of sections, and the format and arrangement of the text, tables, schedules, and maps, and the numbering of pages;
c. Corrections or revisions to the technical information contained on maps, such as the title blocks and legend;
d. Revisions to base mapping and parcel fabric as updated by the Ontario Land Registry Office;
e. Changes to the title of the **Approval Authority** delegated by Council to make decisions on its behalf, based on a resolution from Council;
f. Changes resulting from the removal of a holding symbol; and
g. Changes to any reference to legislation, regulations, or sections thereof approved by another public authority to include any amendments or successor legislation.

2.7 District Boundaries

2.7.1 Where any uncertainty exists as to the boundary of any District as shown on Schedule D, the following provisions shall apply:

a. Where a **District** boundary is indicated as following, and is within the boundary of, a **street**, lane, railway right-of-way, or watercourse, the boundary shall be the **centre line** of such **street**, lane, railway right-of-way, or watercourse; and

b. Where a **District** boundary is indicated as approximately following **lot lines** shown on a registered plan of subdivision or **lot lines** of the original City survey fabric, the boundary shall follow such **lot lines**.

c. The Executive Director of Development Services, or their designate, in consultation with any agency or other levels of government as applicable, may exercise discretion in interpreting **District** boundaries to meet the general intent of this By-law.

2.8 Development across Lot Lines

2.8.1 Where a proposed **development** is located on two or more abutting **lots**, parcels, or blocks that are under the same ownership or are subject to an application for unified ownership or control, which are intended to be consolidated into one **lot**, block, or parcel to facilitate the **development**, the lands may be considered as a single **lot** for the purposes of applying the **development** standards and provisions of this By-law.

2.8.2 Where a proposed **development** is comprehensively planned but will be located on two or more abutting **lots**, parcels, or blocks under different ownership, that will continue to share common site elements such as access, parking facilities, amenity areas, and site services by way of easements, strata plans, condominium plan of subdivision, or similar legal structures, the lands may be considered as a single **lot** for the purposes of applying the **development** standards and provisions of this By-law.

2.8.3 When **development** across **lot lines** is proposed, as a condition of a community planning permit, the **Approval Authority** may require that:

a. lands be consolidated into a single **lot**;
b. the **development** be maintained as a unified **development**; and/or
c. no future severance, conveyance, or **lot line** adjustment occur unless it can be demonstrated to the satisfaction of the **Approval Authority** that the resulting **lots** and **development** will continue to comply with the applicable **development** standards of this By-law.

3 General Standards and Provisions

3.1 Variation to General Standards and Provisions

Any variation to a general standard or provision as outlined in Section 3 – General Standards and Provisions will be subject to Section 1.12 – Variations to the Standards of this By-law and classified as a Class 2 variation requiring a community planning permit application, unless otherwise noted.

3.2 Accessory Buildings and Structures

3.2.1 Accessory Buildings and Structures in Allandale Neighbourhood Districts

All accessory buildings and structures in the Allandale Neighbourhood **Districts** shall:

a. Be permitted in conjunction with a permitted use;
b. Be subject to the **development** standards in Table 2: Additional Accessory Building and/or Structure Standards;
c. Be permitted only within the **exterior side yard**, **interior side yard**, and/or **rear yard**, except for **attached garages**, **balconies**, **decks**, and porches;
d. Include all non-habitable accessory structures in the total **lot coverage** associated with the permitted building type on site;
e. Exclude in- and above-ground pools from the maximum **lot coverage**;
f. Exclude **balconies** and porches from the maximum **lot coverage**; and
g. Exclude **decks** under 1.8 m in height, both detached and stand-alone, from the maximum **lot coverage**.

Table 2: Additional Accessory Building and/or Structure Standards

Standard	Detached Garage	Attached Garage, Storage	Attached Garage, Vehicular Storage	All other Accessory Buildings, and Structures
Minimum Exterior Side Yard Setback	3 m	3 m	3 m	0.6 m
Minimum Front Yard Setback	4 m from the front wall of the primary building	4 m from the front wall of the primary building	4 m from the front wall of the primary building	6 m
Minimum Interior Side Yard Setback	1.2 m	1.2 m	1.2 m	0.6 m
Minimum Rear Yard Setback	3 m	1.2 m	1.2 m	0.6 m
Minimum Building Area	20 m^2	15 m^2	20 m^2	n/a
Maximum Building Height	4.5 m	4.5 m	4.5 m	4 m

3.2.2 Accessory Buildings and Structures in all other Districts

All accessory buildings, structures, and uses shall:

a. Be set back a minimum of 1.2 m from the **rear lot line** in the case of a rear-access **lot**;
b. Be established on the same **lot** as the **primary use** or building, except for permitted sales trailers and portables;
c. Have a maximum **lot coverage** of 15% of the total **lot area** for all non-habitable accessory buildings, which is to be included in the total **lot coverage** calculation for the **District** in which it is to be located;

d. Be deemed to be a part of the primary building if it is enclosed and attached to the primary building; and
e. Not locate **mechanical equipment** within the **front yard**, except in the case of a back-to-back **row house**, where equipment permitted in a **front yard** shall be effectively screened from any **street**.

3.2.3 Accessory Outdoor Sales and Display Areas and Accessory Outdoor Storage

a. Outdoor sales and display areas, and **outdoor storage**, is permitted only as an **accessory use** to a similarly permitted use, as determined through the permitted use tables of this By-law.
b. Accessory outdoor sales and display areas, and **outdoor storage** shall maintain the same minimum setbacks for accessory buildings and structures as required by the **District** in which the **outdoor storage** is located.
c. Accessory **outdoor storage** is prohibited in the **front yard** or **exterior side yard** of any **lot**.
d. Accessory **outdoor storage** shall be restricted to a maximum height of 4 metres, except when storing machinery or equipment.
e. Any permitted accessory **outdoor storage** adjacent to a **street** or a **lot** in any **District**, other than the **District** in which the accessory **outdoor storage** is located, shall be:
    i. Screened from view from the **street** or **lot** with fencing and/or appropriate landscaping screening;
    ii. Less than 2 metres in height; and
    iii. The fence shall maintain the same setbacks as required for the accessory **outdoor storage**.
f. If the height of the accessory **outdoor storage** exceeds the height of the required fence, then coniferous planting must be provided between the fence and the **lot line** along the **street**.
g. Areas dedicated to accessory **outdoor storage** shall be constructed with a stable surface of crushed stone, slag, gravel, crushed brick or tile, cinders,

asphalt, concrete, or portland cement binder, which have been treated to prevent the raising of dust or loose particles.

h. All vehicular access connecting these areas with a **street** shall be paved with an asphalt or concrete surface.
i. Areas dedicated to accessory **outdoor storage** must not encroach into parking and/or loading areas required by this By-law.
j. If lighting facilities are provided in conjunction with any permitted accessory **outdoor storage**, then such lighting shall be so arranged as to deflect light onto the accessory **outdoor storage** area, and away from any adjoining properties or **streets**.
k. The area of land used for accessory **outdoor storage** shall not exceed 50% of the total **gross floor area** of the primary building.

3.3 General Building Standards

3.3.1 Row Houses

A minimum of three and a maximum of eight continuous **row house** units are permitted for all types of **row house** forms.

3.3.2 Streets and Blocks

a. Blocks shall not exceed 250 metres in length.
b. When a block exceeds 150 metres in length, a **mid-block connection** shall be provided for pedestrians.
c. **Mid-block connections** are formed through the separation of building bases located within large blocks to create walkways, parkettes, or other open spaces.
d. **Mid-block connections** shall be publicly accessible and connect to existing or planned **streets**, active transportation networks, and/or open spaces.
e. **Mid-block connections** shall be a minimum of 15 metres in width.
f. **Mid-block connections** must be maintained to be free from obstructions, waste, and debris, and with a neat appearance and appropriate illumination.

3.3.3 Permitted Encroachments

a. All minimum yard setbacks shall be unobstructed except for the following permitted encroachments and projections:
    i. An underground parking structure, staircase, or accessibility ramp, which is connected to a building entrance, in any **District** is permitted to occupy all yards, except as provided for elsewhere in this By-law;
    ii. Accessibility ramps, or accessibility lifts, are permitted in any yard and are not subject to height and setback requirements of the **District** in which they are located;
    iii. Any below grade unenclosed entryways shall be permitted to encroach into an **interior side yard**, or **rear yard**, but shall not cause any **interior side yard** to be less than 0.6 metres, or any **rear yard** to be less than 4 metres;
    iv. A **balcony**, located above the ground floor of a building, may encroach into the required setback of any **District** but shall not cause any setback to be less than 0.6 metres;
    v. A canopy, awning, or similar structure, with or without structural support, located above the ground floor of a building may encroach into the required setback of any **District** but shall not cause any setback of any **District** to be less than 0.6 metres;
    vi. A porch or **deck** may encroach into the required setback of any **District**, subject to the setbacks in Table 3: Deck and Porch Standards; and
    vii. Notwithstanding any other standards or provisions of this By-law, roof eaves, chimneys, exhaust vents, and bay windows projecting from any building, structure, or accessory structures are permitted in any yard and are not subject to the setback requirements of the **District** in which they are located.

Table 3: Deck and Porch Standards

Standard	Decks and Porches
Minimum Exterior Side Yard Setback	1 m
Minimum Front Yard Setback	1.5 m
Minimum Interior Side Yard Setback	0.3 m
Minimum Rear Yard Setback	0.3 m

3.3.4 Outdoor Amenity Areas

a. **Lots** with 10 **dwelling units** or less are not required to provide any designated outdoor **amenity area**.
b. **Lots** with more than 10 **dwelling units** shall provide a minimum outdoor amenity area in accordance with the following:
    i. The minimum required outdoor **amenity area** shall be equal to the greater of 150 square metres or 8 square metres per **dwelling unit**; and
    ii. Required outdoor **amenity areas** shall be subject to the requirements in Sections 3.3.4.1 and 3.3.4.2 below.

3.3.4.1 Consolidated Amenity Areas

Consolidated outdoor **amenity areas** shall be designed and located so that:

a. A minimum consolidated outdoor **amenity area** of 150 square metres is required for each **low-rise**, **mid-rise**, and **high-rise building**;
b. The required minimum consolidated outdoor **amenity area** shall be provided on the same **lot** as the associated building;
c. The consolidated outdoor **amenity area** for all buildings shall be a minimum width of 5 metres;
d. The minimum consolidated outdoor **amenity area** is permitted to be located at-grade, on any rooftop, or terraces; and
e. Private **balconies** and any other area accessed by individual units shall not be included in the calculation of consolidated outdoor **amenity area** requirements.

3.3.4.2 Unconsolidated Amenity Area

Unconsolidated **amenity areas** may form part of the minimum required outdoor amenity area in accordance with the following:

a. Any additional **amenity area** required beyond 150 square metres is not required to form part of the consolidated **amenity area**; and
b. Private **balconies** may be included in the calculation of unconsolidated **amenity area** requirements.

3.3.5 Angular Plane

a. **Angular planes** are required for:
    i. All **mid-rise buildings** and **high-rise buildings** located on a **lot** that shares a **lot line** with an Allandale Neighbourhood **District**; and
    ii. Any portion of the building above the fourth storey, which must be contained within a 45-degree **angular plane**, measured from the shared **lot line** at a height of 10.5 metres, as viewed from any **lot** within an **adjacent** Allandale Neighbourhood **District**.

3.3.6 Exceptions to Height Provisions

a. Unless otherwise required by this By-law, the following buildings, structures, and features shall not be subject to the maximum height and storey provisions:
    i. Any roof accommodating an elevator, staircase, or ventilating fan (or similar equipment) that rises above the roof level but does not provide **habitable living space**;
    ii. Mechanical penthouse;
    iii. Chimney;
    iv. Ornamental architectural features;
    v. Lightning rods;
    vi. Rooftop photovoltaic panels; and
    vii. Telecommunications installations.
b. Notwithstanding the above, a mechanical penthouse shall not exceed 6 metres above the maximum permitted height.

c. When there are multiple buildings on the same **lot**, an appropriate height strategy shall be established. Generally, buildings on the same **lot** are required to gradually step down in height towards the waterfront.

3.3.7 Facing Distances

a. **Facing distances** prescribed in Table 4: Building Facing Distances apply when any grouping of **mid-rise buildings** and **high-rise buildings** are located on the same **lot**, inclusive of **balconies**, canopies, and awnings.
b. Where buildings that face each other differ in height, the greater height shall be used to determine the required building **facing distance**.

Table 4: Building Facing Distances

Building Facing Distances	Minimum Separation Distance
Up to 40 m in height	10 m
40 m to 80 m in height	15 m

3.3.8 Tower Floorplate and Podium Lengths

a. The maximum tower floorplate size, applicable to buildings exceeding 40 metres in height, shall be 850 square metres, measured to the exterior walls, excluding any terraces and **balconies**.
b. The maximum **podium** length for any **low**, **mid**, and **high-rise buildings**, shall be 90 metres.
    i. The maximum **podium** length shall be measured by using the distance between two opposing exterior walls. Where there are more than two opposing exterior walls, the greater distance shall be used when calculating the maximum **podium** length.

3.3.9 Building Step-backs and Streetwall Height

a. Within the Allandale Mixed Use **Districts** a consistent **streetwall** height is required for buildings on **lots** fronting onto minor collector, major collector, and arterial roads as identified on Schedule E of this By-law.

b. The required consistent **streetwall** height is determined by the road classifications shown on Schedule E, as prescribed in Table 5: Streetwall Height Standards.

Table 5: Streetwall Height Standards

Lot Standard	Streetwall Height
Minor collector	10 m in height
Major collectors	20 m in height
Arterial	20 m in height

c. A 3 metre step-back shall be provided between the **podium** and **tower** of any **mid-rise buildings** and **high-rise buildings**.
d. An additional 3 metre step-back shall be provided above the ninth storey of any **mid-rise buildings** and **high-rise buildings**.

3.4 General Standards

3.4.1 Landscaped Area

Any portion of a **front yard** which is not used for any other purpose, as permitted by this By-law, is required to be a **landscaped area**.

3.4.2 Landscaped Buffers

a. A contiguous **landscaped buffer** with a minimum width of 3 metres shall be provided:
    i. Along all **lot lines** of all **Districts adjacent** to Allandale Neighbourhood **Districts** except between abutting **lots** in the Allandale Neighbourhood and Community Hub **Districts**.
    ii. Along all **lot lines** of all **Districts adjacent** to Environmental Protection Area (EP) **Districts**.

3.4.3 Lot Configuration and Consolidation

a. New **development** on **corner**, and **through lots** shall enhance connections and mobility within and through the **lot**.
b. Where a **lot** fronts more than one **street**, new **development** shall:

i. Be oriented towards the higher-order road, as established on Schedule E to this By-law;
ii. Where both **streets** are the same classification, the shorter **lot line** shall be deemed to be the **front lot line**; or
iii. Where both **streets** are the same classification, and both **lot lines** are the same length, either **lot line** may be deemed the **front lot line**, based on the orientation of new **development**.

3.4.4 Snow Storage

Snow storage is not permitted to be located within the required **amenity areas**.

3.4.5 Temporary Uses

3.4.5.1 Construction Activities

Construction activities are permitted on a temporary basis along with any sheds, trailers, **outdoor storage**, scaffolds, or other structures incidental to construction on the same **lot**, for so long as the same is necessary for work in progress which has neither been finished nor abandoned.

3.4.5.2 Model Homes

a. More than one building constructed on a site prior to registration of a plan of subdivision, plan of condominium, or site plan, shall be permitted subject to the following:
   i. The buildings shall be used as model homes only and shall not be occupied prior to approval by the City in accordance with the subdivision agreement, condominium agreement, or site plan agreement;
   ii. The number of **lots** used for model homes shall not exceed 10% of the number of draft approved **lots** for a plan of subdivision or 15 **lots**, whichever is less; and
   iii. Compliance with all other standards and provisions of this By-law, as though the buildings were constructed on **lots** within a registered plan of subdivision, plan of condominium, or site plan.

3.4.5.3 Occasional or Special Events

An occasional or special event, for profit or not, is permitted on a **lot** in any **District**, provided the event is limited to a maximum of four days within a calendar year.

3.4.5.4 Seasonal Sale of Fruit and Vegetables

a. The sale of fruit, vegetables, plants, other homemade/farm produce, or artisanal products on a seasonal basis is permitted in an Allandale Community Hub (A-CH) **District**, subject to the applicable **District** standards.
b. The sale of permitted products must be done through temporary garden centres, temporary fruit stands, or temporary farmers markets.

3.4.5.5 Temporary Sales Trailers

A temporary construction shed, trailer, site office, or sales office may be provided on a construction site or in a plan of subdivision for the period during which the construction of new buildings is taking place, provided that the temporary building or structure is placed in accordance with the standards and provisions of Section 5 – Allandale Major Transit Station Area Districts of this By-law.

3.4.5.6 Temporary Shipping, Storage Containers, and Large Disposal Bins

The use of shipping containers for storage and/or moving, including large disposal bins, is permitted in both Allandale Neighbourhood, Allandale Community Hub, and Allandale Mixed Use **Districts** for up to 90 days and shall only be located on a **driveway**.

3.4.6 Waste Management for Multi-residential Buildings

a. Notwithstanding any provisions to the contrary, all buildings and structures containing six or more **dwelling units** shall provide waste receptacles (such as garbage, recycling, and organic waste bins), according to the following standards:
    i. The storage of a waste receptacle, or receptacles, shall be within the primary building, or a permitted accessory building or structure;

ii. Any accessory building or structure accommodating waste receptables shall not be permitted within the **front yard**;

iii. Any accessory building or structure accommodating waste receptables shall not be permitted within 10 metres of the front face of the primary building;

iv. The main opening of an accessory building or structure accommodating waste receptables shall not face any **street** frontage; and,

v. All other standards related to accessory buildings or structures contained in Sections 3.2 – Accessory Buildings and Structures.

3.4.7 Development Adjacent to Rail Corridors

Where **development** is located within 150 metres of a rail corridor, as identified on Schedule E: Transportation Network, consultation with the Barrie-Collingwood Railway (BCRY) and/or Metrolinx shall be required.

3.5 Specific Use Standards

3.5.1 Additional Residential Units

a. An **additional residential unit** is only permitted as an **accessory use** within a **detached building**, **semi-detached building**, and **row house**.

b. An **additional residential unit** shall be located on the same **lot** as a primary building that has frontage on a municipal **street**.

c. A maximum of three **additional residential units** are permitted, such that the total number of **dwelling units** on the **lot** does not exceed four in total.

d. A 1.2-metre-wide unobstructed path of travel shall be provided to the primary entrance of the **additional residential unit** from the **street**, **driveway**, or parking space.

e. Notwithstanding any other provision of this By-law, an **additional residential unit** shall not be located within any area subject to natural hazards such as flooding or erosion hazards.

3.5.2 Additional Residential Units within an Accessory Building

a. An **additional residential unit** located within an accessory building is a **accessory use** to any **detached dwelling**, **semi-detached dwelling**, and **row house**. It may also be referred to as a **coach house**.
b. **Additional residential units** located within an accessory building are subject to the standards found in Table 6: Standards for Additional Residential Units located in an Accessory Building.

Table 6: Standards for Additional Residential Units located in an Accessory Building

Development Standard	Requirement
Maximum Building Height	4.5 m or the height of the primary building on site, whichever is less
Minimum Front Yard Setback	7 m
Minimum Interior Side Yard Setback	3 m
Minimum Exterior Side Yard Setback	3 m
Minimum Rear Yard Setback	3 m
Landscape Buffer Areas	**Landscape buffer** areas must be provided between the **lot line** and the accessory building containing an **additional residential unit.**

c. An **additional residential unit** located within an accessory building shall be located on the same **lot** as the primary building that fronts on a municipal **street**.
d. An **additional residential unit** may be located within or attached to an accessory building, provided said accessory building complies with the minimum setback requirements, as established in this By-law.
e. A maximum of two accessory buildings containing an **additional residential unit** may be permitted per **lot**.
f. An accessory building shall only contain up to two **dwelling units**.
g. An accessory building containing an **additional residential unit** is not permitted to have a basement.

h. An accessory building containing an **additional residential unit** is not permitted in a **front yard**.
i. The maximum distance between the **front lot line** and the primary entrance to an **additional residential unit** within an accessory building shall be 40 metres.
j. An accessory building containing an **additional residential unit** shall be included when calculating the maximum **lot coverage** for the primary building, as established in this By-law.
k. Any external stairways, landings, steps, eaves, roof overhangs air conditioners, **mechanical equipment**, chimney breasts, bay windows, **decks**, porches, awnings, and any other similar architectural or mechanical features are permitted to encroach to a maximum of 0.6 metres into the required yard setbacks, as established by this By-law.
l. Notwithstanding any other provision of this By-law, an **additional residential unit** shall not be located within any area subject to natural hazards such as flooding or erosion hazards.

3.5.3 Commercial Vehicles and School Buses

a. The parking and storage of **commercial vehicles** more than 4,500 kg gross vehicle weight, or those designed specifically for commercial, industrial, or agricultural purposes, is prohibited in all **Districts**.
b. School buses are permitted to be parked and stored in an Allandale Community Hub (A-CH) **District** if there is a **school** or place of worship located on the same **lot**.

3.5.4 Food/Refreshment Stands

A **food/refreshment stand** shall:

a. Be established on the same **lot** as the **primary use** or building;
b. Be setback a minimum of 2 metres from any **lot line**;
c. Not be permitted within a required landscape area or **amenity area**;
d. Not be permitted to occupy any required parking spaces.

e. Any permitted **food/refreshment stand** is required to meet the requirements of all other municipal by-laws.

3.5.5 Home Occupations

a. A **home occupation** is permitted in a **dwelling unit** or an accessory building to a **dwelling unit** in all **Districts**, subject to the following provisions:

   i. A **home occupation** must not become a nuisance because of noise, odour, dust, fumes, vibration, radiation, glare, traffic, or parking generated;

   ii. The maximum **gross floor area** of a **home occupation** is 30% of the **gross floor area** of the **dwelling unit** that it is associated with, except for a home-based **child care** which is not subject to the maximum **gross floor area** requirements;

   iii. Operators of **home occupations** must reside in the **dwelling unit** that the **home occupation** is associated with. A maximum of one employee other than a resident of the associated **dwelling unit** is permitted to work at the **home occupation**;

   iv. A **home occupation** must take place entirely within an enclosed building, except for home-based **child care** or other uses requiring outdoor instruction; and

   v. **Outdoor storage** associated with a **home occupation** is not permitted.

b. The following uses are prohibited as a **home occupation**:

   i. The sale and servicing of motor vehicles, recreational vehicles, or any motorized equipment;

   ii. Primary direct sales where the primary use is point of sale transactions direct to the consumer, excluding sales of any service-related products or items made on the premises; and

iii. A retail store.

3.5.6 Prohibited Uses

Notwithstanding anything contained in this By-law, the following uses shall not be permitted within any **District**:

a. Any use which, from its nature or the materials used therein, is declared by the City to be noxious or offensive trade, business, or manufacture, shall be prohibited.
    i. For the purposes of this provision, the manufacturing and processing of noxious products is defined as the manufacturing, refining, or rendering of acid, ammonia, chlorine, coal, creosote, explosives, fireworks, petroleum, asbestos products, asphalt, tar, blackening or polish, brick, tile, cement, gypsum, lime, plaster of Paris, dextrin, glucose or starch, dye, fat, grease, lard or tallow, gelatin, glue or size, soda, potash, fertilizers, vinegar, rubber and vehicle tires, or similar substances.
b. A track for the racing or testing of automobiles, motorcycles, go-carts or snowmobiles.
c. Privately owned trailer camps.
d. Storage of polychlorinated biphenyl (PCB's).
e. Bulk open storage of coal or coke or other material which may be noxious by emission of dust or odours.
f. Smelters.
g. The parking and storage of commercial vehicles in excess of 4500kg gross vehicle weight, or those designed specifically for commercial, industrial or agricultural purposes within the Allandale Neighbourhood and Environmental Protection Area **Districts**.
h. Unauthorized or unlicensed sale, or offer of sale, of illegal, regulated, or restricted goods, products or services, including but not limited to body rub parlours and dispensaries.

3.5.7 Outdoor Commercial Patios

An outdoor commercial patio may not exceed 50% of the **gross floor area** of the use to which it is an accessory.

3.5.8 Recreational Vehicles or Trailers

The use of a recreational vehicle or trailer, for living, sleeping, housekeeping purposes, or as a residential unit, is prohibited in all **Districts** unless otherwise specified by this By-law.

4 Parking and Loading

4.1 Variation to Parking and Loading Provisions

4.1.1 Any variation to a provision as outlined in Section 4 – Parking and Loading will be subject to Section 1.12 – Variations to the Standards of this By-law, and classified as a Class 2 community planning permit, unless otherwise noted.

4.1.2 If the parking and loading standards in Section 4 – Parking and Loading conflict with the Heritage Character (HC) standards in Section 6 – Heritage Character (HC) Provisions, then those standards of Section 6 shall prevail.

4.2 General

4.2.1 Within the Community Planning Permit Area shown on Schedule A, no parking is required.

4.2.2 The parking exemption in the Community Planning Permit Area does not apply to required bicycle parking spaces or accessible parking spaces when parking is provided.

4.2.3 Where parking is proposed to be provided, parking spaces shall comply with the design requirements in Section 4.3 – Minimum Parking Space Sizes, and the design requirements and minimum number of barrier free parking spaces per Section 4.4 – Minimum Barrier-Free Parking Space Requirements, and must be provided and maintained in accordance with the following requirements:

a. Parking spaces must be located on the same **lot** as the corresponding use and building, unless otherwise specified by this By-law;

b. If more than four parking spaces are provided on a **lot** with a non-residential use, then all parking spaces shall be clearly marked; and

c. Parking is not permitted in any required **landscaped buffers**.

4.3 Minimum Parking Space Sizes

4.3.1 Each parking space, except for barrier free parking spaces, shall have a minimum width of 2.7 m and a minimum length of 5.5 metres.

4.3.2 Each parallel parking space shall be a minimum width of 2.7 metres and a

minimum length of 6.7 metres, except for the first and/or last space in a row, which may have a minimum length of 5.5 metres provided it is located a minimum of 1.5 metres from any intersecting **street**, lane or obstruction.

4.3.3 Structural columns located within a parking structure may encroach into a required parking space, provided that the encroachment does not reduce the width of the parking space to less than 2.5 metres.

4.4 Minimum Barrier-Free Parking Space Requirements

4.4.1 Each Type A barrier-free parking space shall have a minimum width of 3.4 metres and a minimum length of 5.5 metres.

4.4.2 Each Type B barrier-free parking space shall have a minimum width of 3.1 metres and a minimum length of 5.5 metres.

4.4.3 Barrier-free parking spaces shall be provided in accordance with Table 7: Minimum Barrier-Free Parking Spaces.

Table 7: Minimum Barrier-Free Parking Spaces

Total Number of Parking Spaces	Number of Barrier-Free Parking Spaces
12 or fewer	1 Type A barrier-free parking space
13 to 100	4% of the total number of parking spaces
101 to 200	1 space + 3% of the total number of parking spaces
201 to 1000	2 spaces + 2% of the total number of parking spaces
More than 1000	11 spaces + 1% of the total number of parking spaces

4.4.4 Where an even number of barrier-free parking spaces are required, parking spaces shall be equally divided between Type A and Type B barrier-free parking spaces.

4.4.5 Where an odd number of barrier-free parking spaces are required, the additional odd numbered barrier-free parking space may be a Type B barrier-free parking space.

4.4.6 When either a Type A or Type B barrier-free parking space is provided they shall include an adjacent 1.5-metre-wide access aisle. The access aisle shall be the same length as the required barrier-free parking space.

4.4.7 When two barrier-free parking spaces are adjacent to one another they may share the same access aisle width of 1.5 metres.

4.4.8 Where there is potential conflict relating to the provision of barrier-free parking spaces in this Section 4.4, the Accessibility for Ontarians with Disabilities Act (AODA) applies.

4.5 Minimum Parking Aisle Widths

4.5.1 A parking aisle, for one-way traffic only, must provide the minimum aisle widths stated in Table 8: Minimum Parking Aisle Widths for One-Way Traffic.

4.5.2 For two-way traffic, a minimum parking aisle width of 6 metres is required.

4.5.3 A parking structure may not exceed 10 metres in height.

Table 8: Minimum Parking Aisle Widths for One-Way Traffic

Angle of Parking Space	Minimum Aisle Width for one-way Traffic
30 degree	2.8 m
45 degree	3.4 m
60 degree	5.2 m
90 degree	3.7 m
Parallel to curb	3.7 m

4.6 Driveways associated with a Residential Use

A **driveway** must be a minimum 2.7 metres wide, minimum 6 metres long, and may provide a connection to any parking area located in the **rear yard**, **interior side yard**, or **exterior side yards** from a **street**.

4.7 Stacked Parking

Stacked parking is permitted by way of a multi-level parking system such as a car lift. Both a car lift and any structure containing a multi-level parking system, when

separate from a primary building, shall be considered an accessory structure.

4.8 Bicycle Parking

4.8.1 The number of bicycle parking spaces required by this By-law must be provided on the same **lot** as the corresponding use or building.

4.8.2 If a **lot** contains more than one use, the required number of bicycle parking spaces is the sum of all bicycle parking spaces required for each use.

4.8.3 If a **lot** contains more than one non-residential building, then the bicycle parking space requirements are calculated and provided for each building as though they are on their own individual **lot**.

4.8.4 Notwithstanding the definition of **gross floor area**, for the purpose of calculating the required number of bicycle parking spaces, any floor area that is dedicated solely to the storage of goods or products is permitted to be excluded from the **gross floor area** calculation.

4.8.5 All bicycle parking racks and bicycle lockers must be secured to the ground, floor, or wall.

4.8.6 All **long-term bicycle parking spaces** must be a minimum of 1.8 metres in length, a minimum of 0.6 metres in width, and overhead clearance in covered spaces shall be a minimum of 2.1 metres, but if a long-term bicycle parking space provides for storage of a bicycle in a vertical position, then the minimum length may be reduced to 1.2 metres.

4.8.7 All outdoor bicycle parking spaces must be surfaced with asphalt, concrete, or pavers.

4.8.8 The minimum bicycle parking requirements do not apply to **ground-oriented buildings** in all **Districts**.

4.8.9 0.1 bicycle parking spaces per **dwelling unit**, are required for a residential building containing 10 or more **dwelling units**.

4.8.10 0.3 bicycle parking spaces per 100 square metres of **gross floor area** are required for all other uses.

4.9 Loading Spaces

4.9.1 For any industrial or commercial use, loading spaces shall be provided and maintained on the same **lot** in accordance with Table 9: Minimum Number of Required Loading Spaces.

4.9.2 Loading spaces shall be a minimum of 3 metres in width, 9 metres in length, and 4 metres in vertical clearance, and shall:

a. Not be in the **front yard** or **exterior side yard** of any **lot**;
b. Be located **adjacent** to the structure for which they serve and shall be screened from view of any public **street** or highway; and
c. Not be located within 6 metres of any **lot line** abutting a **street**.

Table 9: Minimum Number of Required Loading Spaces

Gross Floor Area	Number of Required Loading Spaces
Up to 999 m^2	0
From 1,000 to 2,999 m^2	1
From 3,000 to 7,499 m^2	2
From 7,500 to 13,999 m^2	3
From 14,000 to 19,999 m^2	4
20,000 m^2 or greater	One loading space for each additional 10,000 m^2

5 Allandale Major Transit Station Area Districts

5.1 Community Planning Permit Districts

5.1.1 The Allandale Major Transit Station Area (MTSA), as shown on Schedule A, is designated as one contiguous Community Planning Permit Area.

5.1.2 The Community Planning Permit Area is comprised of the following Community Planning Permit **Districts**:

a. Allandale Neighbourhood One (A-N1)
b. Allandale Neighbourhood Two (A-N2)
c. Allandale Mixed Use One (A-MU1)
d. Allandale Mixed Use Two (A-MU2)
e. Allandale Community Hub (A-CH)
f. Environmental Protection Area (EP)

5.2 Allandale Neighbourhood Districts

5.2.1 Allandale Neighbourhood Districts Permitted Uses

a. **Primary uses** permitted in the Allandale Neighbourhood One (A-N1) **District** include:
    - **Residential Care Facility**
    - **Detached Building**
    - **Group Home**
    - **Hospice**
    - **Row House**
    - **Semi-detached Building**
    - **Shared Accommodation**
b. **Primary uses** permitted in the Allandale Neighbourhood Two (A-N2) **Districts** include:
    - All the **uses** permitted in the Allandale Neighbourhood One (A-N1) **District**
    - **Multi-unit Residential Building**

c. **Accessory uses** permitted in the Allandale Neighbourhood One (A-N1) and Two (A-N2) **Districts** include:
    - **Home Occupation**
    - **Additional Residential Unit(s)**
d. Additional **primary uses** permitted in the Allandale Neighbourhood One (A-N1) **District** on **lots** with frontage along an arterial or collector road, as identified on Schedule E include:
    - **Child care**
e. Additional **primary uses** permitted in the Allandale Neighbourhood Two (A-N2) **District** on **lots** with frontage along an arterial or collector road, as identified on Schedule E include:
    - **Animal-related Services**
    - **Child care**
    - Farmers Market
    - **Fitness or Health Club**
    - **Food/Refreshment Stand**
    - **Food/Refreshment Vehicle**
    - **Health Services Facility**
    - Local Convenience Retail
    - Office
    - **Personal Services**
    - Residential unit(s) in conjunction with permitted **Commercial Uses**
    - Restaurant
    - Retail store
    - **School**
f. Discretionary uses permitted in the Allandale Neighbourhood One (A-N1) and Two (A-N2) **Districts** include:
    - **Public Service Facilities**
    - **Community Facilities**

5.2.2 Allandale Neighbourhood District Development Criteria

a. Any **lot** within the Allandale Neighbourhood One (A-N1) District may contain a maximum of four **dwelling units**, subject to the following:
    i. **Lots** with a **detached building**, **semi-detached building**, or **row house** are subject to the **additional residential unit** standards in Section 3.5.1 – Additional Residential Units and Section 3.5.2 – Additional Residential Units within an Accessory Building if they contain more than one **dwelling unit**. **Additional residential unit**s may be purpose-built at the same time the primary building is constructed or added later.
    ii. For **lots** with **Shared Accommodation** or **Residential Care Facility**, two **rooming units** are equivalent to one **dwelling unit**.
b. A mix of residential uses and non-residential uses, where permitted, may be co-located within a single building or multiple buildings on a **lot**. Notwithstanding this, the establishment of a mix of uses within the Allandale Neighbourhood **Districts** will require a community planning permit.
c. Discretionary uses may only be permitted subject to meeting the criteria set out in Section 1.11 – Discretionary Uses of this By-law.
d. All **lots** within the Allandale Neighbourhood One (A-N1) **District** are subject to Section 6 – Heritage Character (HC) Provisions, of this By-law.
e. **Development** on **lots** subject to Section 6 – Heritage Character (HC) Provisions, shall comply with the heritage design criteria established in Section 6, in addition to all other applicable standards of this By-law.
f. Parking provided in the **front yard** of any **lot** within the Allandale Neighbourhood **Districts** is only permitted on 60% of the **front yard** area, and subject to Section 3.4.1 – Landscaped Area.

5.2.3 Allandale Neighbourhood One (A-N1) District Standards

a. The uses permitted in the Allandale Neighbourhood One (A-N1) **District** are subject to the **development** standards in Table 10: Allandale Neighbourhood One (A-N1) Development Standards.

Table 10: Allandale Neighbourhood One (A-N1) Development Standards

Development Standards	Requirement	Class 2 variation
Maximum Lot Coverage	50%	75%
Minimum Lot Frontage	10 m	6 m
Minimum Exterior Side Yard Setback	3 m	1.2 m
Minimum Front Yard Setback	Subject to Section 6.2 – Front Yard Setback Standards [Heritage Character (HC) Provisions]	Subject to Section 6.2 – Front Yard Setback Standards [Heritage Character (HC) Provisions]
Minimum Interior Side Yard Setback	1.2 m	0.6 m
Minimum Rear Yard Setback	7 m	6 m
Minimum Landscaped Area	20%	10%
Maximum Building Height	10 m	12 m

b. The following provisions apply to Table 10:
    i. Notwithstanding the minimum side yard setback requirements**, semi-detached** and **row houses** may provide a **minimum interior side yard setback** of 0 metres, only in the case of a shared **lot line** with another **building**.
    ii. Notwithstanding the minimum landscaped area requirements, **detached**, **semi-detached buildings**, and **row houses**, are exempt from providing any **landscaped area**.

5.2.4 Allandale Neighbourhood One (A-N1) District Development Criteria

a. All **lots** within the Allandale Neighbourhood One (A-N1) **District** are subject to Section 6 – Heritage Character (HC) Provisions, of this By-law.
    i. **Development** on **lots** subject to Section 6 – Heritage Character (HC) Provisions, shall comply with the heritage design criteria established in Section 6, in addition to all other applicable standards of this By-law.

ii. Where there is a conflict between the Heritage Character (HC) Provisions of Section 6, and another standard within this By-law, the Heritage Character (HC) provisions shall prevail.

b. No buildings within the Allandale Neighbourhood One (A-N1) **District** may exceed four storeys in height.

5.2.5 Allandale Neighbourhood Two (A-N2) District Development Standards

a. The uses permitted in the Allandale Neighbourhood Two (A-N2) **District** are subject to the **development** standards referenced in Table 11: Allandale Neighbourhood Two (A-N2) Development Standards.

Table 11: Allandale Neighbourhood Two (A-N2) Development Standards

Development Standards	Requirement	Class 2 variation
Maximum Lot Coverage	50%	75%
Minimum Lot Frontage	10 m	6 m
Minimum Exterior Side Yard Setback	3 m	1.2 m
Minimum Front Yard Setback	3 m	2.4 m
Minimum Interior Side Yard Setback	1.2 m	0.6 m
Minimum Rear Yard Setback	5 m	4 m
Minimum Landscaped Area	20%	10%
Maximum Building Height	12 m	14 m
Minimum Ground Level Floor Height	4.5 m	3 m

b. The following provisions apply to Table 11:

i. Notwithstanding the minimum **front yard setback** requirement, a **multi-residential building**, including **mid-rise buildings**, shall provide a minimum **front yard setback** of 5 metres, and is subject to the Class 2 variation.

ii. Notwithstanding the minimum side yard setback requirement, **semi-detached** and **row houses** may provide a **minimum interior side**

yard setback of 0 metres, only in the case of a shared **lot line** with another building.

iii. Notwithstanding the minimum landscaped area, **detached**, **semi-detached buildings** and **row houses** are exempt from providing any **landscaped area**.

iv. Notwithstanding the **minimum ground floor level height** may be reduced to 3 metres, where a building is exclusively used for **residential uses**.

5.2.6 Allandale Neighbourhood Two (A-N2) District Development Criteria

a. Buildings within the Allandale Neighbourhood Two (A-N2) **District** shall be permitted up to four storeys, subject to the maximum height standards in Table 11: Allandale Neighbourhood Two (A-N2) Development Standards.

b. Buildings over four storeys, to a maximum of six storeys, may be permitted on minor collector, major collector, and arterial roads within the Allandale Neighbourhood Two (A-N2) **District,** as identified on Schedule E, subject to a Class 3 permit review.

5.3 Allandale Mixed Use Districts

5.3.1 Permitted Uses

a. **Primary uses** permitted in the Allandale Mixed Use One (A-MU1) and Two (A-MU2) **Districts** include:

- **Residential Care Facility**
- **Child care**
- Commercial Entertainment and Recreational Establishment
- **Commercial School**
- **Community Facilities**
- Conference and Trade Centre
- Farmers Market
- **Fitness or Health Club**
- **Funeral Establishment**
- **Government Services**
- **Group Home**
- **Health Services Facility**
- **Hospice**
- Hotel/Motel
- **Micro Brewery**
- **Micro Distillery**
- **Multi-unit Residential Building**
- Office
- **Personal Services**
- **Public Service Facilities**
- Repair Service
- Residential unit(s) in conjunction with permitted uses
- Restaurant
- Retail store
- **School**
- **Shared Accommodation**

- **Social Services Facility**

b. **Accessory uses** permitted in the Allandale Mixed Use One (A-MU1) and Two (A-MU2) include:
    - **Home Occupation**
    - **Additional Residential Unit(s)**
    - **Food/Refreshment Stands**
    - **Food/Refreshment Vehicle**

5.3.2 Allandale Mixed Use Districts Development Criteria

a. Accessory **dwelling units** shall only be permitted in an existing **detached building**, **semi-detached building** or **row house** in the Allandale Mixed Use **Districts**, subject to the provisions in Section 3.5.1 – Additional Residential Units and Section 3.5.2 – Additional Residential Units within an Accessory Building.
b. Seasonal arctic entries or vestibules shall be permitted to encroach into a **front yard** but shall not obstruct pedestrian clear zones.
c. All buildings must be setback a minimum of 0.3 metres from a **lot line** abutting a lane in the Allandale Mixed Use One (A-MU1) and Allandale Mixed Use Two (A-MU2) **Districts**.
d. Buildings on **lots** fronting onto Essa Road, an arterial road as per Schedule E of this By-law, shall provide a minimum of one **accessory use** in addition to a **primary use**. These combination of uses shall be located within the same building, with any residential uses provided on floors above the first floor, or ground level floor, and any commercial, institutional, office, or retail uses, provided on the first floor, or ground level floor.
e. Where a combination of uses is not provided, a Class 2 permit shall provide a Planning Justification Report or other similar study, as described in Schedule C, to justify this variation.

5.3.3 Allandale Mixed Use One (A-MU1) District Standards

a. The uses permitted in the Allandale Mixed Use One (A-MU1) **District** are subject to the **development** standards referenced in Table 12: Allandale Mixed Use One (A-MU1) Development Standards.

Table 12: Allandale Mixed Use One (A-MU1) Development Standards

Development Standards	Requirement	Class 2 variation
Maximum Lot Coverage	50%	90%
Minimum Lot Frontage	10 m	6 m
Minimum Exterior Side Yard Setback	3 m	1.2 m
Minimum Front Yard Setback	5 m	3 m
Minimum Interior Side Yard Setback	1.2 m	0 m
Minimum Rear Yard Setback	7.5 m	6 m
Minimum Landscaped Area	15%	10%
Maximum Building Height	20 m	40 m
Minimum Ground Level Floor Height	4.5 m	3 m

b. The following provisions apply to Table 12:

i. Notwithstanding the requirements of Table 12, any alterations or additions to an existing **detached building**, **semi-detached building**, or **row house** in the Allandale Mixed Use District shall be subject to the Allandale Neighbourhood District Two (A-N2) development standards.

ii. Notwithstanding the minimum **interior side yard** setback requirement, the **tower** of a **mid-rise building** shall have an **interior side yard** setback of 7.5 metres, and a reduction to 6 metres may be considered through a Class 2 variation. The **podium** of a **mid-rise building** may have a minimum **interior side yard** setback of 0 metres, through a Class 2 variation.

iii. Notwithstanding the minimum landscaped area requirements, a **detached building**, **semi-detached building**, and **row house** are exempt from providing any **landscaped area**.

iv. Notwithstanding the minimum ground floor level height requirement, may be reduced to 3 metres, where a **building** is exclusively used for **residential uses**.

5.3.4 Allandale Mixed Use Two (A-MU2) District Standards

a. The uses permitted in the Allandale Mixed Use Two (A-MU2) **District** are subject to the **development** standards referenced in Table 13: Allandale Mixed Use Two (A-MU2) Development Standards.

Table 13: Allandale Mixed Use Two (A-MU2) Development Standards

Development Standards	Requirement	Class 2 variation
Maximum Lot Coverage	50%	90%
Minimum Lot Frontage	10 m	6 m
Minimum Exterior Side Yard Setback	3 m	1.2 m
Minimum Front Yard Setback	5 m	3 m
Minimum Interior Side Yard Setback	1.2 m	0 m
Minimum Rear Yard Setback	7.5 m	6 m
Minimum Landscaped Area	15%	10%
Maximum Building Height	40 m	80 m
Minimum Ground Level Floor Height	4.5 m	3 m

b. The following provisions apply to Table 13: Allandale Mixed Use Two (A-MU2) Development Standards.

i. Notwithstanding the minimum **interior side yard** setback, the **tower** of a **mid** and/or **high-rise building** shall have an **interior side yard** setback of 7.5 metres, and a reduction to 6 metres may be considered

through a Class 2 variation. The **podium** of a **mid-** and/or **high-rise building** may have a minimum **interior side yard** setback of 0 metres, through a Class 2 variation.

ii. Notwithstanding the minimum landscaped area, all **detached**, **semi-detached buildings**, and **row houses**, are exempt from providing any **landscaped area**.

iii. Notwithstanding the minimum ground floor level height, it may be reduced to 3 metres, where a building is exclusively used for **residential uses**.

5.4 Allandale Community Hub (A-CH) District

5.4.1 Permitted Uses

a. **Primary uses** permitted in the Allandale Community Hub (A-CH) **District** include:

- **Residential Care Facility**;
- **Child care**;
- **Commercial School**;
- **Community Facilities**;
- Farmers Market and pop-up retail market;
- Government Services;
- **Group Home**
- **Health Services Facility**;
- **Hospice**;
- Major institutional;
- Mobility hubs;
- **Naturalized area**;
- Office;
- Office, Major;
- **Outdoor Recreation**;
- **Parks and Open Space**;

- **Public Service Facilities**; and
- **Schools**.

b. **Accessory uses** permitted in the Allandale Community Hub (A-CH) **District** include:
    - **Commercial Uses**, forming part of a mixed-use **development**;
    - **Fitness or Health Club**;
    - **Food/Refreshment Stand**;
    - **Home Occupation**;
    - **Residential uses**;
    - **Restaurant**;
    - **Retail uses**, forming part of a mixed-use **development**; and
    - **Shared Accommodation**.
c. Discretionary uses permitted in the Allandale Community Hub (A-CH) **District** include:
    - **Cemetery**; and
    - **Food/Refreshment Vehicle**.

5.4.2 Allandale Community Hub (A-CH) District Standards

a. The uses permitted in the Allandale Community Hub (A-CH) **District** are subject to the **development** standards referenced in Table 14: Allandale Community Hub (A-CH) Development Standards.

Table 14: Allandale Community Hub (A-CH) Development Standards

Development Standards	Requirement	Class 2 variation
Minimum Lot Area	1,500 m^2	500 m^2
Maximum Lot Coverage	70%	80%
Minimum Exterior Side Yard Setback	3 m	1.2 m
Minimum Front Yard Setback	3 m	1.2 m
Minimum Interior Side Yard Setback	3 m	1.2 m
Minimum Rear Yard Setback	5 m	4 m

Minimum Landscaped Area	20%	10%
Maximum Building Height	20 m	40 m
Maximum Building Length	90 m	120 m
Minimum Ground Level Floor Height	4.5 m	3 m

b. The following provision applies to Table 14:

i. Notwithstanding the maximum **building height** requirement, the maximum **building height** is restricted to 10 metres where no **accessory use** is being provided.

5.4.3 Allandale Community Hub (A-CH) Development Criteria

a. Permitted **accessory uses** as described in Section 5.4.1.b) may be located within the same building, or a separate building on the same **lot,** as a permitted **primary use**. The **primary use** must be established before, or at the same time, as an **accessory use**.

b. Should a **primary use** described in Section 5.4.1.a) no longer exist on a **lot** within the Allandale Community Hub (A-CH) **District**, that **lot** may be developed in accordance with policy 2.6.4.2 c) of the Official Plan, as amended. New **development** may adopt the majority permitted use on surrounding **lots**. New **development** will be considered through a Class 2 or Class 3 permit.

5.5 Environmental Protection Area District

5.5.1 Permitted Uses

a. **Primary uses** permitted in the Environmental Protection Area (EP) **District** include:

- **Conservation Uses**
- **Ecological Management Measures**
- Low Impact Recreational Facilities
- Naturalized Areas
- Recreational Trail

5.5.2 Permitted Buildings and Structures

No buildings or structures are permitted in the Environmental Protection Area (EP) **District**, except for those associated with the uses identified in Section 5.5.1 – Permitted Uses.

6 Heritage Character (HC) Provisions

6.1 Purpose and Application

6.1.1 Heritage Character (HC) provisions are established to conserve the **heritage character** of Allandale while accommodating incremental residential infill that is consistent with the vision for the Allandale Major Transit Station Area.

6.1.2 Heritage Character (HC) provisions apply to:

a. All lands within the Allandale Neighbourhood One (A-N1) **District**;

b. Properties designated under Part IV of the Ontario Heritage Act;

c. Properties listed on the Heritage Register; and

d. Properties identified by a **heritage impact assessment** and/or other studies as contributing to the **heritage character** of Allandale.

6.1.3 Heritage Character (HC) provisions apply to all **development** except:

a. Interior alterations that do not affect the exterior appearance of a building;

b. Ordinary repairs and maintenance that do not alter **heritage attributes**;

c. Emergency repairs necessary for public safety; and

d. **Development** exempted under Section 1.9.1 – Community Planning Permit Exemptions.

6.1.4 Variation to Heritage Character Provisions

Any variation to a Heritage Character (HC) provision will be subject to Section 1.12 – Variations to the Standards of this By-law, and Section 1.18 – Approval Criteria, and classified as a Class 2 permit variation, unless otherwise noted.

6.2 Front Yard Setback Standards

6.2.1 On lands subject to the Heritage Character (HC) provisions, the minimum **front yard** setback shall be 4.5 metres, and the maximum **front yard** setback shall be 5 metres.

6.2.2 **Articulated non-interior openings***,* including porches, verandas, and bay windows, may encroach into the required **front yard** setback to a maximum of 1.5 metres.

6.2.3 Variations to the **front yard** setback standards may be approved as a Class 2 permit variation where the applicant demonstrates that the variation:

a. Is necessary due to unique site **characteristics**;
b. Maintains the general alignment and rhythm of the streetscape; and
c. Is in keeping with the **heritage character** of the **street**.

6.3 Heritage Design Criteria

6.3.1 General Design Principles

a. **Development** on lands subject to the **Heritage Character** (HC) provisions shall be compatible with, the **heritage character** of the surrounding area. New buildings may replicate historic architectural styles and shall incorporate design elements that complement the scale, massing, and proportions of existing heritage buildings.

b. **Development** shall reinforce the existing pattern of **lot** widths, building spacing, and **street** rhythm established by historic **development**.

c. **Development** should include the adaptive reuse of historic buildings, where possible, to prevent them from being left idle and in disrepair.

6.3.2 Building Scale and Massing

a. New buildings shall be consistent with the height and massing of **adjacent** buildings, generally ranging from 1.5 to 2.5 storeys, but no greater than the maximum **building height** established in Table 10: Allandale Neighbourhood

One (A-N1) Development Standards, and may be subject to Class 2 variation per Table 10.

b. Building widths shall be consistent with the prevailing pattern of building widths on the **street**, with larger buildings articulated to reduce their apparent scale.

6.3.3 Façade Articulation

a. Front façades shall include a primary entrance facing the **street**, with architectural elements such as porches, verandas, or covered entries that contribute to **street** activity and neighbourhood **character**.

b. Blank walls facing the **street** or **adjacent** properties are prohibited. All façades visible from the **street** shall include windows, architectural detailing, or other elements that provide visual interest.

c. Walls located closer than 12 metres from the **lot line** facing any **street** shall provide a minimum opening coverage on the façade of 25%. For the purposes of this provision, garage doors and workshop doors are not considered openings.

6.3.4 Materials

a. As part of the review of a Class 2 permit application on lands subject to the Heritage Character (HC) Provisions, the City may consider the compatibility of proposed exterior cladding materials with the **heritage character** of the neighbourhood.

b. In evaluating material compatibility, the City may consider:

   i. Whether primary cladding materials are durable and consistent with the material palette of existing heritage buildings in the surrounding area;

   ii. The extent to which proposed materials complement or detract from the streetscape **character**; and,

iii. Whether the use of materials such as vinyl siding, Exterior Insulation and Finish Systems (EIFS), mirrored glass, or metal siding as primary cladding on **street**-facing façades would adversely affect **heritage character**.

6.3.5 Garages and Driveways

a. **Attached garages** shall be set back a minimum of 4 metres from the front façade of the primary building or located in the **rear yard**.

b. Walls without living area openings, such as garage doors and workshop doors, shall be set back a minimum of 7 metres from the property line facing any **street**.

c. Garage doors shall not exceed 50% of the width of the front façade.

d. **Attached garages** for **semi-detached building** shall not be located **adjacent** to each other and shall have at least one outer wall.

e. **Driveways** shall be located to minimize the impact on existing trees and **front yard** landscaping.

f. **Driveways** shall have a maximum width equal to 50% of the **lot frontage**, up to a maximum of 6 metres.

6.4 Additions and Accessory Structures

6.4.1 Additions

a. Additions to existing buildings on lands subject to the Heritage Character (HC) Provisions shall be:

i. Located to the side or rear of the primary building;

ii. Set back a minimum of 1 metre from the front façade of the primary building;

iii. **Subordinate** in scale, height, and massing to the primary building; and

iv. Designed with materials and architectural details compatible with the primary building and neighbourhood **character**.

6.4.2 Accessory Buildings

a. A minimum **front yard** setback of 11 metres shall be required for detached accessory buildings.

b. Attached accessory non-living space such as garages and workshops shall not exceed 50% of the **dwelling unit** floor area.

6.4.3 Coach Houses and Additional Residential Units

a. **Coach houses** and **additional residential units** on lands subject to the Heritage Character (HC) provisions shall be:

   i. Located in the **rear yard**;

   ii. Limited to 1.5 storeys or 4.5 m in height, whichever is less;

   iii. **Subordinate** in scale and massing to the primary dwelling; and

   iv. Designed with materials compatible with the primary dwelling and neighbourhood **character**.

b. Where there is a conflict between the above provisions and the standards of Section 3.5.2 – Accessory Residential Units within an Accessory Building, the Heritage Character (HC) Provisions above shall prevail.

6.5 Height Transitions

6.5.1 On lands subject to the Heritage Character (HC) Provisions, buildings shall not exceed 10 metres in height, unless a greater height was legally established prior to the effective date of this By-law**.**

6.6 Required Studies

6.6.1 Heritage Impact Assessment

a. A **Heritage Impact Assessment** prepared by a qualified heritage professional shall be required for:

   i. **Development**, alteration, or demolition of a property designated under Part IV of the Ontario Heritage Act;

ii. **Development** on lands **adjacent** to a property designated under Part IV of the Ontario Heritage Act; and

iii. Any other **development** where, in the opinion of the Executive Director of Development Services, there is potential for significant impact on cultural heritage resources.

b. The **Heritage Impact Assessment** shall:

i. Describe the cultural heritage value and **heritage attributes** of the property and **adjacent** properties;

ii. Assess the potential impacts of the proposed **development** on **heritage attributes** and **heritage character**;

iii. Identify alternatives and mitigation measures to avoid, minimize, or mitigate impacts; and

iv. Recommend conditions of approval, where appropriate.

6.6.2 Historic Character Impact Evaluation

a. A **historic character impact evaluation** may be required for **development** on lands subject to the Heritage Character (HC) Provisions where:

i. A variation from the **front yard** setback standards is requested;

ii. A variation from the heritage design criteria is requested; or

iii. The proposed **development** may, in the opinion of the Executive Director of Development Services, affect the historic character of the streetscape.

b. The **historic character impact evaluation** shall include streetscape analysis, photographic documentation, and an assessment of compatibility with **adjacent** buildings.

7 Tree Preservation

7.1 Purpose and Application

7.1.1 The intent of these provisions is to protect the existing tree canopy of the Allandale Major Transit Station Area. Harm and/or destruction of **significant trees**, as defined by this By-law, is generally discouraged, however, is permitted in limited circumstances. These provisions do not apply to dead or dying trees including those trees which present a potential hazard to life or property.

7.1.2 As per Section 1.10 – Permit Classifications, Approval Authority, Public Notice, and Conditions, a Class 1 permit will be required for the removal of a **significant tree**.

7.1.3 A report, prepared by a qualified professional, may be required for either a Class 1, or Class 2 permit, as determined by the City through pre-application consultation.

7.2 Tree Preservation Requirements

7.2.1 Publicly and privately owned **significant trees** shall be preserved where feasible. A tree preservation plan, or other similar plan, may be required as a condition of permit approval under this By-law.

7.2.2 All municipal trees shall be protected and maintained. Permissions are required for proposed harm and/or destruction of municipal owned trees. Where removal is unavoidable, and should removal of a municipal tree be permitted, the applicant will be required to provide monetary compensation as per the City's Tree Protection Manual and appraisal method.

7.2.3 Where a **significant tree** is proposed to be removed, the applicant shall demonstrate that:

a. Preservation is not feasible; and
b. Alternative solutions, including alternative site design that would preserve the tree have been considered.

7.2.4 Where a **significant tree** is proposed to be removed, and demonstration has been accepted to the satisfaction of the Executive Director of Development Services, or their designate, that preservation and replacement are not feasible, ecological offsetting shall be provided in accordance with city policy.

7.3 Tree Preservation Plans

7.3.1 A tree preservation plan signed by a qualified professional shall be required where:

a. A **significant tree** is proposed to be removed; or
b. **Development** is proposed within the drip line of a **significant tree**.

7.3.2 The tree preservation plan shall identify all **significant trees** on a site, assess the health and viability of each tree, propose preservation and protection measures, and identify replacement planting where tree removal is unavoidable.

7.3.3 Notwithstanding the above, a letter of opinion may be provided by a qualified professional for consideration of Class 1 permits, and at the discretion of the Executive Director of Development Services, or their designate.

8 Definitions

A

Accessory Use means the use of a building, structure, or **lot** that is incidental and subordinate to the **primary use** of the building, structure, or **lot**. **Accessory uses** are not permitted to be stand-alone and are only permitted once the **primary use** is established on a **lot.**

Additional Residential Unit (ARU) means a self-contained residential **dwelling unit**, complete with separate kitchen and bathroom facilities located within, and ancillary to, an existing dwelling. **Additional Residential Units** may be located within the primary building or within an accessory building or structure on the same **lot**.

Adjacent means all land that borders a property along a common **lot line**, and all land that would have bordered a property if they were not separated by a river, **street**, railway, power transmission line, pipeline, or similar feature. When considering a specific natural heritage feature or area, this includes all lands contiguous to that specific feature, or area, where it is likely that **development** or site alteration would have a negative impact on the feature or area. When calculating for a setback which uses the term **adjacent**, **adjacent lots** are those which immediately abut the subject property and which front on the same **street**.

Amenity Area means an outdoor communal area designed to be programed and used for active or passive recreational uses such as, but not limited to, children's play areas, seating areas, and/or sports facilities and fitness rooms for the shared use of the occupants of a residential **development**. Amenity areas shall not include any required **landscaped area**, **landscaped buffer**, or a parking area.

Angular Plane means an imaginary inclined plane rising over a **lot**, drawn at a specified angle from a **lot line** abutting an Allandale Neighbourhood **District**, and which together with other building and **lot** standards delineates the maximum permitted **building height**.

Animal-Related Services means the use of any **lot**, building, or structure, relating to the permitting, sheltering, or other accommodation of animals, and more specifically, domesticated animals kept as pets. Animal-related uses include animal boarding establishments, animal shelters, and **veterinary clinics**.

Approval Authority means Council or the Executive Director of Development Services.

Articulated Non-Interior Openings means the front entrance stairs, porticos, balconies, **decks** and porches or verandas, as well as openings on the front façade which may extrude such as bay windows and front doors but shall not include garage doors or windows.

Attached Garage, Storage means an attached garage used for the purposes of general storage and does not include a vehicular parking space. An attached garage is part of the building to which it is connected.

Attached Garage, Vehicular Storage means an attached garage used for the purposes of a vehicular parking space. An attached garage is part of the building to which it is connected.

B

Balcony means an attached platform projecting from the face of a wall which is directly accessible from within a building, usually surrounded by a balustrade or railing, and generally does not have direct exterior access at grade.

Building Height means the vertical distance from the **average finished grade** level to:

- In the case of a flat roof, the highest point of the highest roof surface;
- In the case of a mansard roof, the roof **deck** line;
- In the case where dormer(s) are provided, if any dormer is larger than 50% of any roof structure, then the **building height** shall be measured to the midpoint of the roof of the dormer; or
- In the case of any other roof, the mean height between the eaves and the highest ridge of the roof, not including any roof or penthouse structure accommodating

an elevator, staircase, ventilating fan (or other similar equipment), a chimney, or other ornamental structure which rises above the roof level but does not provide **habitable living space**.

C

Cemetery means lands used as a place for the interment of remains or in which bodies have been buried, and may include a columbarium, mausoleum, **funeral establishment**, or crematorium.

Centre Line means the point which equally divides the width of the **street** allowance of a **street**.

Character or **Characteristics** means elements of character including building scale, massing, height, architectural style, materials and setbacks, lot sizes, **lot coverage**, the tree canopy and the relationship of buildings to the **street**.

Child Care means premises operated by a person licensed under the Child Care and Early Years Act, 2014, as amended, to operate a **child care** centre at the premises.

Coach House means a specific type of additional residential unit that is located in an accessory building on the same **lot** as a **detached building**, **semi-detached building**, or **row house**.

Commercial School means a premises where instruction or training in specialized skills or general knowledge is provided for compensation, including recreational instruction and tutoring, language schools, dance studios, music schools, and gymnastic schools but does not include a **child care** facility, commercial motor vehicle school, an elementary or secondary school, or a college or university.

Commercial Uses mean the use of a building or structure for the purpose of commerce, including the sale of goods or provision of services. **Commercial uses** do not include manufacturing and processing.

Commercial Vehicle means a motor vehicle used for, or intended to be used for, commercial, industrial, or agricultural purposes with or without a temporarily or permanently attached delivery body and includes vehicles such as catering or canteen

trucks, buses, cube vans, tow trucks, tilt and load trucks, dump trucks, tractor trailers, semitrailers and any vehicle which has an exterior fixture or fixtures for the purposes of carrying equipment, materials, or supplies for commercial purposes. This does not include pick-up trucks.

Community Facilities means premises accessible to the community such as an arena, assembly hall, community centre, government services, library, museum, private club, and theatre.

Conservation Uses mean the use of land, water, and/or structures for the protection, stewardship, management, and conservation of the natural environment. Conservation may also include accessory low impact scientific educational activities and passive recreation activities that have no negative impacts on the conservation use, as well as structures managed by a public authority used for managing the natural heritage system and natural hazards, such as flood and erosion control.

Contributing Building means a building that, through its location, design, setting, materials, or association, adds to the **heritage character** of Allandale, including any buildings on property identified on Schedule B.

Context means the physical (built and natural), social (people), and functional (activities) environment at or surrounding a place.

Corner Lot means a lot abutting one or more parts of the same **street** or at the intersection of not more than 135 degrees between two **lot lines** abutting the **street**, or **streets**.

D

Deck means a platform or series of platforms, or a patio built directly on the ground, accessory to a main building that may be free-standing or attached thereto.

Detached Garage means a fully enclosed, freestanding building that is designed and used primarily for the shelter of at least one motor vehicle.

Detached Building means a standalone residential building that exists on its own **lot** and may contain up to four **dwelling units** in accordance with standards of the **District** in which it is located.

Development, as per Ontario Regulation 173/16, means*:*

- The construction, erection, or placement of one or more buildings or structures on land;
- Additions or alterations to a building or structure that substantially increases its size or usability;
- The laying out and establishment of:
    - A commercial parking lot;
    - Sites for the location of three or more mobile homes as defined in Section 46(1) of the Planning Act;
    - Sites for the construction, erection, or location of three or more land lease community homes, as defined in Section 46(1) of the Planning Act; or
    - Sites for the location of three or more trailers, as defined in Section 164(4) of the Municipal Act, 2001.
- Site alteration, including but not limited to:
    - Alteration of the grade of land;
    - Placing or dumping fill; or
- The removal of vegetation.

District, when capitalized, means an area of land designated as part of a Community Planning Permit **District**, as shown in Schedule D of this By-law.

Driveway means a hard-surfaced area on private property providing vehicle access from a **street** or laneway.

Dwelling Unit means a building or part thereof used or intended to be used as a domicile containing cooking, eating, living, sleeping, and sanitary facilities, but shall not include guest rooms in motels and hotels.

E

Ecological Management Measures mean an area of land or water set aside for the purpose of conservation or preservation of distinctive landforms or natural heritage features or functions identified for their ecological or cultural value, which may include elements preserved for their geological value, species diversity, natural linkages, unique natural habitat, the presence of endangered or threatened species, or the habitat of such species.

Exterior Side Yard means open space extending from the **front yard** to the **rear yard**, between a **lot line adjacent** to a **street** and the side wall of any main building on the **lot**.

F

Facing Distances means the distance between two **towers** on a **lot**.

Finished Grade means the average elevation of the finished surface of the ground abutting the external walls of the building or structure, exclusive of any embankment in lieu of steps.

Fitness or Health Club means a building in which facilities and equipment are available for individuals to participate in physical fitness activities and includes, but is not limited to, activities such as bodybuilding and exercise classes.

Food/Refreshment Stand means a permanently affixed stand from which food or refreshment is provided for sale for immediate consumption, established in accordance with the accessory buildings and structures standards, the standards for **food/refreshment stands**, and is 10 square metres or greater.

Food/Refreshment Vehicle means a vehicle not permanently affixed to the ground, from which food or refreshment is provided for sale for immediate consumption and includes a motorized, self-propelled vehicle (such as a food truck), a vehicle that is not

self-propelled, but can be towed (such as a food trailer), and a vehicle moved by human exertion (such as a food cart).

Front Lot Line means the **lot line** that divides a lot from the **street**. In the case of a **corner lot**, the shorter **lot line** that abuts a **street** shall be deemed to be the **front lot line** and the longer **lot line** that so abuts shall be deemed to be a **side lot line** of the **lot**.

Front Yard means open space extending across the full width of a **lot**, between the **front lot line** and the front wall(s) of any main building on the **lot**. Where an average **front yard** between two properties is referenced, this means the measured distance between the **front lot line** and the existing building on site. Where no buildings exist on one side, the building standards will apply.

Funeral Establishment means premises used for the care and preparation of human remains and related coordination of rites and ceremonies, but does not include a **cemetery**, columbarium, crematorium, or place of worship.

G

Gross Floor Area (GFA) means the total area of all floors in a building, except for a basement in a residential building, measured from the outside face of the exterior walls, but exclusive of any part of a building which is used for the storage or parking of motor vehicles, stairwells, or mechanical or electrical equipment providing services for the entire building.

Ground-Oriented means a category of building types or structures where **dwelling units** have direct access to the **street**, typically referring to **detached buildings**, **semi-detached buildings**, and **row houses**, and may include **dwelling units** within the podium of a **low-rise building**, **mid-rise buildings**, and **high-rise building**, where such units are accessed through a common entrance or by a private exterior entrance.

Group Home means a premises used for specialized or group accommodation for residents with 24-hour supervision that is licensed, approved, or supervised by the Province of Ontario under a general or specific Act.

H

Habitable Living Space means any residential floor space used or intended to be used for living, sleeping, cooking, or eating purposes.

Health Services Facility means establishments primarily engaged in providing medical, surgical, or other services to individuals, including the offices of physicians, dentists, and other health practitioners, medical and dental laboratories, addiction treatment, mental health treatment, out-patient care facilities, physical therapy, blood banks, oxygen, and miscellaneous types of medical supplies and services. This would include a hospital.

Heritage Attribute means the primary features or elements that contribute to a property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, and vistas.

Heritage Character means the overall effect produced by the combination of all **heritage attributes** that give an area its unique identity and appearance, including but not limited to building form, massing, height, setbacks, materials, architectural style, **lot** patterns, mature trees, and streetscape elements.

Heritage Impact Assessment means a study prepared by a qualified heritage professional that evaluates the potential impacts of a proposed **development** on cultural heritage resources and recommends conservation measures.

High-Rise Building means a building that is a minimum of 13 storeys consists of a **tower** and **podium**.

Historic Character Impact Evaluation means a study that assesses the impact of a proposed **development** on the historic character of a streetscape or neighbourhood, addressing compatibility with existing building patterns, setbacks, heights, and materials.

Home Occupation means an occupation, trade, business, profession, or craft carried on as an **accessory use** to the use of the dwelling as the private domicile of the person carrying on the occupation, trade, business, profession, or craft.

Hospice means a building or structure where care is provided for the sick or terminally ill.

I

Interior Side Yard means open space extending from the **front yard** to the **rear yard**, between the **side lot line** and the side wall of any main building on the lot, if the **side lot line** abuts another lot.

J

Reserved for future use

K

Reserved for future use

L

Landscaped Area means open space comprised of lawn and ornamental shrubs, flowers, and trees and may include incidental landscaping accessories such as boulders, sculptures, fountains, ponds, and pedestrian pathways. **Landscaped areas** do not include parking areas or **driveways** or any required **amenity area** and **landscaped buffers**.

Landscaped Buffer means open space that is comprised of plantings and other vegetation, but does not consist of any required **landscaped area**, **amenity area**, and snow storage.

Long-Term Bicycle Parking Space means a bicycle parking space located in a locked room within a building or part of a building for the exclusive use of parking bicycles.

Long-Term Care Facility means a residential facility licensed pursuant to Provincial legislation, where a broad range of personal care, support, and health services are

provided for the elderly, disabled, or chronically ill occupants in a supervised setting, and may include one or more **accessory use** such as common dining, lounging, kitchen, recreational, or medical offices/clinics.

Lot means a parcel of land to which the title may be legally conveyed, and which has continuous frontage on a **street**.

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

Lot Coverage means the percentage of the total **lot area** covered by all buildings and structures, including accessory buildings and structures, but does not include any portion of the total **lot area** that is occupied by swimming pools; **decks** less than 1.8 m above grade; and/or any buildings and structures, or portion thereof, which are completely below **finished grade** level.

Lot Frontage means the distance between the **side lot lines** measured 7.0 m back from and parallel to the **front lot line**.

Lot Line means any boundary of a **lot**.

Low-Rise Building means a building that is less than six storeys in height.

M

Mechanical Equipment means electrical, heating, ventilation, plumbing, air conditioning equipment, and gas/electrical meters, and other service facilities (including ductwork).

Micro Brewery means a premises used for the small scale and independent manufacturing and sale of specialty or craft beer, wine, or spirits produced for consumption off-premises, or on-site consumption when located in combination with a permitted restaurant.

Micro Distillery means a premises used for the small scale and independent manufacturing of alcohol by distillation, including the retail sales of alcohol meant for consumption off-premises, or on-site consumption when located in combination with a permitted restaurant.

Mid-Block Connection means an at-grade or ground level separation between buildings or structures that provides pedestrian-oriented connections across a site or block.

Mid-Rise Building means a building that is a minimum of six storeys up to a maximum of twelve storeys in height.

Multi-unit Residential Building means a residential building consisting of more than four independently functioning **dwelling units** which are horizontally and or vertically attached but does not include a **semi-detached building** or **row house**. They may be entered from independent entrances directly from the outdoors or from a shared entrance to multiple units, with access to the units provided by interior corridors, hallways, staircases and or elevators. Units may share common facilities such as **amenity areas**, parking, and **driveways**. A **multi-unit residential building** may include non-residential uses in accordance with the permitted uses of the **District** in which it is located.

N

Reserved for future use

O

Outdoor Storage means the stockpiling of goods and materials in an area that is not fully enclosed within a building, used in conjunction with a business located within a building or structure on the same **lot**.

P

Personal Services means services such as, but not limited to, a bank (or similar financial institutions), barbershop, hair salon, pet salon/pet grooming, spa services, shoe repair shop, tailoring shop, self-service laundry, portrait studio, print shop, postal outlet or similar courier service or courier pick up point, or depot for the collection of dry cleaning and laundry. This includes a service store.

Podium means the base of a building, inclusive of the ground floor, that projects horizontally from a tower**.**

Primary Use Means the main purpose for which a **lot**, building or structure is used or intended to be used.

Public Authority means Federal, Provincial or Municipal agencies, and includes any commission, board, authority, or department established by such agencies and includes any telephone company, power utility, cable television system and natural gas piped distribution system.

Public Service Facilities means buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services and cultural services. Public service facilities do not include infrastructure.

Q

Reserved for future use

R

Rear Lot Line means the **lot line** opposite the **front lot line**. For the purposes of a **rear lot line**, a single point shall be deemed to be capable of constituting a line.

Rear Yard means open space extending across the full width of the **lot**, between the **rear lot line** and the rear wall of the main building on the **lot**.

Residential Care Facility means a building or part of a building providing supervised or supportive in-house care for those who need assistance, including on-going medical or nursing care or counselling and social services and which may include related medical, counselling, recreational and personal services. This may include a **Long-Term Care Facility**, supportive housing, assisted living facility, and seniors housing.

Residential Uses mean areas, buildings, or properties primarily designed and used for the purposes of housing. Within a mixed-use building, residential uses may also include, but are not limited to, pools, gyms, and any areas for the exclusive use of the residents of the building. This excludes **amenity areas***.*

Rooming Unit means a room or a suite of rooms including no more than two bedrooms, within a **shared accommodation** or **residential care facility,** that constitutes a separate, independent residential occupancy, but which is not a self-contained **dwelling unit**.

Row House means a residential building that is one of a series of three or more residential buildings, each located on a separate **lot**, which shares at least one but no more than two common vertical wall(s) extending from the foundation to the roof with an **adjacent** residential building, and has an independent direct **ground-oriented** vehicular and or pedestrian access to the **street**. A row house may contain up to four **dwelling units** in accordance with standards of the **District** in which it is located.

S

School Means a **school** under the jurisdiction of a Board as defined in The Education Act, R.S.O. 1990, c. E.2, a separate **school,** a private **school**, or other educational institution, including a private academy, philanthropic or religious **school** including an elementary and secondary **school**, college or university, but shall not include a **commercial school** or industrial **school**.

Semi-Detached Building means a residential building that is one half of a pair of residential buildings, where each building is located on a separate **lot**, which shares a single common vertical wall extending from the foundation to the roof, and has direct **ground-oriented** vehicular and/or pedestrian access to the **street**. A **semi-detached building** may contain up to four **dwelling units** in accordance with standards of the **district** in which it is located.

Shared Accommodation means a residential use in which sleeping accommodation is provided for multiple persons within a building or group of buildings in **rooming units**, and where some combination of cooking, dining, sanitary, or amenity facilities are shared among residents.

Short-Term Bicycle Parking Space means a bicycle parking space that is equipped with a rack or stand designed to lock the wheel and frame of a bicycle.

Side Lot Line means any lot line other than the **front lot line**, **rear lot line**, and **exterior side lot line**.

Significant Tree means a tree having a diameter at breast height (DBH) of 10 cm or greater, measured at 1.4 metres above grade, or any tree identified on an approved tree preservation plan as having heritage, ecological, or streetscape significance.

Snow Storage means an area of a **lot** dedicated to and used for the purpose of storing snow.

Social Services Facility means a facility, which provides social support services which may include counseling services, recreational facilities, educational and training facilities, place of assembly, temporary lodging and serve meals, and offer day-care services.

Street means a public highway which the provisions of Part III of The Municipal Act, 2001, S.O. 2000, c.25, apply and which afford a principal means of access to abutting **lots**.

Streetwall means a continuous multi-storey façade parallel to the **street**.

Subordinate, in relation to an addition or accessory structure, means a building element that is clearly secondary in scale, height, and visual prominence to the primary building, and does not dominate or detract from the **character** of the primary building or streetscape.

T

Through Lot means a **lot** bounded on two opposite sides by a **street**, provided however that is any **lot** qualifies as being both a **corner lot** and a **through lot** as defined, such a **lot** shall be deemed a **corner lot** for the purposes of this By-law.

Tower means the portion of a building above a step-back indicated in the applicable **District** and located above a **podium**.

U

Reserved for future use

V

Veterinary Clinic means a building, structure, or part thereof used for the purpose of consultation, diagnosis, and treatment of small animals, birds, and pets by a licensed veterinarian and may also include the short-term boarding of such animals, birds, and pets for the sake of medical observation.

W

Reserved for future use

X

Reserved for future use

Y

Reserved for future use

Z

Reserved for future use

9 Schedules

A. Community Planning Permit Area and Allandale Major Transit Station Area Boundaries

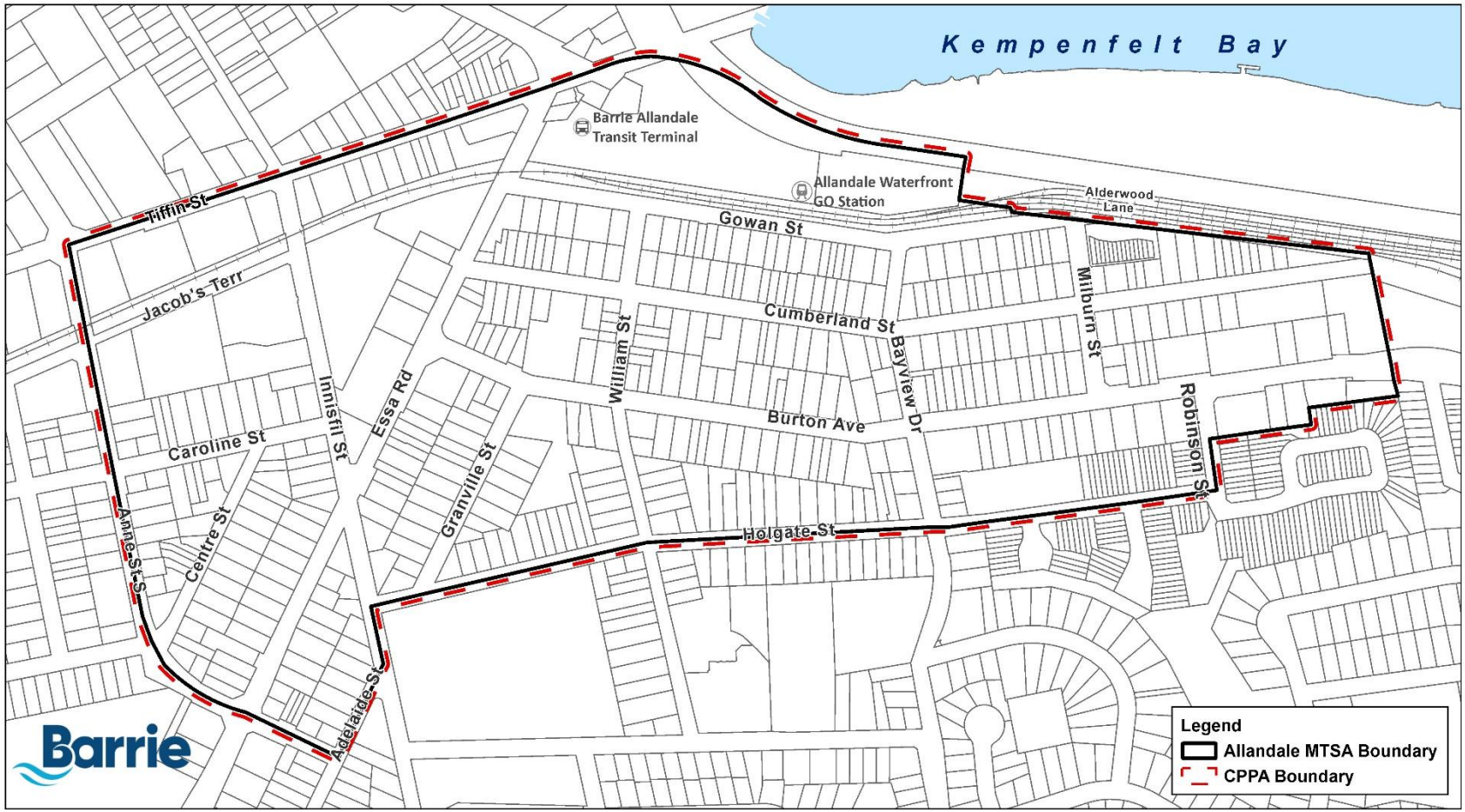
B. Heritage Properties

C. List of Technical Studies and Reports

D. Community Planning Permits District Map

E. Transportation Network

Schedule A – Community Planning Permit Area and Allandale Major Transit Station Area Boundaries



COMMUNITY PLANNING PERMIT AREA

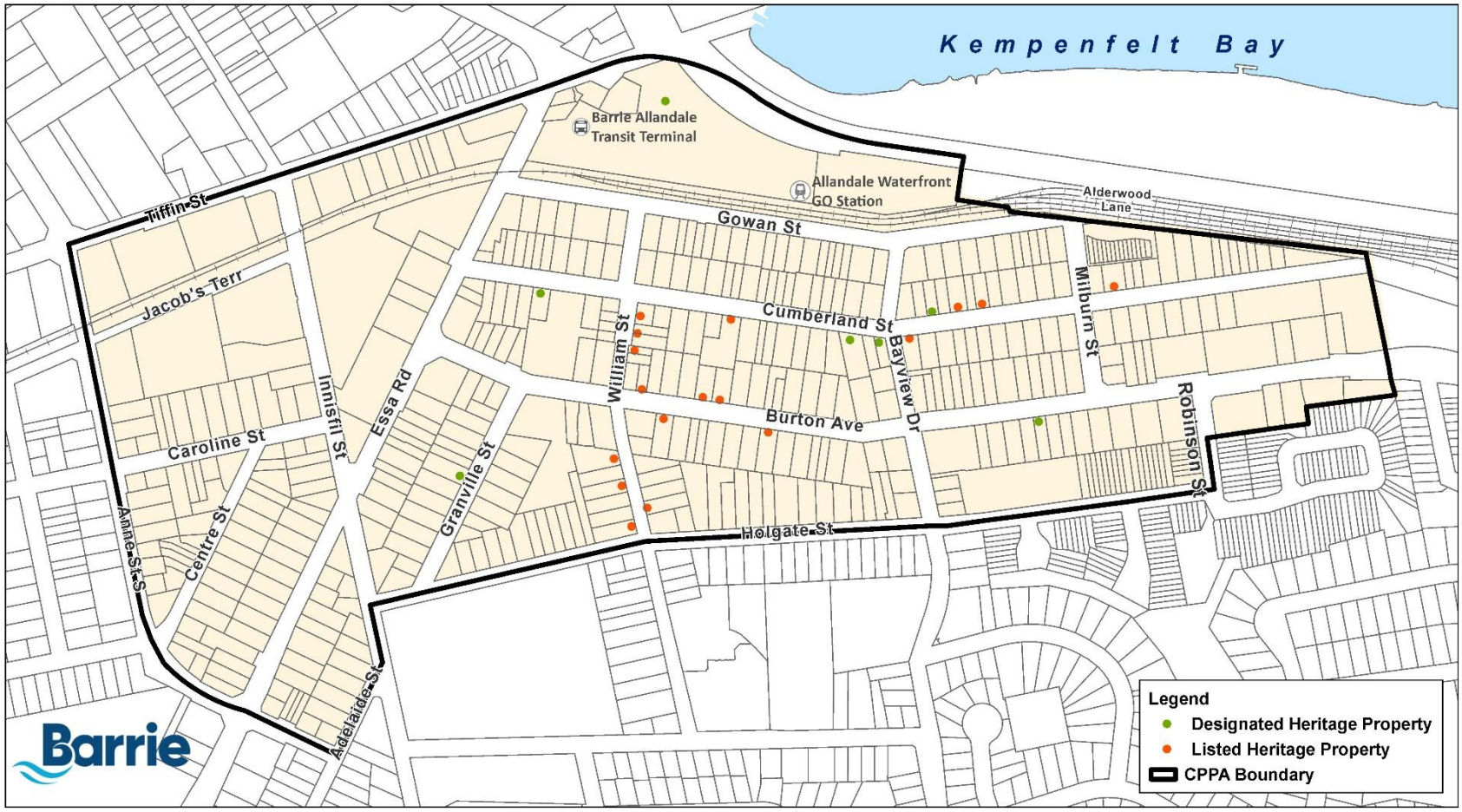
Schedule A - Community Planning Permit Area and Allandale Major Transit Station Area Boundaries

Development Services - Planning 2026-05-13

0 0.05 0.1 0.2 km

N

Schedule B – Heritage Properties



Schedule C – List of Technical Studies and Reports

The following, which may include a variation thereof, may be required to be submitted by the applicant in support of a complete permit application, to the satisfaction of the City:

1. Affordable housing report
2. Archaeological assessment: may be required where **development** is proposed on lands identified as having archaeological potential, as determined by the Government of Ontario.
3. Community and sustainable design report
4. Correspondence from the pre-application consultation meeting validating the required studies (pre-application consultation record/package)
5. Digital plans according to City specifications
6. Edge management plan
7. Environmental impact study
8. Fire flow analysis
9. Foundation design plan
10. Functional servicing report
11. Geotechnical report
12. Hazard lands/slope and soil stability report
13. Heritage reports:
    a. **Heritage impact assessment**: required for **development**, alteration, or demolition of a designated property or **development adjacent** to a designated property. Prepared by a qualified heritage professional.

b. **Historic character impact evaluation**: may be required for **development** on lands subject to the Heritage Character (HC) provisions where variations are requested or where impacts on streetscape **character** are anticipated.

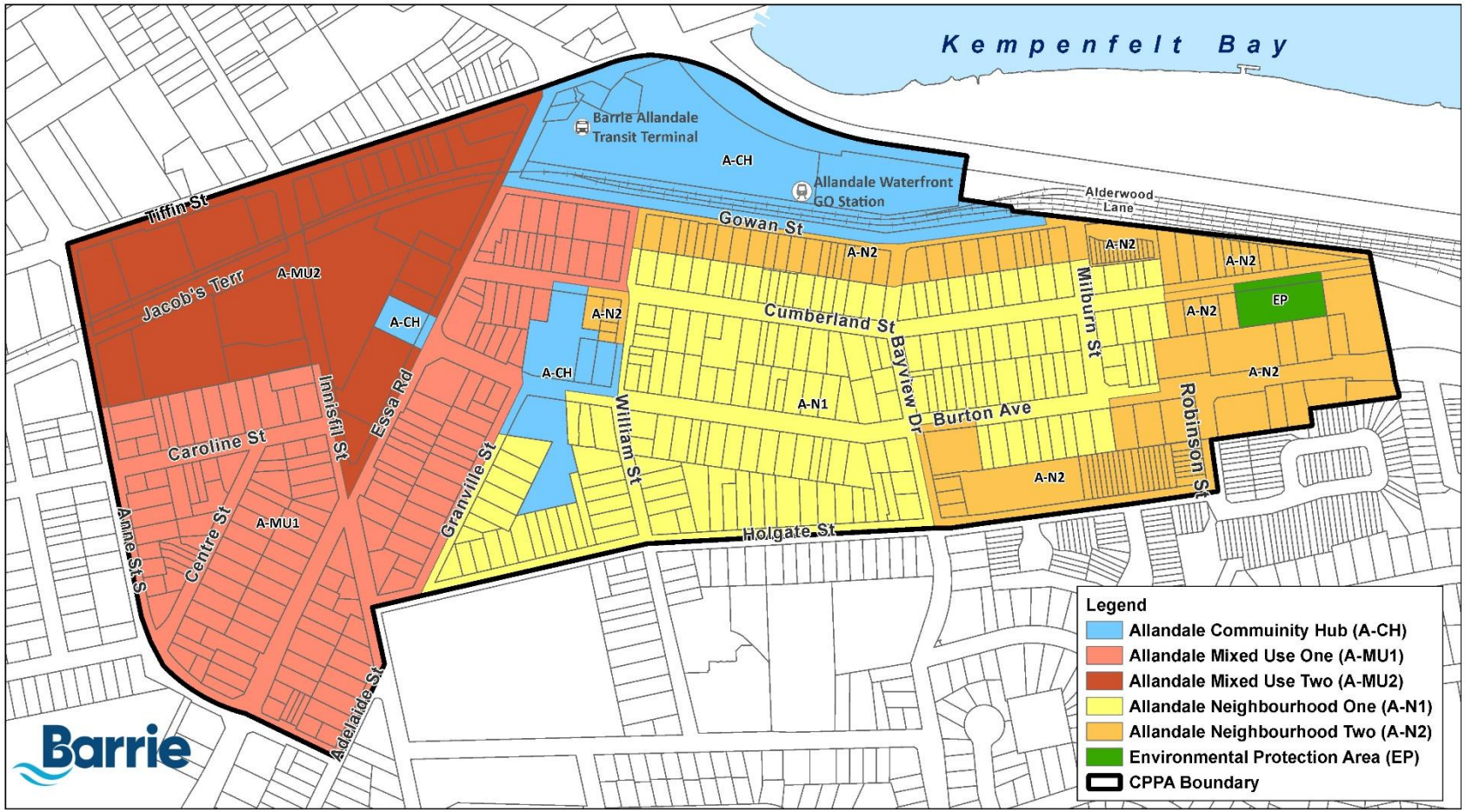
14. Landscape plan
15. Market study
16. Noise/vibration impact analysis
17. Odour/dust/nuisance impact analysis
18. Planning justification report
19. Photometric plan
20. Risk assessment and mitigation plan
21. Shadow/shading study
22. Site context and block plan
23. Source water protection package
    a. Source water protection form
    b. Source protection disclosure report
24. Stormwater management report
25. Sub-watershed impact study/sub-watershed impact statement conformity report
26. Traffic impact study
27. Trail impact study

28. Tree protection plan: required where **significant trees** are proposed to be removed or where **development** is proposed within the drip line of a **significant tree**. Completed by a registered forester or landscape architect.

29. Wellhead protection area – risk assessment report

30. Wind study

Schedule D – Community Planning Permit Districts

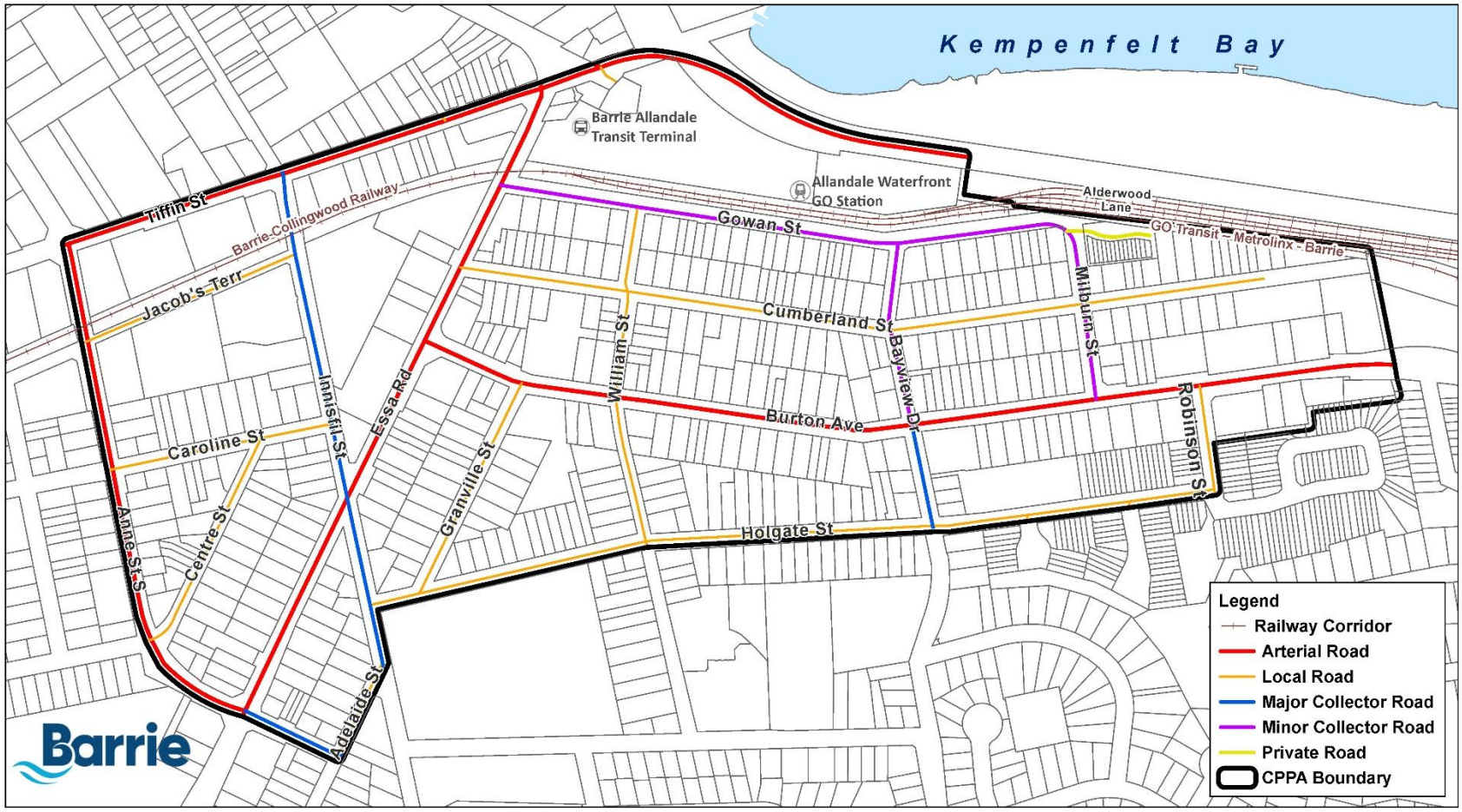


COMMUNITY PLANNING PERMIT AREA

Schedule D - Community Planning Permit Districts

Development Services - Planning 2026-05-13

0 0.05 0.1 0.2 km

N

Schedule E – Transportation Network