

Authority: Scarborough Community Council Item 12.20,
as adopted by City of Toronto Council on February 6 and 7, 2012
Enacted by Council: February 7, 2012

CITY OF TORONTO

BY-LAW No. 129-2012

To amend former City of Scarborough Sullivan Community Zoning By-law No. 10717, as amended, with respect to the lands known municipally as 2190 and 2210 Warden Avenue and all lands on the north and south sides of Sheppard Avenue East between the former Hydro Corridor and Warden Avenue with the exception of 3275 Sheppard Avenue East as outlined on Schedules '1' to '3'.

WHEREAS authority is given to Council by Section 34 and 36 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. **CLAUSE IV – ZONES** is amended by adding the Commercial-Residential (CR) Zone.
2. **CLAUSE V – INTERPRETATION**, is amended by adding the following definitions to subsection (f), **Definitions**:

Ancillary

means naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a principal use, building or structure.

Amenity Space

means indoor or outdoor space on a lot that is:

- (i) ancillary to the main use; and
- (ii) communal and available for use by the occupants of a building on the lot, or the general public, or both, for recreational or social activities.

Angular Plane

means an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal.

Bicycle Parking Space

means an area used for the purpose of parking and storing a bicycle.

Duplex

means a building that has only two **dwelling units**, with one **dwelling unit** entirely or partially above the other.

Established Grade

means the average elevation of the ground measured at the two points where the projection of the required minimum **front yard setback** line is 0.01 metres past each **side lot line**.

First Floor

means the floor of the building, other than a floor used for a **parking space**, that:

- (i) is closest in elevation to the elevation of **established grade**;
- (ii) has an interior floor area in excess of 10 square metres; and
- (iii) is closest to the required **front yard setback**.

Green Roof

means an extension to a building's roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in accordance with the Toronto **Green Roof** Construction Standard.

Landscaping

means trees, plants, decorative stonework, walkways, retaining walls, or other landscape-architectural elements. **Driveways** and areas for loading, parking or storing **vehicles** are not **landscaping**.

Landscaping, Soft

means **landscaping** and excludes hard-surfaced areas such as decorative stonework, retaining walls, walkways, or other hard surface landscaped-architectural elements.

Outdoor Patio

means an outdoor patron area **ancillary** to a non-residential use.

Personal Service Shop

means premises used to provide personal grooming services or for the cleaning or care of apparel.

Townhouse

means a building that has three or more **dwelling units**, and no **dwelling unit** is entirely or partially above another.

3. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 10, **Games Arcades and Games Machines Incidental to Commercial Operations** is amended by:

- (a) deleting the words "or **Clause IX**" in subsection (i); and
- (b) adding "Commercial-Residential (CR)," to subsection (iii) after the words "City Centre Commercial (CCC),".

4. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 15, **Lands Not Covered by Buildings** is amended by adding the following paragraph to the end of this Sub-Clause:

"In areas designated in Schedule 'A' as "CR", the lands not covered by permitted buildings, structures and **parking spaces**, shall be used only for **landscaping**, 50% of which shall be **soft landscaping**. **Outdoor patio** areas **ancillary** to a permitted non-residential use in the "CR" Zone shall not be considered **landscaping** and shall be permitted, provided the **outdoor patio**:

- (a) is located between the front wall of the building or structure housing the principal uses and the **front lot line** of the lot; or
- (b) is located between the wall facing the **side lot line** of the building or structure housing the principal uses and the **side lot line** of the lot, to a maximum of 50% of the depth of the building or structure housing the principal use, measured from the front wall; and
- (c) has a maximum area the greater of:
 - (i) 30 square metres; or
 - (ii) 30% of the interior floor area of the premises it is associated with;
- (d) is not used to provide entertainment uses such as music and dancing, whether as an **ancillary** use or associated with the principal use;
- (e) is at least 10.0 metres from a lot in a **Single-Family Residential (S)**, **Two-Family Residential (T)** or **Multiple Family Residential (M)** zone;
- (f) despite e) above, if located on a roof, or on a platform that is higher than 0.6 m above average grade, must be at least 40.0 m, measured horizontally, from a lot in a **Single-Family Residential (S)**, **Two-Family Residential (T)** or **Multiple Family Residential (M)** zone; and
- (g) if on a lot which abuts a lot in a **Single-Family Residential (S)**, **Two-Family Residential (T)** or **Multiple Family Residential (M)** zone, or a lot is within 10.0 m of a lot in a **Single-Family Residential (S)**, **Two-Family Residential (T)** or **Multiple Family Residential (M)** zone, an **outdoor patio** located in the rear yard of the lot must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**."

5. **CLAUSE VIII – ZONE PROVISIONS** is amended by adding the following:

16. **Commercial-Residential (CR) Zone**

(a) Permitted Uses

- **Day Nurseries**
- **Dwelling Units**
- Educational and Training Facilities
- Financial Institutions
- Fraternal Organizations
- Hotels
- Medical Centres
- Municipally owned and operated Parking Lots
- Nursing Homes
- Offices
- **Personal Service Shops**
- **Places of Entertainment**
- **Recreational Uses**
- Restaurants
- Retail Stores
- Retirement Homes

(b) Ancillary Uses Permitted

- **Private Home Day Care**

(c) Prohibited Uses

- Automobile Sales, including Auto Sales Rooms
- **Automobile Service Stations**
- **Duplexes**
- **Mechanical or Automatic Car Washes**
- Outside storage of **vehicles**
- **Public Garages**
- **Single-Family Dwellings**
- **Split Level Dwelling**
- **Multiple Family Dwellings**
- **Two-Family Dwellings**

(d) Supplementary Regulations

- (i) For the lands known municipally as 3300, 3306 and 3301-3333 Sheppard Avenue East and 2190 Warden Avenue: **Dwelling Units**, Retirement Homes, Nursing Homes, and **Private Home Day Care** shall only be permitted on or above the second **storey**, or where no portion of the **dwelling unit** is located within 20.0 m of the Sheppard Avenue East and Warden Avenue **street** line. For the purposes of this supplementary regulation, the **basement** shall not be considered a **storey**.

- (ii) **Townhouses** are permitted in all locations with the exception of those lands within 20.0 m of the Sheppard Avenue East and Warden Avenue **street** line.

6. **Schedule "A"** is amended by deleting the zoning for the lands outlined on Schedules '1' and '2' by adding the following zoning to the lands outlined on Schedules '1' and '2':

CR-128-129-130-131-134-135-136-211-307-308-312-313-314-316-317-318-321-322-330-332-405-450-451-475-476

CR(H)-128-129-130-131-134-135-136-209-307-308-310-312-313-314-316-317-318-320-321-322-405-450-451-475-476

CR(H)-128-129-130-131-134-135-136-209-307-308-310-312-314-316-317-318-320-325-326-332-405-450-451-475-476

CR(H)-128-129-130-131-134-135-136-209-307-308-310-312-314-316-317-318-320-321-327-329-332-334-335-405-450-451-475-476

CR-128-129-130-131-133-134-135-136-209-307-308-311-312-313-314-316-317-318-321-330-332-404-450-451-475-476

CR-128-129-130-131-133-134-135-136-210-307-308-310-311-312-313-314-316-317-318-321-332-404-450-451-475-476

PW-40A-72 or CR(H)-128-129-130-131-134-135-136-208-307-309-310-312-314-316-317-318-319-330-331-332-403-450-451-475-476

CR(H)-128-129-130-131-132-133-134-135-136-207-208-209-210-211-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-402-402-403-404-405-450-451-475-476

CR(H)-128-129-130-131-134-135-136-210-307-309-310-312-313-314-316-317-318-329-331-332-333-405-450-451-475-476

CR-128-129-130-131-134-135-136-211-307-308-309-312-314-316-317-318-321-328-332-405-450-451-475-476

CR(H)-128-129-130-131-134-135-136-210-307-308-312-313-314-316-317-318-321-332-405-450-451-475-476

CR(H)-128-129-130-131-134-135-136-209-307-308-309-310-312-314-316-317-318-320-321-327-329-332-405-450-451-475-476

CR(H)-128-129-130-131-134-135-136-209-307-309-310-312-314-317-318-327-329-332-403-450-451-475-476

M(H)-132-134-135-207-311-312-322-323-324-332-402

7. **Schedule "B", PERFORMANCE STANDARD CHART**, is amended by adding the following Performance Standards:

MISCELLANEOUS

128. **Amenity Space** for buildings containing 20 or more **dwelling units** shall be provided at a minimum rate of 4.0 square metres for each **dwelling unit**, on the following basis:
- (a) a minimum of 2.0 square metres for each **dwelling unit** shall be indoor **amenity space**;
 - (b) a minimum of 40.0 square metres shall be outdoor **amenity space** located on the ground and adjoining or directly accessible to the indoor **amenity space**; and
 - (c) a maximum of 25% of the outdoor component may be in the form of a **green roof**.
129. Mechanical penthouse shall be **setback** an additional 5.0 m from the required building **setbacks** from a **street yard**. The mechanical penthouse shall cover no more than 30% of the roof area and extend no more than 5.0 m in **height**.
130. Minimum floor to floor **height** of the **first floor** shall be 4.5 m for that portion of a building located within 20.0 m of the Sheppard Avenue East and Warden Avenue **street** line.
131. **CLAUSE VI – PROVISIONS FOR ALL ZONES**, Sub-Clause 6, **Coverage**, shall not apply.
132. The **front lot line** shall be deemed to be the street line opposite the shortest **main wall** of the **dwelling unit**.
133. A minimum 1.5 m strip of land immediately abutting "S", "T", and "M" Zone shall be used for **landscaping** purposes only.
134. The provisions of this By-law shall apply collectively to this land notwithstanding its future division.
135. No person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

136. **Main Wall** length:
- (i) lots having frontage or flankage of 30.0 m or less on the Sheppard Avenue East and Warden Avenue **street** lines: length of the **main wall** of the first 10.5 m of a building(s) **height** facing a **street** shall be no less than 60% of the adjacent **street** line frontage or flankage.
 - (ii) lots having frontage or flankage of more than 30.0 m on the Sheppard Avenue East and Warden Avenue **street** lines: length of the **main wall** of the first 10.5 m of a building(s) **height** facing a **street** shall be no less than 75% of the adjacent **street** line frontage or flankage.

INTENSITY OF USE

207. Maximum **Gross Floor Area** 1.5 times the area of the lot or parcel.
208. Maximum **Gross Floor Area** 2.0 times the area of the lot or parcel.
209. Maximum **Gross Floor Area** 2.5 times the area of the lot or parcel.
210. Maximum **Gross Floor Area** 3.0 times the area of the lot or parcel.
211. Maximum **Gross Floor Area** 4.5 times the area of the lot or parcel.

BUILDING SETBACKS

307. For that portion of a building that has a **height** equal to or less than the width of the right-of-way of the **street** it abuts, the following provisions apply:
- (i) if a wall of the building has windows and a line projected at a right angle from one of these walls intercepts another such wall on the same lot, the minimum above ground distance between the walls must be 20.0 m; or
 - (ii) if a wall of the building has windows facing a wall which does not have a window and a line projected at a right angle from one of these walls intercepts the other wall on the same lot, the minimum above ground distance between them must be 11.0 m.
308. Minimum building **setback** 3.0 m and maximum building **setback** 5.0 m from the Sheppard Avenue East **street** line.
309. Minimum building **setback** 3.0 m and maximum building **setback** 5.0 m from the Warden Avenue **street** line.
310. Minimum building **setback** 3.0 m for all other streets.
311. Minimum 7.5 m **rear yard setback**.

312. Buildings shall not exceed a 45-degree **angular plane** from the lot line of abutting "S", "T" and "M" Zones. Where a public laneway abuts the development site, the portion of the laneway that abuts an "S", "T" and/or "M" Zone may be included for the purposes of establishing the 45-degree **angular plane**.

For the lands known municipally as 3220 Sheppard Avenue East buildings shall not exceed a 45-degree **angular plane** from the westerly lot line of the lands zoned "PU".

313. For that portion of a building above 20.0 m in **height**, buildings shall be **setback** at a minimum an additional 5.5 m from that portion of the building below 20.0 m in **height** closest to the **side lot line(s)**.
314. **Street yard** setbacks that apply to the "CR" Zone shall not apply to underground structures.
315. For that portion of a building above 20.0 m in **height**, buildings shall be **setback** at a minimum an additional 5.5 m from that portion of the building below 20.0 m in **height** closest to the east lot line(s).
316. For that portion of a building above 20.0 m in **height**, buildings shall be **setback** at a minimum an additional 1.5 m from that portion of the building closest to all **street** lines.

For the purposes of this Performance Standard the wall below 20.0 m in **height** shall be no less than 75% in length, of the overall length of the wall facing all **street** lines.

317. A building shall not penetrate a 45-degree **angular plane** at a **height** along a lot line that abuts a **street** and is not a **rear lot line**, equal to 80% of the width of the **street** right-of-way on which the lot has frontage.
318. Balconies and unenclosed porches shall not project into the building **setback** required by Performance Standard Numbers 308, 309 and 310.
319. Minimum building **setback** 4.0 m from the north lot line.
320. Maximum building length for any one building shall not exceed 35.0 m for that portion of the building above 20.0 m in **height**, measured along the direction generally perpendicular to Sheppard Avenue East.
321. Sheppard Avenue East shall be deemed to be the **front lot line**.
322. Minimum building **setback** 3.0 m from the **Major Open Spaces "O" Zone**.
323. Minimum separation between **townhouse** dwellings as follows:
- i. Minimum separation between the side walls of adjacent **townhouse**

dwelling units shall be 1.2 m, and 0.0 m along the common wall between **dwelling units**; and

- ii. Minimum building **setback** 0.6 m from the **side lot line**.
- 324. Minimum building **setback** of 3.0 m from the **street** line except that a minimum building setback of 5.6 m is required from the **street** line for that part of the **main wall** containing vehicular access to a garage.
 - 325. For that portion of a building above 20.0 m in **height**, buildings shall be setback at a minimum an additional 1.5 m from that portion of the building closest to the wall below 20.0 m in **height** closest to the east lot line(s).
 - 326. Minimum building **setback** 10.0 m from the east **side lot line**.
 - 327. For that portion of a building above 20.0 m in **height**, buildings shall be **setback** at a minimum an additional 1.5 m from that portion of the building below 20.0 m in **height** closest to the west lot line(s).
 - 328. For that portion of a building above 20.0 m in **height**, buildings shall be **setback** at a minimum an additional 5.5 m from that portion of the building below 20.0 m in **height** closest to the west and north lot line(s).
 - 329. Minimum building **setback** 10.0 m from the west lot line.
 - 330. Minimum building **setback** 3.0 m from the west lot line
 - 331. Warden Avenue shall be deemed to be the **front lot line**.
 - 332. The finished floor of **dwelling units** on the **first floor** of a building shall be located a minimum 0.6 m above the average finished grade measured at the **street** line and a maximum 0.9 m above the average finished grade measured at the **street** line.
 - 333. For that portion of a building above 20.0 m in **height**, buildings shall be **setback** at a minimum an additional 1.5 m, from that portion of the building below 20.0 m in **height** closest to the west lot line(s).
 - 334. Minimum building **setback** 10 m from the east lot line for that portion of the lot 40.0 m north of the Sheppard Avenue East **street** line.
 - 335. For that portion of a building above 20.0 m in **height** and 40.0 m north of the Sheppard Avenue **street** line, buildings shall be **setback** at a minimum an additional 1.5 m from that portion of the building below 20.0 m in **height** closest to the east lot line(s).

HEIGHT

402. Minimum **height** of 2 **storeys** and a maximum **height** of 3 **storeys**, excluding **basements**.
403. Minimum **height** of 10.5 m and a maximum **height** of 20.0 m, excluding **basements** and rooftop mechanical penthouses.
404. Minimum **height** of 10.5 m and a maximum **height** of 23.0 m, excluding **basements** and rooftop mechanical penthouses.
405. Minimum **height** of 10.5 m and a maximum **height** of 36.0 m, excluding **basements** and rooftop mechanical penthouses.

PARKING

450. **Parking spaces** shall not be located in the Sheppard Avenue East and Warden Avenue **street yard** for all new buildings constructed after January 1st, 2012.
451. Minimum vehicle **parking spaces** as follows:
- (a) 0.7 **parking spaces** per bachelor **dwelling unit**;
 - (b) 0.8 **parking spaces** per one bedroom **dwelling unit**;
 - (c) 0.9 **parking spaces** per two bedroom **dwelling unit**;
 - (d) 1.1 **parking spaces** per three or more bedroom **dwelling unit**; and
 - (e) 0.15 **parking spaces** per **dwelling unit** for visitors.

Maximum vehicle **parking spaces** as follows:

- (a) 1.0 **parking spaces** per bachelor **dwelling unit**;
- (b) 1.2 **parking spaces** per one bedroom **dwelling unit**;
- (c) 1.3 **parking spaces** per two bedroom **dwelling unit**;
- (d) 1.6 **parking spaces** per three or more bedroom **dwelling unit**; and
- (e) 0.15 **parking spaces** per **dwelling unit** for visitors.

BICYCLE PARKING

475. **Bicycle parking spaces** shall be provided at a rate of:
- (a) 0.7 long term **bicycles parking spaces** for each **dwelling unit**;
 - (b) 0.08 short term **bicycle parking spaces** for each **dwelling unit**; and where:
 - (i) Long-term bicycle parking are **bicycle parking spaces** for use by the occupants or tenants of a building and must be located in a secure, weather protected and enclosed bicycle parking area within

30.0 m from a pedestrian entrance to the principal building on the lot; and

- (ii) Short-term bicycle parking are **bicycle parking spaces** for use by visitors to a building and shall be located in bicycle parking area at grade within 30.0 m from a pedestrian entrance to the principal building on the lot.

Bicycle parking space for a **dwelling unit** shall not be located:

- (a) in a **dwelling unit**; or
- (b) on a balcony; or
- (c) in a storage locker; or
- (d) an area used for **ancillary** commercial space.

A **bicycle parking space** shall have the following dimensions:

- (a) if located in a horizontal position (on the ground):
 - minimum length of 1.8 m;
 - minimum width of 0.6 m;
 - minimum vertical clearance from the ground of 1.9 m; and
- (b) if located in a vertical position (on the wall):
 - minimum length or vertical clearance of 1.9 m;
 - minimum width of 0.6 m;
 - minimum horizontal clearance from the wall of 1.2 m.

476. Minimum 0.13 occupant **bicycle parking spaces** per 100 m² of **gross floor area** for all uses excluding **dwelling units** and the greater of 0.15 visitor **bicycle parking spaces** per 100 m² of **gross floor area** or 6 **bicycle parking spaces** for all uses excluding **dwelling units**.

8. **Schedule "C", EXCEPTION MAP and EXCEPTION LIST** is amended by adding Exception Number 14, to the lands outlined on Schedule '3', so that it reads as follows:

14. On those lands identified as Exception 14 on the accompanying Schedule "C" map, the following provisions shall apply:

- (a) Only **townhouses** are permitted in the **Multiple-Family Residential (M) Zone** after the removal of the Holding Provision (H) from the zoning by-law.

9. **Schedule "C", EXCEPTION MAP and EXCEPTION LIST** is amended by adding Exception Number 15, to the lands outlined on Schedule '3', so that it reads as follows:

15. On those lands identified as Exception 15 on the accompanying Schedule "C" map, the following provisions shall apply:

- (a) Additional Permitted Use:

Funeral Homes after the removal of the Holding Provision (H) from the zoning by-law.

10. **Schedule "C", EXCEPTION LIST** is amended by deleting Exception Number 21 and replacing it as follows:

21. On those lands identified as Exception 21 on the accompanying Schedule "C" map, the following provisions shall apply:

- (a) Permitted uses prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in the **Community-Commercial (CC)** zone with the exception of the following uses which are not permitted: **Automobile Service Stations, Mechanical or Automatic Car Washes and Public Garages.**

- (b) Prior to the removal of the Holding Provision (H) the following performance standards will apply:

CC – 40A - 59 – 70 - 86

- (c) The Holding Provision (H) used in conjunction with the **Commercial Residential (CR)** Zone shall be removed by amending By-law when:

Council is satisfied that land dedicated to the City for the design, construction and financing of new public street(s) has been satisfactorily reviewed by the Chief Planner and Executive Director in consultation with the Executive Director of Technical Services and that any recommended improvements have been implemented, or financially secured through appropriate agreements.

11. **Schedule "C", EXCEPTION MAP and EXCEPTION LIST** is amended by deleting Exception Number 23 and replacing it on the lands outlined on Schedule '3', so that it reads as follows:

23. On those lands identified as Exception 23 on the accompanying Schedule "C" map, the following provisions shall apply:

- (a) Permitted uses prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in the **Highway Commercial (HC)** zone with the exception of the following uses which are not permitted: **Automobile Service Stations, Funeral Homes, Mechanical or Automatic Car Washes and Public Garages.**

- (b) Prior to the removal of the Holding Provision (H) the following performance standards will apply:

HC – 40A - 71 – 82

- (c) The Holding Provision (H) used in conjunction with the **Commercial-Residential (CR)** Zone shall be removed by amending By-law when:

Council is satisfied that land dedicated to the City for the design, construction and financing of new public street(s) has been satisfactorily reviewed by the Chief Planner and Executive Director in consultation with the Executive Director of Technical Services and that any recommended improvements have been implemented, or financially secured through appropriate agreements.

12. **Schedule "C", EXCEPTION MAP and EXCEPTION LIST** is amended by deleting Exception Number 25 and replacing it on the lands outlined on Schedule '3', so that it reads as follows:

25. On those lands identified as Exception 25 on the accompanying Schedule "C" map, the following provisions shall apply:

- (a) Permitted uses prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in the **Office Uses (OU)** zone.
- (b) Prior to the removal of the Holding Provision (H) the following performance standards will apply:

OU – 20G – 40B – 109 – 110 -111

- (c) The Holding Provision (H) used in conjunction with the **Commercial-Residential (CR)** Zone shall be removed by amending By-law when:

Council is satisfied that land dedicated to the City for the design, construction and financing of new public street(s) has been satisfactorily reviewed by the Chief Planner and Executive Director in consultation with the Executive Director of Technical Services and that any recommended improvements have been implemented, or financially secured through appropriate agreements.

13. **Schedule "C", EXCEPTIONS MAP** is amended by deleting Exception Number 26 from the lands known municipally as 3195 Sheppard Avenue East, in the year 2011.

14. **Schedule "C", EXCEPTION LIST** is amended by adding Exception Number 28, so that it reads as follows:

28. On those lands identified as Exception 28 on the accompanying Schedule "C" map, the following provisions shall apply:

- (a) Permitted uses prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in the **Place(s) of Worship (PW)** zone.
- (b) Prior to the removal of the Holding Provision (H) the following performance standards will apply:

PW – 40A – 71 – 108
- (c) The Holding Provision (H) used in conjunction with the **Commercial-Residential (CR)** Zone shall be removed by amending By-law when:

Council is satisfied that land dedicated to the City for the design, construction and financing of new public street(s) has been satisfactorily reviewed by the Chief Planner and Executive Director in consultation with the Executive Director of Technical Services and that any recommended improvements have been implemented, or financially secured through appropriate agreements.

15. Schedule "C", EXCEPTION MAP and EXCEPTION LIST is amended by deleting Exception Number 31 and replacing it on the lands outlined on Schedule '3', so that it reads as follows:

- 31. On those lands identified as Exception 31 on the accompanying Schedule "C" map, the following provisions shall apply:
 - (a) Permitted uses prior to the removal of the Holding Provision (H) from the zoning shall be restricted to all uses permitted in the **Highway Commercial (HC)** zone with the exception of the following uses which are not permitted: **Automobile Service Stations, Mechanical or Automatic Car Washes and Public Garages.**
 - (b) Prior to the removal of the Holding Provision (H) the following performance standards will apply:

HC – 40A - 71 – 82
 - (c) The Holding Provision (H) used in conjunction with the **Commercial-Residential (CR)** Zone shall be removed by amending By-law when:

Council is satisfied that land dedicated to the City for the design, construction and financing of new public street(s) has been satisfactorily reviewed by the Chief Planner and Executive Director in consultation with the Executive Director of Technical Services and that any recommended improvements have been implemented, or financially secured through appropriate agreements.

16. Schedule "C", EXCEPTIONS MAP and EXCEPTION LIST is amended by deleting Exception Number 34 and replacing it on the lands outlined on Schedule '3', so that it reads as follows:

34. On those lands identified as Exception 34 on the accompanying Schedule "C" map, the following provisions shall apply:

(a) Additional Permitted Use:

Place of Worship after the removal of the Holding Provision (H) from the zoning by-law.

ENACTED AND PASSED this 7th day of February, A.D. 2012.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

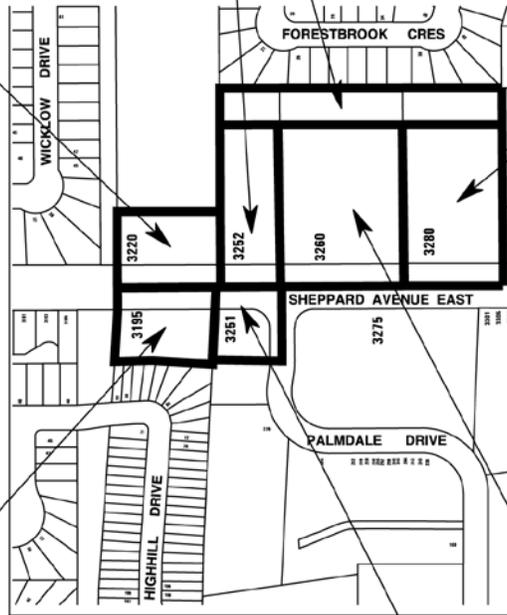
(Corporate Seal)

Schedule '1'

CR(H)-128-129-130-131-134-
 135-136-209-307-308-310-312-
 313-314-316-317-318-320-321-
 322-405-450-451-475-476

M(H)-132-134-135-207-
 311-312-322-323-
 324-332-402

CR-128-129-
 130-131-134-
 135-136-211-
 307-308-312-
 313-314-316-
 317-318-321-
 322-330-332-
 405-450-451-
 475-476



CR(H)-128-
 129-130-131-
 134-135-136-
 209-307-308-
 310-312-314-
 316-317-318-
 320-321-327-
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Schedule '2'

PW-40A-72 or
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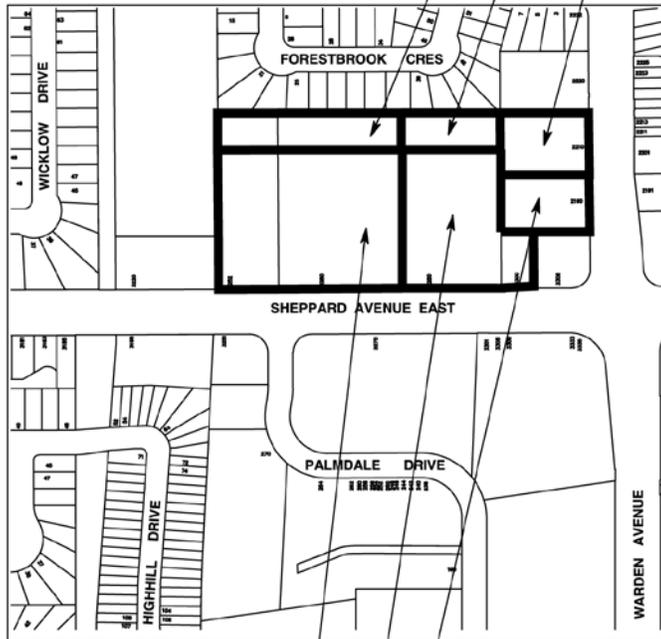
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 451-475-476



Schedule '3'

Exception No. 28, 34
Exception No. 14, 31
Exception No. 14, 23



Exception No. 23
Exception No. 15, 31
Exception No. 25