

## **A V I S   P U B L I C**

Avis public est par les présentes donné qu'à la séance du Deux Septembre Mil Neuf Cent Trente du Conseil de la Municipalité de Saint-Colomb de Sillery, tenue sous la présidence de Son Honneur le Maire J.-Art. Gauthier, le RÈGLEMENT III ci-annexé a été lu une première, une deuxième et une troisième fois et adopté unanimement, sur proposition de Monsieur le Conseiller C. A. Price, secondé par Monsieur le Conseiller Alf. C. Dobell.

**ZONING BY-LAW.**

**BY-LAW NO. 111**

**PRELIMINARY.**

A By-law for determining the location, dimensions and use of buildings and land.

The Council of the Municipality of Sillery enacts as follows:-

1. For the purposes of this By-law, the Municipality is hereby divided into six classes of districts, termed "USE DISTRICTS".
2. No dwelling, business, trade or industry shall be located, nor shall any building or structure be erected, altered or used, nor shall any land be made use of in any use district, except in conformity with the regulations herein prescribed as applicable therein.
3. Use districts are subdivided into (a) HOME DISTRICTS, and (b) WORK DISTRICTS.
4. The area included in each home district is, or may be, classified into (a) MINIMUM DENSITY DISTRICTS in subdivisions designated as "X" and "Y", (b) MEDIATE DENSITY DISTRICTS and (c) MAXIMUM DENSITY DISTRICTS; the area included in each work district is, or may be, classified into (a) MINIMUM INTENSITY DISTRICTS, (b) MEDIATE INTENSITY DISTRICTS, and (c) MAXIMUM INTENSITY DISTRICTS.

**PART II.**

**DISTRICT CLASS "A".**

**MINIMUM DENSITY HOME DISTRICT**

**SUBDIVISION "X".**

1. In any District "Class A, Subdivision "X", no building or part thereof and no land shall be used, and no building or part thereof shall be erected, altered or located, which is arranged, intended for or designed to be used, except as;
  - (a) A SINGLE FAMILY DWELLING,
  - (b) AN ACCESSORY BUILDING,

- (c) A PRIVATE GARAGE,
- (d) A PART (including open air swimming pools and usual park buildings).
- (e) A BOWLING GREEN OR A TENNIS COURT (including club-houses appurtenant to same<sup>3</sup>/<sub>4</sub>).
- (f) A FARM, A TRUCK GARDEN, A NURSERY or for raising plants under glass.
- (g) A RAILWAY STATION, or.
- (h) AN OFFICE OR A CONSULTING ROOM for use by a physician, a dentist, or other professional person, when located in his or her dwelling.

All buildings and parts thereof erected or altered in a District "Class A, Subdivision X" shall conform to the following regulations:-

(a) The height of such building shall not be in excess of forty feet, provided that such height is not in excess of the width of the lot upon which it is erected.

(b) Subject to Clause (c), the height of an exterior wall facing on a rear yard shall be such that the vertical distance from the level of the yard to the coping level shall not be in excess of the mean horizontal distance from such rear wall to the rear lot line, or one vertical in one horizontal.

(c) A building may be erected or altered to a greater height than that determined by the next preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the rear lot line at the level of the yard to the permissible coping level of the rear wall facing upon such yard.

(d) Subject to Clause (e), the height of an exterior wall facing on an inner court shall be such that the vertical distance from the level of the inner court to the coping level of such wall shall not be in excess of the least horizontal dimension of such inner court, or one vertical in one horizontal.

[e] That part of a building facing on an inner court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of the bounding wall defining its least dimension to the permissible coping level of the wall opposite.

(f) Subject to Clause (g), the height of an exterior wall facing on an outer court shall be such that the vertical distance from the level of the outer court to the coping level shall not be in excess of the distance between the walls forming the sides of such outer court, or one vertical in one horizontal.

(g) That part of a building facing on an outer court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with either side wall to the permissible coping level of the wall opposite.

(a) Except as hereinafter provided, and subject to Clause (c), any building erected or altered in a District "Class A, Subdivision X" shall not occupy more than twenty-five percent of the area of the lot.

(b) No building shall be erected on any lot the width of which at the street line is less than eighty feet, nor on any lot the area of which is less than seven thousand two hundred square feet, provided that any parcel of land held by one owner at the time of the enactment of this by-law, the dimensions of which are less than above designated and the lands contiguous to which are not within the control of such owner, shall not be subject to the provisions of this clause.

(c) For the purpose of computing the percentage of lot occupancy of any building on a lot which has a registered lane on the side or rear thereof, one-half of the area of that portion of the lane adjacent and opposite to such lot, not exceeding in any case ten percent of the area of the lot proper, may be deemed to be a portion of that lot.

An accessory building shall not occupy more than five percent of the area of the lot, shall be located in the rear yard of the building to which it is accessory, shall not exceed eighteen feet in height above such yard level, and shall be situated within the yard in such manner that it shall not be less than forty feet from any street line.

Any building or part thereof erected or altered shall be so situated on the lot that the setback shall not be less than twenty five feet, the front yard area so provided to be left unobstructed.

(a) Subject to Clause (b), the depth of a rear yard shall be such that the distance from the rear lot line to the wall of the main building, which is nearest to such line, shall not be less than the height of such rear wall, provided that in no case shall such distance be less than twenty-five feet, and that the horizontal distance from such rear line to any rear wall of the main building shall not be less than the height of such rear wall.

(b) In computing the depth of the rear yard of any building on a lot which has a registered lane extending across the rear thereof, one-half of the width of such lane may be deemed to be a portion of such lot.

(a) Subject to Clauses (b) and (c), a side yard shall be provided on each side of the main building, the minimum aggregate width

of which shall not be less than two-fifths ( $2/5$ ths) of the width of the lot, provided that such aggregate width need not exceed thirty feet and that the minimum width of either of such side yards shall be equal to one-third of such aggregate. Any side yard so provided shall be unobstructed except for a covered porchway or verandah limited in height to one storey, or an open terrace the area of either of which, exclusive of eaves or cornices, shall not occupy more than seven and one-half percent of the area of lot occupancy of the main building as or intended to be erected, provided that any portion of such porchway, verandah or terrace, including eaves or cornices, shall not be closer to the lot line upon which it fronts than two feet, that any enclosure to such porchway, verandah or terrace shall not exceed five feet in height from the adjacent ground level, exclusive of roof supports, and that any covered porchway or verandah does not extend across any window, which is the sole light to any room other than an accessory room.

(b) No window, located on the ground floor storey of any building and admitting light to any room other than an accessory room, shall be constructed in any side wall, unless there is an open space having a width of not less than ten feet between such wall and the side lot line upon which it faces, or unless another window or windows having an area equivalent to fifteen percent of the floor area of such room and located in the front or rear wall be provided or used for the purpose of lighting the same. Where such a window is located on the first floor storey, an open space having a width of not less than six feet six inches shall be maintained between the side wall in which it is constructed and the side lot line upon which it faces, and, where located on the second floor storey, such maintained width shall not be less than three feet three inches, unless, in either case, another window or windows be provided as above described.

(c) In computing the width of a side yard of any building on a lot which has a registered lane at the side, one-half of the width of such lane adjacent and opposite to such yard may be deemed to be a portion of that lot.

3. The least horizontal dimension of an inner court shall not be less than the height of the highest wall bounding such inner court.
4. The least horizontal dimension of an outer court shall not be less, nor the length of the side walls forming same shall not be more than the permissible height of the highest wall bounding such outer court.
5. In any building erected or altered light or air wells are prohibited.

DISTRICT CLASS "A"

MINIMUM DENSITY HOME DISTRICT

SUBDIVISION "Y".

1. In any District "Class A, Subdivision Y", no building or part thereof and no land shall be used, and no building or part thereof shall be erected, altered or located, which is arranged, intended for or designed to be used, except as:-
  - (a) A SINGLE FAMILY DWELLING,
  - (b) AN ACCESSORY BUILDING,
  - (c) A PRIVATE GARAGE,
  - (d) A MUSEUM, AN ART GALLERY OR A LIBRARY.
  - (e) A PARK (including open air swimming pools and usual park buildings).
  - (f) A BOWLING GREEN OR A TENNIS COURT (including club-houses appurtenant to same).
  - (g) A FARM, A TRUCK GARDEN, A NURSERY or for raising plants under glass.
  - (h) A RAILWAY STATION, or.
  - (i) AN OFFICE OR A CONSULTING ROOM for use by a physician, a dentist, or other professional person, when located in his or her dwelling.
3. 2 All buildings and parts thereof erected or altered in a District "Class A, Subdivision Y" shall conform to the following regulations:
  - (a) The height of such building shall not be in excess of forty feet, provided that such height is not in excess of the width of the lot, nor in excess of the equivalent of twice the horizontal distance from the centre of the street upon which the building fronts to the face of the street wall of the building fronting upon such street.
  - (b) Subject to Clause (c), the height of an exterior wall facing on a rear yard shall be such that the vertical distance from the level of the yard to the coping level shall not be in excess of the mean horizontal distance from such rear wall to the rear lot line, or one vertical in one horizontal.
  - (c) A building may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the rear lot line at the level of the yard to the permissible coping level of the rear wall facing upon such yard.
  - (d) Subject to Clause (c), the height of an exterior wall facing on an inner court shall be such that the vertical distance from the level of the inner court to the coping level of such wall shall not be in excess of the least horizontal dimension of such inner court, or one vertical in one horizontal.

(e) That part of a building facing on an inner court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of the bounding wall defining its least dimension to the permissible coping level of the wall opposite.

(f) Subject to Clause (g), the height of an exterior wall facing on an outer court shall be such that the vertical distance from the level of the outer court to the coping level shall not be in excess of the distance between the walls forming the sides of such outer court, or one vertical in one horizontal.

(g) That part of a building facing on an outer court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with either side wall to the permissible coping level of the wall opposite.

5. (a) Except as hereinafter provided and subject to Clause (b), any building erected or altered in a District "Class A, Subdivision Y", shall not occupy more than thirty percent of the area of the lot

(b) For the purpose of computing the percentage of lot occupancy for any building on a lot which has a registered lane on the side or rear thereof, one-half of the area of that portion of the lane contiguous and opposite to such lot, not exceeding in any case ten percent of the area of the lot proper, may be deemed to be a portion of that lot.

Any accessory building located in a District "Class A, Subdivision Y", shall not occupy more than seven and one-half percent of the area of the lot, shall be located in the rear yard of the building to which it is accessory, and shall not exceed one storey in height above the yard level.

Except as hereinafter provided, any building or part thereof, erected or altered in a District "Class A, Subdivision Y" shall be so situated on the lot that the setback shall not be less than twenty feet, the front yard area so provided to be unobstructed except for an uncovered terrace having a maximum projection from the street wall of eight feet, and bays having a maximum projection from the street wall, excluding eaves or cornices, of three feet and a width not in excess of ten feet, also an open roofed porch-way or verandah, limited to one storey in height, and having a maximum projection from the street wall, excluding eaves or cornices of eight feet and a width not in excess of fifty percent of the frontage width of such street wall, provided that any enclosure to any such terrace, porch-way or verandah does not exceed three feet six inches in height from the floor level, exclusive of any roof supports.



(a) Subject to Clause (b), the depth of a rear yard shall be such that the distance from the rear lot line to the wall of the main building, which is nearest to such line, shall not be less than the height of such rear wall, provided that in no case shall such distance be less than twenty-five feet, and that the horizontal distance from such rear line to any rear wall of the main building shall not be less than the height of such rear wall.

(b) In computing the depth of the rear yard of any building on a lot which has a registered lane extending across the rear thereof, one-half of the width of such lane may be deemed to be a portion of such lot.

(a) Subject to Clauses (b) and (c), a side yard shall be provided on each side of the main building, the minimum aggregate width of which shall not be less than three-tenths ( $3/10$ ths) of the width of the lot, provided that such aggregate width need not exceed twelve feet, and that the minimum width of either of such side yards shall be two feet.

(b) No window located on the ground floor storey of any building and admitting light to any room other than an accessory room, shall be constructed in any side wall, unless there is an open space having a width of not less than ten feet between such wall and the side lot line upon which it faces, or unless another window or windows, having the area prescribed by the Building By-laws and located in a front or rear wall, be provided and used (located in a front or rear wall, b) for the purpose of lighting the same. Where such a window is located on the first floor storey, an open(window i) space having a width of not less than six feet six inches shall be maintained between the side wall in which it is constructed and the side lot line upon which it faces, and where located on the second floor storey, such maintained width shall not be less than three feet three inches, unless, in either case, another window or windows be provided as above described.

(c) In computing the width of a side yard of any building on a lot which has a registered land at the side, one-half of the width of such lane contiguous and opposite to such yard may be deemed to be a portion of that lot.

The least horizontal dimension of an inner court shall not be less than the height of the highest wall bounding such inner court.

The least horizontal dimension of an outer court shall not be less, nor the length of the side walls forming same shall not be more, than the permissible height of any wall bounding such outer court.

Light or air wells are prohibited in any building erected or altered within a District "Class A, Subdivision Y"



PART 2.

DISTRICT "CLASS B"

MEDIATE DENSITY HOME DISTRICTS.

No building or part thereof and no land in any District "Class B" shall be used, and no building or part thereof shall be erected, altered or located, which is arranged, intended for a designed to be used, except such as:-

- (a) ARE PERMISSIBLE WITHIN A DISTRICT "CLASS A" and which conform to the regulations controlling use, areas and heights specified in Part 1.
- (b) A MULTIPLE DWELLING,
- (c) A CLUB HOUSE, other than one devoted entirely or chiefly to athletic purpose,
- (d) A PLAYGROUND, or,
- (e) A PUBLIC OR A PRIVATE SCHOOL.

All buildings and parts thereof erected or altered in a District "Class B" shall be erected or altered in conformity with the following regulations:-

- (a) The height of such building shall not be in excess of forty feet, provided that such height is not in excess of the equivalent of twice the horizontal distance from the centre of the street upon which the building fronts to the face of the street wall of the building fronting upon such street.
- (b) Subject to Clause (c), the height of a rear wall facing on a rear yard shall be such that the vertical distance from the level of the yard to the coping level shall not be in excess of the mean horizontal distance from such rear wall to the rear lot line, or one vertical in one horizontal.
- (c) A building may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the rear lot line at the level of the yard to the permissible coping level of the rear wall facing upon such yard.
- (d) Subject to Clause (e), the height of an exterior wall facing on an inner court shall be such that the vertical distance from the level of the inner court to the coping level of such wall shall not be in excess of the least horizontal dimension of such inner court, or one vertical in one horizontal.
- (e) That part of a building facing on an inner court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part

thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of the bounding wall defining its least dimension to the permissible coping level of the wall opposite.

(f) Subject to Clause (g), the height of an exterior wall facing on an outer court shall be such that the vertical distance from the level of the outer court to the coping level shall not be in excess of twice the width of such court, or two vertical to one horizontal.

(g) That part of a building facing on an outer court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with either side wall to the permissible coping level of the wall opposite.

(a) Except as hereinafter provided and Subject to Clause (b), any building erected or altered in a District "Class B" shall not occupy more than fifty percent of the area of the lot.

(b) For the purpose of computing the percentage of lot occupancy for any building on a lot which has a registered lane on the rear or side thereof, one-half of the area of the portion of the lane contiguous and opposite to such lot, not exceeding in any case ten percent of the area of the lot proper, may be deemed to be a portion of that lot.

Any accessory building located in a District "Class B" shall not occupy more than seven and one-half percent of the area of the lot, shall not exceed one storey in height above the yard level, and shall be located in the rear yard of the building to which it is accessory.

Except as hereinafter provided, any building or part thereof erected or altered in a District "Class B" shall be so situated on the lot that the setback shall not be less than twenty feet, the front yard area so provided to be unobstructed except for uncovered terraces having maximum projections from the street wall of eight feet, and bays having maximum projections from the street wall, excluding eaves or cornices, of three feet and widths not in excess of ten feet, also open, roofed porchways or verandahs, limited to one storey in height, and having maximum projections from the street wall, excluding eaves or cornices, of eight feet and widths not in excess of fifty percent of the frontage width of each ground storey dwelling unit, provided that any enclosure to such terrace, porchway or verandah does not exceed three feet six inches in height from the floor level, exclusive of roof supports.

(a) Subject to Clause (b), the depth of a rear yard shall be such that the distance from the rear lot line to the wall of the main building which is nearest to such line shall not be less than the height of such rear wall, provided that in no case shall such

distance from such twenty feet, and that the horizontal distance from such rear line to any rear wall of the main building shall not be less than the height of such rear wall.

(b) In computing the depth of the rear yard of any building on a lot which has a registered lane extending across the rear thereof, one-half of the width of such lane may be deemed to be a portion of such lot.

7. (a) Subject to Clauses (b) and (c), a side yard shall be provided on each side of the main building. On an interior lot the minimum aggregate of such side yards shall not be less than twelve feet, nor shall the minimum width of either of such side yards be less than two feet; on a corner lot the minimum aggregate width of such side yards shall not be less than four feet, one-half of which shall be allotted to each side yard.

(b) No window, located on the ground floor storey of any building and admitting light to any room other than an accessory room, shall be constructed in any side wall, unless there is an open space having a width of not less than ten feet between such wall and the side lot line upon which it faces, or unless another window or windows, having the area prescribed by the Building By-laws and located in a front or rear wall be provided and used for the purpose of lighting the same. Where such a window is located on the first floor storey, an open space having a width of not less than six feet six inches shall be maintained between the side wall in which it is constructed and the side lot line upon which it faces, and, where located on the second floor storey, such maintained width shall not be less than three feet three inches, unless, in either case, another window or windows be provided, as above described.

(c) In computing the width of a side yard of any building on a lot which has a registered lane at the side, one-half of the width of such lane contiguous and opposite to such yard may be deemed to be a portion of that lot.

8. The least horizontal dimension of an inner court shall not be less than the height of the highest wall bounding such inner court.
9. The least width of an outer court shall not be less than twelve feet, nor shall the length of the side walls forming same be more than three fourths of the permissible height of any wall bounding such outer court.
10. Light or air wells are prohibited in any building erected or altered within a District "Class B".

### PART 3.

### DISTRICT "CLASS C".

### MAXIMUM DENSITY HOME DISTRICT.

1. 1. No building or part thereof and no land in any District "Class C" shall be used, and no building or part thereof shall be

erected, altered or located, which is arranged, intended for, or designed to be used, except such as:-

(a) ARE PERMISSIBLE WITHIN A DISTRICT "CLASS A" OR "CLASS B", and which conform to the regulations controlling use, areas and heights specified for the most restricted class in which they are permissible,

(b) AN APARTMENT HOUSE,

(c) A BOARDING HOUSE,

(d) A ROOMING HOUSE,

(e) A CHURCH, A COMMUNITY HALL OR PARISH HALL.

(f) A BATHING HOUSE,

(g) A HOSPITAL, A SANITORIUM, OR AN INSTITUTION FOR PHILANTHROPIC OR ELEEMOSYNARY USES, other than correctional uses, or other than for the treatment of inebriates or persons suffering from communicable diseases, insanity or mental diseases, or,

(h) A LAY OR RELIGIOUS FRATERNITY HOUSE OR BOARDING HOUSE, when occupied by students, used exclusively for purposes of habitation or congregational meetings, and supervised by the authorities of a public educational institution.

2. All buildings and parts thereof erected or altered in a District "Class C" shall be erected or altered in conformity with the following regulations:-

(a) Subject to Clause (b), the height of such building shall not be in excess of sixty five feet, provided that such height is not in excess of the equivalent of twice the horizontal distance from the centre of the street upon which the building fronts to the face of the street wall of the building fronting upon such street.

(b) The upper part of any building may be erected or altered to a height in excess of sixty-five feet, provided that such excess height shall lie within an angle contained between a horizontal plane at the street curb level and a line extending from the junction of such plane with the centre of the street upon which the building fronts, to the permissible height of such building at the face of the street wall fronting upon such street, as determined by the next preceding regulation, but subject to the regulations governing side and rear yards, elevations, courts and setbacks.

(c) Subject to Clause (d), the height of a rear wall facing an a rear yard shall be such that the vertical distance from the level of the yard to the coping level shall not be in excess of twice the mean horizontal distance from such rear wall to the rear lot line, or two vertical in one horizontal.

(d) A building may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the rear lot line at the level of the yard to the permissible coping level of the rear wall facing upon such yard.

(e) Subject to Clause (f), the height of an exterior wall facing on an inner court shall be such that the vertical distance from the level of the sill of the lowest window opening upon such court to the coping level shall not be in excess of the least horizontal dimension of such inner court, or one vertical in one horizontal.

(f) That part of a building facing on an inner court may be altered or erected to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the level of the sill of the lowest window opening upon such court with and at the point of the bounding wall defining its least dimension to the permissible coping level of the wall opposite.

(g) Subject to Clause (h), the height of an exterior wall facing on an outer court shall be such that its coping level shall not be in excess of sixty-five feet above the street curb level.

(h) That portion of a building facing on an outer court may be erected or altered to a greater height than that determined by the immediately preceding regulation if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the sill of the lowest window opening upon such court with either side wall to the permissible coping level of the wall opposite.

3. (a) Except as hereinafter provided and subject to Clause (b), and building erected or altered in a District "Class C" shall not occupy more than sixty percent of the lot if an interior lot, nor more than seventy-five percent of the lot if a corner lot.

(b) For the purpose of computing the percentage of lot occupancy for any building on a lot which has a registered lane on the side or rear thereof, one-half of the area of that portion of the lane contiguous and opposite to such lot, not exceeding in any case ten percent of the area of the lot proper, may be deemed to be a portion of that lot.

4. Any accessory building located in a District "Class C", shall not occupy more than five percent of the area of the lot, shall not exceed twelve feet in height, and shall be located in the rear yard of the building to which it is accessory, provided that any part of the structure shall not be less than ten feet from any wall of the main building.

5. Any building or part thereof erected or altered in a District "Class C" shall be so situated on the lot that the setback shall not be less than five feet, the front yard area so provided to be unobstructed except for a one storey entrance having a maximum

projection of five feet from the street wall and a width not in excess of twenty-five percent of the frontage width of such street wall, and, on any floor other than the ground floor, uncovered balconies supported by and projecting from the street wall but without foundation on the soil, which projection shall not exceed five feet and the aggregate width or which, on any floor, shall not exceed forty percent of the frontage width of such street wall, provided that any enclosure to such balconies shall not exceed three feet in height above the floor level of same.

(a) Subject to Clause (b), the depth of a rear yard shall be such that the distance from the rear lot line to the wall of the main building which is nearest to such line shall not be less than one-half of the height of such rear wall, provided that in no case shall such distance be less than twenty feet, and that the horizontal distance from such rear line to any rear wall of the main building shall not be less than one-half the height of such rear wall.

(b) In computing the depth of the rear yard of any building on a lot which has a registered lane extending across the rear thereof, one-half of the width of such lane may be deemed to be a portion of that lot.

(a) Subject to Clause (b), a side yard shall be provided on each side of the main building, the minimum widths of which shall be ten feet, excepting in the case of a corner lot, on which a side yard parallel and contiguous to the street may have a minimum width of two feet.

(b) In computing the width of a side yard of any building on a lot which has a registered lane at the side, one-half of the width of such lane contiguous and opposite to such yard may be deemed to be a portion of that lot.

The least horizontal dimension of an inner court shall not be less than the height of the highest wall bounding such inner court, as defined by Clause (c). Section 2, of this Part.

The width of an outer court opening upon a street, a rear yard, or a quadrangle having a minimum horizontal dimension of forty feet shall be equal to its depth plus one-tenth of the height of the highest wall bounding such outer court. Where the outer court opens upon a side yard other than one abutting upon a street, or upon a quadrangle having a minimum horizontal dimension of less than forty feet, its width shall be equal to its depth, plus the minimum permissible width of side yard, plus one-tenth the height of the highest wall bounding such outer court, provided that, where the side yard width is in excess of the minimum permissible, such court may be reduced by an amount equal to such excess.

The least dimension of a light or air well shall be six feet at its lowest level. Where a well is in excess of one storey in height, this least dimension shall be increased throughout by one foot for each additional storey. A light or air well shall be ventilated at



its lowest level by free air inlet and at its extreme height by free air outlet, each and which shall have a minimum cross-sectional area equivalent to three per cent of the minimum permissible cross-sectional area of the wall, and shall be installed in such a manner as to ensure a free and continuous current of air.

PART 4.

DISTRICT "CLASS D".

MINIMUM INTENSITY WORK DISTRICT.

No building or part thereof and no land in any District "Class D" shall be used, and no building or part thereof shall be erected, altered or located, which is arranged, intended for or designed to be used, except such as:-

- (a) ARE PERMISSIBLE WITHIN A DISTRICT "CLASS A", "CLASS B" OR "CLASS C", and which conform to the regulations controlling use, areas and heights specified for the most restricted Class in which they are permissible.
- (b) A RETAIL STORE OR SHOP,
- (c) AN OFFICE FOR OR IN CONNECTION WITH A BUSINESS OR PROFESSION,
- (d) AN HOTEL,
- (e) AN OFFICE FOR THE PRINTING OR PUBLISHING OF A NEWSPAPER,
- (f) A PUBLIC GARAGE, but only for the storage of motor vehicles, and used only for or in connection with a business carried on upon the same or adjacent premises,
- (g) A BANK,
- (h) A RESTUARANT,
- (i) A SALESROOM FOR MOTOR VEHICLES,
- (j) A FUNERAL DIRECTOR'S ESTABLISHMENT,
- (k) A YOUNG MENS' CHRISTIAN ASSOCIATION OR A YOUNG WOMENS' CHRSTIAN ASSOCIATION, or other institution of a semi-public character,
- (l) A TELEGRAPH OFFICE,
- (m) AN AUDITORIUM,
- (n) A FIREHALL, A POLICE STATION, OR A MENICIPAL OR GOVERNMENTAL BUILDING,
- (o) A BILLBOARD OR FOR ADVERTISING PURPOSES,



(p) A THEATRE; AMOVING PICTURE HOUSE, A DANCE HALL, A SKATING RINK; or other like place of amusement, but not including a shooting gallery, a merry-go-round or a ferris wheel.

(q) A CLUB OR FRATERNAL SOCIETY, or,

(r) AN ACCESSORY USE, limited to the purpose for which the main building, or part thereof, is devoted, and where such use is one permitted only in buildings classified under PARTS 5 AND 6, but is an industry ancillary to a use permitted within this part, provided that it shall not occupy in excess of one quarter of the floor space of the building, or part thereof, occupied by the use to which it is ancillary, and provided further, that no machinery requiring for its operation power in excess of three horsepower shall be installed or operated therein for industrial purposes, and that wholesaling is not conducted therein.

All buildings or parts thereof erected or altered in a District "Class D" shall be constructed in conformity with the following regulations:-

(a) Subject to Clause (b), the height of such building shall not be in excess of the equivalent of twice the horizontal distance from the centre of the street upon which the building fronts to the face of the wall or exterior plane of the building fronting upon such street.

(b) The upper part of a building may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided that such excess height shall lie within an angle contained between a horizontal plane at the street curb level and a line extending from the junction of such plane with the centre of the street upon which such building fronts to the permissible height of such building at the face of the wall or exterior plane fronting upon such street, as determined by the immediately preceding regulation, but subject to the regulations governing side and rear yards, elevations, courts and setbacks.

(c) Except as hereinafter provided and subject to Clause (d), the height of the rear exterior wall forming the first storey of any building specified as permissible in this Part, shall be such that the vertical distance from the ground level to the coping level shall not be in excess of twice the horizontal distance measured from the rear lot line to such rear wall.. Where upon an interior lot there is a registered lane contiguous to and extending across the rear thereof, the height of such rear wall shall be such that the vertical distance from the ground level to the coping level shall not be in excess of twice the horizontal distance measured from the centre of such lane to such rear wall.

(d) The upper part of the first storey may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided that such excess height shall lie within an angle contained between a horizontal plane at the ground level and a line extending from the junction of such plane with the rear lot line to the permissible coping level of the rear wall forming the first storey, or, where upon an interior lot there is a

registered lane contiguous to and extending across the rear thereof such excess height shall lie within an angle contained between a horizontal plane at the ground level and a line extending from the junction, of such plane with the centre line of such lane to the permissible coping level of the rear wall forming the first storey.

(e) In the case of an office building or a store building or a building used partly for the one purpose and partly for the other, the height of an exterior wall facing on a rear yard shall, subject to Clause (f), above the horizontal plane forming the first storey, be such that the vertical distance from the level of such horizontal plane to the coping level shall not be in excess of four times the distance measured from the junction of the rear line of building occupancy with such plane (of the rear line of building occupancy with such to such exterior wall, or four vertical in one horizontal.

(f) An office or store building may be constructed to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the junction of the rear line of building occupancy with the horizontal plane forming the first storey to the permissible coping level of the rear wall of the building.

(g) In the case of an hotel building, the height of an exterior wall facing on a rear yard shall, subject to Clause (h), above the horizontal plane forming the first storey, be such that the vertical distance from the level of such horizontal plane to the coping level shall not be in excess of twice the distance measured from the junction of the rear line of building occupancy with such plane to such exterior wall, or one vertical in one horizontal.

(h) An hotel building may be constructed to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the junction of the rear line of building occupancy with the horizontal plane forming the first storey to the permissible coping level of the rear wall of the building.

(i) In the case of a building used as offices, the height of an exterior wall which faces on a side yard and in which are constructed windows admitting light to offices shall, subject to Clause (j), above the horizontal plane forming the first storey, be such that the vertical distance from the level of such horizontal plane to the coping level shall not be in excess of four times the distance measured from the junction of the side lot line with such plane to such exterior wall, or four vertical in one horizontal.

(j) An office building may be constructed to a greater height than that determined by the immediately preceding regulation, if it or the upper portion thereof is set back within an angle formed by a line from the junction of the side lot line with the horizontal plane forming the first storey to the permissible coping level of the side wall of the building.

(k) In the case of an hotel building, the height of an exterior wall which faces on a side yard and in which are constructed windows

admitting light to any rooms other than accessory rooms, shall, subject to Clause (l), above the horizontal plane forming the first storey of the building, be such that the vertical height from the (the building) level of such horizontal plane to the coping level shall not be in excess of twice the distance measured from the junction of the side lot line with such plane to such exterior wall, or two vertical in one horizontal.

(l) An hotel building may be constructed to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the junction of the side lot line with the horizontal plane forming the first storey to the permissible coping level of the side wall of the building.

(m) In the case of all buildings specified as permissible in this Part, the height of an exterior wall facing on an inner court shall, subject to Clause (n), be such that the vertical distance from the level of such court to the coping level shall not be in excess of twice the least horizontal dimension of such inner court, or two vertical in one horizontal.

(n) That part of a building facing on an inner court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of the lowest level of the court with and at the point of the bounding wall defining its least dimension to the permissible coping height of the wall opposite, or, in the case of the least dimension of the court being defined by a lot line, with an angle equivalent to that formed by a line with the junction of the lowest level of the court with and at the point of such lot line defining its least dimension to the permissible coping level of the wall opposite.

(o) In the case of an office building or a store building, or a building used partly for the one purpose and partly for the other, the height of an exterior wall facing the side of an outer court, as distinguished from that forming the closed end of the court, shall, subject to Clause (p), be such that the vertical distance from the level of the outer court to the coping level shall not be in excess of three times the width of such court, or three vertical in one horizontal.

(p) That part of an office or a store building facing on an outer (part) court may be erected to a greater height than that determined by the immediately preceding regulation, provided that those portions so in excess which face upon a side of such outer court are set back within an angle formed by a line from the junction of the lowest level of the court with either side wall to the permissible coping level of the wall opposite, or, where the width of the court is defined by a lot line, within an angle formed by a line from the junction of the lowest level of the court with such lot line to the permissible coping level of the wall opposite.

(q) In the case of an hotel building, the height of an exterior wall facing on an outer court, shall, subject to Clause (r), be such that

the vertical distance from the level of the outer court to the coping level shall not be in excess of three times the width of such court, or three vertical in one horizontal.

(r) That part of an hotel building facing on an outer court may be erected or altered to a height greater than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with either side wall to the permissible coping level of the wall opposite, or, where the width of the court is defined by a lot line, within an angle equivalent to that formed by a line from the junction of the lowest level of the court with such lot line to the permissible coping level of the wall opposite.

(a) Except as hereinafter provided, any building erected or altered upon an interior lot having a registered lane adjacent to and extending across the rear thereof may, subject to Clause (d), occupy one hundred per cent of the area of the lot for the first storey in height.

(b) Any building erected or altered upon an interior lot where there is no registered lane on the rear thereof may, subject to Clause (d), occupy not more than ninety percent of the area of the lot for the first storey in height, ten per cent being left vacant at the rear and for the full width of same.

(d) Any building erected or altered upon a corner lot may, subject to Clause (d), occupy one hundred percent of the area of the lot for the first storey in height, provided that such permissible occupancy shall only apply to a frontage width of fifty feet and depth of one hundred feet from the street intersection, the balance of the lot in excess of this frontage and depth being deemed to be and treated as an interior lot.

(d) Any building erected or altered in a District "Class D" shall, above the horizontal plane forming the first storey, have the percentage of lot occupancy limited and varied with the nature of use to which the building is devoted, as designated, and determined by the area regulations prescribed for courts and yards.

Any accessory building located in a District "Class D" shall have its percentage of lot occupancy included with that prescribed as the total percentage of lot occupancy of the main building to which it is accessory.

No line of setback shall be required in respect to any building erected in a District "Class D".

(a) In the case of an office building or a store building or a building used partly for the one purpose and partly for the other, the depth of a rear yard shall, above the horizontal plane forming the first storey, be such that the distance from the rear line of building occupancy to the rear wall of the structure nearest the rear line of building occupancy shall not be less than one fourth the height of such rear wall above such plane.

(b) In the case of an hotel building the depth of a rear yard shall, above the horizontal plane forming the first storey, be such that the distance from the rear line of building occupancy to the rear wall of the structure nearest the rear line of building occupancy shall not be less than one-half the height of such rear wall above such plane.

(a) Subject to Clauses (b) and (c), the provision of side yards shall be optional in any building erected within a District "Class B", but where such are provided their width shall not be less than ten feet.

(b) In the case of an office building, the width of a side yard, if provided, shall, above the horizontal plane forming the first storey, be such that the distance measured from the junction of the side lot line with such plane to the side wall of the building shall not be less than one-fourth of the height of such wall, provided that its minimum width shall not be less than ten feet.

(c) In the case of an hotel building, the width of side yard, if provided, shall, above the horizontal plane forming the first storey, be such that the distance measured from the junction of the side lot line with such plane to the side wall of the building shall not be less than one-half of the height of such wall, provided that its minimum width shall not be less than ten feet.

The least dimension of an inner court shall not be less than one-half the height of the highest wall bounding such inner court.

The least dimension of an outer court shall not be less one-third of the permissible height of any wall bounding such outer court, nor shall the length of the side walls forming same be more than the permissible height of such bounding wall.

The least dimension of a light or air well shall be six feet at its lowest level. Where a well is in excess of one storey in height, this least dimension shall be increased throughout be one foot for each additional storey. A light or air well shall be ventilated at its lowest level by free air inlet and at its extreme height (cross-sectional area equivalent to three percent) by free air outlet, each of which shall have a minimum cross-sectional area equivalent to three percent of the minimum permissible cross-sectional area of the well, and shall be installed in such a manner as to ensure a free and continuous current of air.

#### PART 5.

#### DISTRICT "CLASS E"

#### MEDIATE INTENSITY WORK DISTRICT

No building or part thereof and no land in any District "Class E" shall be used, and no building or part thereof shall be erected, altered or located, which is arranged, intended for or designed to be used, except such as:-

- (a) ARE PERMISSIBLE WITHIN A DISTRICT "CLASS A", "CLASS B", "CLASS C" OR "CLASS D", and which conform to the regulations controlling uses, areas and heights specified for the most restricted class in which they are permissible,
- (b) A WHOLESALE OR STORAGE WAREHOUSE,
- (c)a AN ELECTRICAL SUBSTATION,
- (d)a A CAR BARN,
- (e)A A MOTOR SERVICE STATION,
- (f) A PUBLIC GARAGE,
- (g) A PUBLIC OR PRIVATE STABLE,
- (h) FOR ACCESSORY USE as related to the use to which the main building or part thereof is devoted,
- (i) A LIGHT INDUSTRY, which shall include any industry, in or about which not more than ten persons are directly employed in some mechanical or industrial process, and which is not an offensive trade within the meaning of the Public Health Act, and for greater particularity shall include the following:-

A PRINTING ESTABLISHMENT.  
BUILDINGS FOR THE STORAGE OF COKE OR COAL.  
A CLOTHES CLEANING AND PRESSING ESTABLISHMENT.  
A DOG OR CAT HOME.  
A BOTTLING ESTABLISHMENT.  
A SOFT DRINK MANUFACTORY.  
A LIQUOR OR SPIRIT BREWING OR DISTILLING MANUFACTORY.  
A CARPET CLEANING ESTABLISHMENT.  
A CARPENTER'S SHOP.  
A COOPER'S ESTABLISHMENT?  
A DYEING OR DRY CLEANING ESTABLISHMENT.  
A FURNITURE MANUFACTORY OR FURNITURE REPAIRING ESTABLISHMENT.  
A LAUNDRY.  
A LEATHER GOODS MANUFACTORY.  
A MACHINE SHOP.  
A MILK BOTTLING ESTABLISHMENT OR A MILK DISTRIBUTING STATION.  
A RUBBER OR RUBBER GOODS MANUFACTORY OR REPAIR ESTABLISHMENT.  
A STONE DRESSING OR MONUMENT WORKS.  
A TEXTILE MANUFACTORY.  
A TINSMITH'S SHOP.  
A WHOLESALE ICE CREAM MANUFACTORY.  
A WHOLESALE ICE MANUFACTORY.  
A BLACKSMITH'S SHOP OR HORSE SHOEING SHOP?  
A TRANSFER OR BAGGAGE DELIVERY.

All buildings or parts thereof erected or altered in a "District Class E" shall be constructed in conformity with the following regulations:-

- (a) Subject to Clause (b), the height of such building shall not



be in excess of the equivalent of twice the horizontal distance from the centre of the street upon which the building fronts to the face of the exterior wall or plane of the building fronting upon such street.

(b) The upper part of a building may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided that such excess height shall lie within an angle contained between a horizontal plane at the street curb level and a line extending from the junction of such plane with the centre of the street upon which the building fronts to the permissible height of such building at the face of the wall or exterior plane fronting upon such street, as determined by the immediately preceding regulation, but subject to the regulations governing rear and side yards, elevations, courts and setbacks.

(c) Subject to Clause (d), the height of the rear wall forming the first storey of any building specified as permissible in this Part, shall be such that the vertical distance from the ground level to the coping level shall not be in excess of twice the horizontal distance measured from the rear lot line to such rear wall. Where upon an interior lot there is a registered lane adjacent to and extending across the rear thereof, the height of such rear wall shall be such that the vertical distance from the ground level to the coping level shall not be in excess of twice the horizontal distance measured from the centre of such lane to such rear wall.

(d) The upper part of the first storey may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided that such excess height shall lie within an angle contained between a horizontal plane at the ground level and a line extending from the junction of such plane with the rear lot line to the permissible coping level of the rear wall forming the first storey, or, where upon an interior lot there is a registered lane adjacent to and extending across the rear thereof, such excess height shall lie within an angle contained between a horizontal plane at the ground level and a line extending from the junction of such plane with the centre line of such lane to the permissible coping level of the rear wall forming the first storey.

(e) The height of an exterior wall facing on a rear yard shall, subject to Clause (f), above the horizontal plane forming the first storey, be such that the vertical distance from the level of such horizontal plane to the coping level shall not be in excess of four times the distance measured from the junction of the rear line of building occupancy with such plane to such exterior wall, or four vertical in one horizontal.

(f) A building may be constructed to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the junction of the rear line of building occupancy with the horizontal plane forming the first storey to the permissible coping level of the rear wall of the building.



(g) The height of an exterior wall facing on a side yard shall, subject to Clause (h), above the horizontal plane forming the first storey, that the vertical distance from the level of such horizontal plane to the coping level shall not be in excess of four times the distance measured from the junction of the side lot line with such plane to such exterior wall, or four vertical in one horizontal.

(h) A building may be constructed to a greater height than that determined by the immediately preceding regulation, of it or the upper part thereof is set back within an angle formed by a line from the junction of the side lot line with the horizontal plane forming the first storey to the permissible coping level of the side wall of the building.

(i) The height of an exterior wall facing on an inner court shall, subject to Clause (j), be such that the vertical distance from the level of such court to the coping level shall not be in excess of twice the least horizontal dimension of such inner court, or two vertical in one horizontal.

(j) That part of a building facing on an inner court may be erected or altered to a height in excess of that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of the bounding wall defining its least dimension to the permissible coping level of the wall opposite, or, in the case of the least dimension of the court being defined by a lot line, within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of such lot line defining its least dimension to the permissible coping level of the wall opposite.

(k) The height of an exterior wall forming the side of an outer court, as distinguished from that forming the end of the court, shall, subject to Clause (l), be such that the vertical distance from the level of the outer court to the coping level shall not be in excess of three times the width of such court, or three vertical in one horizontal.

(l) That part of a building facing on an outer court may be erected or altered to a greater height than that determined by the immediately preceding regulation, provided that those portions so in excess which face upon the sides of such outer courts are set back within an angle formed by a line from the junction of the lowest level of the court with either side wall to the permissible coping level of the wall opposite, or where the width of the court is defined by a lot line, within an angle equivalent to that formed by a line from the junction of the lowest level of the court with such lot line to the permissible coping level of the wall opposite.

3. (a) Any building erected or altered upon an interior lot having a registered lane adjacent to and extending across the rear thereof may, Subject to Clause (d), occupy one hundred per cent of the area of the lot for the first storey in height.

(b) Any building erected or altered upon an interior lot where there is no registered lane in the rear thereof may, subject to Clause (d), occupy not more than ninety per cent of the area of the lot for the first storey in height, ten per cent being left vacant at the rear and for the full width of same.

(c) Any building erected or altered upon a corner lot may, subject to Clause (d), occupy one hundred per cent of the area of the lot for the first storey in height, provided that such permissible occupancy shall only apply to a frontage width of fifty feet and a depth of one hundred feet from the street intersection, the balance of the lot in excess of this frontage and depth being deemed to be and treated as an interior lot.

(d) Any building erected or altered in a District "Class E" shall, above the horizontal plane forming the first storey, have the percentage of lot occupancy limited to and varied with the nature of use to which the building is devoted as designated and determined by the area regulations prescribed for courts and yards.

4. Any accessory building located in a District "Class E" shall have its percentage of lot occupancy included with that prescribed as the total percentage of lot occupancy of the main building to which it is accessory.
5. No line of setback shall be required in respect to any building erected in a District "Class E".
6. The depth of a rear yard shall, above the horizontal plane forming the first storey, be such that the distance from the rear line of building occupancy to the rear wall of the structure nearest to the rear line of building occupancy shall not be less than one-fourth the height of such rear wall above such plane.
7. (a) Subject to Clause (b), the provision of side yards is optional in any building erected within a District "Class E", but where such are provided their width shall not be less than ten feet.  
  
(b) The width of a side yard, if provided, shall, above the horizontal plane forming the first storey, be such that the distance measured from the junction of the side lot line with such plane to the side wall of the building shall not be less than one-fourth of the height of such wall, provided that its minimum width shall not be less than ten feet.
8. The least dimension of an inner court shall not be less than one-half the height of the highest wall bounding such inner court.
9. The least dimension of an outer court shall not be less than one third of the permissible height of any wall bounding such outer court, nor shall the length of the side walls forming same be more than the permissible height of such bounding wall.
10. The least dimension of a light or air well shall be six feet at its lowest level. Where a well is in excess of one storey in depth, this least dimension shall be increased throughout by one foot for each additional storey. A light or air well shall be ventilated

- b at its lowest level by free air inlet and at its extreme height by free air outlet, each of which shall have a minimum cross-sectional area equivalent to three per cent of the permissible minimum cross-sectional area of the well, and shall be installed in such a manner as to ensure a free and continuous current of air.

PART 6.

DISTRICT "CLASS F".

MAXIMUM INTENSITY WORK DISTRICT.

1. (a) Subject to Clauses (b) and (c) of this Section, in any District "Class F", any building or part thereof and any land may be used, and any building or part thereof may be erected, altered or located for any purpose, provided that such use shall be in conformity with existing laws and by-laws, including the regulations herein set forth, and that any building permissible within a District "Class A", "Class B", "Class C", "Class D" "Class E" which may be erected within a District "Class F" shall conform to the regulations controlling use, areas and heights specified for the most restricted Class in which they may be erected.

(b) No building shall be constructed or used which is arranged, intended for or designed to be used in whole or in part as a dwelling for one or more families or individuals. This provision, however, shall not prohibit the erection or maintenance of dwelling quarters in a commercial or industrial establishment for the use only of a watchman or other employee whose residence on the premises is essential, such employee's family included.

(c) No building or part thereof and no land shall be used, and no building shall be erected, altered or located, which is arranged, intended for or designed to be used for any business, trade or industry, which, from its nature or the materials used therein, will be dangerous in causing or promoting fires, or which shall emit noxious or offensive fumes, gases, smells, smoke or other nuisance, unless its erection or maintenance has been authorized by the Public Health Act.

2. All buildings or parts thereof erected or altered in a District "Class F" shall be constructed in conformity with the following regulations:-

(a) Subject to Clause (b), the height of such building shall not be in excess of the equivalent of twice the horizontal distance from the centre of the street upon which the building fronts to the face of the wall or exterior plane of the building fronting upon such street.

(b) The upper part of a building may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided that such excess height shall lie within an angle contained between a horizontal plane at the street curb level and a line extending from the junction of such plane with the centre of the street upon which the building fronts to the permissible

height of such building at the face of the wall or exterior plane fronting upon such street, as determined by the immediately preceding regulation, but subject to the regulations governing rear and side yards, elevations, courts and setbacks.

(c) Subject to Clause (d), the height of the rear exterior wall forming the first storey of any building shall be such that the vertical distance from the ground level to the coping level shall not be in excess of twice the horizontal distance measured from the rear lot line to such rear wall. Where upon an interior lot there is a registered lane adjacent to and extending across the rear thereof, the height of such rear wall shall be such that the vertical distance from the ground level to the coping (distance) level shall not be in excess of twice the horizontal distance measured from the centre of such lane to such rear wall.

(d) The upper part of the first storey may be erected or altered to a height in excess of that determined by the immediately preceding regulation, provided such excess height shall lie within an angle contained between a horizontal plane at the ground level and a line extending from the junction of such plane with the rear lot line to the permissible coping level of the rear wall forming the first storey, or, where upon an interior lot there is a registered lane adjacent to and extending across the rear thereof, such excess height shall lie within an angle contained between a horizontal plane at the ground level and a line extending from the junction of such plane with the centre line of such lane to the permissible coping level of the rear wall forming the first storey.

(e) The height of a rear wall facing on a rear yard shall subject to Clause (f), above the horizontal plane forming the first storey, be such that the vertical distance from the level of such horizontal plane to the coping level shall not be in excess of four times the distance measured from the junction of the rear line of building occupancy with such plane to such exterior wall, or four vertical in one horizontal.

(f) A building may be constructed to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the junction of the rear line of building occupancy with the horizontal plane forming the first storey to the permissible coping level of the rear wall of the building.

(g) The height of an exterior wall facing on a side yard shall, subject to Clause (h), above the horizontal plane forming the first storey, be such that the vertical distance from the level of such horizontal plane to the coping level shall not be in excess of four times the distance measured from the junction of the side lot line with such plane to such exterior wall, or four vertical in one horizontal.

(h) A building may be erected to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the junction of the side lot line with the horizontal plane forming the

first storey to the permissible coping level of the side wall of the building.

(i) The height of an exterior wall facing on an inner court shall, subject to Clause (j), be such that the vertical distance from the level of such court to the coping level shall not be in excess of twice the least horizontal dimension of such inner court, or two vertical in one horizontal.

(j) That part of a building facing on an inner court may be erected or altered to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of the bounding wall defining its least dimension to the permissible coping level of the wall opposite, or, in the case of the least dimension of the court being defined by a lot line, within an angle equivalent to that formed by (with and) a line from the junction of the lowest level of the court with and at the point of such lot line defining its least dimension to the permissible coping level of the wall opposite.

(k) The height of an exterior wall forming the side of an outer court, as distinguished from that forming the end of the court, as shall, subject to Clause (l), be such that the vertical distance from the level of the outer court to the coping level shall not be in excess of three times the width of such court, or three vertical in one horizontal.

(l) That part of a building facing on an outer court may be erected to a greater height than that determined by the immediately preceding regulation, provided that those portions so in excess which face upon the sides of such outer court are set back within an angle formed by a line from the junction of the lowest level of the court with either side wall to the permissible coping level of the wall opposite, or, where the width of the court is defined by a lot line, within an angle equivalent to that formed by a line from the junction of the lowest level of the court with such lot line to the permissible coping level of the wall opposite.

5. (a) Any building erected or altered upon an interior lot having a registered lane adjacent to and extending across the rear thereof may, subject to Clause (d), occupy one hundred per cent of the lot for the first storey in height.

(b) Any building erected or altered upon an interior lot where there is no registered lane at the rear thereof may, subject to Clause (d), occupy not more than ninety per cent of the area of the lot for the first storey in height, ten per cent being left vacant at the rear and for the full width of same.

(c) Any building erected or altered upon a corner lot may, subject to Clause (d), occupy one hundred per cent of the area of the lot for the first storey in height, provided that such permissible occupancy shall only apply to a frontage width of fifty feet and a depth of fifty feet from the street intersection, the balance of the lot in excess of this frontage and depth being deemed to be and treated as an interior lot.

(d) Any building erected or altered in a District "Class F" shall have its percentage of lot occupancy, above the horizontal plane forming the first storey, limited to and varied with the nature of use to which the building is devoted as designated and determined by the area regulations prescribed for courts and yards.

Any accessory building erected in a District "Class F" shall have its percentage of lot occupancy included with that prescribed as the total percentage of lot occupancy of the main building to which it is accessory.

No line of setback shall be required in respect to any building erected in a District "Class F".

The depth of a rear yard shall, above the horizontal plane forming the first storey, be such that the distance from the rear line of building occupancy to the rear wall of the structure nearest to the rear line of building occupancy shall not be less than one-fourth of the height of such rear wall above such plane.

(a) Subject to Clause (b), the provision of side yards is optional in any building erected within a District "Class F", but where such are provided their widths shall not be less than ten feet.

(b) The width of side yard, if provided, shall, above the horizontal plane forming the first storey, be such that the distance measured from the junction of the side lot line with such plane to the side wall of the building shall not be less than one-fourth of the height of such wall, provided that its minimum width shall not be less than ten feet.

The least dimension of an inner court shall not be less than one-half the height of the highest wall bounding such inner court.

The least dimension of an outer court shall not be less than one third of the permissible height of any wall bounding such outer court, nor shall the length of the side walls forming same be more than the permissible height of such bounding wall.

0. The least dimension of a light or air well shall be six feet at its lowest level. Where a well is in excess of one storey in depth, this least dimension shall be increased throughout by one foot for each additional storey. A light or air well shall be ventilated at its lowest level by free air inlet and at its extreme height by free air outlet, each of which shall have a minimum cross-sectional area equivalent to three per cent of the minimum permissible cross-sectional area of the well, and shall be installed in such a manner as to ensure a free and continuous current of air.

#### PART 7.

#### HEIGHT REGULATION EXCEPTIONS.

1. The height regulations included in this by-law shall not apply to church spires, church belfreys or to chimneys, nor to water tanks



occupying in the aggregate less than ten percent of the area of the roof on which they are located.

2. In any District "Class C" or "Class D", the maximum height of a building as authorized by this by-law may be increased by not more than ten feet, if, by so doing, the height of such building shall conform to the height of an adjacent building erected prior to the date of this by-law.
3. The permissible height of any building proposed to be erected on a corner lot at the junction of two streets of unequal width and located in any District "Class D", "Class E" or "Class F", shall be governed by the width of the wider street, which height may be extended along the narrower street for a length of fifty feet, or for a distance equivalent to the width of the narrower street where the latter is in excess of fifty feet wide.
4. The permissible height of any building proposed to be erected on a corner lot at two intersecting streets in a District "Class D", "Class E" or "Class F" may, for a distance of fifty feet on each street measured from the junction of the adjacent street lines, equal twice the centre lines of such streets to the corner of the building. Where one street intersects another in such a manner that its boundaries are offset at such intersection by a distance not in excess of one half of its width, it shall be deemed to be an intersecting street (width, it shall be deemed to be an) within the meaning of this clause, and the permissible height of any building proposed to be erected on a corner lot abutting upon same shall be determined as described above and as if no offset existed.

#### PART 8.

##### AREA REGULATION EXCEPTIONS.

1. If that part of the area of any lot, which is required by this by-law to be reserved as a yard, court or other open space, or any part thereof, is, after a building has been erected upon such lot, sold to or acquired by another owner or by the owner of an adjacent lot, it shall continue to be used as a court, yard or other open space as long as the conditions originally necessitating such areas remain, and shall not be deemed to form part of an adjacent lot for the purposes of computing the area of such available for building purposes.
2. (a) Any building or portion thereof used as a cold storage or dead storage warehouse, may, subject to Clause (b), above the first storey, occupy not more than ninety per cent of the permissible percentage of lot occupancy, provided that, above such first storey, a rear yard having a minimum depth of ten feet shall be reserved, and that the height of the exterior wall of such building shall be such that the vertical distance from such first storey level to the coping level shall not be in excess of six times the distance measured from the junction of the rear line of building occupancy with such first storey level to such exterior wall, or six vertical in one horizontal. Where the rear lot line is formed by a street line the foregoing provision for a rear yard shall not apply.



(b) A cold storage or dead storage warehouse building may be constructed to a greater height than that determined by the immediately preceding regulation, if it or the upper part thereof is set back within an angle formed by a line from the junction of the rear line of building occupancy with the level of the first storey to the permissible coping level of the rear wall of the building.

3. Light or air wells or shafts shall not be considered as open space in computing the percentage of lot occupancy nor shall (only) any light or air well or shaft be constructed or used except for the purpose of lighting or ventilating an accessory room.

4. A yard or court or other open space provided about any building shall not be computed in determining the percentage of lot occupancy of any other building.

5. The area of a court or yard at any level shall be open and unobstructed from such level to the sky, except for skylights and low parapets to fire or party walls above the level of such court or yard, and window sills, belt courses, cornices and other ornamental features projecting not more than four inches.

6. (a) Where in any District "Class A" or "Class B", due to lack of depth or irregularity of shape, the depth of lot is such that it does not permit of a rear yard having the dimensions required by this by-law, there may be substituted for that portion of the lot required by this by-law to be reserved at the rear of the main building as a rear yard, an area equivalent in dimensions but located between the building erected thereon and the side lot line, provided that there shall be, at any point a distance of not less than ten feet between any rear wall of such building and the lot line or lines defining the rear limit or limits of the lot, and that such substituted equivalent area, and the side yard on that side of the building opposite to that on which the substituted area is provided, shall be subjected to the provisions of this by-law controlling rear and side yards and the walls facing thereon.

(b) In any District "Class C", where a building is proposed to be erected upon a through lot the requirement for a rear yard may be waived, if an outer court is provided at the centre of the side or sides of such building which is adjacent to any other lot or lots.

(c) In Any District "Class D", Class E" or "Class F", if it is proposed to erect a building to be occupied as a retail shop or store upon a through lot, the first storey thereof may occupy the full lot, provided that, above the level of the first storey, an inner court shall be provided having an area equal to not less than fifteen per cent of the area of such lot. The least horizontal dimension of such inner court shall not be less than one-half of the height of any bounding wall or vertical plane forming such court, but any part of the mstructure may be erected above the height of such wall or vertical plane if set back within an angle equivalent to that formed by a line from the junction of the lowest level of the court with and at the point of the bounding wall or vertical plane defining its least dimension to the coping level of the wall opposite or the extreme height of the opposite vertical plane, or two certival in one horizontal. Such inner court may be enclosed by a ventilated skylight extending over its entire area.

(d) Where it is proposed to erect a building upon a through lot, located in any District "Class D", "Class E" or "Class F", for use or occupancy for other than a retail shop or store, the permissible percentage of lot occupancy of the first storey shall be the full area of such lot, provided that, above the first storey, there shall be an aggregate area of not less than fifteen per cent of such lot reserved for the provision of courts, which courts shall be subject to the area provisions of the Use District of greatest restriction in which such building is permissible.

7. If an additional storey or storeys are proposed to be added to a building existing at the date of this By-law, and if the existing court or yard areas will not, after the construction of the additional storey or storeys, conform to the requirements of this by-law, the dimensions of such yards or courts shall be increased at the level of the top of the existing yard or court walls, and be of the dimensions at such height as prescribed in these regulations, provided that this regulation shall not prevent an existing elevator or stair enclosure being carried up to the additional height.
8. In any District "Class B" or "Class F", any building which does not exceed one storey in height may occupy the full area of the lot provided that such building is lighted and ventilated from the roof in accordance with the provisions of the Building By-Laws.
9. In any District "Class D" or "Class E", the requirements of this by-law regarding side yards may be waived in so far as such affect an apartment house, the first storey of which is or is intended to be occupied by retail stores, in respect to that part of the lot which does not exceed the equivalent of two rooms in depth from the front building line, provided such depth does not exceed forty feet.
10. Except as hereinafter provided, educational, charitable, municipal, governmental, public service and such similar public or semi public buildings, where located in a District "Class A" or "Class B", shall provide a side yard on each side, other than on a street, of a width of not less than one-half of the height of such buildings, and shall conform to the further area provisions of the Use District in which they are located.
11. An accessory building shall be located not less than ten feet from any window or door of any building other than an accessory building.

#### PART 9.

#### NON-CONFORMING USES.

1. A building, which, at the date of this by-law, is designed, arranged, intended for or devoted to a use not permissible within the district in which it is located, shall not be enlarged, extended, reconstructed or structurally altered, unless such building is thereafter to be used for a purpose permitted within such district, provided that the interior of such building may be reconstructed or altered to an extent not greater than one-half of the whole, exclusive of the foundations, in order to render the same more convenient or commodious for the purpose for which, at the date of this by-law, such building is used.

A building having a non-conforming use and a building whose height and percentage of lot occupancy exceeds that authorized in the district in which it is located, when damaged by fire, explosion, act of God, or the public enemy to the extent of sixty percent of the whole, exclusive of the foundations, shall be considered as destroyed and shall not be restored, except in conformity with the use, area, height and interval regulations governing the district in which such building is located.

Any use to which buildings and lands are devoted at the date of this by-law may be continued, although not conforming with the regulations of the use district in which they are located, or such use may be extended throughout the building, provided, in either case, that no structural alterations, other than those provided in Section 1 of this Part, or as may be required by existing law or by-law, are made therein, and that no new building or extension to such building is erected.

Any building, which at the date of the passing of this by-law, is made use of for any purpose, which, if thereafter established would be forbidden in such district, under the provisions hereof, may be put to any other non-conforming use, subject to the following regulations:

(a) In any District "Class A", "Class B" or "Class C", a building or premises devoted to a use permissible within a District "Class E" shall not be changed into a use excluded from a District "Class B".

(b) In any District "Class A", "Class B", "Class C", "Class D" or "Class E" shall not be changed to a use excluded from a District "Class E".

(c) In any District "Class A", "Class B", "Class C", "Class D" or "Class E" a building or premises devoted to a use permissible within a District "Class F" shall not be changed in to a use excluded from a District "Class F".

## PART 10

### BILLBOARDS, ADVERTISING SIGNS AND POSTERS.

A building permit shall not be issued for the erection of any billboard, advertising sign or poster, or for any advertising device located either upon private or public property unless or until the location and nature of such sign or advertising device has been approved by the official charged with the administration of this by-law, and subject to the regulations governing the district in which such sign or advertising device is proposed to be erected.

No billboard, advertising sign or poster and no structure for advertising purposed shall be erected, placed or made use of in any District "Class A", "Class B" or "Class C" or on any property or premises bordering upon a public park or a playground where such forms part of a public park, provided that such prohibition shall not apply to the erection or use of any sign which sets forth only the name of any structure, or the name and business of any occupant of any shop,

store or trade premises occupied by them, nor to any notices exhibited on a public building, church or park setting forth the purpose for which such buildings or parks are intended.

#### PART 11.

##### BUILDING PERMITS AND CERTIFICATES OF OCCUPANCY.

1. Every person proposing to erect or alter any building shall, prior to making application for a building permit, with the official charged with the administration of this by-law a signed statement as to the use or purpose for which such building or alteration is intended, together with duplicate copies of the plans and specifications of same, the former drawn to a scale of not less than one-eighth of an inch to a foot, showing the actual dimensions, including radii and angles of the recorded lot to be built upon, all buildings existing upon the said lot with the heights and dimensions of same, the heights and dimensions of the proposed buildings, the disposition of buildings upon contiguous lots, and such other information as may be required or necessary to provide for the enforcement of this by-law, and, if such building is designed in a manner or intended for a use not permitted within the District in which such building is to be or is located, no building permit will be issued.
2. It shall be unlawful to use any building or premises or part thereof hereafter erected or altered or converted wholly or partly in its structure or use until a certificate of occupancy to the effect that the building or premises or part thereof so erected, altered or converted and the use thereof conform to the provisions of this by-law shall have been issued.
3. Any thing contained in this by-law shall not require any change in the plans, construction or designated use of a building for which a building permit has been issued or the plans for which are on file with the building department at the date of this by-law.
4. The city engineer and the official charged with the administration of this by-law are hereby authorized to enter at all reasonable hours upon any property which is subject to the provisions of this by-law for the purpose of ascertaining whether the said provisions have been or are being kept and obeyed and of carrying the same into effect, and also for the purpose of carrying out the works authorized by this by-law.

#### PART 12.

##### GENERAL.

1. Any building, vacant at the time of the adoption of this by-law, shall be classified according to its previous use, and designated in the records and use charts in the classification to which it thus belongs.
2. Where any area of land, having a greater depth than one hundred feet measured from the nearest boundary of the street upon which it abuts, has not been subdivided into building lots, the depth of such area

shall, for the purposes of this by-law, be assumed to be one hundred feet measured at right angles to and from the street line of the street to which it is parallel and adjacent.

- (a) Except as hereinafter provided in Clauses (b) and (c) of this Section, a building intended to be erected, altered or used as a dwelling shall be so located as to front immediately upon a public highway or street. For the purposes of this section and by-law a lane shall not be considered a street.
- (b) Subject to Clause (c), where it is intended to erect alter or use such a building at the rear of any other building on the same lot, or in front of any building on the same lot in such a manner as to produce the condition of a dwelling located in the rear of any other building, the land appurtenant to the building fronting immediately upon the street shall be such as to conform to the regulations governing the line of setback, percentage of lot occupancy, yards and courts of the use district of greatest restriction in which such building is permissible, and the land appurtenant to that building located in the rear of the former shall be exclusive of the land appurtenant to the former and shall conform to the regulations governing the line of setback, percentage of lot occupancy, yards and courts of the use district of greatest restriction in which it is permissible, provided that there be preserved at any point a distance, measured from the rear line of the land appurtenant to the building fronting immediately upon the street to any part of the building located at the rear thereof equal to one-half of the width of the street upon which the former building fronts plus the setback required for the latter building.
- (c) Notwithstanding the provisions of Clauses (b) and (v), dwelling accommodation may be provided above a private garage building for the accommodation of a chauffeur or other domestic employee and his or her family, although such garage is located in the rear of another building, but provided that such building is located in a District "Class A, Subdivision X", and that the employer of the said chauffeur or other domestic employee is resident within such other building.
- Where a building is constructed with a projecting cornice such projection shall fall within the angle formed by a line from the centre of the street upon which the building fronts to the permissible coping level of the street wall.
- In any District "Class A", "Class B" or "Class C", corner lots shall not be subject to setback regulations on the two streets upon which they abut, but only on that street upon which the building fronts, but such lot shall be subject to the provisions of side yards specified for that class of building proposed to be erected thereon.
- (a) In any District "Class A" or "Class B", on a street where the front of a corner lot does not abut on the street itself but on a cross street intersecting it, the buildings constructed on the first two interior lots adjacent to the lot fronting on such cross street may be located in such a manner that the setback applicable to the immediately adjacent lot shall be one-third, and that applicable to the lot adjacent to the latter two-thirds of the normal setback required in such District.

(b) Subject to Clause (c), where, in any District "Class A" or "Class B", the setback of an existing building is less than that required by this by-law, the buildings constructed on the two lots adjoining on either side may be located in such a manner that the setbacks applicable to the immediately adjacent lots shall be one-third, and those applicable to the lots adjacent to the latter two-thirds of the normal setback required in such District.

(c) Where the lines of setback of existing buildings located on either or both sides of a street in any District "Class A" or "Class B" are less than that required by this by-law and the frontage of land occupied by the lots upon which such buildings are erected exceeds fifty percent of the street frontage of the block in which such buildings are located, the setback line applicable to the unbuilt frontage of such block shall be equal to the average setback of the buildings already erected thereon.

(d) In any District "Class A" or "Class B", where a dwelling is or is intended to be located upon a lot the general elevation of which is above the street level, a private garage may be located in the side yard of such dwelling, if, by so doing, the roof of such garage will not be more than two feet above the general elevation of the lot.

7. Non-enclosed fire escapes, in which the stair steps and floors are latticed in such a manner that the proportion of voids to solids is not less than two to one, and in which a guard shall consist only of the hand guide and the structural members necessary to its support, are permissible in a yard or court, provided that such escape shall not project into such yard or court more than four feet. Outside entrance stairs or balconies shall be considered as part of the building in determining the lot occupancy of a building or the permissible dimensions of yards and courts.
8. Where a building is proposed to be erected upon any block or parcel of land in excess of four thousand square feet in area, there shall be, at the time of application for a building permit, indicated upon the block plan submitted therewith such areas as are required under this by-law to be reserved as yards or courts according to the proposed use and classification (courts acc) of such building, the lines defining which shall be held to obtain in the event of building occupancy of the immediately adjacent ground.
9. Except as herei after provided, educational, charitable, municipal, governmental, public service and such similar public or semi-public buildings located in a District "Class A" or "Class B" shall, subject to the provisions of Section 10, Part 8, be subject to the area, height and interval regulations governing the District within which they are located.
10. Except as Hereinafter provided, educational, charitable, municipal, governmental, public service and such similar public or semi-public buildings located in a District "Class C", "Class D", "Class E" or "Class F" shall be subject to the area, height and interval regulations governing the use district of greatest restriction in which such buildings are permissible.



11. Notwithstanding any contrary provisions which may be contained in this by-law, a building, to be used solely for the purpose of a telephone exchange, may be erected within a District "Class A", "Class B" or "Class C". Such a building shall not exceed eighty feet in height, and shall conform to the line of setback prescribed for the district in which it is located; shall be so situated on the lot that there shall be provided on each side thereof a sideyard, which, in a District "Class A" or "Class B", shall not be less than twenty feet wide; and, in a District "Class C", fifteen feet wide; and shall be provided with a rear yard having a depth equivalent to one-twelfth of the depth of the lot proper, but in no case of less than twelve feet. The foregoing referred to side and rear yards shall be unoccupied from the ground to the sky, excepting in the case of a lot, the depth of which is less than one hundred and forty-five feet, but more than one hundred and twenty feet, when a stair tower or fire escape may be located in one of the side yards in such a manner that its projection from the side wall of the main building shall not exceed ten feet, nor its length twenty-three feet, as measured from the angle formed by the junction of the rear and side walls of such main building.

Where an existing telephone exchange building does not conform to the foregoing provisions, extension of its height to eighty feet is permissible within its existing boundaries for the purpose only of furthering its use as such, or, where a telephone exchange building has ceased to be used for such purpose, it may be utilized for any purpose permissible in the district in which it is located, provided that when located in a District "Class A" it shall have a rear yard depth of twenty-five feet, that its height and percentage of lot occupancy shall not be increased beyond that permissible within the district in which it is located; and that it conforms to the provisions of the building by-laws.

12. A cellar shall not be used for human habitation.
13. The diagrams and use district charts which accompany this by-law shall form part of this by-law.

### PART 13.

#### DEFINITIONS.

In this by-law:-

1. The word "building" includes a "structure" and "an erection"; the word "occupied" includes "designed or intended to be occupied"; the word "used" includes "arranged, designed or intended to be used".
2. "Building" shall mean a structure having a roof supported by columns or walls, and used for the shelter or accommodation of persons, animals or chattels.
31. "Accessory Building" shall mean a subordinate, detached building designed or intended for the better or more convenient enjoyment

of the main building to which it is accessory, and located upon the lot upon which such main building is or is intended to be erected, and shall include a private stable or a private garage, where such garage does not form part of the main building.

4. "Front of building" shall mean, in the case of an interior lot, that part of the main building which is nearest to the street, and, in the case of an exterior lot in which setback regulations apply, that part of the main building the development of which is limited by the setback line, as designated on the issuance of the building permit.
5. "Height of building" shall mean, in the case of a flat-roofed building, the distance measured vertically from that point on the street curb, which is opposite the centre of the wall of the building adjacent to the street, to the level of the highest point of any exterior wall; and in the case of a building having a roof the pitch of which is more than twenty degrees, but not in excess of sixty degrees and any part of which is contained within an angle of sixty degrees formed from the level of the wallplate at the outer face of any exterior wall and at right angles to such wall, shall be the distance measured vertically from that point on the street curb, which is opposite the centre of the wall of the building adjacent to the street, to the mean level between the wall plate and the ridge; in the case of a building, any part of the roof of which has a pitch in excess of sixty degrees or is not contained within an angle of sixty degrees formed from the level of the wallplate at the outer face of any exterior wall and at right angles to such wall, such roof or part thereof shall be deemed to be vertical, and shall be included in the height of the building, and such height shall be computed to be the distance measured vertically from that point on the street curb which is opposite the centre of the wall of the building adjacent to the street to the mean level between the highest point of the roof so in excess of sixty degrees and the ridge; where no curb elevation has been established, the average level of the crown of that portion of the street upon which the building fronts shall be considered the curb level; where a building is located upon a lot adjacent to a street corner or intersection, the curb level shall be the mean level of the curb on the street of greater width; where a building is set back from the street line, the height of building shall be determined from the average elevation of the natural grade at the building line immediately adjacent to and along the front of such building, provided that the horizontal distance from the street line to the nearest part of the building is not less than the height of such grade above the curb level.
6. "Main building" shall mean that building; the nature of the use of which determines the status of the lot upon which it is authorized to be constructed.
7. "Cellar" shall mean that portion of a building below the ground floor joists, the floor of which is more than one-half the height from ceiling to floor below the adjacent ground, exclusive of areas.
8. "Height of court" shall mean the vertical distance from the lowest level of such court to the highest point of any bounding wall. Where the court bottom is the roof of any lower storey of a building, which lower storey contains rooms intended for human habitation and a

skylight or other opening forming the sole lighting or ventilating medium is provided therein for such rooms, the height of court shall be measured from the floor level of the lowest storey so receiving light or ventilation from such skylight or opening to the highest point of any bounding wall.

"Inner Court" shall mean an open space, unoccupied from the ground to the sky or from an intermediate floor to the sky, located on the same lot with the building which it serves, and enclosed on all sides by walls or by walls and a lot or lot lines.

"Length of court" shall mean, in the case of an outer court, the mean horizontal distance between the open end and the closed end of the court, and, in the case of an inner court, the greatest mean horizontal dimension of such court.

"Inner court" shall mean an open space, unoccupied from the ground to the sky or from an intermediate floor to the sky, located on the same lot with the building which it serves, and extending to or opening upon a street, lane or yard.

"Width of Court" shall mean, in the case of an outer court, the mean horizontal distance between the sides of such court as distinguished from the open and closed ends of the court, and, in the case of an inner court, the least mean horizontal dimension of such court.

"Dead storage" shall mean the storage of goods, wares or merchandise for a fixed or indeterminate period or length of time, when such goods, wares or merchandise are not intended for immediate removal, access or distribution.

"Use District" shall mean any separate area of land, as defined on the official charts forming part of this by-law and described as forming part of this by-law, the permissible use and occupation of which are uniform and limited in the manner shown on such charts and described in this by-law.

"Minima density home district" shall mean a district as described in this by-law as reserved for use set forth in Part 1 of this by-law and referred to as "Class A, Subdivision X2 and "Class A, Subdivision Y" therein, as as delineated upon the charts which form part of this by-law by the following symbols:-

"Class A,  
Subdivision X".

"Class A,  
Subdivision Y"

"Mediate density home district" shall mean a district as described in this by-law as reserved for use set forth in Part 2 of this by-law and referred to as "Class B" therein, and as delineated upon the charts which form part of this by-law by the following symbol:-

"Maximum density home district" shall mean a district as described in this by-law as reserved for use set forth in Part 3 of this by-law and referred to as "Class C" therein, and as delineated upon the charts which form part of this by-law by the following symbol:-

- "Minimum intensity work district" shall mean a district as described in this by-law as reserved for use set forth in Part 4 of this by-law and referred to as "Class D" therein, and as delineated upon the charts which form part of this by-law by the following symbol;e
- "Mediate intensity work district" shall mean a district as described in this by-law as reserved for use set forth in Part 5 of this by-law and referred to as "Class E" therein, and as delineated upon the charts which form part of this by-law by the following symbol;-
- "Maximum intensity work district" shall mean a District as described in this by-law as reserved for use set forth in Part 6 of this by-law and referred to as "Class F" therein, and as delineated upon the charts which form part of this by-law by the following symbol;-
- "Multiple dwelling" shall mean a building containing two self-contained housekeeping units, constructed one above the other, having individual entrances from the street level either directly or through a common vestibule, and the whole structure having independent exterior walls; or a building containing two or more self-contained house-keeping units built adjointly but not one above the other, but having independent entrances. For the purpose of this definition "multiple dwelling" shall include a duplex house, a semi-detached house or terraced houses.
- "Single family dwelling" shall mean a detached building having independent exterior walls and designed or used exclusively for residential purposes by not more than one person or family.
- "Garage" shall mean any building, space or enclosure in which one or more motor vehicles are stored, kept or repaired.
- "Public garage" shall mean any building, space or enclosure in which the business of storing, repairing or washing of motor vehicles is carried on or in which motor vehicles used for hire or for business purposes are stored.
- "Private garage" shall mean any garage not included within the definition of "Public garage".
- "Hotel" shall mean a building or part thereof designed or used for the accommodation and lodging of the public, and having a public dining room or cafe, and whether licensed to sell alcoholic beverage or not.
- "Apartment house" shall mean any building or part thereof which is rented or let out in three or more self-contained housekeeping units to be occupied by one or more persons, which units have a common entrance from the street level, and the occupants of which have right to use in common the halls, stairs and yards or one or more of them.
- "Boarding or lodging house" shall mean any building or part thereof in which meals are served for a consideration or rooms are rented to persons other than the lessee, tenant or owner thereof or the members of his family, provided that this definition shall not

include any building or part thereof in which meals are supplied or rooms are rented to not more than three persons, exclusive of the family or the lessee, tenant or owner thereof, nor to a restaurant, cafe or public dining room.

"Industry" shall mean the business of storing, repairing, manufacturing, fabricating, preparing or treating of any article, substance or commodity whatsoever for profit, and includes public garages.

"Lane" shall mean any passageway or right-of-way laid down upon a registered plan and dedicated to public use.

"Least dimension", when applied to a yard or court, shall mean the shortest horizontal distance in any direction across such yard or court.

"Line of building occupancy" shall mean the perimeter or outer limits of the area actually built upon or of the permissible building area.

"Lot " shall mean the minimum area of land used or intended to be used as the site of or appurtenant to any building, as described in the application for a building permit, whether such land is shown on a registered subdivision or described by metes and bounds, and upon which no additional building shall be constructed or erected, other than those provided for under the provision of this by-law.

"Corner lot" shall mean any lot situated at the junction of two or more streets, which, at their point of junction subtend or form an angle of not more than one hundred and thirty-five degrees.

"Depth of lot" shall mean the mean depth from the street line to the rear line of the lot.

"Interior lot" shall mean any lot other than a corner lot. The width of a corner lot in excess of fifty feet and the depth in excess of one hundred feet shall be considered to be and shall be treated as an interior lot.

"Lot line" shall mean the division line between any two or more lots.

"Through lot " shall mean any lot other than a corner lot, owned by the same person or persons, and having frontages on two streets.

"Width of lot" shall mean, where the side lot lines are a parallel, the distance measured at right angles from such lot lines across such lot, and, where such lot lines are not parallel, the mean distance between them.

"Motor service station" shall mean and include a building or premises, in or from which gasoline, oil or grease is sold for use in motor vehicles, or in which storage batteries are charged, recharges, repaired or cared for, or in which tyres are vulcanized.

"Percentage of lot occupancy" shall mean and include that portion of a lot or parcel of land upon which a building is or may be erected in accordance with the provisions of this by-law. In determining such

area, that part covered by unsheltered steps, terraces or cornices shall be excluded, but that part covered by a (cornice) roofed verandah shall be included. For the purpose of determining the percentage of lot occupancy, corner lots shall be assumed to have a width of fifty feet and a depth of one hundred feet, any area in excess of these amounts being assumed to be an interior lot and for the purposes of the percentage of lot occupancy treated as such.

42. "Retail shop or store" shall mean and include a building or part thereof in which goods, wares or merchandise are sold or offered for sale directly to the public, and, for greater particularity, shall include such as a merchant tailor's shop, a barver's shop, a milliner's shop, a dressmaker's shop, a fur dealer's shop, a baker's shop, a confectioner's shop, and a shoe repair shop.
43. "Accessory room" shall mean, in any building designed for human habitation, any room other than a living room, and shall include a hallway, a bathroom, a toilet, a pantry or storage room, but shall not include a sitting room, a dining room, a bedroom, a kitchen, a private studio nor a room used as a consulting room by a professional person.
44. "Self-contained" shall mean, when used in conjunction with a room or suite of rooms, the provision of and inclusion within such room or suite of rooms, for the sole use of the occupants thereof, of the necessary sanitary accommodation essential to such room or suite of rooms, as provided under the Health Act.
45. "Setback or line of setback" shall mean the horizontal distance from the street line measured at right angles to such line, to the face of the street wall. A cornice, retaining wall or a fence shall not be deemed to be a structure or building or part thereof for the purpose of this definition.
46. "Public stable" shall mean and include a boarding stable, a sales stable and a livery stable or any stable in which two or more horses, or one or more cows, used for or in connection with any business, are kept.
47. "Private stable" shall mean any stable not included within the definition of "public stable".
48. "Storey" shall mean that portion of a building, other than the cellar and the attic, which is situated between the top of any floor and the top of the floor next above it, or, if there be no floor above it, that portion between the top of such floor and the ceiling next above it.
49. "Ground floor storey" shall mean that storey situated immediately above the cellar or basement, or, if there be no cellar or basement, that storey situated immediately above the ground.
50. "First floor storey" shall mean that storey situated immediately above the ground floor storey.
51. "Second floor storey" shall mean that storey situated immediately above the first floor storey.



52. "Intersecting street" shall mean a street which enters and crosses another street.
53. "Street line" shall mean the line dividing a street from a lot.
54. "Width of street" shall mean the distance or the mean of the distance between the street lines thereof within a block.
55. "Structural alterations" shall mean any change in the supporting members of a building, excepting where such alterations are required by law.
56. "Structure" shall mean any erection fixed to or supported by the soil.
57. "Use" shall mean the purpose for which a building, structure or premises or part thereof is used or occupied or intended or designed to be used or occupied.
58. "Non-conforming use" shall mean any use of a building or premises that does not conform to the regulations of the use district in which such building or premises is located.
59. "Street wall" shall mean the main wall of a building which fronts upon and is nearest to the street, whether such wall is at or above the level of the ground.
60. "Depth of rear yard" shall mean the distance or the mean of the distances between the rear wall of the main building and the rear line of the lot.
61. "Rear yard" shall mean an open space, unobstructed from the ground to the sky, located on the same lot with the main building between the rear wall thereof and the rear line of the lot, extending the full width of the lot, and free from all buildings and structures, except such as are specifically authorized by this by-law. In a District "Class D", "Class E" or "Class F" a rear yard may be an open space located above a horizontal plane formed by a roof of a first storey, situated between the rear wall of the main building above such plane and the rear line of the lot, unoccupied from such horizontal plane to the sky, extending the full width of the lot and free from all buildings or structures.
62. "Side yard" shall mean an open space, unobstructed from the ground to the sky, located on the same lot with the main building between the side wall thereof and the side lot line, and extending through from the front lot line to the rear yard. In a District "Class D", "Class E" or "Class F" a side yard may be an open space located above a horizontal plane formed by the roof of a first storey, situated between the side wall of the main building above such plane and the side line of the lot, unoccupied from such horizontal plane to the sky and extending through to and opening upon the front lot line and the rear yard.

## DESCRIPTION OF ZONES IN THE PARISH OF SILLERY.

(To accompany a coloured plan of the zones)

Object of the present classification; to prevent for the future by directing the establishments in these different portions of the Parish of Sillery.....

### No. 1. Class A-X:

Starting from the ~~North~~ <sup>South</sup> and ~~West~~ Corner of St. Cyrille Street and Belvedere Avenue, on a southerly direction following the West side of said Belvedere Avenue (Boundary line between City of Quebec and Sillery) as far as the ~~North~~ side of St. Louis Road; thence, on a westerly direction following the ~~North~~ side of St. Louis Road to the West side of Gilmore Street; thence following the West side of Gilmore Street to the top of the cliff of the Bouillons; thence on a westerly direction, crossing the St. Denis creek and following the top of the said cliff as far as the Belleborne creek; thence, on a westerly direction following the said Belleborne creek to the Cap-Rouge Road; thence on a northerly direction following the Cap-Rouge Road to the St. Louis Road; thence on an easterly direction, following St. Louis Road as far as the West boundary line of lot no. 202-1; thence on a northerly direction following the said West boundary line and its prolongation to St. Cyrille Street; thence following on an easterly direction the South side of the St. Cyrille Street to the starting point.

### No. 2. Class A-Y:

Starting from the West boundary line of lot no. 61-13 and following the said line on a southerly direction along lots nos 61-13 to 61-30 inclusively as far as the South side of Cap-Rouge Road; thence on a westerly direction, following the south side of Cap-Rouge Road to the eastern boundary line of lot no. 58; thence, on a southerly direction following the said eastern boundary line to the top of the cliff of the Bouillons; thence on a westerly direction, following the said top of the cliff as far as a creek running from Cap-Rouge Road across lot no. 3; thence, following the said creek to Cap-Rouge Road; thence on a westerly direction, following the North side of the Cap-Rouge Road to the boundary line of the Parish of Sillery; thence on a (~~westerly direction~~) northerly direction following the said boundary line on a distance of 750 feet; thence, on an easterly direction following a line drawn north of Cap-Rouge Road and parallelly at a regular distance of 750 feet and to the starting point.

### No. 3. Class A-Y:

Starting at the connection point of Gomin, St. Louis and Cap-Rouge Roads on a southerly direction and following the west side of the Cap-Rouge Road as far as the Sheppard Street; thence on a westerly direction following the north side of the said Sheppard Street continued through Maguire Avenue and the lot no. 61-4; thence on a northerly direction following the west boundary line of lots 61, 61-2 and 61-1 to north boundary line of that said lot 61-1; thence on an easterly direction to Maguire Avenue; thence on a northerly direction, fo

following the west side of Maguire Avenue as far as Gomin Road; thence following Gomin Road to the starting point.

No. 4. Class B:

Starting from North and East corner of the no. 4, on a southerly direction and following the west side of the prolongation of the west boundary line of lot no. 203-1 (as described in the no. 1) as far as St. Louis Road; thence on a westerly direction following the North side of St. Louis Road to the west side of Holland Avenue (east and South corner of no. 3, Class F); thence on a northerly direction and following the east boundary line of lot no. 203-51 to a lane no. 203-50; thence, on a westerly direction following the south line of the said lane no. 203-5 and continuing through De Montigny Street to follow the South line of lots nos. 203-103 and 203a-3; thence on a southerly direction and following the east boundary line of lot no. 204; thence on a north westerly direction following the Gomin Road as far as its meeting with the prolongation of St. Cyrille Street or South boundary line of the City of Quebec; thence on an easterly direction following that said South boundary and the St. Cyrille Street to the starting point.

No. 5. Class D:

Starting at a point on the Cap-Rouge Road where the Belleborne creek is crossing the said Road, and following that said Creek on an easterly and southerly direction as far as the top of cliff of the Boulons; thence on a westerly direction following the top of the cliff as far as the east boundary line of the lot no. 55; thence on a northerly direction following that said east boundary line of lot no. 55 as far as the Cap-Rouge Road; thence on an easterly direction following the Cap-Rouge Road to meet the east boundary line of the unsubdivided part of lot no. 61; thence on a northerly direction and following that said east boundary line as far as the North line of lot no. 61-4; thence on an easterly direction following that north line of lot no. 61-4 and Schppard Street to the starting point.

No. 6. Class B:

Starting from a point at North and East corner of lot no. 203-51 on a southerly direction; and following the west side of Holland Avenue no. 203-2 to Cap-Rouge Road; thence on a westerly direction following the North Side of Cap-Rouge Road to the east boundary line of lot no. 204; thence going north and following that said east boundary line as far as the south boundary line of lot no. 203a-3; thence on an easterly direction following the said south boundary line of lot no. 203a-3; and the south line of lot no. 203-103; thence following the prolongation of that said south line through De Montigny Street and continuing along the south line of a lane, being lot no. 203-50 to the starting point.

No. 7. Class F:

Being all the lands between the top of cliff of the Boulons and the River St. Lawrence, and from the City of Quebec to the Parish of St. Foy.

A une séance spéciale du Conseil de la Municipalité de Saint-Colomb de Sillery, tenue le 24 novembre 1930, sous la présidence de Monsieur le Conseiller Wilbrod Fiset, il a été procédé à la division de la paroisse de Sillery par Zones, pour fins de construction et d'urbanisme.

Les différentes Zones définies par le Conseil à cette séance sont numérotées et indiquées en couleurs sur un plan déposé au bureau du Secrétaire-Trésorier de la Municipalité.

Ci-suit la description de ces Zones, lue et acceptée unanimement à la séance régulière du Conseil de la Municipalité de Saint-Colomb de Sillery, tenue le Premier Jour de Décembre Mil Neuf Cent Trente, sous la présidence de Son Honneur le Maire Monsieur J.-Art. Gauthier.

392A.  
10 km Sillery — 0 —

Le présent REGLEMENT III sera affiché aux portes des  
églises de la paroisse et entrera en vigueur après le délai prévu  
par la loi.

Et nous avons signé:

*Pierre Lippine*

Secrétaire-Trésorier

*J. Ant. Gauthier, Maire*

Maire

*Je certifie avoir affiché ce  
réglement le 6 dec. 1930.*

*W. C. Leary*