

General Rules of Interpretation (Sections 10-28)

10. This by-law may be cited by its long title, its short title, or by its by-law number, and any such citation is to be taken as meaning the by-law as amended.
11. The following rules and definitions apply to this by-law, unless a contrary intention is evident from the context:
 - (1) this by-law is written in plain language;
 - (2) a deliberate attempt has been made to keep the words, the grammar and the syntax used as simple as possible while meeting the legal requirement for clear and precise legislation; and
 - (3) ***the words used in the by-law have their ordinary meaning, unless otherwise defined. (Subject to By-law 2012-180)***
12. (1) The system of division of the provisions of this by-law is as follows:
 1. **section** [Arabic numeral];
 - (1) **subsection** [bracketed Arabic numeral];
 - (a) **clause** [bracketed lower-case letter];
 - (i) **sub clause** [bracketed lower-case Roman numeral]; and
 1. **paragraph** [Arabic numeral].
 - (2) Despite subsection (1), a reference to or citation of any of the above divisions as a "section" or "subsection" does not invalidate that reference or citation, if the reference or citation is otherwise correct.
13. The *Legislation Act, 2006* applies to this by-law. (By-law 2012-334)
14. Despite the tense used in a provision:
 - (1) every provision of this by-law is to be applied to the circumstances as they exist at the time in question; and
 - (2) every obligation imposed by this by-law is a continuing one so long as either the use, the circumstances, the reason for the obligation, or the events which caused, precipitated or gave rise to the obligation continue.
15. Definitions are given in this by-law to aid in the understanding and implementation of the true spirit, intent and meaning of the by-law. They are not to be used to avoid an obligation imposed by the by-law or any requirement enacted in a substantive provision of the by-law.
16. This by-law is remedial in nature and shall be interpreted in a benevolent manner and read and applied in a way that will ensure the effective implementation of its provisions and intent. (By-law 2013-224)
17. Without limiting the generality of section 16, where a situation arises that is not covered by a specific regulation, the provisions of this by-law apply by analogy to that situation, so that the application that is made of section 16 is the one that ensures the effective implementation of this by-law.
18. Without limiting the generality of sections 16 or 17, where a situation arises that is not covered by a specific regulation, or where two or more regulations are equally applicable, all provisions must

be complied with or, where it is not possible to comply with all the provisions applicable, the most restrictive provisions must be complied with.

19. Despite section 18, where an exception, suffix, schedule or overlay applies, the provisions imposed by that exception, suffix, schedule or overlay prevail over any other provision in the zoning by-law.
20. Except in the case of determining the number of required parking spaces for a storage yard use, where a use does not take place within a building but a regulation imposes a requirement premised on that use being in a building, the requirement applies as though the actual area occupied by the use is in a building, so that the true spirit, intent and meaning of the by-law is implemented. (By-law 2017-302)
21. This by-law is gender-neutral and, accordingly, any reference to one gender includes the other.
22. Words in the singular include the plural, and words in the plural include the singular.
23. Unless otherwise defined, the words and phrases used in this by-law have their normal and ordinary meaning.
24. Whether or not a word or term used in this by-law is defined, it is not included within the meaning of any other word or term used in this by-law, whether or not that other word or term is defined.
25. A comprehensive list of all terms used to name or describe a use in the by-law is appended as Appendix A and this list is the basis for all terms used in the by-law and any amendment to the by-law.
26. Appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, references to former enactments or enabling legislation do not form part of the by-law and are editorially inserted for convenience of reference only.
27. *Tables* are part of the by-law and are used throughout to present regulations in a concise format, and are structured with columns (vertical) and rows (horizontal) that are each numbered and titled for reference purposes.
28. The abbreviations “m” and “m²” are used in the zoning by-law text and mean “metres” and “square metres” respectively.

Interpreting Zoning Information (Sections 29-45)

Interpreting the Zoning Maps

29. The zoning maps attached to this by-law are part of the by-law and show the different areas, called zones or subzones, into which this by-law divides the city and show the zoning codes given to these areas; and those zones or subzones may be cited by either their zone name or their zone code.
30. The zones are designated by a zone code that is formed from one or more of the following parts:
 - (1) the primary zone symbol;
 - (2) the subzone symbol;
 - (3) the exception symbol; and
 - (4) the suffixes and schedules.

31. The zoning maps are provided in two formats: a single electronic consolidation for the entire City; and a hard copy version dividing the City into a grid of zoning maps numbered consecutively from 1; and these zoning maps may be individually cited as “zoning map number....”.
32. Where the boundary of any zone shown on the zoning maps:
- (1) follows a street, lane, utility right-of-way, railway right-of-way or watercourse, it is considered to follow the centreline of such street, lane, utility right-of-way, railway right-of-way, or watercourse;
 - (2) substantially follows lot lines shown on the zoning maps or the electronic consolidation of the zoning map, it is considered to follow such lot lines; (By-law 2013-224)
 - (3) follows a street and the street is closed, the land in the said closed street is considered to be included in the zone of the adjoining land and if such street forms a boundary between two or more different zones, it is considered to follow the centreline of that closed street; and
 - (4) passes through a lot and the distance is not indicated, it is considered to be located as measured using the scale of the zoning map.
33. (1) Where a lot is divided into more than one zone, each portion of the lot must be used in accordance with the provisions of the applicable zone; however, the zone boundary is not to be treated as a lot line. Where two or more regulations are equally applicable to a lot, Section 18 applies.
- (2) Where two zone codes are applied to a vacant school site, shown on the zoning maps separated by a diagonal line (example: I1A/R2B), the uses permitted are either those permitted in the institutional zone, subject to the institutional zone requirements; or those permitted in the other zone, subject to the requirements of that zone.

Interpreting the Zones and Zoning Mechanisms

34. Purpose statements are included in each zone and:
- (1) are intended to assist in understanding the by-law's objectives and purpose, and in understanding the planning principles underlying the use provisions and the regulatory provisions of the zone;
 - (2) are structured to reflect a prime objective of the by-law to implement the land-use related policies of the Official Plan;
 - (3) contain three basic elements:
 - (a) land use designation,
 - (b) the link to the policy of the Official Plan, and
 - (c) the planning objective that links the zone to the policy; and
 - (4) are equally applicable to the subzones and exceptions zones.

Statements of planning intent may also be included within other provisions.

35. (1) The organization and structure of this by-law is set out in Table 35(A), below:

TABLE 35(A)- THE STRUCTURE OF THE BY-LAW

(I) Name of the Mechanism	(II) Description of the Mechanism	(III) Legal Effect	(IV) Where Used
(1) General and Specific Use Provisions	Regulations that apply on a broad level	Enacts provisions that apply to most uses or to a specific use in most cases	<i>Parts 2, 3 and 5</i> of the Zoning By-law
(2) Primary Zone	The basic structural unit of the zoning by-law. A land use category with specific permitted uses and regulations	Regulates areas of similar or compatible land uses	Indicated by one of the symbols set out in Table 35(B), below, e.g. R1
(3) Subzone	Sub-category of primary zone	Imposes regulations to deal with the unique characteristics of an area while maintaining the purpose of the primary zone	Indicated by a letter or number added to the primary zone symbol; e.g.,R1A
(4) Overlay	An additional layer of regulation.	Imposes regulations that take precedence over the underlying zoning or over any other provisions in the by-law (heritage, flood plain area overlays)	Shown on the zoning maps by a distinctive marking (e.g., shading or hatching) and may overlap the boundaries of the underlying zones
(5) Suffix (By-law 2015-197)	A simple form of Overlay	Unlike an overlay, which can be more complex, a suffix adds a single regulation to a zone (H-height, F-floor space index, h-Holding Zone, c – Residential Neighbourhood Commercial)	Shown by a "suffix" to the primary zone on the zoning maps (e.g., "H(30)"added to R5 adds a 30 metre height limit to that R5 zone)
(6) Schedule	A document appended to and forming part of the by-law that contains detailed regulations or complex descriptions	Imposes specific or detailed regulations that are meant to apply only in specific circumstances or to specific situations	A separate document, plan or map appended to the zoning by-law in <i>Part 17</i> and indicated on the zoning maps by the schedule number; e.g., S3
(7) Exception	A modification to the zoning of a site, used only when none of the above mechanisms are appropriate. All other provisions of the by-law continue to apply.	Allows a use that would not be permitted otherwise; prohibits a use that would be permitted otherwise, or makes any modifications to the regulations applicable to the site. Contains only the provision being modified and does not repeat regulations which already apply	The text of the exception is contained in <i>Part 15</i> of the by-law and the area to which the exception applies is shown on the zoning map by a number within square brackets, e.g. [1] for the urban area and [1r] for the rural area, the number in the brackets corresponding to the number of the text contained in Part 15

- (2) The list of primary zone names and zone codes used in the text and maps to create and identify the zones in this by-law, together with the meaning of those codes, is set out in Table 35(B), below:

TABLE 35(B)- LIST OF PRIMARY ZONES AND CODES

(I) Zone Name	(II) Zone Code
RESIDENTIAL ZONES	
(1) Residential First Density Zone	R1
(2) Residential Second Density Zone	R2
(3) Residential Third Density Zone	R3
(4) Residential Fourth Density Zone	R4
(5) Residential Fifth Density Zone	R5
(6) Mobile Home Park Zone	RM
INSTITUTIONAL ZONES	
(7) Minor Institutional Zone	I1
(8) Major Institutional Zone	I2
OPEN SPACE AND LEISURE ZONES	
(9) Parks and Open Space Zone	O1
(10) Community Leisure Facility Zone	L1
(11) Major Leisure Facility Zone	L2
(12) Central Experimental Farm Zone	L3
ENVIRONMENTAL ZONE	
(13) Environmental Protection Zone	EP
COMMERCIAL/MIXED USE ZONES	
(14) Local Commercial Zone	LC
(15) General Mixed Use Zone	GM
(16) Traditional Mainstreet Zone	TM
(17) Arterial Mainstreet Zone	AM
(18) Mixed Use Centre Zone	MC
(19) Mixed Use Downtown Zone	MD

(I) Zone Name	(II) Zone Code
INDUSTRIAL ZONES	
(20) Business Park Industrial Zone	IP
(21) Light Industrial Zone	IL
(22) General Industrial Zone	IG
(23) Heavy Industrial Zone	IH
TRANSPORTATION ZONES	
(24) Air Transportation Facility Zone	T1
(25) Ground Transportation Facility Zone	T2
RURAL ZONES	
(26) Agricultural Zone	AG
(27) Mineral Extraction Zone	ME
(28) Mineral Aggregate Reserve Zone	MR
(29) Rural Commercial Zone	RC
(30) Rural General Industrial Zone	RG
(31) Rural Heavy Industrial Zone	RH
(32) Rural Institutional Zone	RI
(33) Rural Residential Zone	RR
(34) Rural Countryside Zone	RU
(35) Village Mixed Use Zone	VM
(36) Village Residential First Density Zone	V1
(37) Village Residential Second Density Zone	V2
(38) Village Residential Third Density Zone	V3
OTHER ZONES	
(39) Development Reserve Zone	DR

36. **Subzones** are created by adding a number or a capital letter to the primary zone code, and have the effect of modifying the uses or the regulations of the primary zone to the extent set out in the text of the provisions for that subzone.
37. **Exception zones** are created by adding a number in square brackets, e.g. [1], to the zone code on the zoning maps, and that have the effect of:
- (1) allowing a use that would not be permitted otherwise;
 - (2) prohibiting a use that would be permitted otherwise; or
 - (3) incorporating other modifications to the zoning by-law as are set out in the table for that exception, while retaining the un-modified provisions of the primary zone or subzone, as the case may be.
38. **Holding zones** are created by adding a lower-case "h" to the zone code on the zoning maps, and that have the effect of allowing the uses set out in the corresponding text of the by-law at some time in the future, when the holding symbol is removed by an amendment to the zoning by-law once specified conditions, which are identified in the exception provisions, are met (e.g. such as conditions related to environmental, transportation, servicing matters).
39. **Height limits** are created by adding to the zone code on the zoning maps:
- (1) an upper-case "H";
 - (2) followed by a number in parentheses, e.g.(10), and that have the effect of limiting the height above grade, in metres, to the number indicated in parentheses; heights may also be shown in terms of height in metres above sea level, indicated by the term 'a.s.l.' following the number in parentheses; and
 - (3) height limits may also be specified in a zone, subzone, exception, or provision.
40. **Floor space indices** are created by adding an upper case "F" to the zone code on the zoning map followed by a number in parentheses, e.g. (1.0), and that have the effect of limiting the gross floor area that may be built on the zoned area to that which is equal to the area of the lot multiplied by the number in parentheses following the upper case "F". Floor space indices may also be specified in a zone, subzone, exception or provision.
41. **Schedules** are shown by adding the letters "S" followed by a number added to the zone code on the zoning maps, and are part of the by-law and enact the regulation, the description or the map they contain.
42. **Heritage overlays** are shown as a shaded area on the zoning map and referenced in the map legend, and that have the effect of invoking the general provisions covering heritage contained in Section 60 for the shaded area.
43. **Flood plain overlays** are shown as a shaded area on the zoning map and referenced in the map legend, and that have the effect of invoking the general provisions covering flood plain provisions contained in Section 58 for the shaded area. Areas within the floodplain overlay which are identified as Area Specific Provisions are also shown as a different shaded area on the zoning map and referenced in the map legend and may have the effect of invoking area-specific provisions contained in Section 58(4) and (5) for the shaded area.
44. **Endnotes** are attached in most instances to a Residential Subzone, as noted in Column XI of each Residential Subzone Provision Table in Part 6. These endnotes refine or modify one or more of the provisions identified in Columns III through X and are described in Additional Zoning Provisions Tables applicable to each Residential Zone category.
45. The asterisk underscore symbol “*_” on the zoning map is used to identify those lands for which a zoning amendment is pending. (By-law 2008-326)

46. **Residential Neighbourhood Commercial** regulations apply where the zone code includes a suffix “-c”. These regulations are contained in Section 141 of Part 5. (By-law 2015-197)