

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



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CORRECTION NOTICE

LPAT CASE NO(S): PL061186
DECISION ISSUE DATE(S): April 24, 2014
CORRECTION NOTICE ISSUE DATE: April 18, 2019
RE: Waterdown Bay Ltd. v. Hamilton (City)

Correction to: page 55 of the Decision (specifically, page 49 of 64 of Appendix B)

Originally: Corrected to:

Zone provisions for Street Townhouse: Zone provisions for Street Townhouse:

(a) Lot Area (minimum): 1,506 sq. m. (a) Lot Area (minimum): 150 sq. m.

A handwritten signature in cursive script that reads 'Mary Ann Hunwicks'.

MARY ANN HUNWICKS
REGISTRAR

Local Planning Appeal Tribunal

A constituent tribunal of Tribunals Ontario - Environment and Land Division
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

**MEMORANDUM OF ORAL DECISION DELIVERED BY C. HEFFERON ON
MARCH 26, 2014 AND ORDER OF THE BOARD**

BACKGROUND

[1] In 2005, Waterdown Bay Ltd ("applicant") applied to the City of Hamilton ("City") to amend ("former Town of Flamborough") Zoning By-law No. 90-145-Z, as amended, to permit development of some 152 ha of lands located in Waterdown ("subject lands"). The subject lands are designated in the Urban Hamilton Official Plan ("UHOP") for agricultural and other uses.

[2] At the same time in 2005, the applicant also applied for draft Plan of Subdivision approval for 1008 residential units for a portion of the subject lands. In December 2006, after the municipality refused or neglected to make a decision on the applications within the statutory time period, both applications were appealed to the Ontario Municipal Board ("Board").

[3] The original proposal was revised and phased. An appeal respecting Phase 1a was heard by the Board in July 2008. Phase 1a, comprising some 248 residential units located on approximately 25 ha in the northwest quadrant of the subject lands was approved by the October 20, 2008 decision of the Board.

[4] The proposal was subsequently further modified. A total of approximately 2,574 residential units in a variety of tenures and types along with convenience commercial retail and district commercial uses with parks and natural areas are now proposed.

[5] In 2013, the City adopted Zoning By-law No. 13-238, which amends Zoning By-law No. 90-145-Z, as amended, to permit development of the final 125 ha (approximately) of the subject lands.

[6] The Region of Halton Conservation Authority ("Conservation Halton") appealed that 2013 decision to the Board. A January 2, 2014 decision of the Board consolidated Conservation Halton's appeal with the applicant's 2006 appeal.

MATTER BEFORE THE BOARD

- [7] Before the Board in the subject proceeding were three matters:
- i) the applicant's 2007 appeal of the refusal or neglect of the City to make a decision regarding a proposed amendment to (former Township of Flamborough) Zoning By-law No. 90-145-Z, as amended, to rezone that part of the subject lands not covered by Zoning By-law No. 13-228,
 - ii) Conservation Halton's 2013 appeal of Zoning By-law No. 13-228, which amends Zoning By-law No. 90-145-Z, as amended, to permit development of that portion of the final 125 ha of the subject lands not covered by (former Township of Flamborough) Zoning By-law No. 90-145-Z, as amended,
 - iii) the applicant's 2007 appeal of the refusal or neglect of the City to make a decision regarding a proposed draft Plan of Subdivision on the subject lands.

EVIDENCE AND FINDINGS

[8] At the commencement of the hearing, the Board was informed that a settlement had been agreed to between and among the Parties.

[9] The Board qualified James Webb to present opinion evidence on land use planning. Mr. Webb informed the Board that he had been retained by the applicant in 2006 to assist in the planning and development of the subject lands.

[10] Mr. Webb advised that a number of modifications had been made to an earlier draft Plan of Subdivision dated 2008. This draft Plan covered the western portion of the lands, while the eastern portion continued in mostly agricultural uses. The 2008 draft Plan called for a total of approximately 1,000 dwelling units.

[11] A modified draft Plan, which further revised the 2008 draft Plan, was submitted early 2012. Mr. Webb explained that further refinements to the 2012 draft Plan reflect the on-going discussions between the parties.

[12] The final draft Plan, which is now seeking approval from the Board, is dated March 14, 2014. It was entered into the evidence as Exhibit 8.

[13] Mr. Webb advised that the proposal calls for a variety of housing types and tenures to be built in compact form on the edge of the built-up part of Waterdown but within the established settlement area. He explained that great care had been taken to protect existing natural features of the area.

[14] He pointed out that the proposal also calls for local convenience shopping opportunities throughout the development as well as a shopping area that is intended to be reminiscent of a traditional main street. The latter may have ground floor retail with residential units above. He said this is to encourage walking within the new community.

[15] Approximately 5.57 ha of the lands have been set aside for a district commercial area in the northeast corner of the subject lands to serve a neighbourhood shopping function. In addition, secondary access to the proposed shopping area has been provided over a channel running parallel to Dundas Street (Highway No. 5). The intention is to protect that channel, which is now in a separate block to be conveyed to the City of Hamilton pursuant to the Conditions of Draft Approval. Primary access is proposed to be via Skinner Road.

[16] On the unopposed evidence of Mr. Webb, the Board finds that the proposed draft Plan has adequate regard for s. 51(24) of the *Planning Act* ("Act").

[17] Mr. Webb explained that the applicant's lands are subject to the provisions of both the Greenbelt Plan and the Niagara Escarpment Plan. On his unopposed evidence, the Board finds that the requested amendments to Zoning By-law No. 90-145-Z as well as the draft Plan of Subdivision conform to the intent and purpose of both of these plans.

[18] Also on Mr. Webb's unopposed evidence, the Board finds that the proposed development is consistent with the policies as well as the intent of the 2005 Provincial Policy Statement and conforms to the policies and intent of the *Growth Plan* for the Greater Golden Horseshoe, particularly as regards the efficient use of land within settlement areas and the development of compact urban areas.

[19] The Board further accepts Mr. Webb's unopposed evidence and finds that the proposal conforms to all of the applicable policies of the Urban Hamilton Official Plan as well as the South Waterdown Secondary Plan ("OPA 22"). OPA 22 amends the former Town of Flamborough Official Plan.

CONCLUSION

[20] On the evidence, the Board accepts the Minutes of Settlement.

[21] The Board also accepts Mr. Webb's uncontested evidence and finds that the proposal represents good planning and has adequate regard to matters of public interest, as listed in s. 2 of the Act.

ORDER

[22] The Board orders Conservation Halton's appeal of Zoning By-law No. 13-238, is allowed in part.

[23] The Board orders that the applicant's appeal of Zoning By-law No. 90-145-Z, as amended, is also allowed in part.

[24] The Board further orders that the Zoning By-law entered into the evidence as Exhibit 7, which amends Zoning By-law No. 90-145-Z, as amended, as it applies to the entire 125 ha undeveloped portion of the subject lands, is approved. A copy of Exhibit 7 is appended to this decision as Attachment 1.

[25] The Board hereby directs the Clerk of the municipality to assign a number to that Zoning By-law.

[26] The Board orders that the draft Plan of Subdivision prepared by Bousfields Inc. and certified by J.D. Barnes, O.L.S., dated March 14, 2014, is approved subject to the conditions entered into the evidence as Exhibit 9. The draft Plan of Subdivision itself was entered into the evidence as Exhibit 8. Copies of both the draft Plan of Subdivision and the conditions are appended to this decision as Attachments 2 and "3", respectively.

[27] Pursuant to s. 51(56.1) of the Act, the City of Hamilton shall have authority to clear the conditions of Draft Plan Approval and to administer final approval of the Draft Plan of Subdivision for the purposes of s. 51(58) of the Act.

"C. Hefferon"

C. HEFFERON
MEMBER

ATTACHMENT 1

Exhibit: <u>7</u>
File #: <u>PL061186</u>

Appendix "B" to Report PED13140 (Page 1 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Authority: Item [REDACTED]
Planning Committee
Report 13-[REDACTED] (PED13140)
CM: [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

**To Amend Zoning By-law No. 90-145-Z (Flamborough),
Respecting Lands Located at 392, 488 & 530 Dundas Street East, Concession 3,
Part of Lots 2, 3, 4, & 5 (East Flamborough), in the former Town of Flamborough,
now in the City of Hamilton**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 90-145-Z (Flamborough) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, approved by the Ontario Municipal Board on August 16, 2013 in accordance with the provisions of the Planning Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Appendix "B" to Report PED13140 (Page 2 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

1. That Schedule "A-31" and "A-32", attached to and forming part of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby amended:
 - (a) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential "R1-62" Zone, for lands comprised in Block "1";
 - (b) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential "R1-63" Zone, for lands comprised in Block "2";
 - (c) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential "R1-64" Zone, for lands comprised in Block "3";
 - (d) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential (Semi-Detached & Link) "R4-6" Zone, for lands comprised in Block "4";
 - (e) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Medium Density Residential "R6-30" Zone, for lands comprised in Block "5";
 - (f) by changing from the Agriculture "A" Zone to the Medium Density Residential "R6-31" Holding Zone, for lands comprised in Blocks "6";
 - (e) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Medium Density Residential "R6-32" Zone, for lands comprised in Blocks "7";
 - (f) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Commercial "UC-12(H)" Zone, for lands comprised in Block "8";
 - (g) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Commercial "UC-13" Zone, for lands comprised in Block "9";

Appendix "B" to Report PED13140 (Page 60 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

x 5.8m.

- (n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
 - (o) Planting Strip - General Provision 5.12.2 (d) shall not apply.
 - (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.
12. Section 28 – Conservation Management (CM) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

28.6 EXCEPTION NUMBERS (BLOCK 21)

28.3.6 "CM-6"

Permitted Uses:

- (a) Notwithstanding the uses permitted by Section 28.1 only the following uses shall also be permitted:
 - (i) Conservation
 - (ii) private access's across the CM-6 Zone to the District Commercial Block (UC-14 H Zone) .
13. (H) Holding Symbol:
- Where an (H) symbol is prefixed to a Zone identified in Schedule "A", the following conditions must be fulfilled, to the satisfaction of the City, prior to the lifting of the (H) Holding provision on any portion of the lands as noted below:
- i) For Blocks 13, 14, 15, 17, 18, and 19 - all Lots abutting a SWM Facility are subject to a "H" provision, which shall not be removed until the size and shape of the abutting SWM Facility is designed adequately, as per South Waterdown Subwatershed Study recommendations, to the satisfaction of the Senior Director of Growth Management and Conservation Halton.
 - ii) Blocks 10, 16 and 20 are subject to a Holding Provision. Pursuant to

Appendix "B" to Report PED13140 (Page 59 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.

- (i) Planting Strip: N/A.
- (j) Landscape Open Space: N/A.
- (k) Overall Density: 75 upnrh maximum for the lands zoned "UC-14".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Dimensions of Parking Spaces - all required surface parking spaces within the front yard shall have minimum dimensions of 2.6m

Appendix "B" to Report PED13140 (Page 58 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (l) GLA for single user (maximum): A single user over 10,000 sq. m. shall not be permitted.
- (m) GLA for Office Uses: Office uses on the same lot shall not exceed 2,000 sq. m.
- (n) Dimensions of Parking Spaces - all required parking spaces shall have minimum dimensions of 2.6m x 5.5.
- (o) Loading doors shall not be permitted in a yard abutting a street or a yard abutting a Residential Zone or Institutional Zone, except where screened from view by a Visual Barrier, which may include overhead doors.
- (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for Live Work Unit:

- (a) Lot Area (minimum): 150 sq. m.
- (b) Lot frontage (minimum): 5.5m.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 0.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m, except 3.0ms where abutting lands zoned for Open Space purposes.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of a townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached

Appendix "B" to Report PED13140 (Page 57 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (e) Front Yard:
 - (i) (Minimum): 0.0m.
 - (ii) (Maximum): 3.0m. (Skinner Road).
- (f) Rear Yard (minimum): 7.5m.
- (g) Interior Side Yard (minimum): 3.0m.
- (h) Exterior Side Yard (minimum): 3.0m.
- (i) Planting Strip (minimum): A planting strip having a minimum width of 3.0m shall be provided between the street line and parking spaces.
- (j) Landscaped Open Space (minimum): N/A.
- (k) Gross Leasable Floor Area (maximum) - 9,300 sq. m of retail and service commercial floor space comprised of a supermarket of not more than 7,500 sq. m., and other permitted retail and service commercial floor space to a maximum of 1,800 sq. m. The maximum GLFA is exclusive of office and service commercial uses located above the ground floor.

Upon the removal of the Holding Provision, the Gross Leasable Floor Area for retail and service commercial floor space may increase to a maximum of 16,000 sq. m. with no restrictions on the size of a supermarket or the amount of retail and service commercial floor space. The maximum GLFA is exclusive of office and service commercial uses located above the ground floor.

Maximum GLFA for retail and service commercial uses shall not exceed a total of 25,000 sq. m. when combined with the GLFA of the UC-12 Zone (Mixed-Use Medium) and UC-13 Zone (Mixed-Use Medium - Retail Main Street), exclusive of office and service commercial uses above the ground floor.

"16" and BLOCK "20")

Permitted Uses:

- (a) In addition to the uses permitted by Section 17.1 the following additional uses shall also be permitted:
 - (i) Automobile Service Station
 - (ii) Gas Bar
 - (iii) Car Wash accessory to item (i) and (ii)
 - (iv) Live-Work Unit

For the purpose of this Zone, a Live-Work Unit shall be defined as a street townhouse or a townhouse dwelling that may contain residential uses and the following commercial uses on the ground floor: retail establishment, personal services, service shop, office, or dry cleaning distribution station. Any permitted commercial use at grade within a Live-Work Unit shall be exempt from the applicable parking requirement

Prohibited Uses:

- (i) Funeral Home
- (ii) Automobile Sales and Service Establishment
- (iii) Dry Cleaning Establishment
- (iv) Open storage of goods and materials
- (v) Hotels, Motels, Places of Entertainment, and Private Clubs are permitted, provided the total floor area of such uses does not exceed 6,000 sq. m.

Zone Provisions for Uses other than a Live-Work Unit:

- (a) Lot Area (minimum): 275 sq. m.
- (b) Lot frontage (minimum): 9.0m.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.

Appendix "B" to Report PED13140 (Page 55 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

lands Zoned UC-13 (retail main street zone).

- (m) Gross Leasable Floor Area: Maximum GLFA for retail and service commercial uses shall not exceed a total of 25,000 sq. m. when combined with the GLFA of the UC-12 Zone (Mixed-Use Medium) and UC-14 Zone (District Commercial Zone), exclusive of office and service commercial uses above the ground floor.
- (n) Floor Space Index (FSI): Maximum of 2.5 times the lot area.
- (o) Principal building entrances for Commercial uses shall face the Street.
- (p) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.5.
- (q) Notwithstanding Section 5.12, any commercial use at grade shall be exempt from the applicable parking requirement.
- (r) Loading doors shall not be permitted in a yard abutting a street, or a yard abutting a Residential Zone or Institutional Zone, except where screened from view by a Visual Barrier, which may include overhead doors.
- (s) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

11. Section 17 - Urban Commercial (UC) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

17.3 EXCEPTION NUMBERS

17.3.14 "UC-14 (H) (DISTRICT COMMERCIAL - BLOCK "10" and BLOCK

Appendix "B" to Report PED13140 (Page 54 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (e) Garden Centres as primary use
- (f) Drive through facilities
- (g) Funeral Homes
- (h) Automobile Sales and Service Establishment
- (i) Dry Cleaning Establishment
- (j) Open storage of goods and materials

Zone Provisions (i.e. Freehold):

- | | | |
|-----|----------------------------------|---|
| (a) | Lot Area (minimum): | 150 sq. m. |
| (b) | Lot frontage (minimum): | 6.0m. |
| (c) | Height Maximum: | 8 storeys. |
| (d) | Lot Coverage (maximum): | N/A. |
| (e) | Front Yard (maximum): | 1.0m. |
| (f) | Rear Yard (minimum): | 5.8m. |
| (g) | Interior Side Yard (maximum): | 1.5m, except for the side yard related to the common wall of a Live-Work Unit, in which case a minimum side yard of 0.0m shall be provided. |
| (h) | Exterior Side Yard (maximum): | 1.0m. |
| (i) | Planting Strip (minimum): | A planting strip having a minimum width of 3.0m shall be provided between the street line and parking spaces. |
| (j) | Landscaped Open Space (minimum): | N/A. |
| (l) | Gross Leasable Floor Area: | Minimum of 3,600 sq. m. of retail and service commercial floor space is to be provided within the |

Appendix "B" to Report PED13140 (Page 53 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

parking, shall be required per apartment dwelling unit.

- (o) Loading doors shall not be permitted in a yard abutting a street or a yard abutting a Residential Zone or Institutional Zone, except where screened from view by a Visual Barrier which may include overhead doors.
- (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.
- (q) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.5m.

10. Section 17 - Urban Commercial (UC) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

17.3 EXCEPTION NUMBERS

17.3.13 "UC-13" (MIXED-USE MEDIUM - RETAIL MAIN STREET - BLOCK "9")

Permitted Uses:

- (a) In addition to the uses permitted by Section 17.1, the following additional uses shall also be permitted:

Live-Work Unit: For the purpose of this Zone, a Live-Work Unit shall be defined as a street townhouse or a townhouse dwelling that may contain residential uses and the following commercial uses on the ground floor: retail establishment, personal services, service shop, office, or dry cleaning distribution station. Any permitted commercial use at grade within a Live-Work Unit shall be exempt from the applicable parking requirement

Prohibited Uses:

- (a) Car Washes
- (b) Automobile Service Stations
- (c) Gas Bars
- (d) Vehicle Dealerships

Appendix "B" to Report PED13140 (Page 52 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (e) Front Yard (minimum): 3.0m.
- (f) Rear Yard (minimum): 3.0m.
- (g) Interior Side Yard (minimum): 3.0m.
- (h) Exterior Side Yard (minimum): 4.5m.
- (i) Planting Strip (minimum): A planting strip having a minimum width of 3.0m shall be provided between the street line and parking spaces.
- (j) Landscaped Open Space (minimum): 5%.
- (k) Density: 60 to 200 units per net residential ha for exclusive residential developments of up to 8 storeys in height.

200-300 units per net residential ha shall be permitted, subject to the removal of the Holding provision.
- (l) Floor Space Index (FSI): Maximum of 2.5 times the lot area.
- (m) Gross Leasable Floor Area: Maximum GLFA for retail and service commercial uses shall not exceed a total of 25,000 sq. m. when combined with the GLFA of the UC-13 Zone (Mixed-Use Medium - Retail Main Street) and the UC-14 Zone (District Commercial Zone), exclusive of office and service commercial uses above the ground floor.
- (n) Notwithstanding Section 5.21, 1.25 parking spaces, including visitor

Appendix "B" to Report PED13140 (Page 51 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

17.3.12 "UC-12(H)" (MIXED-USE MEDIUM - OUTSIDE OF RETAIL MAIN STREET - BLOCK "8")

Permitted Uses:

- (a) In addition to the uses permitted by Section 17.1, the following additional uses shall also be permitted:
 - (i) Apartment Building
 - (ii) Gas Bar
 - (iii) Car Wash accessory to Item (ii)
 - (iv) Public Uses

Prohibited Uses:

- (a) Vehicle dealerships
- (b) Garden Centres as a primary use
- (c) Open storage of goods and materials
- (d) Funeral Homes
- (e) Dry Cleaning Establishments
- (f) Automobile Sales and Service Establishment

General Provisions:

- (a) For each lot or block, a minimum of 40% of the ground floor facade width shall be located within a maximum of 25m from the north lot line (Dundas Street).

Zone Provisions:

- (a) Lot Area (minimum): 275 sq. m.
- (b) Lot frontage (minimum): 9.0m.
- (c) Height (maximum): 8 storeys (following removal of the Holding provision, the maximum height will be increased to 12 storeys).
- (d) Lot Coverage (maximum): N/A.

Appendix "B" to Report PED13140 (Page 50 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

	Permitted	Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Dimensions of Parking Spaces - all required surface parking spaces within the front yard shall have minimum dimensions of 2.6m x 5.8m.
- (n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (o) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

9. Section 17 - Urban Commercial (UC) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

17.3 EXCEPTION NUMBERS

Appendix "B" to Report PED13140 (Page 49 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Zone Provisions for Street Townhouse:

- (a) Lot Area (minimum): 1,506 sq. m.
- (b) Lot frontage (minimum): 5.5m.
- (c) Height (maximum): 4 storeys, height shall be measured at the front façade.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Planting Strip: N/A.
- (j) Landscape Open Space: N/A.
- (k) Overall Density: 30 - 60 upnrh for the lands zoned as "R6-32".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard into Which Encroachment is	Maximum Encroachment
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Appendix "B" to Report PED13140 (Page 48 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

parking space shall be 2.6m x 5.5m.

- (o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.
- (p) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (q) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (r) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (i) - Live-Work Unit:

For the purpose of this Zone, a Live-Work Unit shall be defined as a street townhouse or a townhouse dwelling that may contain residential and any of the uses described in Paragraphs (a) to (e), inclusive, on the ground floor.

Regulations for Street Townhouse are as provided in Section (f) above.

Regulations for Townhouse are as provided in Section (g) above.

Any permitted commercial use at grade within a Live-Work unit shall be exempt from the applicable parking requirement.

8. Section 11 - Medium Density Residential (R6) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

11.3 EXCEPTION NUMBERS

11.3.32 "R6-32" (Mixed-Use Medium - Street Townhouses Block "7" (R6-32) and Block "15" (R6-32-(H)))

Permitted Uses:

- (a) Street Townhouses
- (b) Storm Water Management Pond

Appendix "B" to Report PED13140 (Page 47 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (h) Exterior Side Yard (minimum): 4.5m.
- (i) Planting Strip: N/A.
- (j) Landscape Open Space: 5%.
- (k) Overall Density: 50 - 75 upnrh for the lands zoned as "R6-31".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Notwithstanding Section 5.21.1, 1.25 parking spaces, including visitor parking, shall be required per Apartment dwelling unit, no parking is required for uses (a) - (e) where located within an Apartment Building.
- (n) Notwithstanding Section 5.21.4, the dimensions for a surface

Appendix "B" to Report PED13140 (Page 46 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

visitor parking, shall be required per Stacked Townhouse dwelling unit.

- (m) Notwithstanding Section 5.21.4, the dimensions for a surface parking space within a front yard shall be 2.6m x 5.5m, visitor parking spaces shall have dimensions of 2.6m x 5.5m.
- (n) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.
- (o) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (p) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (q) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (i) - Apartment Building:

- (a) Lot Area (minimum): 2,000 sq. m.
- (b) Lot frontage (minimum): 30m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street "A" - Street "A" shall be deemed the front lot line.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 0.0m.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 3.0m.

Appendix "B" to Report PED13140 (Page 45 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

minimum side yard of 0.0m shall be provided.

- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 50 - 75 upnrh for the lands zoned as "R6-31".
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Notwithstanding Section 5.21.1, 1.25 parking spaces, including

Appendix "B" to Report PED13140 (Page 44 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Zone Provisions for (h) - Stacked Townhouse:

For the purpose of this Zone, a Stacked Townhouse shall be defined as a residential apartment building containing a minimum of 4, and a maximum of 32 units, each of which has an independent entrance, provided that:

- i. Stacked townhouse buildings shall have a maximum length of 60m.
 - ii. Not more than half of all dwelling units shall be on or below the ground floor.
 - iii. Dwelling units shall be fully attached to adjoining units, and are attached vertically or horizontally.
 - iv. Access to all second level units shall be from an interior stairway within the stacked townhouse building.
-
- | | |
|-----------------------------------|--|
| (a) Lot Area (minimum): | 120 sq. m. per dwelling unit. |
| (b) Lot frontage (minimum): | 30m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street "A" - Street "A" shall be deemed the front lot line. |
| (c) Height (maximum): | 4 storeys. |
| (d) Lot Coverage (maximum): | N/A. |
| (e) Front Yard (minimum): | 0.0m, except 5.8m to an attached garage or attached carport. |
| (f) Rear Yard (minimum): | 7.0m, except 3.0m where abutting lands zoned for Open Space purposes. |
| (g) Interior Side Yard (minimum): | 1.2m, except for the side yard related to the common wall of the townhouse, in which case a |

Appendix "B" to Report PED13140 (Page 43 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

		Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Notwithstanding Section 5.21.1, 1.25 parking spaces, including visitor parking, shall be required per Townhouse dwelling unit.
- (n) Notwithstanding Section 5.21.4, the dimensions for a surface parking space within the front yard shall be 2.6m x 5.8m, visitor parking spaces shall have dimensions of 2.6m x 5.5m.
- (o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.
- (p) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (q) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (r) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Appendix "B" to Report PED13140 (Page 42 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street "A" - Street "A" shall be deemed the front lot line.

- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 0.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m, except 3.0m where abutting lands zoned for Open Space purposes.
- (g) Interior Side Yard (minimum): 1.2m except for the side yard related to the common wall of the townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Planting Strip: N/A.
- (j) Landscape Open Space: N/A.
- (k) Overall Density: 50 - 75 upnrh for the lands zoned as "R6-31".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into

Appendix "B" to Report PED13140 (Page 41 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

	Encroachment is Permitted	Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Dimensions of Parking Spaces - all required surface parking spaces within the front yard shall have minimum dimensions of 2.6m x 5.8m.
- (n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (o) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (g) - Townhouse:

- (a) Lot Area (minimum): 150 sq. m. per dwelling unit.
- (b) Lot frontage (minimum): 30m, for the Block located at Burke Street and Skinner Road -

Appendix "B" to Report PED13140 (Page 40 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (b) Lot frontage (minimum): 5.5m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line; for the Block located at Skinner Road and Street "A" - Street "A" shall be deemed the front lot line.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 0.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m, except 3.0m where abutting lands zoned for Open Space purposes.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Planting Strip: N/A.
- (j) Landscape Open Space: N/A.
- (k) Overall Density: 50 - 75 upnrh for the lands zoned as "R6-31".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which	Maximum
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Appendix "B" to Report PED13140 (Page 39 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.5.
- (n) Parking shall not be located between the front lot line and the building.
- (o) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.
- (p) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (q) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (f) - Street Townhouse:

- (a) Lot Area (minimum): 150 sq. m.

Appendix "B" to Report PED13140 (Page 38 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

lot line, shall be deemed the front
lot line.

- (c) Height (maximum): 4 storeys (commercial uses only permitted on ground floor, as per Sub-section (a) of General Zone Provision.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 0.0m.
- (f) Rear Yard (minimum): 7.0m, except 3.0m where abutting lands zoned for Open Space purposes.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Planting Strip: N/A.
- (j) Landscape Open Space: N/A.
- (k) Overall Density: 50 - 75 upnrh for the lands zoned as "R6-31".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard

Appendix "B" to Report PED13140 (Page 37 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (g) Townhouse Dwelling
- (h) Stacked Townhouse Dwelling
- (i) Apartment Building with or without uses (a) - (e) at grade
- (j) Live-Work unit - (Street Townhouse (freehold) with residential and uses (a) - (e) at grade)
- (k) Stormwater Management Pond

Prohibited Uses:

- (a) Drive-thru
- (b) Motor Vehicle Service Stations
- (c) Open Storage of Goods and Materials

General Zone Provisions:

- (a) The uses permitted in Paragraphs (a) to (d), inclusive, above, shall only be permitted on the ground floor.
- (b) Maximum Gross Floor Area for the uses permitted in Paragraphs (a) to (d) on a single lot shall be 300 sq. m. Maximum Gross Floor Area for use permitted in Paragraph (e) on a single lot shall be 500 sq. m.
- (c) Any permitted commercial use at grade within a building containing residential uses, including a Live-Work unit, shall be exempt from the applicable parking requirement.
- (d) Parking for multiple dwellings, excluding street townhouses, shall not be permitted between the front lot line and the building.

Zone Provisions for (a) - (e) - Commercial Uses:

- (a) Lot Area (minimum): 150 sq. m.
- (b) Lot frontage (minimum): 5.5m, for the Block located at Burke Street and Skinner Road - Burke Street shall be deemed the front lot line, for the Block located at Skinner Road and Street "A" - Street "A", the East

Appendix "B" to Report PED13140 (Page 36 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

	yard	
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Notwithstanding Section 5.21.1, 1.25 parking spaces, including visitor parking, shall be required per Apartment dwelling unit.
- (n) Notwithstanding Section 5.21.4, the dimensions for a surface parking space shall be 2.6m x 5.5m.
- (o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.
- (p) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.
- (q) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (r) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

7. Section 11 - Medium Density Residential (R6) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

6.3 EXCEPTION NUMBERS

6.3.31 "R6-31" (Neighbourhood Node - Block "6")

Permitted Uses:

- (a) Retail Establishment
- (b) Personal Service Establishment
- (c) Service Shop
- (d) Dry Cleaning Distribution Station
- (e) Office
- (f) Street Townhouse Dwelling

Appendix "B" to Report PED13140 (Page 35 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (b) Lot frontage (minimum): 30m.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 3.0m.
- (h) Exterior Side Yard (minimum): 4.5m.
- (i) Planting Strip: N/A.
- (j) Landscape Open Space: 5%.
- (k) Overall Density: 60 - 75 upnrh for the lands zoned as "R6-30".

(l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side	Porches - 2.0m Steps - 0.60m from the streetline

Appendix "B" to Report PED13140 (Page 34 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Notwithstanding Section 5.21.1, 1.25 parking spaces, including visitor parking, shall be required per Townhouse - Maisonette dwelling unit.
- (m) Notwithstanding Section 5.21.4, the dimensions for a surface parking space within the front yard shall be 2.6m x 5.8, visitor parking spaces shall have dimensions of 2.6m x 5.5m.
- (n) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.
- (o) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.
- (p) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (q) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (q) - Low Rise Apartment Building:

- (a) Lot Area (minimum): 2000 sq. m.

Appendix "B" to Report PED13140 (Page 33 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (b) Lot frontage (minimum): 30m.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.

- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 60 - 75 upnrh for the lands zoned as "R6-30".
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m

Appendix "B" to Report PED13140 (Page 32 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle
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- (l) Notwithstanding Section 5.21.1, 1.25 parking spaces, including visitor parking, shall be required per Stacked Townhouse dwelling unit.
- (m) Notwithstanding Section 5.21.4, the dimensions for a surface parking space within a front yard shall be 2.6m x 5.8, visitor parking spaces shall have dimensions of 2.6m x 5.5m.
- (n) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.
- (o) Landscaped Open Space -General Provision 5.12.1 (d) shall not apply.
- (p) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (q) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (f) - Townhouse-Maisonette:

For the purpose of this Zone, a Townhouse Maisonette shall mean a building not more than one single family dwelling unit in height, designed to contain not less than six single family dwelling units, fully attached to each other, side-by-side, in two rows arranged back-to-back and in substantial harmony with each other, each of which dwelling units;

- i. Has a separate front entrance;
 - ii. Is joined on one or both sides by a party wall to another dwelling unit in the same row;
 - iii. Is joined by a common vertical back wall extending the length of the building.
- (a) Lot Area (minimum): 120 sq. m. per dwelling unit.

Appendix "B" to Report PED13140 (Page 31 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the townhouse, in which case minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 60 - 75 upnrh for the lands zoned as "R6-30".
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline

Appendix "B" to Report PED13140 (Page 30 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (o) Notwithstanding Section 5.21.6 (b), the minimum width for a two-way driveway shall be 6.0m.
- (p) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (q) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (r) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (e) - Stacked Townhouse:

For the purpose of this Zone, a Stacked Townhouse shall be defined as a residential apartment building containing a minimum of 4, and a maximum of 40 units, each of which has an independent entrance, provided that:

- i. Stacked townhouse buildings shall have a maximum length of 60m.
 - ii. Not more than half of all dwelling units shall be on or below the ground floor.
 - iii. Dwelling units shall be fully attached to adjoining units, and are attached vertically or horizontally.
 - iv. Access to all second level units shall be from an interior stairway within the stacked townhouse building.
-
- (a) Lot Area (minimum): 120 sq. m. per dwelling unit.
 - (b) Lot frontage (minimum): 30m.
 - (c) Height (maximum): 4 storeys.
 - (d) Lot Coverage (maximum): N/A.
 - (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
 - (f) Rear Yard (minimum): 7.0m.

Appendix "B" to Report PED13140 (Page 29 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

(l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

(m) Notwithstanding Section 5.21.1, 1.25 parking spaces, including visitor parking, shall be required per Townhouse dwelling unit.

(n) Notwithstanding Section 5.21.4, the dimensions for a surface parking space within a front yard shall be 2.6m x 5.8m, visitor parking spaces shall have dimensions of 2.6m x 5.5.

Appendix "B" to Report PED13140 (Page 28 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (n) Landscaped Open Space - General Provision 5.12.1 (d) shall not apply.
- (o) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (d) - Townhouse:

- (a) Lot Area (minimum): 150 sq. m. per dwelling unit.
- (b) Lot frontage (minimum): 30m.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be within 5.8m of the exterior lot line.
- (i) Planting Strip: N/A.
- (j) Landscape Open Space: N/A.
- (k) Overall Density: 60 - 75 upnrh for the lands zoned as "R6-30".

Appendix "B" to Report PED13140 (Page 27 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

garage or carport which fronts on the exterior lot line shall not be within 5.8m of the exterior lot line.

- (i) Planting Strip: N/A.
- (j) Landscape Open Space: N/A.
- (k) Overall Density: 60 - 75 upnrh for the lands zoned as "R6-30".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.

Appendix "B" to Report PED13140 (Page 26 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

porches	required exterior side yard	the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (n) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (o) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (c) - Street Townhouse:

- (a) Lot Area (minimum): 150 sq. m.
- (b) Lot frontage (minimum): 5.5m.
- (c) Height (maximum): 4 storeys.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached

Appendix "B" to Report PED13140 (Page 25 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 0.0m on the common side and 1.2m on other side.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 60 - 75 upnrh for the lands zoned as "R6-30".
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed	Required front, required rear, and	Porches - 2.0m Steps - 0.60m from

Appendix "B" to Report PED13140 (Page 24 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

chimney breasts, pilasters eaves, or gutters		
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (m) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (n) Landscaped Open Space -General Provision 5.12.1 (d) shall not apply.
- (o) Planting Strip - General Provision 5.12.2 (d) shall not apply.
- (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (b) - Semi-Detached Dwellings:

- (a) Lot Area (minimum): 200 sq. m.
- (b) Lot frontage (minimum): 7.5m.
- (c) Height (maximum): 3 storeys

Appendix "B" to Report PED13140 (Page 23 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

be permitted adjacent to any side lot line less than 1.2m, except:

On a lot where an emergency spillway/overland flow route shall be located, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.

- (h) Exterior Side Yard (minimum): On a corner lot, the minimum side yard abutting the flankage street shall be 2.4m, except that an attached garage which fronts on the flankage street shall not be located within 5.8m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 60 - 75 upnrh for the lands Zoned as "R6-30".
- (k) Maximum Number of Singles: Single detached dwellings shall comprise no more than 25% of the housing units for the lands zoned as "R6-30".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces,	All	0.65m

Appendix "B" to Report PED13140 (Page 22 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (b) Semi-Detached Dwelling
- (c) Street Townhouse
- (d) Townhouse
- (e) Stacked Townhouse
- (f) Maisonette
- (g) Low Rise Apartment Building
- (h) Storm Water Management Pond

Zone Provisions for (a) - Single Detached Dwellings:

- | | | |
|-----|-------------------------------|---|
| (a) | Lot Area (minimum): | 310 sq. m. |
| (b) | Lot frontage (minimum): | 11.5m. |
| (c) | Height (maximum): | 3 storeys. |
| (d) | Lot Coverage (maximum): | N/A. |
| (e) | Front Yard (minimum): | 3.0m, except 5.8m to an attached garage or attached carport. |
| (f) | Rear Yard (minimum): | 7.0m. |
| (g) | Interior Side Yard (minimum): | 1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m. A 0.6m side yard setback shall not |

Appendix "B" to Report PED13140 (Page 21 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (n) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

6. Section 6 - Medium Density Residential (R6) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

6.3.30 "R6-30" (MD - BLOCK "5" (R6-30) and Block "13") (R6-30-(H)))

Permitted Uses:

- (a) Single Detached Dwelling

Appendix "B" to Report PED13140 (Page 20 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (n) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (c) - Street Townhouse:

- (a) Lot Area (minimum): 150 sq. m.
- (b) Lot frontage (minimum): 5.5m.
- (c) Height (maximum): 3 storeys, height shall be measured at the front façade.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 30 - 60 upnrh for the lands zoned as "R4-6".
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard

Appendix "B" to Report PED13140 (Page 19 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

(k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.

Appendix "B" to Report PED13140 (Page 18 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

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- (m) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (o) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (b) - Semi-Detached Dwelling:

- (a) Lot Area (minimum): 200 sq. m.
- (b) Lot frontage (minimum): 7.5m.
- (c) Height (maximum): 3 storeys, height shall be measured at the front façade.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 0.0m on the common side and 1.2m on other side.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 30 - 60 upnrh for the lands zoned as "R4-6".

Appendix "B" to Report PED13140 (Page 17 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

located within 5.8m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required;

- (i) Landscape Open Space: N/A.
- (j) Overall Density: 30 - 60 upnrh for the lands Zoned as "R4-6".
- (k) Maximum Number of Singles: Single detached dwellings shall comprise no more than 60% of the housing units for the lands zoned as "R4-6".
- (l) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

Appendix "B" to Report PED13140 (Page 16 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (b) Lot frontage (minimum): 11.5m.
- (c) Height (maximum): 3 storeys, height shall be measured at the front façade.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m, with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m. A 0.6m side yard setback shall not be permitted adjacent to any side lot line less than 1.2m, except:
- On a lot where an emergency spillway/overland flow route shall be located, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.
- (h) Exterior Side Yard (minimum): On a corner lot, the minimum side yard abutting the flankage street shall be 2.4m, except that an attached garage which fronts on the flankage street shall not be

Appendix "B" to Report PED13140 (Page 15 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

without a foundation	required exterior side yard	eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (n) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

5. Section 9 - Urban Residential (Semi-Detached and Link) (R4) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

9.3.6 "R4-6" (LD3 - BLOCK "4" (R4-6) and BLOCK "14" (R4-6-(H)))

Permitted Uses:

- (a) Single Detached Dwelling
- (b) Semi-detached Dwelling
- (c) Street Townhouse
- (d) Storm Water Management Pond

Zone Provisions for (a) - Single Detached Dwelling:

- (a) Lot Area (minimum): 310 sq. m.

Appendix "B" to Report PED13140 (Page 14 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- 50% or less of the floor area below.
- (d) Lot Coverage (maximum): N/A.
 - (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
 - (f) Rear Yard (minimum): 7.0 m.
 - (g) Interior Side Yard (minimum): 1.2m, except for the side yard related to the common wall of the street townhouse, in which case a minimum side yard of 0.0m shall be provided.
 - (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
 - (i) Landscape Open Space: N/A.
 - (j) Overall Density: 22 - 40 upnrh for the lands zoned as "R1-64".
 - (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or	Required front, required rear, and	1.00m plus a further 0.3m for

Appendix "B" to Report PED13140 (Page 13 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8.
- (m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (n) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Zone Provisions for (c) - Street Townhouses:

- (a) Lot Area (minimum): 150 sq. m.
- (b) Lot frontage (minimum): 5.5m.
- (c) Height (maximum): 2½ storeys, height shall be measured at the front façade, a ½ storey shall have a floor area of

Appendix "B" to Report PED13140 (Page 12 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Zone Provisions for (b) - Semi-Detached Dwellings:

- (a) Lot Area (minimum): 200 sq. m.
- (b) Lot frontage (minimum): 7.5m.
- (c) Height (maximum): 2½ storeys, height shall be measured at the front façade, a ½ storey shall have a floor area of 50% or less of the floor area below.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 0.0m on the common side and 1.2m on other side.
- (h) Exterior Side Yard (minimum): 2.4m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 22.- 40 upnrh for the lands zoned as "R1-64".
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard

Appendix "B" to Report PED13140 (Page 11 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (n) Lots backing onto Mountain Brow Road shall have decorative fencing along the rear lot line. Solid, board-on-board or chain link fencing is not permitted.
- (o) Notwithstanding Section 5 - General Provisions, accessory buildings within the rear yards of those Lots backing onto Mountain Brow Road shall have a maximum height of 2.5m and a maximum floor area of 6.0 sq. m.
- (p) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

Appendix "B" to Report PED13140 (Page 10 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

with said maintenance easement permitting encroachment for maintenance purposes only for no more than 0.6m into the side yard of the lot adjacent the yard with a side yard setback less than 1.2m. A 0.6m side yard setback shall not be permitted adjacent to any side lot line less than 1.2m, except:

On a lot where an emergency spillway/overland flow route shall be located, a minimum 2.0m side yard separation between buildings shall be provided and maintained between buildings along one common lot line.

- (h) Exterior Side Yard (minimum): On a corner lot, the minimum side yard abutting the flankage street shall be 2.4m, except that an attached garage which fronts on the flankage street shall not be located within 5.8m of the flankage street line; and on a corner lot with a daylight triangle, a minimum 2.0m setback for any building from the hypotenuse of the daylight triangle is required.
- (i) Landscape Open Space: N/A.
- (j) Overall Density: 22 - 40 upnrh for the lands zoned as "R1-64".
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard

Appendix "B" to Report PED13140 (Page 9 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (a) Single Detached Dwellings
- (b) Semi-detached Dwellings
- (c) Street Townhouses
- (d) Storm Water Management Pond

General Provisions:

Where installation of a retaining wall, higher than 1.0m and of material other than armourstone, owner of such lot shall not (i) excavate, drill, install, erect, or build; (ii) plant any tree, construct any pit, well, pavement, building, or structure; and (iii) alter the grading or any over-land drainage patterns approved by the City, without the prior written consent of the Senior Director, Growth Management Division.

Zone Provisions for (a) - Single Detached Dwellings:

- (a) Lot Area (minimum): 310 sq. m.
- (b) Lot frontage (minimum): 11.5m.
- (c) Height (maximum): 2½ storeys, height shall be measured at the front façade, a ½ storey shall have a floor area of 50% or less of the floor area below.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m on the garage side and 0.6m on the non-garage side, subject to a maintenance easement registered on title for any minimum side yard that is less than 1.2m,

Appendix "B" to Report PED13140 (Page 8 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay, Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed and unenclosed porches	Required front, required rear, and required exterior side yard	Porches - 2.0m Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (m) Rear Lot Line shall be fenced with a 1.2m (minimum) high black chain link fence.
- (n) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (o) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

4. Section 6 - Urban Residential (R1) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

6.3.64 "R1-64" (LD2 - BLOCK "3" and BLOCK "17" (R1-64-(H)))

Permitted Uses:

Appendix "B" to Report PED13140 (Page 7 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (a) Lot Area (minimum): 410 sq. m.
- (b) Lot frontage (minimum): 15.24m.
- (c) Height: (Maximum) 10.5m, height shall be defined as the vertical distance measured from the average finished grade level adjacent to the front elevation of the building to the midway point between the eaves and the roof peak.
- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m.
- (h) Exterior Side Yard (minimum): 3.0m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Density (maximum): 22 upnrh.
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard

Appendix "B" to Report PED13140 (Page 6 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

and unenclosed porches	required rear, and required exterior side yard	Steps - 0.60m from the streetline
Setback of all structures from the site triangles	Required front and required exterior side yard	0.30m minimum setback from a site triangle

- (l) Dimensions of Parking Spaces - all required surface parking spaces shall have minimum dimensions of 2.6m x 5.8m.
- (m) Landscaped Open Space General Provision 5.12.1 (d) shall not apply.
- (n) General Provisions - Other than contained herein, the provisions of Section 5 shall apply.

3. Section 6 - Urban Residential (R1) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

6.3.63 "R1-63" (LD1 - BLOCK "2" (R1-63) and BLOCK "19" (R1-63-(H)) - Waterdown Woods Area)

Permitted Uses:

- (a) Single Detached Dwelling
- (b) Storm Water Management Pond

General Provisions:

Where installation of a retaining wall, higher than 1.0m and of material other than armourstone, the owner of such lot shall not (i) excavate, drill, install, erect, or build; (ii) plant any tree, construct any pit, well, pavement, building, or structure; and (iii) alter the grading or any over-land drainage patterns approved by the City, without the prior written consent of the Senior Director, Growth Management Division.

Zone Provisions:

Appendix "B" to Report PED13140 (Page 5 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

height shall be measured at the front façade.

- (d) Lot Coverage (maximum): N/A.
- (e) Front Yard (minimum): 3.0m, except 5.8m to an attached garage or attached carport.
- (f) Rear Yard (minimum): 7.0m.
- (g) Interior Side Yard (minimum): 1.2m.
- (h) Exterior Side Yard (minimum): 3.0m, except that an attached garage or carport which fronts on the exterior lot line shall not be located within 5.8m of the exterior lot line.
- (i) Landscape Open Space: N/A.
- (j) Density (maximum): 22 units per net residential ha (upnrh).
- (k) Yard Encroachments in accordance with the following:

Structure or Item	Yard Into Which Encroachment is Permitted	Maximum Encroachment Permitted into Required Yard
Sills, beltcourses, cornices, fireplaces, chimney breasts, pilasters eaves, or gutters	All	0.65m
Bay Bow or Box Windows with or without a foundation	Required front, required rear, and required exterior side yard	1.00m plus a further 0.3m for eaves
Steps, enclosed	Required front,	Porches - 2.0m

Appendix "B" to Report PED13140 (Page 4 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (s) by changing from the Agriculture "A" Zone, Highway Commercial "HC" Zone and the Conservation Management "CM" Zone to the Conservation Management "CM-6" Zone, for lands comprised in Block "21";

the extent and boundaries of which are more particularly shown on Schedule "A" annexed hereto and forming part of this By-law.

2. Section 6 - Urban Residential (R1) Zone of Zoning By-law No. 90-145-Z (Flamborough), as amended, is hereby further amended by adding the following Sub-section:

6.3 EXCEPTION NUMBERS

6.3.62 "R1-62" (LD1 - Block "1" and Block "18" - LOTS ADJOINING FLANDERS)

Permitted Uses:

- (a) Single Detached Dwelling
- (b) Storm Water Management Pond

Zone Provisions:

- (a) Lot Area (minimum): 350 sq. m.
- (b) Lot frontage (minimum): 13.0m, except 18.2m shall be provided where a lot abuts a linear Open Space Block (Block No. 884 of the Draft Plan).
- (c) Height (Maximum): 2½ storeys, except where a lot abuts a linear Open Space Block (Block No. 884 of the Draft Plan), a maximum height of 2½ storeys is permitted provided the floor area above the second floor is contained within the roof peak and that windows above the second floor are contained in dormers facing the front yard,

Appendix "B" to Report PED13140 (Page 3 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

- (h) by changing from the Agriculture "A" Zone, Highway Commercial "HC" Zone, and the Conservation Management "CM" Zone to the Urban Commercial "UC-14(H)" Zone, for lands comprised in Block "10";
- (i) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Development "UD" Zone, for the lands comprised in Block "11";
- (j) to be removed from By-law 90-145-Z, for lands comprised in Block "12".
- (k) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Medium Density Residential "R6-30(H)" Holding Zone, for lands comprised in Block "13";
- (l) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential (Semi-Detached and Link) "R4-6(H)" Holding Zone, for lands comprised in Block "14";
- (m) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Medium Density Residential "R6-32(H)" Holding Zone, for lands comprised in Blocks "15";
- (n) by changing from the Agriculture "A" Zone, Highway Commercial "HC" Zone and the Conservation Management "CM" Zone to the Urban Commercial "UC-14(H)" Holding Zone, for lands comprised in Block "16";
- (o) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential "R1-64(H)" Holding Zone, for lands comprised in Block "17";
- (p) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential "R1-62(H)" Holding Zone, for lands comprised in Block "18";
- (q) by changing from the Agriculture "A" Zone and Conservation Management "CM" Zone to the Urban Residential "R1-63(H)" Holding Zone, for lands comprised in Block "19";
- (r) by changing from the Agriculture "A" Zone, Highway Commercial "HC" Zone and the Conservation Management "CM" Zone to the Urban Commercial "UC-14(H)" Holding Zone, for lands comprised in Block "20";

Appendix "B" to Report PED13140 (Page 61 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

Paragraph (k) of the Zone Provisions, the maximum Gross Leasable Floor Area for the lands shall be 9,300 sq. m. of retail and service commercial floor space while the Holding Provision remains in effect.

The Holding Provision shall be removed upon the build out of a minimum of 3,600 sq. m. of retail and service commercial floor space within the lands zoned as UC-13 (Block 9), to the satisfaction of the Director of Planning.

Upon the removal of the Holding Provision, the Gross Leasable Floor Area for retail and service commercial floor space may increase to a maximum of 16,000 sq. m. with no restrictions on the size of a supermarket or the amount of retail and service commercial floor space. The maximum GLFA is exclusive of office and service commercial uses located above the ground floor.

Block 16 is subject to a Holding Provision encompassing the springs associated with the south-west Karst Area G - Regulated Area plus setback. The Holding provision shall not be removed until a letter is provided by a qualified Engineer or Geoscientist confirming flows associated with the springs have stopped or diminished such that they are no longer a potential flooding hazard, in keeping with the recommendations of the of Karst Area G Report prepared by Buck & Slaine (2013) to the satisfaction of the Director of Planning and Conservation Halton.

Block 20 is subject to a Holding Provision encompassing sinkpoints in the bedrock associated with the north-east Karst Area G Regulated Area plus setback. The Holding provision shall not be removed until a letter is provided by a qualified Engineer or Geoscientist confirming the sinkpoints in the bedrock have been closed out in keeping with the recommendations of the Karst Area G Report prepared by Buck & Slaine (2013) to the satisfaction of the Director of Planning and Conservation Halton..

- iii) Block 8 is subject to a Holding Provision. Pursuant to Paragraphs (c) and (k) of the Zone Provisions, the maximum building height shall be 8 storeys, with a density of 60 - 200 upnrh, while the Holding Provision remains in effect.

Appendix "B" to Report PED13140 (Page 62 of 64)
By-law Respecting 392, 488, and 530 Dundas Street East,
Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough

The Holding Provision may be removed subject to the completion of a Visual Impact Assessment, to the satisfaction of the City, the Niagara Escarpment Commission, and the Director of Planning.

Upon the removal of the Holding Provision, building height may be increased to a maximum of 12 storeys, and density increased to 200 - 300 upnrh.

- iv) Blocks 15, 22 and 23 are subject to a Holding provision which shall remain in place until permits have been obtained and works have been completed to the satisfaction of Conservation Halton, such that the as-built grading plans show the blocks have been removed from the 15 m regulated floodplain setback, and disturbed areas have been stabilized and vegetated.

14. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [] day of [], 2013.

R. Bratina
Mayor

R. Caterini
Clerk

ZAC-05-066, ZAC-12-013, and 25T200513

Appendix "B" to Report PED13140 (Page 63 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough















This is Schedule "A" to By-law No. 14-
 Passed the day of, 2014

 Mayor

 Clerk

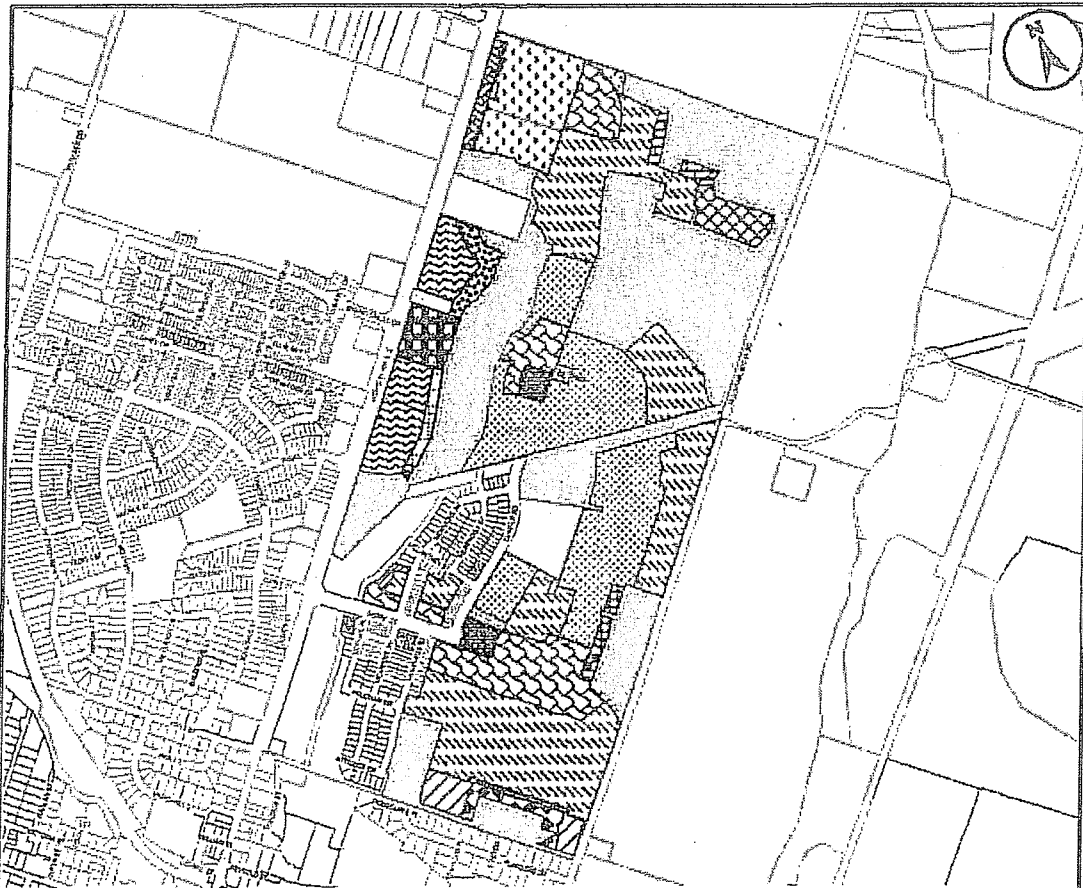
Schedule "A"
 Map 1 of 2
 Map Forming Part of
 By-law No. 14-
 to Amend By-law No. 90-145-Z

- Subject Property - Waterdown Bay**
 Change in Zoning from the Agricultural "A", Conservation Management "CM",
 and the Highway Commercial "HC" Zone to the:
-  Block 1 - Urban Residential "R1-62" Zone
 -  Block 2 - Urban Residential "R1-63" Zone
 -  Block 3 - Urban Residential "R1-64" Zone
 -  Block 4 - Urban Residential "R4-6" Zone
 -  Block 5 - Medium Density Residential "R6-30" Zone
 -  Block 6 - Medium Density Residential "R6-31" Zone
 -  Block 7 - Medium Density Residential "R6-32" Zone
 -  Block 8 - Urban Commercial "UC-12-(H)" Zone
 -  Block 9 - Urban Commercial "UC-13" Zone
 -  Block 10 - Urban Commercial "UC-14-(H)" Zone
 -  Block 11 - Urban Development "UD" Zone
 -  Block 12 - Refer to By-law No. 05-200

Scale: N.T.S.	File Name/Number: ZAC-12-013
Date: August 15, 2013	Planner/Technician: EJVDB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	



Appendix "B" to Report PED13140 (Page 64 of 64)
 By-law Respecting 392, 488, and 530 Dundas Street East,
 Part of Lots 2, 3, 4, and 5, Concession 3, East Flamborough



This is Schedule "A" to By-law No. 14-
 Passed the day of, 2014












 Mayor

 Clerk

Schedule "A"
 Map 2 of 2
 Map Forming Part of
 By-law No. 14-
 to Amend By-law No. 90-145-Z

Subject Property - Waterdown Bay

Change in Zoning from the Agricultural "A", Conservation Management "CM", and the Highway Commercial "HC" Zone to the:

-  Block 13 - Medium Density Residential "R6-30-(H)" Zone
-  Block 14 - Urban Residential "R4-6-(H)" Zone
-  Block 15 - Medium Density Residential "R6-32-(H)" Zone
-  Block 16 - Urban Commercial "UC-14-(H)" Zone
-  Block 17 - Urban Residential "R1-64-(H)" Zone
-  Block 18 - Urban Residential "R1-62-(H)" Zone
-  Block 19 - Urban Residential "R1-63-(H)" Zone
-  Block 20 - Urban Commercial "UC-14-(H)" Zone
-  Block 21 - Conservation Management "CM-6" Zone
-  Block 22 - Urban Residential "R1-64-(H)" Zone
-  Block 23 - Urban Residential "R6-32-(H)" Zone

Scale: N.T.S.	File Name/Number: ZAC-12-013
Date: August 15, 2013	Planner/Technician: EJ/DB
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

